

SUPREME COURT OF OREGON

Hunnicut v. Myers

333 Or. 387 (2002) · No. SC S49177 · Decided February 14, 2002

SUMMARY

The Oregon Supreme Court reviewed challenges to the Attorney General's certified ballot title for Initiative Petition 150 (2002). The court rejected the petitioners' arguments and certified a ballot title concerning compensation for property owners affected by health, safety, and environmental laws and regulations.

CASE DETAILS

COURT	Supreme Court of Oregon
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Oregon
DECIDED	February 14, 2002
DOCKET	SC S49177
DISPOSITION	other
PROCEDURAL POSTURE	Petition to review the Attorney General's certified ballot title for Initiative Petition 150 (2002).
STANDARD OF REVIEW	The court reviews the Attorney General's certified ballot title to determine whether it substantially complies with ORS 250.035(2)(a) to (d), pursuant to ORS 250.085(5).
PRECEDENTIAL VALUE	Published Oregon Supreme Court opinion; decided en banc.
PARTIES	David J. Hunnicutt, Lawrence B. George v. Hardy Myers, Attorney General, State of Oregon

TOPICS

- ballot access
- election law
- takings clause
- constitutional law

PRACTICE AREAS

- election law
- constitutional law

QUESTIONS PRESENTED

1. Whether the Attorney General's certified ballot title for Initiative Petition 150 substantially complied with the requirements of ORS 250.035(2)(a) to (d).

HOLDINGS

1. The certified ballot title substantially complied with ORS 250.035(2)(a) to (d), and petitioners' challenges were not well taken.

KEY QUOTATIONS

“Ballot title certified. This decision shall become effective in accordance with ORAP 11.30(11).” (333 Or. 387)

FACTUAL BACKGROUND

The proposed initiative, denominated Initiative Petition 150 (2002), would amend the Oregon Constitution concerning compensation for property owners affected by laws and regulations protecting public health, safety, and the environment. The Attorney General certified a ballot title describing the measure's amendment, the results of yes and no votes, and its summary. Petitioners challenged various aspects of that certified ballot title.

PROCEDURAL HISTORY

The Oregon Attorney General certified a ballot title for a proposed initiative measure. Petitioners sought review of various aspects of that certified ballot title in the Oregon Supreme Court. The court rejected petitioners' arguments and certified a ballot title to the Secretary of State.

DISPOSITION

other