



OFFICE OF THE SECRETARY OF STATE

NEWS RELEASE

BILL BRADBURY

For Immediate Release:
February 27, 2004

Contact: Summer Davis
Elections Division
(503) 986-1518

The Office of the Secretary of State received a draft ballot title from the Attorney General on February 27, 2004, for initiative petition #146, proposing a constitutional amendment, for the General Election of November 2, 2004.

The draft ballot title is as follows:

**AMENDS CONSTITUTION: RECOGNIZES MARRIAGE ONLY BETWEEN
ONE MAN, ONE WOMAN; PROHIBITS SAME LEGAL STATUS FOR
UNMARRIED INDIVIDUALS**

RESULT OF "YES" VOTE: "Yes" vote amends Oregon constitution: only marriage between one man and one woman is valid or recognized; same legal status for unmarried individuals is prohibited.

RESULT OF "NO" VOTE: "No" vote retains existing constitution without provision recognizing marriage only between one man and one woman, without prohibition of same legal status for unmarried individuals.

SUMMARY: Amends constitution. An Oregon statute currently provides that "marriage is a civil contract entered into in person by males at least 17 years of age and females at least 17 years of age, who are otherwise capable." Oregon appellate court decisions currently hold that marriages recognized as valid in the state where performed will be recognized in Oregon. Measure adds to the Oregon Constitution a declaration that "only a marriage between one man and one woman shall be valid or recognized as a marriage in this state." Measure also adds to the Oregon Constitution a provision that a legal status for unmarried individuals that is identical or substantially similar to that of a marriage shall not be valid or recognized in the State of Oregon.

Chief Petitioner(s): Kent Walton, 6869 SE 182nd, Portland, OR 97236, Thomas S. Harrison IV, 15011 S Forsythe Rd, Oregon City, OR 97045 and Kelly W. Boggs, 2603 NE McDonald Ln, McMinnville, OR 97128.

Copies of the text of this initiative are available at Room 141, State Capitol for \$.25. Written requests for copies with your remittance of \$1.00 prepaid, should be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722.

There now follows an appeal period of 10 business days during which any member of the public may submit written comments which address the specific legal standards a ballot title must meet to the Secretary of State's office. This period ends March 12, 2004. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

The Secretary of State will deliver all written comments to the Attorney General. If comments are received, the Attorney General shall issue the certified ballot title not later than the 10th business day after receiving the comments from the Secretary of State. If no comments are received, the Attorney General shall issue the certified ballot title not later than the fifth business day after the deadline for submitting comments.

In addition, during this ballot title comment period, the Secretary of State will also seek statements from interested persons regarding whether or not a proposed initiative petition complies with procedural constitutional requirements for submission of proposed initiative petitions. The Secretary will consider the information provided in the statements received from interested persons. If you wish to comment, this period ends March 12, 2004. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

Any elector who is dissatisfied with the ballot title certified by the Attorney General, and who timely submitted written comments which addressed the specific legal standards a ballot title must meet, may petition the Oregon Supreme Court seeking a different title. This appeal must be filed not later than the 10th business day after the Attorney General certifies a ballot title to the Secretary of State.

The required number of signatures for placement on the 2004 general election ballot is 100,840. These signatures must be filed in this office not later than July 2, 2004.



DEPARTMENT OF JUSTICE
APPELLATE DIVISION

February 27, 2004

RECEIVED
04 FEB 27 AM 11 55
BULLY
SERIAL

John Lindback
Director, Elections Division
Office of the Secretary of State
141 State Capitol
Salem, OR 97310

Re: Proposed Initiative Petition — Amends Constitution: Recognizes Marriage Only
Between One Man, One Woman; Prohibits Same Legal Status For Unmarried Individuals
DOJ File #BT-146-04; Elections Division #146

Dear Mr. Lindback:

We have prepared and hereby provide to you a draft ballot title for the above-referenced prospective initiative petition. The proposed measure relates to amending the Oregon constitution to provide that only marriage between one man and one woman is valid or recognized, and to prohibit the same legal status for unmarried individuals.

Written comments from the public are due to you within ten business days after your receipt of this draft title. A copy of all written comments provided to you should be forwarded to this office immediately thereafter.

A copy of the draft ballot title is enclosed.

Sincerely,

Sharon Dufour
Administrative Specialist 1

JJA:sld/APP64176

Enclosure

c: Peter Shepherd, Deputy Attorney General
Don Arnold, General Counsel Division
Lynn Rosik, General Counsel Division

Kelly W. Boggs
2603 NE McDonald Lane
McMinnville, OR 97128

Thomas S. Harrison IV
15011 S. Forythe Rd.
Oregon City, OR 97045

Kent Walton
6869 SE 182nd
Portland, OR 97236

DRAFT BALLOT TITLE

**AMENDS CONSTITUTION: RECOGNIZES MARRIAGE ONLY
BETWEEN ONE MAN, ONE WOMAN; PROHIBITS SAME LEGAL
STATUS FOR UNMARRIED INDIVIDUALS**

RESULT OF "YES" VOTE: "Yes" vote amends Oregon constitution: only marriage between one man and one woman is valid or recognized; same legal status for unmarried individuals is prohibited.

RESULT OF "NO" VOTE: "No" vote retains existing constitution without provision recognizing marriage only between one man and one woman, without prohibition of same legal status for unmarried individuals.

SUMMARY: Amends constitution. An Oregon statute currently provides that "marriage is a civil contract entered into in person by males at least 17 years of age and females at least 17 years of age, who are otherwise capable." Oregon appellate court decisions currently hold that marriages recognized as valid in the state where performed will be recognized in Oregon. Measure adds to the Oregon Constitution a declaration that "only a marriage between one man and one woman shall be valid or recognized as a marriage in this state." Measure also adds to the Oregon Constitution a provision that a legal status for unmarried individuals that is identical or substantially similar to that of a marriage shall not be valid or recognized in the State of Oregon.

RECEIVED
FEB 27 11 56 AM '04
SECRETARY OF STATE