

OREGON SUPREME COURT

Hunnicut v. Myers

334 Or. 72 (2002) · Decided April 26, 2002

SUMMARY

The Oregon Supreme Court reviewed modified ballot titles for Initiative Petitions 145 and 149 (2002), concerning restrictions on adding prime or high-value farmland and prime forestland to urban growth boundaries. Because no party objected to the modified titles, the court certified them under ORS 250.085(9).

CASE DETAILS

COURT	Oregon Supreme Court
JURISDICTION	Oregon
DECIDED	April 26, 2002
DISPOSITION	other
PROCEDURAL POSTURE	Consolidated ballot-title review proceedings concerning modified ballot titles for Initiative Petitions 145 and 149 (2002).
PRECEDENTIAL VALUE	published
PARTIES	Hunnicut v. Myers

TOPICS

- ballot access
- election administration
- election law

PRACTICE AREAS

- election law
- administrative law

QUESTIONS PRESENTED

1. Whether the Attorney General's modified ballot titles for Initiative Petitions 145 and 149 should be certified when no party objected to them within the statutory objection period.

HOLDINGS

1. When the Attorney General files modified ballot titles after referral under ORS 250.085(8) and no party objects within the period provided by ORS 250.085(9), the court certifies the modified ballot titles.

KEY QUOTATIONS

“The modified ballot titles are certified.” (74)

FACTUAL BACKGROUND

The proposed initiatives addressed restrictions on adding prime or high-value farmland and prime forestland to urban growth boundaries in the Willamette Valley and Western Oregon. After the court found the original certified ballot titles deficient, the Attorney General submitted modified titles describing the measures' yes and no effects, summaries, definitions, and exceptions. No party objected to the modified titles.

PROCEDURAL HISTORY

The court previously determined that the Attorney General's certified ballot titles for the two proposed initiative measures did not substantially comply with statutory standards and referred them to the Attorney General for modification under ORS 250.085(8). The Attorney General filed modified ballot titles, no party objected within the statutory period, and the court certified the modified titles under ORS 250.085(9).

DISPOSITION

other

CASES CITED

- Hunnicutt v. Myers, 333 Or. 610, 43 P.3d 1114 (2002)