

California Propositions 98 & 99

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Proposition 90

November 2006

Why?

Prelude to Proposition 90

- Oregon Measure 37
- *Tahoe, San Remo, Lingle*
- *Kelo*

Proposition 90

No eminent domain for
redevelopment

Proposition 90

And . . .

Proposition 90

Compensation for government actions that result in substantial economic loss to private property (real and personal)

Proposition 90

Yes 47.6% -- No 52.4%

Government Action

Any statute, charter provision, ordinance, resolution, law, rule or regulation

Exemptions

- Existing regulation
- Health and safety
- Condemnation to abate nuisances, blight, pornography

Proposition 98

June 2008

No taking of private property
for private use

Proposition 98

- No eminent domain for redevelopment
- No eminent domain for same use
- No rent control
- Attorneys' fees for eminent domain
- Right to take reviewed by independent judgment

Proposition 98

And . . .

Proposition 98

Compensation or injunction
for government regulation of
real property in order to
transfer economic benefit to
one or more private persons

Proposition 90 vs 98

Proposition 90

- Substantial economic loss
- Exemptions
- Future regulation
- Compensation
- Real and personal property

Proposition 98

- Transfer economic benefit
- No exemptions
- Existing and future regulation
- Compensation or injunction
- Real property

Proposition 98

Yes 38.4% -- No 61.6%

Proposition 99

No eminent domain to take
owner-occupied single family
house for redevelopment

Proposition 99

Yes 62% -- No 38%