

# Initiative and Referendum

## Official Text of the Direct Legislation Law

### HOW TO PROCEED TO REFER QUESTIONS

#### A Direct Appeal Can Be Had From the Secretary of State to the Supreme Court

**Title of the Bill.**  
An act making effective the initiative and referendum provisions of Section I, of Article IV, of the Constitution of the State of Oregon, and regulating elections thereunder, and providing penalties for violations of provisions of this act.

**Section 1.** The following shall be substantially the form of petition for the referendum to the people on any act passed by the legislative assembly of the State of Oregon:

#### Petition for the Referendum.

To the Honorable  
Secretary for the State of Oregon,

We, the undersigned citizens and legal voters of the State of Oregon, respectfully order that Senate (House) Bill Number ..... entitled (title of act), passed by the legislative assembly of the State of Oregon at the regular (special) session of said legislative assembly, shall be referred to the people of the state for their approval or rejection at the regular general election to be held on the ..... day of ..... 19..... and each for himself says, I have personally signed this petition; I am a legal voter of the state of Oregon, and my residence, post office, and voting precinct are correctly written after my name.

(Here follows twenty numbered lines for signatures, giving name, residence, if in city street and number, post office and voting precinct.)

#### Petition for Initiative.

**Sec. 2.** The following shall be substantially the form of petition for any law or amendment to the Constitution of the State of Oregon, proposed by the initiative:

To the Honorable  
Secretary of State, for the State of Oregon:

We, the undersigned, legal voters of the State of Oregon, respectfully demand that the following proposed (law) amendment to the constitution shall be submitted to the legal electors of the State of Oregon for their approval or rejection at the regular general election to be held on the ..... day of ..... 19..... and each for himself says: I have personally signed this petition, and my residence, post office, and voting precinct are correctly written after my name. (Numbered lines for twenty names on each sheet as above.) Each sheet for petitioner's signatures shall be attached to a full and correct copy of the title and text of

the measure so proposed by initiative petition, but such petition may be filed with the secretary of state in numbered sections for convenience in handling, and referendum petitions may be filed in sections in like manner.

#### Duty of County Clerk.

**Sec. 3.** The county clerk of each county in which any such petitions shall be signed, shall compare the signatures of the electors signing the same, with their signatures on the registration books and blanks on file in his office for the preceding general election, and shall thereupon attach to the sheets of said petition containing such signatures his certificate to the secretary of state substantially as follows:

State of Oregon, County of .....  
To the Honorable  
Secretary of State for Oregon:  
I, ..... County Clerk for the county of ..... hereby certify that I have compared the signatures on (number of sheets) of the referendum (initiative) petition attached hereto, with the signatures of said electors as they appear on the registration books and blanks in my office, and I believe that the signatures of (names of signers) numbering (number of genuine signatures) are genuine. As to the remainder of the signatures thereon, I believe they are not genuine, except that the following names (.....) do not ap-

### Scrofula

This root of many evils—Glandular tumors, abscesses, pimples, and other cutaneous eruptions, sore ears, inflamed eyelids, rickets, dyspepsia, catarrh, readiness to catch cold and inability to get rid of it easily, paleness, nervousness, the consumptive tendency, and other ailments—

Can be completely and permanently removed, no matter how young or old the sufferer.

Hood's Sarsaparilla was given the daughter of Elias Vermeer, Wawarsing, N. Y., who had broken out with scrofula sores all over her face and head. The first bottle helped her, and when she had taken six the sores were all sealed and her face was smooth. He writes that she has never shown any sign of the scrofula returning.

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pear on the registration books and blanks in my office.

(Seal of office)  
Signed: .....  
County Clerk.

By ..... Deputy.

#### Shall Be Proof of Facts.

Every such certificate shall be prima facie evidence of the facts stated therein, and of the qualifications of the electors whose signatures are thus certified to be genuine, and the secretary of state shall consider and count only such signatures on such petitions as shall be so certified by said county clerks to be genuine. Provided, that the secretary of state may consider and count such of the remaining signatures as may be proved to be genuine, and that the parties so signing were legally qualified to sign such petitions, and the official certificate of a notary public of the county in which the signer resides shall be required as to the facts for each of such last named signatures. And the secretary of state shall further compare and verify the official signatures and seals of all notaries so certifying with their signatures and seals filed in his office. Such notaries certificates shall be substantially in the following form:

#### Duty of the Notary.

State of Oregon, County of .....  
I, ..... a duly and qualified and acting Notary Public in and for the above named county and state, do hereby certify: That I am personally acquainted with each of the following named electors whose signatures are affixed to the annexed petition, and I know of my own knowledge that they are legal voters of the State of Oregon and of the county and precincts written after their several names in the annexed petition, and that their residence and post office address is correctly stated therein, to-wit:

(Names of such electors.)  
In testimony whereof, I have hereunto set my hand and official seal this ..... day of ..... 19.....

Notary Public for Oregon.

#### Time Limit for Clerk.

The county clerk shall not retain in his possession any such petition or any part thereof for a longer period than two days for the first two hundred signatures thereon and one additional day for each two hundred additional signatures or fraction thereof on the sheets presented to him, and at the expiration of such time he shall deliver the same to the person from whom he received it, with his certificate attached thereto as above provided. The forms herein given are not mandatory, and if substantially followed in any petition, it shall be sufficient, disregarding clerical and merely technical errors.

#### Duty of Secretary of State.

**Sec. 4.** When any petition for the initiative or the referendum shall be filed with the secretary of state, he shall decide in the first instance whether or not the petition entitles the parties to have the measure referred to the people, under the provisions of Section I, of Article IV, of the Constitution of Oregon, and either the petitioners or the remonstrants, if any, may appeal to the supreme court of the state from the decision of the secretary of state and the decision of the supreme court shall be final and conclusive upon the parties. The appealing party shall serve upon the secretary of state a written notice of the appeal from his decision, and the secretary shall thereupon transmit to the clerk of the supreme court

a copy of his decision, together with such certified copies of the original papers and documents in the case as may be demanded by any of the parties.

#### Shall Notify Governor.

**Sec. 5.** Immediately upon the filing of any such petition for the referendum or the initiative with the secretary of state, signed by the number of voters, and filed within the time required by the constitution, he shall notify the governor in writing of the filing of such petition, and the governor shall forthwith issue his proclamation announcing that such petition has been filed, with a brief statement of its tenor and effect. Such proclamation shall be published four times in four consecutive weeks in one daily or weekly newspaper in each judicial district of the state of Oregon.

#### Provisions for Ballot.

**Sec. 6.** The secretary of state, at the same time that he furnishes to the county clerks of the several counties certified copies of the names of the candidates for state and district offices, shall furnish to said county clerks his certified copy of the titles and numbers of the various measures to be voted upon at the ensuing general election, and he shall use for each measure a title designated for that purpose by the legislative assembly, committee, or organization presenting and filing with him the act, constitutional amendment, or petition for the initiative or the referendum; Provided, that such title shall in no case exceed twenty words and shall not resemble any such title previously filed for any measure to be submitted at that election, which shall be descriptive of said measure, and he shall number such measures, and such titles shall be printed on the official ballot in the order in which the acts referred by the legislative assembly and petitions by the people shall be filed in his office. The affirmative of the first measure shall be numbered 200 and the negative 301, in numerals and the succeeding measures shall be numbered consecutively 302, 303, 304, 305, and so on at each election, it shall be the duty of the several county clerks to print said titles and numbers upon the official ballot, in the order presented to them by the secretary of state and the relative position required by law. Measures proposed by the initiative shall be designated and distinguished from measures proposed by the legislative assembly by the heading "Proposed by Initiative Petition."

#### Manner of Voting.

**Sec. 7.** The manner of voting upon measures submitted to the people shall be the same as is now required and provided by law. And no measure shall be adopted unless it shall receive an affirmative majority of the total number of effective votes cast on such measure and entitled to be counted under the provisions of this act, that is to say, supposing seventy

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Why use gelatine and spend hours soaking, sweetening, flavoring and coloring when

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thousand ballots to be properly marked on any measure, it shall not be adopted unless it shall receive more than thirty-five thousand affirmative votes.

**Sec. 8.** The secretary of state shall not later than the first Monday of the third month next before any general election at which any proposed law or amendment to the constitution is to be submitted to the people, cause to be printed a true copy of the title and text of each measure to be submitted, with the number and form in which the question will be printed on the official ballot. The paper to be used for the covers of such pamphlets shall be twenty by twenty-five inches, and fifty pounds weight to the ream.

#### Right to Use Pamphlets.

The persons, committees, or duly authorized officers of any organization filing any petition for the initiative, but no other person or organization, shall have the right to place with the secretary of state for distribution any pamphlets advocating such measure, not later than the first Monday of the fifth month before the regular election at which the measure is to be voted on; any person, committee, or organization opposing any measure may place with the secretary of state for distribution any pamphlets they may desire, not later than the first Monday of the fourth month immediately preceding such election; as to pamphlets advocating or opposing any measure referred to the people by the legislative assembly, they shall be governed by the same rules of time, but they may be placed with secretary of state by any person, committee, or organization; Provided, that all such pamphlets shall be furnished to the secretary of state in sheets of uniform size, as follows: Size of pamphlet page to be six inches wide by nine inches long; size of type page to be twenty-six ems pica wide by forty ems pica long, set in long premier or ten point type, and printed on sized and supercalendered paper, twenty-five by thirty-eight inches, weighing fifty pounds to the ream. All such pamph-

lets shall be furnished to the secretary of state at the sole expense of the persons interested and without cost to the state. In no case shall the secretary of state be obliged to receive any such pamphlets unless a sufficient number is furnished to supply one to every legal voter in the state, but in such case, he shall forthwith notify the persons offering the same of the number required.

#### How to be Distributed.

The secretary of state shall cause one copy of each of said pamphlets to be bound in with his copy of the measures to be submitted as herein provided. The title page of every such pamphlet shall show the official numbers for and against and the ballot title of the measure to which it refers, and whether it is intended to favor or oppose such measure and by whom it is issued. The secretary of state shall distribute to each county clerk before the second Monday in the third month next preceding such regular general election, a sufficient number of said bound pamphlets to furnish one copy to every voter in his county. Every registration officer after the receipt by the county clerk of such pamphlets, shall deliver to every voter thereafter as he is registered, one copy of the same, and said registration and delivery shall be a part of the official duty of every officer who registers, voters, and registration fee or wages shall be full compensation for this additional service. The secretary of state shall not be obliged to distribute any pamphlets advocating or opposing any measure unless the same shall be filed with him within the time herein provided.

#### Cavass of the Vote.

**Sec. 9.** The votes on measures and questions shall be counted, canvassed and returned by the regular boards of judges, clerks, and officers as votes for candidates for candidates are counted, canvassed, and returned, and the abstract made by the several county clerks of votes on measures shall be returned to the secretary of

(Continued on page five.)

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You know how it interferes with your daily work, your pleasures and recreations—it is a sure indication that your system is not working right and that you need a little assistance—take

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