

Prospective Petition for Local Measure

SEL 370

rev 7/05: ORS 250.045, 250.265, 250.265, 255.135

County: Multnomah City: Portland

2007 APR 10 P 2:48

To the County Elections Filing Officer/City Recorder (Auditor).

We, the undersigned, request the circle one district attorney/city attorney prepare a ballot for the attached proposed measure to be submitted to the people of name of county/city/district Multnomah/Portland

please type or print legibly in black ink

X Initiative Petition Referendum Petition

designating chief petitioners

Every petition must designate not more than three persons as chief petitioners, setting forth the name, residence address and title (if officer of sponsoring organization) of each. Please carefully read the instructions for circulators and signers on the back of this form.

1 name print Madeline Martinez signature Madeline Martinez residence address 103 SE 136th Ave. Portland, Or. 97233 mailing address if different 103 SE 136th Ave. Portland, Or. 97233 email address and/or website Madma@comcast.net day phone number 503.313.9929 sponsoring organization if any Citizen for a Sensible Portland

2 name print Melodie Silverwolf signature Melodie Silverwolf residence address 40A SE 133rd Ave. Portland OR 97233 mailing address if different 40A SE 133rd Ave. Portland OR 97233 email address and/or website moonwise@hevanet.com day phone number 503.515.5223 sponsoring organization if any Citizen for a Sensible Portland

3 name print residence address mailing address if different email address and/or website day phone number sponsoring organization if any

Statement One or More Petition Circulators Will Be Paid

SEL 301

Initiative/Referendum Only

rev 1/06: ORS 250.045,
ORS 250.165, ORS 255.135

RECEIVED

Prospective Petition initial filing with filing officer

I/We hereby declare one or more petition circulators will be paid money or other valuable consideration for obtaining signatures of active registered voters on the attached petition. I/We understand the filing officer must be notified not later than the 10th day after I/we first have knowledge or should have had knowledge that no petition circulator will be compensated for obtaining signatures. By signing this document, I hereby state that no petition circulator will be compensated on this petition based on the number of signatures obtained by the circulator.

2007 APR 10 P 2:48
GARY BLAKEMER, AUDITOR
CITY OF PORTLAND, OR

BY _____

Completed Petition signatures submitted for verification

By signing this document, I hereby state that no circulators have been compensated on this petition based on the number of signatures obtained by the circulator.

De-Criminalization of Cannabis in Portland City
subject of initiative or referendum petition

Madeline Martinez Madeline Martinez 4/10/07
signed date signed

Melodie Silverwolf Melodie Silverwolf 4-10-07
signed date signed

signed date signed

All chief petitioners for an initiative or referendum petition must sign this statement.

Warning Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.

Statement No Petition Circulators Will Be Paid

SEL 301

Initiative/Referendum Only

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ORS 255.135

Prospective Petition initial filing with filing officer

I/We hereby declare no petition circulators will be paid money or other valuable consideration for obtaining signatures of active registered voters on the attached petition. I/We understand the filing officer must be notified not later than the 10th day after I/we first have knowledge or should have had knowledge that any petition circulator will be compensated for obtaining signatures. By signing this document, I hereby state that no circulators will be compensated on this petition.

Completed Petition signatures submitted for verification

By signing this document, I hereby state that no circulators were compensated for obtaining signatures on the attached petition.

subject of initiative or referendum petition

signed date signed

signed date signed

signed date signed

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ORDINANCE PROPOSED BY INITIATIVE PETITION

The City of Portland ordains:

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Section 1: TITLE

An Ordinance To Except Most Adults Over 21 from Criminal Penalties for Possession and Cultivation of Small Personal Amounts of Cannabis, Within Certain Limits.

2007 APR 10 P 2:49
GARY BLACKMER, AUDITOR
CITY OF PORTLAND, OR

Section 2: PURPOSE

The purpose of this ordinance is:

- BY _____
- (1) to except most adults over 21 from criminal penalties for possession and cultivation of small personal amounts of cannabis (marijuana), within certain limits;
 - (2) to describe the role of officers of the Portland Police Bureau in enforcement of this Ordinance.

Section 3: FINDINGS

WHEREAS cannabis has been shown to be a far safer substance than either alcohol or tobacco, never having caused a death by overdose;

WHEREAS a number of studies conducted by the federal government have concluded that the primary harm to individuals and society from using cannabis lies in its illegal status;

WHEREAS the voters of the City of Portland expect and deserve sensible fiscal management of their tax dollars, and effective and available social services; and

WHEREAS it is incumbent upon the elected representatives of the voters of the City of Portland to use scarce tax resources in the most appropriate way;

THEREFORE the people of Portland do hereby enact the following ordinance to be added to the Portland City Code, excepting most adults over 21 from criminal penalties for possessing and cultivating personal amounts of cannabis (marijuana).

Section 4: DEFINITIONS

For the purposes of this ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this section:

- (1) "Adult" means an individual who is 21 years of age or older.
- (2) "Marijuana plant" means a female specimen of the plant *Cannabis* of the family Cannabidaceae which is bearing visible flowers.
- (3) "Usable marijuana" means the dried leaves and flowers of the plant *Cannabis* of the family Cannabidaceae, and any mixture or preparation thereof. "Usable marijuana" does not include the seeds, stalks and roots of the plant.
- (4) "Portland law enforcement officer" means a member of the Portland Police Bureau or any other agency or department within the City of Portland that engages in law enforcement activity.

Section 5: EXCEPTION FROM CRIMINAL PENALTY

(1) Adults shall be excepted from the criminal laws of the state within the city limits of Portland for possession or production of marijuana, aiding and abetting another in the possession or production of marijuana or any other criminal offense in which possession or production of marijuana is an element.

(2) This exception shall not apply to the following:

- (a) possession of more than one ounce of usable marijuana per adult in public;
- (b) cultivation of more than three marijuana plants per adult;
- (c) possession of more than three ounces of usable marijuana for each plant cultivated by each adult in the individual's home;
- (d) sale of cannabis;
- (e) cultivation or use of cannabis on public property or in public view;
- (f) driving under the influence of cannabis;
- (g) any individual who is convicted on or after January 1, 2009 of a Class A felony involving a controlled substance in Schedule I, or a Class B felony involving a controlled substance in Schedule II.

Section 6: LIMITATIONS ON ACTIONS OF PORTLAND LAW ENFORCEMENT OFFICERS

- (1) A Portland law enforcement officer who determines that an adult is in possession of amounts of usable marijuana or numbers of marijuana plants in excess of the amount or number authorized in this Ordinance may confiscate only any usable marijuana or plants that are in excess of the amount or number authorized.
- (2) No Portland law enforcement officer shall cooperate with state or federal agents in the arrest, citation, investigation, prosecution, or seizure of property from adults for any marijuana-related offense, except in such cases as listed in Section 5 (2) (a) through (g) above.

Section 7: LIMITATIONS ON PROTECTION FROM CRIMINAL LIABILITY

(1) Nothing in this Ordinance shall protect an individual from a criminal cause of action based on possession, production, or delivery of marijuana that is not authorized in this Ordinance.

Section 8: SEVERABILITY

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

Section 9: ENACTMENT

Unless otherwise provided by ordinance or statute, this ordinance shall take effect upon the certification of the election results establishing passage of this ordinance.

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2007 APR 10 P 2:49
GARY BLASKER, AUDITOR
CITY OF PORTLAND, OR
BY _____