

BILL BRADBURY  
SECRETARY OF STATE



JOHN LINDBACK  
DIRECTOR

141 STATE CAPITOL  
SALEM, OREGON 97310-0722

ELECTIONS — (503) 986-1518

January 5, 2005

To All Interested Parties:

Secretary of State Bill Bradbury is responsible for the pre-election review of proposed initiative petitions for compliance with the procedural constitutional requirements established in the Oregon Constitution for initiative petitions. This review will be completed before approving the form of the cover and signature sheets for the purpose of circulating the proposed initiative petition to gather signatures.

The Secretary of State is seeking public input on whether proposed initiative petition (#20), satisfies the procedural constitutional requirements for circulation as a proposed initiative petition. Petition #20 was filed in our office on January 4, 2005, by Bill Sizemore and Grace I. Sizemore, for the General Election of November 7, 2006.

On the reverse side of this letter is a copy of the text of this proposed initiative petition. If you are interested in providing comments on whether the proposed initiative petition meets the procedural constitutional requirements, please write to the secretary at the Elections Division in the State Capitol. Your comments, if any, must be received by the Elections Division no later than January 27, 2005, in order for them to be considered in the review.

BILL BRADBURY  
Secretary of State

BY:

Summer Davis  
Compliance Specialist

**BE IT ENACTED BY THE PEOPLE OF THE STATE OF OREGON:**

The following section shall be added to and made part of the Oregon Revised Statutes:

Section 1. Except for money spent on the preparation, printing and distribution of an official voters pamphlet or money spent conducting an election, no public resource shall be used to collect or help collect money that will be used for a political purpose. If a person, company, group, or organization uses for a political purpose any money collected for it by a government entity, including by an agent acting on behalf of a government entity, or commingles political funds with funds collected wholly or in part by a government entity, no government entity or agent thereof, thereafter, shall collect money for any purpose for that person, company, group, or organization.

- (a) For purposes of this section, money shall be deemed to have been used for a political purpose if any portion of the money, including in-kind contributions, pass-through contributions, and independent expenditures, is contributed to a candidate or political committee or party, or is spent supporting or opposing a candidate for public office or a ballot measure, including any effort to collect signatures to place a measure on the ballot, and any efforts, including but not limited to direct mail and media campaigns, to solicit signatures for initiative petitions or to discourage electors from signing initiative petitions.
- (b) For purposes of this section, money spent lobbying an elected official shall not be deemed to have been used for a political purpose. So as to prevent political campaigning under the guise of "lobbying," money spent on or contributed to any direct mail, print, or electronic media or other campaign, which names or otherwise identifies a person who is a candidate for public office in an election to be held within 90 days of the communication, shall be deemed to have been used for a political purpose.
- (c) This 2006 Act shall supercede any preexisting statute or rule with which it conflicts.
- (d) If any phrase, clause, or part of this section is invalidated by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect. This section shall not be applied so as to violate the right to free speech, freedom of association, or any other right guaranteed under the U.S. Constitution, but shall be effective in all circumstances and for all individuals and groups for which no violation or infringement has been found.