

THIS EXPLANATION HAS NOT BEEN
REVIEWED OR APPROVED BY THE
LEGISLATIVE COUNSEL COMMITTEE.

MEASURE NO. _____

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

Submitted to the Electorate of Oregon by Initiative Petition to be voted on at the General Election, November 2, 2004.

Explanation

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By the Legislative Counsel Committee pursuant to ORS 251.225.

Ballot Measure _____ amends the Oregon Constitution to declare 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."

Under state statutes, a marriage is a civil contract entered into by a male and a female who solemnize the marriage by declaring "that they take each other to be husband and wife." However, the Multnomah County Circuit Court has ruled that, under the current Oregon Constitution, the state may not limit the rights and benefits of marriage to couples of the opposite sex. Ballot Measure _____ adds to the Oregon Constitution a statement of policy that only a marriage between one man and one woman is valid or legally recognized as a marriage.

1 Under the Full Faith and Credit Clause of the United States Constitution,
2 the State of Oregon must recognize out-of-state marriages that are valid in
3 the state where performed, unless the marriage violates a strong public pol-
4 icy of the State of Oregon. Ballot Measure _____ expresses in the Oregon
5 Constitution the State of Oregon's public policy recognizing only marriages
6 between one man and one woman.

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