

SUPREME COURT OF THE STATE OF OREGON

Yugler v. Myers

333 Or. 330 (2002) · No. SC S49042 · Decided February 7, 2002

SUMMARY

The Oregon Supreme Court reviewed a challenge to the Attorney General’s certified ballot title for Initiative Petition 126 (2002). The court rejected the petitioner’s arguments and certified the ballot title, which concerned limiting government damage recoveries and liability for persons lawfully manufacturing, distributing, selling, promoting, or advertising lawful products.

CASE DETAILS

COURT	Supreme Court of the State of Oregon
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Oregon
DECIDED	February 7, 2002
DOCKET	SC S49042
DISPOSITION	other
PROCEDURAL POSTURE	Petition to review the Attorney General's certified ballot title for Initiative Petition 126 (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) through (d), under the standard specified in ORS 250.085(5).
PRECEDENTIAL VALUE	Published Oregon Supreme Court opinion; precedential.
PARTIES	Richard Yugler v. Hardy Myers, Attorney General, State of Oregon

TOPICS

- election law
- appellate procedure
- constitutional law
- standard of review

PRACTICE AREAS

- election law
- constitutional law
- appellate procedure

QUESTIONS PRESENTED

1. Whether the Attorney General's certified ballot title for Initiative Petition 126 substantially complied with the requirements of ORS 250.035(2)(a) through (d).

HOLDINGS

1. The certified ballot title substantially complied with the requirements of ORS 250.035(2)(a) through (d), and the petitioner's challenges were not well taken.

KEY QUOTATIONS

“We review the Attorney General's certified ballot title to determine whether it substantially complies with the requirements of ORS 250.035(2)(a) to (d).” (333 Or. at 330)

“Ballot title certified. This decision shall become effective in accordance with ORAP 11.30(11).” (333 Or. at 330)

FACTUAL BACKGROUND

Initiative Petition 126 (2002) proposed constitutional amendments concerning liability for persons and entities that lawfully manufacture, distribute, sell, promote, or advertise lawful products. The Attorney General certified a ballot title describing the measure's effect, including limitations on government damage recoveries and liability for damages arising from abuse or unlawful use of products. Petitioner challenged various aspects of that certified title.

PROCEDURAL HISTORY

The Attorney General certified a ballot title for a proposed initiative measure. Richard Yugler petitioned the Oregon Supreme Court to review various aspects of that certified ballot title. The court rejected petitioner's arguments and certified a ballot title to the Secretary of State.

DISPOSITION

other