

# **Bond Case Briefs**

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## **BALLOT INITIATIVES - OREGON**

### **Unger v. Rosenblum**

**Supreme Court of Oregon, En Banc. - December 14, 2017 - P.3d - 362 Or. 210 - 2017 WL 6379646**

Prospective initiative measure petitioners brought action for judicial review of Secretary of State's refusal to issue certified ballot title or approve proposed initiative measure for circulation. The Circuit Court, Marion County, adjudicated that initiative measure satisfied all procedural requirements and issued a new identification number to be used in the subsequent election cycle.

While the Secretary of State's appeal of the Circuit Court's decision was pending, prospective initiative measure petitioners and commentators on draft ballot title petitioned for review regarding the legal sufficiency of the renumbered initiative measure.

The Supreme Court of Oregon held that proposed initiative measure did not satisfy all statutory prerequisites for obtaining ballot title.

Proposed initiative measure to amend state constitution, that was challenged in its original election cycle and subsequently resubmitted in the following election cycle, did not satisfy all statutory prerequisites for obtaining ballot title, and thus the Supreme Court lacked authority to consider ballot title challenge, although Attorney General issued certified ballot title, where initiative measure was assigned a new number without renewing the initiative measure process in the subsequent election cycle, the renumbered initiative measure did not receive sponsoring signatures, and Attorney General's challenge to the original proposed initiative measure remained pending.