

Missouri Citizens for Property Rights  
**Petition Circulator's Kit**

for the

**Constitutional Amendments to end eminent domain abuse!**

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***Please read these instructions carefully.***

*You are producing legal documents which affect the constitution of our great state. This is serious business and must be done correctly!*

*If signatures are not collected properly, they may be thrown out by the Secretary of State.*

**You must be at least 18 years old to be a circulator. (i.e., a signature collector)**

To stop eminent domain abuse in Missouri, we must circulate **two** petitions. That is because we must change two Articles of the Missouri Constitution to fix the problem, and legally we must have a separate petition for each part of the Constitution we want to change. That is why you have **YELLOW** petitions and **BLUE** petitions.

**YELLOW** petition sheets are for the Article I amendment (5 bullets in ballot summary)

**BLUE** petition sheets are for the Article VI amendment (2 bullets in ballot summary)

***Please! Do NOT make copies of the petition sheets. Use only the official sheets supplied by the campaign!***

***They will be on legal size paper (8 ½ x 14”) and printed on both sides.***

**==> Before you start <==**

Make sure you have filled out two Circulator Registration Forms – one for the yellow petition and one for the blue petition. Turn them in to your coordinator or mail them to MO-CPR headquarters. You only need to register once, but duplicates do no harm.

# Getting Started Collecting Signatures

Refer to the example petition on the next page.

## Three things to remember:

### 1. There are two petitions – we need to ask each voter to sign both.

- a) There are two separate articles of the constitution that need to be amended if we are to stop private use eminent domain. The law requires a separate petition for each article we seek to amend.
- b) Think of it as two holes in the bottom of your boat – both need to be plugged to keep it from sinking.

### 2. Each petition sheet is dedicated to one county – only registered voters from that county can sign that particular sheet..

- a) Signatures by voter from counties other than the one written on the top of the sheet will not be counted.

### 3. Each petition sheet is dedicated to one circulator.

- a) The petition circulator (you) is an official legal witness. When you sign the petition in the presence of a notary, you will be attesting to the fact that each of the signers was in your presence when he signed.
  - Other circulators CAN NOT witness signatures on your sheets.
  - You CAN NOT leave petition sheets unattended for people to sign.

## Three Steps While Collecting Signatures:

### Step 1 – Fill out the County space in the top, right hand corner of each clipboard.

- ◆ Only fill out the top sheet on each clipboard to start with. You may need the other sheets for different counties. Fill them out as you use them.
- ◆ Try to make all the sheets on one clipboard be from the same county, to avoid confusion.
- ◆ You may leave all other county spaces blank and fill them out later
- ◆ **DO NOT** fill in the page number.

### Step 2 – PRINT your full name where it says, “I, \_\_\_\_\_, being first duly sworn....)

- ◆ Leave all other spaces blank. **DO NOT** fill in the “Signature of Affiant” blanks until instructed by the notary public.

### Step 3 – Collect signatures.

- ◆ Make sure every person who signs is a **registered voter**, and signs a sheet designated for the county they live in. See *step 1*.
- ◆ Make sure every person signs a **YELLOW** petition *once* and **BLUE** petition *once*.
- ◆ **See requirements for petition signers on the next page.**

**ALWAYS** be FRIENDLY and COURTEOUS – even toward those who don't want to sign. (See suggestions for talking to people later in this guide.

**RESPECT** the property rights of any commercial establishment you might be collecting signatures at. Stay behind the “No Electioneering Beyond This Point” signs at the polls.

# *Finish the Job*

## **Step 1 – Have every sheet notarized.**

- ◆ If you are an individual circulator, your bank should notarize your sheets for free. Again, only sign your sheets in the presence of a notary – DO NOT sign them ahead of time.
- ◆ You can also bring your sheets to one of our local petition offices for free notarization.

## **Step 2 – Turn in your petition sheets periodically.**

- ◆ Do not wait until the end of the project to turn in your sheets. We need to keep a running count of our totals in each area.
- ◆ Contact your area coordinator for instructions about where to turn in the sheets **OR**
- ◆ Mail to: MO Citizens for Property Rights – 33867 Hwy E – Dixon, MO 65459
- ◆ Please send **all** sheets, even if they aren't full. Send in all your sheets, even if you think they may be messed up, and we'll go over them. We need every signature you get!

Please make sure you have at some time filled out two Circulator Registration Forms – one for each petition.

- ◆ *Only one form per circulator for each petition is required, regardless of the number of petition sheets you fill out. If you circulate petitions other than eminent domain, you need registration form for them, too.*
- ◆ If you do not have any forms, make copies of the one in this guide or go to [www.mo-cpr.org](http://www.mo-cpr.org)

## **Requirements for Signers**

- ◆ Remember – we need each person to sign **BOTH PETITONS!**
- ◆ Only registered voters may sign.
- ◆ Each person may only sign each petition once. Ask them if they have signed an eminent domain petition yet this year. Petitions they signed before 2010 don't count.
- ◆ They must sign a petition sheet designated for the county they live in – see Step 1 of “Getting Started”.
- ◆ Have them use their legal signature: Example: Nicole Smith **not** Mrs. John Smith. Also ask them to record the address they used when they registered to vote.
- ◆ You may not sign the petition on any sheets that you are collecting on. Find another circulator if you want to sign the petition.
- ◆ Ask them to leave congressional district column blank.

County \_\_\_\_\_  
(County signers are registered to vote in.)

County of residence of the signers.

Page \_\_\_\_\_

Leave page # blank.

It is a class A misdemeanor punishable, notwithstanding the provisions of section 560.021, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

**INITIATIVE PETITION**

County of residence of the signers.

To the Honorable Robin Carnahan, Secretary of State for the state of Missouri:

We, the undersigned, registered voters of the state of Missouri and \_\_\_\_\_ County (or city of St. Louis), respectfully order that the following proposed amendment to the constitution shall be submitted to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the 2nd day of November, 2010, and each for himself or herself says: **I have personally signed this petition; I am a registered voter of the state of Missouri and \_\_\_\_\_ County (or city of St. Louis); my registered voting address and the name of the city, town or village in which I live are correctly written after my name.**

**Shall the Missouri Constitution be amended to change the power of the General Assembly and constitutionally chartered cities or counties to:**

- Prohibit the use of eminent domain to acquire and resell property found to be blighted, substandard or unsanitary for the purpose of clearance, redevelopment or rehabilitation; and
- Allow them to require owners of property found to be a public nuisance to abate or clean up the nuisance and, if the property owner fails to do so in a reasonable time, allow the local government to pay for the abatement and impose a lien to recover the cost?

The total cost or savings to state or local governmental entities is unknown. Most state governmental entities estimate no costs, however, some state governmental entities may have unknown or indirect costs. Estimated costs, if any, to local governmental entities will vary, but could be significant.

**CIRCULATOR'S AFFIDAVIT**

County where this sheet is notarized.

STATE OF MISSOURI, COUNTY OF \_\_\_\_\_  
(County in which notary witnessed circulator's signature.)

I, \_\_\_\_\_, being first duly sworn, say (print or type names of signers)

NAME (Signature)	DATE SIGNED	REGISTERED VOTING ADDRESS (Street) (City, Town or Village)	ZIP CODE	CONGR DIST.	NAME (Printed or Typed)
1.					
2.					
3.					
4.					
5.					
6.	20 _____				
7.	/ 20 _____				
8.	/ 20 _____				
9.	/ 20 _____				
10.	/ 20 _____				

The actual petition sheet is printed on legal size paper. DO NOT make copies - use only the official petition sheets!  
-- Article I has five bullet points in the Ballot Title - it is the Yellow sheet.  
-- Article VI has two bullet points in the Ballot Title - it is the Blue sheet.

County of residence of the signers.

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and \_\_\_\_\_ County.  
(County signers are registered to vote in.)

Signature of Affiant: \_\_\_\_\_  
(Person obtaining signatures)

Signature of Notary: \_\_\_\_\_

Sign only in the presence of a notary.

Be sure to get each sheet notarized before sending it in!!!

(Address of Affiant)

(Address of Notary)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_

Notary Public (Seal)  
My commission expires \_\_\_\_\_

# Collecting Signatures

**ALWAYS** be FRIENDLY and COURTEOUS – even toward those who don't want to sign.

**RESPECT** the property rights of any commercial establishment you might be collecting signatures at. Stay behind the “No Electioneering Beyond This Point” signs at the polls.

**BE COURTEOUS** by asking people to sign as they come **OUT** of establishments rather than going in. (This also helps to keep you from asking the same person twice.) Just pleasantly greet them on the way in and they can think about it before they come back out.

## TALKING POINTS

**Hand them the petition and say:**

“Have you signed the petition to stop eminent domain abuse [yet?](#)”

**If they seem undecided, also say:**

“This will put the question on the ballot so voters can decide if they want to amend the Missouri Constitution.”

**Once they agree say:**

“We need for you to sign both the yellow and blue petitions because there are two loopholes in the constitution that need to be closed.”

**If they want to know what the petitions do, say:**

“We want to stop eminent domain for private gain.”

**If they need more info say:**

“The blue petition keeps them from using blight as an excuse to take private property for private profit and the yellow one keeps them from [claiming that eminent domain is for a public use just because the new owner will generate more tax revenue.](#)”

Don't argue or debate with potential signers. Your job is to collect signatures and debating wastes time that could be spent getting more.

## TIPS

- **Don't be pushy, but you must ASK!**
- While you ask, extend your arm with the petition in hand toward the prospect – people usually take what is handed to them.
- Do not block door ways or sidewalks – especially if you are at a store. Be helpful so the store owner will not mind your presence and customers don't complain.

## Places to petition:

- Walk door to door
- Gas stations while folks are pumping gas
- Post Office
- Grocery Store
- Secretary of State, DMV, public library
- Art Fairs/Festivals
- Sporting Events

Circulators must submit a registration form for each petition they circulate.



OFFICE OF SECRETARY OF STATE  
ROBIN CARNAHAN  
Elections Division  
Registration Form for Initiative or Referendum  
Petition Circulators

Each petition circulator shall be at least eighteen years of age and registered with the Secretary of State. Signatures collected by any circulator who has not registered with the Secretary of State on or before 5:00 p.m. on the final day for filing petitions with the Secretary of State shall not be counted.

NAME OF PETITION (PLEASE TYPE OR PRINT CLEARLY)

Constitutional Amendment to Article I, Section 26

Constitutional Amendment to Article VI, Section 21

NAME OF CIRCULATOR

CIRCULATOR'S RESIDENTIAL ADDRESS (INCLUDING STREET NUMBER, CITY, STATE AND ZIP)

MAILING ADDRESS (IF DIFFERENT FROM ABOVE)

TELEPHONE NUMBER (OPTIONAL)

HAVE YOU BEEN OR DO YOU EXPECT TO BE PAID FOR SOLICITING SIGNATURES FOR THIS PETITION?

YES

NO

IF YES, PROVIDE THE NAME OF THE PERSON OR ENTITY THAT YOU EXPECT TO RECEIVE PAYMENT FROM

I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT.

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

ANY CIRCULATOR WHO FALSELY SWEARS TO A CIRCULATOR'S AFFIDAVIT KNOWING IT TO BE FALSE IS GUILTY OF A CLASS A MISDEMEANOR PUNISHABLE, NOTWITHSTANDING THE PROVISIONS OF SECTION 560.021, RSMo, TO THE CONTRARY, FOR A TERM OF IMPRISONMENT NOT TO EXCEED ONE YEAR IN THE COUNTY JAIL OR A FINE NOT TO EXCEED TEN THOUSAND DOLLARS OR BOTH. SECTION 116.080, RSMo

THIS FORM MUST BE RECEIVED NO LATER THAN 5:00 P.M. ON MAY 2, 2010

~~MAIL OR DELIVER COMPLETED FORM TO:~~

~~ELECTIONS DIVISION  
OFFICE OF THE SECRETARY OF STATE OF MISSOURI  
PO BOX 1767  
JEFFERSON CITY, MO 65102-1767~~

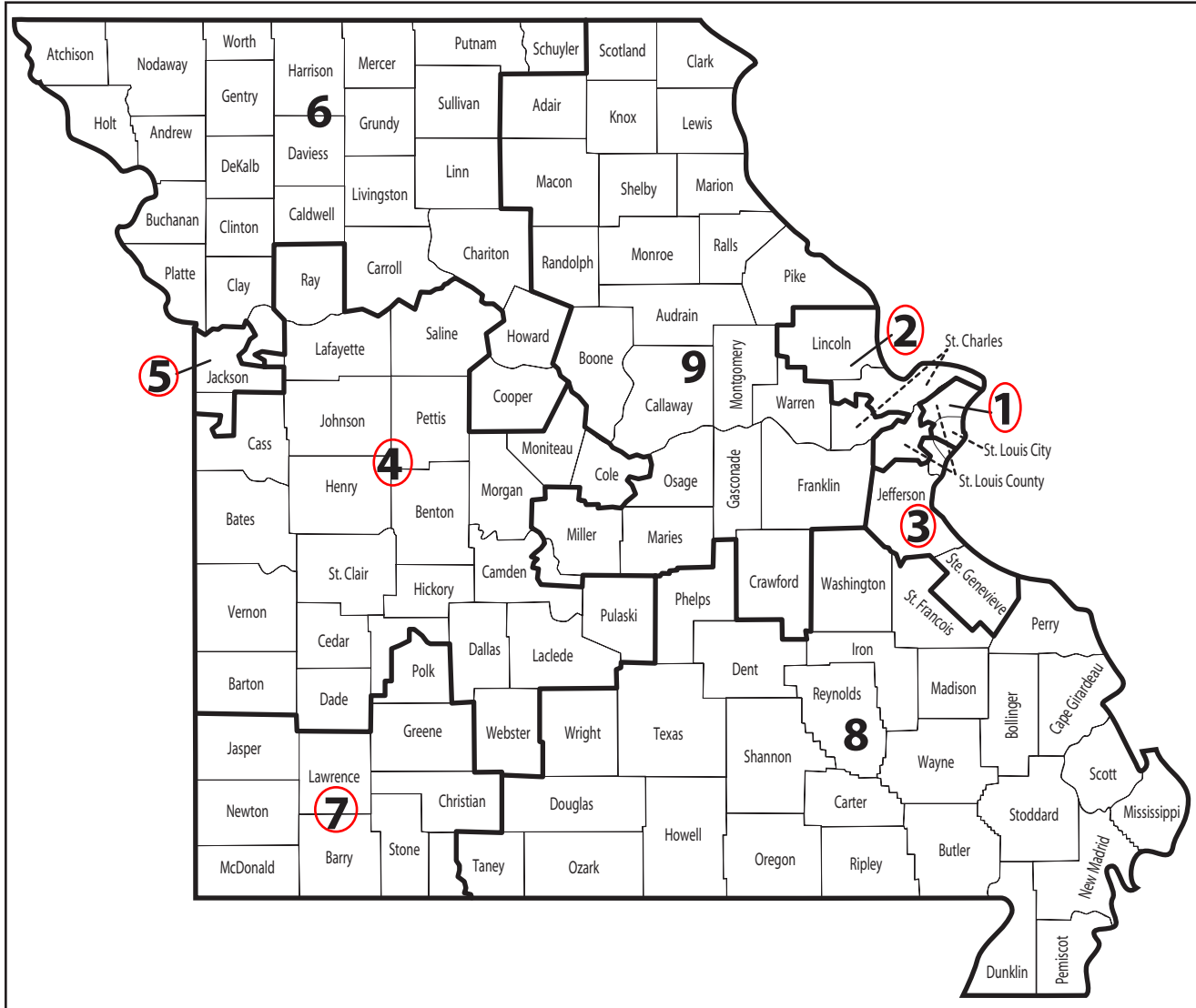
~~§ 116.080, RSMo~~

Circulators: Do not mail this form to the SOS. Provide one copy for the yellow petition and one copy for the blue petition to petition management. You only need to register once.

(12/08)

# Congressional District Map—2001

This map shows the boundaries of the congressional districts as they were apportioned according to House Bill 1000, 91st General Assembly, 1st Regular Session. NOTE: Legislative and congressional districts will be reapportioned in 2011.



Detailed congressional maps for split jurisdictions may be obtained from the University of Missouri Geographic Resources Center. To order, call (573) 882-1404.

General Maps of Congressional Districts can be found at the Secretary of State Web site: [www.sos.mo.gov](http://www.sos.mo.gov)

Redistricting questions can be directed to the State Demographer, Office of Administration, Division of Budget and Planning, (573) 751-2345.

## About our Amendments

Don't allow yourself to be distracted from collecting signatures by getting in long conversations or debates about the amendments or eminent domain in general. You will gather more signatures if you politely go on to the next prospect.

If asked what our amendments do, tell them:

1. These amendments **restore the traditional meaning and use** of eminent domain!
2. Ours still allow eminent domain to be used by government for traditional publicly used and owned projects, like roads and sewers.
3. The most important thing to tell them is that our amendment is the only thing being considered in the whole state that ***eliminates Eminent Domain for Private Gain!***

If they want to know more, suggest they check out [www.mo-cpr.org](http://www.mo-cpr.org) for details. Below is the summary they will find there in addition to the actual amendment language as printed on the back of the petition.

### AMENDMENT DETAILS

#### THE FIRST (Yellow) PETITION

##### Article I, Section 26

1. Limits eminent domain authority to the state and its political subdivisions.
2. Requires just compensation when property rights are “taken” or damaged indirectly..
3. Limits the use of eminent domain to situations in which it is necessary to use that power.
4. Allow normal appraisal methods to be considered in determining “just compensation”.
5. Requires due process before property can be taken or disturbed by the taking authority.

##### Article I, Section 28

1. Prohibits the use of eminent domain for “private use, private ownership, or other private rights” and ensures that those uses are not considered “public use”.
2. Discourages the government from “hoarding” or speculating on property through eminent domain for longer than 5 years through a buy back provision.
3. Discourages a feigned public purpose at the time of taking and subsequent conveying to a private party by allowing the original owner an opportunity to buy back his property if the government attempts to sell it within 20 years.
4. Ensures regulated utilities and electric cooperatives the ability to provide their services, but a government entity must use eminent domain on their behalf and the title remains in the original owner, “subject to the use for which it was taken”. Privately owned utilities will no longer be able to directly wield the people's power of eminent domain.
5. A “notwithstanding” clause to keep Art VI, Sec. 21 from “trumping” these provisions.

#### THE SECOND (Blue) PETITION

##### Article VI, Section 21

1. Provides a remedy for “blight” and other public nuisances, but shifts the role of the government to that of protecting the property rights of the neighbors of those conditions rather than punishing the responsible property owners along with the abusers.
2. Limits those nuisances to those historically considered so, that is, only conditions that negatively affect the property rights of another.
3. This change reestablishes the appropriate distinction between police powers and eminent domain powers.
4. Provide for a reasonable opportunity to abate the nuisance before action is taken.
5. Permit the expenditure of public funds to protect the neighbors and prescribes the due process protection for the “offending” property owner.