



# OFFICE OF THE SECRETARY OF STATE

## NEWS RELEASE

**BILL BRADBURY**

**For Immediate Release:**  
March 11, 2005

**Contact:** Summer Davis  
Elections Division  
(503) 986-1518

The Office of the Secretary of State received a certified ballot title from the Attorney General on March 11, 2005, for initiative petition #25, proposing a constitutional amendment, for the General Election of November 7, 2006.

In addition, Secretary of State Bill Bradbury determined that the proposed initiative petition was in compliance with the procedural requirements established in the Oregon Constitution for initiative petitions.

The certified ballot title is as follows:

**AMENDS CONSTITUTION: PROHIBITS GOVERNMENT BODIES FROM  
CONDEMNING PRIVATE PROPERTY FOR TRANSFER TO ANOTHER PRIVATE  
ENTITY'S USE, CONTROL**

**RESULT OF "YES" VOTE:** "Yes" vote would prohibit governmental body from condemning private property to transfer to use or control of private entity for any purpose, including economic development.

**RESULT OF "NO" VOTE:** "No" vote would retain current law, allowing government to condemn property for transfer to private owner, for purposes including economic development, port facilities, slum clearance.

**SUMMARY:** Amends constitution. The Oregon Constitution requires compensation when private property is taken by condemnation for public use; public uses include the building of transportation systems to benefit logging, mining, and agricultural operations, and development of waterways to allow irrigation of private lands. Condemnation of private property for private use is impliedly prohibited. This measure would prohibit government condemnation of private land for the purpose of transferring the ownership, control, or use of that land to another private entity. This measure may prohibit a port from acquiring property with the intention of leasing dock facilities, or an urban development district from condemning slum properties for redevelopment. Measure specifically prohibits condemnation and transfer of ownership, use, or control for the purpose of increasing tax revenues. Other provisions.

Chief Petitioner(s): Bill Sizemore, PO Box 343, Beavercreek, OR 97004.

Copies of the text of this initiative are available at Room 141 State Capitol, for \$.25. Written requests for copies with your remittance of \$1.00 prepaid, should be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722.

There now follows an appeal period of 10 business days. Any elector dissatisfied with the ballot title certified by the Attorney General, who also submitted in a timely manner written comments which addressed the specific legal standards a ballot title must meet, may petition the Supreme Court for a different title. The appeal period ends at 5:00 p.m. on March 25, 2005. The appeal procedures are outlined in ORS 250.085.

The required number of signatures for placement on the 2006 general election ballot is 100,840. These signatures must be filed in this office not later than July 7, 2006.

# # #



**DEPARTMENT OF JUSTICE**  
APPELLATE DIVISION

March 11, 2005

John Lindback  
Director, Elections Division  
Office of the Secretary of State  
141 State Capitol  
Salem, OR 97310

Re: Proposed Initiative Petition — Amends Constitution: Prohibits Government Bodies From Condemning Private Property For Transfer To Another Private Entity's Use, Control  
DOJ File #BT-25-05; Elections Division #25

Dear Mr. Lindback:

You have informed us that no comments have been received concerning the draft ballot title which we have prepared, relating to condemnation of private property for transfer to a new private owner.

We hereby certify to you a ballot title for the prospective petition.

Sincerely,

Dennis G. Fjordbeck  
Assistant Attorney General

DGF:mlk/APP77521

Enclosure

c: Peter Shepherd, Deputy Attorney General  
Don Arnold, General Counsel Division  
Steve Wolf, General Counsel Division

Bill Sizemore  
P.O. Box 343  
Beavercreek, Oregon 97004

RECEIVED  
2005 MAR 11 PM 3:56  
BILL BRADBURY  
SECRETARY OF THE STATE

Assistant Attorney General

**BALLOT TITLE**

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SECRETARY OF THE STATE  
BILL BRADBURY

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