



# OFFICE OF THE SECRETARY OF STATE

## NEWS RELEASE

**BILL BRADBURY**

**For Immediate Release:**  
March 10, 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 March 10, 2004, for initiative petition #150, proposing a constitutional amendment, for the General Election of November 2, 2004.

The draft ballot title is as follows:

**AMENDS CONSTITUTION: ONLY MARRIAGE BETWEEN ONE MAN  
AND ONE WOMAN IS VALID OR LEGALLY RECOGNIZED AS  
MARRIAGE**

**RESULT OF "YES" VOTE:** "Yes" vote adds to Oregon constitution declaration of policy that only marriage between one man and one woman is valid or legally recognized as marriage.

**RESULT OF "NO" VOTE:** "No" vote retains existing constitution without a provision declaring that only marriage between one man and one woman is valid or legally recognized as marriage.

**SUMMARY:** Amends constitution. Currently, no provision in the Oregon Constitution defines what constitutes a valid or legally recognized marriage in Oregon. Current Oregon statutes provide that marriage is a civil contract entered into in person by males and females at least 17 years of age who solemnize the marriage by assenting or declaring "they take each other to be husband and wife." Oregon currently recognizes out-of-state marriages that are valid in the state where performed, unless the marriage violates a strong public policy of Oregon. Measure adds to Oregon Constitution a declaration that the policy of the State of Oregon and its political subdivisions is that "only a marriage between one man and one woman shall be valid or legally recognized as a marriage."

Chief Petitioner(s): Kent Walton, 6869 SE 182nd, Portland, OR 97236 and Dennis R. Tuuri, 784 NW 3rd Ave, Canby, OR 97013.

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 24, 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 10<sup>th</sup> 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 24, 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 10<sup>th</sup> 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

March 10, 2004

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

Re: Proposed Initiative Petition — Amends Constitution: Only Marriage Between One Man  
And One Woman Is Valid Or Legally Recognized As Marriage  
DOJ File #BT-150-04; Elections Division #150

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 adding to the Oregon constitution a declaration of policy that only marriage between one man and one woman is valid or legally recognized as marriage.

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,

Misty Kintz U U  
Legal Secretary

JJA:mlk/APP64806

Enclosure

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

Kent Walton  
6869 SE 182<sup>nd</sup>  
Portland, Oregon 97236

Dennis R. Tuuri  
784 NW 3<sup>rd</sup> Avenue  
Canby, Oregon 97013

SECRETARY OF STATE  
BUREAU OF CLERK

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RECEIVED

**DRAFT BALLOT TITLE**

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SECRETARY OF STATE