



DEBRA BOWEN

CALIFORNIA SECRETARY OF STATE NEWS RELEASE

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Secretary of State Debra Bowen Certifies First Measure for June 3, 2008, Direct Primary Election

SACRAMENTO – Secretary of State Debra Bowen today certified the first initiative for the June 3, 2008, Direct Primary Election ballot. It involves changes to the way state and local governments acquire property through eminent domain.

In order to qualify for the ballot, the initiative needed 694,354 valid petition signatures, which is equal to 8% of the total votes cast for governor in the November 2006 gubernatorial election. The initiative proponents submitted 1,125,586 signatures in an attempt to qualify the measure, and it qualified through the random sample signature check.

County elections officials have 30 working days to verify the validity of the signatures filed with their offices using a random sampling method. The state Elections Code requires elections officials to verify 500 signatures, or 3% of the number of signatures filed in their county, whichever is greater. Counties receiving fewer than 500 petition signatures are required to verify all the signatures filed in their offices.

A measure can qualify via random sampling, without further verification, if the sampling projects a number of valid signatures greater than 110% of the required number. This measure needed at least 763,790 projected valid signatures to qualify by random sampling, and it exceeded that threshold today.

The Attorney General's official title and summary of the initiative is as follows:

GOVERNMENT ACQUISITION, REGULATION OF PRIVATE PROPERTY. CONSTITUTIONAL AMENDMENT. Bars state and local governments from condemning or damaging private property for private uses. Prohibits rent control and similar measures. Prohibits deference to government in property rights cases. Defines "just compensation." Requires an award of attorneys fees and costs if a property owner obtains a judgment for more than the amount offered by the government. Requires government to offer to original owner of condemned property the right to repurchase property at condemned price when property is put to substantially different use than was publicly stated. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Increased costs to many governments due to the measure's restrictions. The fiscal effect on most governments probably would not be significant. (Initiative 07-0015.)

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The proponents of this initiative are Doug Mosebar, Jon Coupal, and Jim Nielsen. They can be reached at (916) 444-9950.

Counties are currently conducting a random sampling of petition signatures for a second initiative on the subject of eminent domain.

The last day to qualify a measure for the June primary ballot is January 24.

For more information about how an initiative qualifies for the ballot in California, go to http://www.sos.ca.gov/elections/initiative_guide.htm.

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