

April 2, 2019 -- Attachment 1

ALL STATISTICS IN THIS REPORT ARE SPECIFIC TO IDAHO POPULATIONS. NO OTHER STATES POPULATIONS ARE CONSIDERED, ONLY THEIR REQUIREMENTS. H296

TO: Senate State Affairs Committee
FROM: Colin Nash
DATE: April 2, 2018
SUBJECT: H296

ANALYSIS

For S1159 and H296 to pass state constitutional muster the requirements they enact must be found to be “workable” and “reasonable,” and to avoid strict scrutiny under a federal constitutional challenge cannot impose a “severe burden” on plaintiff’s rights. While H296 may mitigate some of the provisions of S1159, the basic flaw of the original bill remains unchanged, and the net effect is that the standard for ballot qualification is neither reasonable nor workable.

Brian Kane, Deputy Attorney General, in an opinion addressed to Representative Ilana Rubel on March 11, 2019 regarding the constitutionality of S1159 stated,

“With regard to the increased requirement that 10% of the qualified voters sign the petition, this was the requirement addressed in [*Dredge*]...it did approve the statute with its 10% of qualified elector’s requirement. It is likely that a reviewing court would follow [the] conclusion that this requirement was reasonable and workable if faced with a direct challenge to the number of total signatures required to place an initiative petition.

Mr. Kane suggests that because because Idaho once had a 10% signature requirement which previously withstood an indirect court challenge, future courts may uphold it in a direct challenge. He later cites case law in Utah and Nevada where courts have similarly upheld 10% signature requirements. Mr. Kane’s analysis is sound, but the facts applied are incorrect. Idaho did not have a 10% of “qualified electors” requirement under the original law in *Dredge*. The 1933 requirement, amended to its current form in 1997 and pictured below, required 10% of “qualified electors of the state based upon the *aggregate votes cast for governor*.”

...
signatures of legal voters equal in number to not less than ten-per cent six percent (10%) of the qualified electors of the state based upon the aggregate vote cast for governor at the general election next preceding the filing of such initiative or referendum petition at the time of the last general election. Provided, that the petition must

The original requirement was actually 10% of votes cast for governor. If we were to revert to the 1933 law and apply it to today's voting populations it would require 31,428 fewer signatures than S1159 and H296. This also happens to be a common standard in the country, similar to the requirements that withstood challenges in Nevada and Utah. Mr. Kane signed off on a bill that's effects are drastically different than the facts he analyzed.

Requiring signatures from 10% of *registered electors* would be the highest threshold in the country for an initiated state statute. Wyoming is the only state with a relatively similar signature requirement, and it may be vulnerable to legal challenge as no campaign has qualified an initiated statute for the ballot there since 1992. These bills go even further than Wyoming by requiring signatures to be gathered in half the time, with a more difficult distribution requirement.

While some states may have a single feature that overlaps with S1159 or H296, no state has incorporated *all* of its requirements, which combined have an exponential effect on difficulty. The proposed standards would make Idaho's law the most difficult in the nation among the 21 states that allow initiated statutes, including a neighboring state that may also have an unreasonable and unworkable standard.

Mr. Kane concluded his opinion with the following,

"I offer the caveat though that if credible evidence could be developed that an initiative sponsor could not reasonably collect the required signatures in the allotted time period, the proposed signature requirements and/or time requirements could fall to a constitutional challenge."

The credible evidence available, but not analyzed by Mr. Kane, fails to inspire confidence in the constitutionality of S1159 and H296. I'd ask that you'd either hold this legislation in committee, or if you can't do that please send it to the amending order to change the signature requirement from "registered electors" to some form of ballots cast where it might be "reasonable" or "workable" and thereby withstand a constitutional challenge.

TOTAL SIGNATURES REQUIRED IF EACH STATE'S LAWS WERE APPLIED TO IDAHO

I caution against using percentages to compare the requirements of each state as they may measure different things. Only Idaho and Nebraska base their signature requirements off of registered voters rather than ballots cast, so relative to most states H296 has a 15% effective rate, or the highest in the country tied with WY where no statutory initiative has qualified since 1992.

RANK	STATE	%	OF	TOTAL	"+/-" CURRENT	"+/-" S1159
1	Wyoming	15%	votes cast	91,880	36,823	119
2*	Idaho (S1159)	10%	registered voters	91,761	36,704	0
2*	Idaho (H296)	10%	registered voters	91,761	36,704	0
4	Utah	10%	votes cast POTUS	69,026	13,969	-22,736
5	Alaska	10%	votes cast GE	61,254	6,197	-30,507
5	Nevada	10%	votes cast GE	61,254	6,197	-30,507
7	Nebraska	7%	registered voters	60,719	5,662	-31,042
8	Maine	10%	votes cast GOV	60,513	5,456	-31,248
8	Arizona	10%	votes cast GOV	60,513	5,456	-31,248
10	Idaho (Current)	6%	registered voters	55,057	0	-36,704
11	Oklahoma	8%	votes cast GOV	48,410	-6,647	-43,351
11	Michigan	8%	votes cast GOV	48,410	-6,647	-43,351
11	Washington	8%	votes cast GOV	48,410	-6,647	-43,351
11	Arkansas	8%	votes cast GOV	48,410	-6,647	-43,351
N/A	AVERAGE	N/A	votes cast GOV	47,161	-7,896	-44,600
15	Oregon	6%	votes cast GOV	36,308	-18,749	-55,453
15	Ohio	6%	votes cast GOV	36,308	-18,749	-55,453
17	North Dakota	2%	total population	35,084	-19,973	-56,677
18	California	5%	votes cast GOV	30,257	-24,800	-61,504
18	Missouri	5%	votes cast GOV	30,257	-24,800	-61,504
18	Montana	5%	votes cast GOV	30,257	-24,800	-61,504
18	South Dakota	5%	votes cast GOV	30,257	-24,800	-61,504
22	Colorado	5%	votes cast GOV	29,636	-25,421	-62,125
23	Massachusetts	3%	votes cast GOV	18,154	-36,903	-73,607

*depending on voter turnout S1159/H296 and Wyoming would vary between 1st and 2nd
 POTUS=for the office of president, GE=in the last general election, GOV=for the office of governor,
 SoS= for the office of secretary of state

CIRCULATION PERIOD AND SIGNATURE GATHERING RATE

I would caution against comparing the reasonableness of the length of H296's circulation period without considering the rate at which signatures must be gathered. The four states with circulation periods equal to or shorter than H296 requires between 47-80% fewer signatures. No state with a distribution requirement would require signatures to be gathered at a faster rate. All signatures gathered in Oklahoma are presumed valid unless challenged.

RANK	STATE	TOTAL	MONTHS	MONTHLY RATE	"+/-" RATE
1	Oklahoma	48,410	3	16,137	528%
2	Idaho (S1159)	91,761	6	15,294	500%
3	Idaho (H296)	91,761	9	10,366	339%
4	Michigan	48,410	6	8,068	264%
5	Utah	69,026	10	6,662	218%
6	Alaska	61,254	12	5,104	167%
6	Nevada	61,254	12	5,104	167%
6	Wyoming	91,880	18	5,104	167%
9	California	30,257	6	5,043	165%
9	Maine	60,513	12	5,043	165%
11	Colorado	29,636	6	4,939	161%
12	Washington	48,410	10	4,841	158%
N/A	AVERAGE STATE	47,666	13	5,613	183%
13	Massachusetts	18,154	5	3,631	119%
14	Idaho (Current)	55,057	18	3,059	100%
15	North Dakota	35,084	12	2,924	96%
16	Nebraska	60,719	24	2,530	83%
17	Arizona	60,513	24	2,521	82%
17	South Dakota	30,257	12	2,521	82%
19	Missouri	30,257	18	1,681	55%
19	Montana	30,257	18	1,681	55%
21	Oregon	36,308	24	1,513	49%
22	Arkansas	48,410	UNLIMITED	N/A	N/A
23	Ohio	36,308	UNLIMITED	N/A	N/A

DISTRIBUTION REQUIREMENTS

Every state that ranks ahead of S1159 and H296 in each category has a more liberal distribution requirement. H296 increases the number of legislative districts included in the distribution requirement by 33%, making it the second most difficult in the country, when almost half of states have none at all.

RANK	STATE	DISTRIBUTION REQUIREMENT
1	Idaho (S1159)	10% of registered voters in 32 of 35 legislative districts (10% overall)
2	Utah	10% votes cast in 26 of 29 legislative districts (10% overall)
3	Idaho (H296)	10% of registered voters in 24 of 35 legislative districts (10% overall)
4	Wyoming	15% of votes cast in 2/3 of all counties (15% overall)
5	Alaska	7% from 3/4 of 40 legislative districts (10% overall)
6	Idaho (Current)	6% of registered voters in 18 of 35 legislative districts (6% overall)
7	Nebraska	5% of registered voters in 38 of 93 counties (7% overall)
8	Missouri	5% in 2/3 or 6/8 congressional districts (5% overall)
9	Nevada	10% of all votes casted divided by number of congressional districts
10	Montana	5% of registered voters in 1/3 of all legislative districts
11	Michigan	8% of votes cast in 7 of 14 congressional districts (8% overall)
12	Massachusetts	No more than 1/4 of total signatures from any county
13	Ohio	1.5% of votes cast in 44 of 88 counties (6% overall)
14	Arkansas	4% of votes cast in 15 of 75 counties (8% overall)
15	Arizona	NO DISTRIBUTION REQUIREMENT
15	California	NO DISTRIBUTION REQUIREMENT
15	Colorado	NO DISTRIBUTION REQUIREMENT
15	Maine	NO DISTRIBUTION REQUIREMENT
15	North Dakota	NO DISTRIBUTION REQUIREMENT
15	Oklahoma	NO DISTRIBUTION REQUIREMENT
15	Oregon	NO DISTRIBUTION REQUIREMENT
15	South Dakota	NO DISTRIBUTION REQUIREMENT
15	Washington	NO DISTRIBUTION REQUIREMENT

FACTS AND STATISTICS

- **ONLY S1159/H296 RANK IN THE TOP THREE OF EVERY MEASURE**
 - Tied for 1st highest signature total requirement.
 - The 2nd highest signature gathering rate.
 - The 2nd most rigorous distribution requirement.

- S1159/H296 WOULD MAKE INITIATIVES EXPONENTIALLY MORE DIFFICULT
 - Because S1159/H296 requires 63% more signatures in 33% more districts in 50% less time, all of these factor have a multiplier effect on difficulty and requirements must be assessed in their totality to appreciate the added difficulty.

- STATE TO STATE COMPARISONS CAN BE MISLEADING
 - **Total Signature Requirements**
 - Idaho law bases is signature requirement off of registered voters rather than ballots cast which is used in some variation in 18 of the 21 states, giving it a 15% effective rate relative to other states.
 - Because only 65% of signatures are generally verified, future campaigns would actually require an estimated effort of 141K signatures.
 - Gathering 141K signatures is the functional equivalent of having $\frac{1}{3}$ or $\frac{1}{4}$ actual voters sign before they are permitted to vote on an initiative.
 - Three other states have a 10% requirement, but those state laws applied here would actually require as many as 30,000 fewer signatures.
 - There is only one state in the country that bases its statutory initiative signature requirement off of registered voters, that is Nebraska at 7%.
 - **Petition Circulation Period**
 - No state with a distribution requirement would require a faster signature gathering rate.
 - Circulation periods should be considered along with the total signatures a state requires to appreciate the rate at which signatures must be gathered.
 - Of the the five states with with circulation periods equal to or shorter than H296, they require between 47-80% fewer total signatures than H296.
 - **Distribution Requirement**
 - Every state that ranks ahead of S1159/H296 in every other category has a more liberal distribution requirement, and almost half have none at all.

STATE TO STATE COMPARISONS

- S1159
 - 91K signature requirement
 - 6 month circulation period
 - Distribution requirement of 32/35 legislative districts
- H296
 - 91K signature requirement
 - 9 month circulation period
 - Distribution requirement of 24/35 legislative districts
- UTAH
 - More difficult distribution requirement
 - Allows 1 more month to get 22K fewer signatures
 - 10% fewer signatures fail verification
- OKLAHOMA
 - Slightly more difficult signature gathering rate
 - Signatures are presumed valid unless they are challenged
 - Only 90 day circulation period, but requires half the signatures
 - No distribution requirement
- NEVADA
 - Similarly difficult signature verification
 - Requires about 30K less signatures
 - 12 month circulation period
 - More liberal distribution requirement
- MICHIGAN
 - 6 month circulation period
 - Requires 43K less signatures
 - Less difficult distribution requirement
 - Verifies signatures with random sampling method
- WYOMING
 - Nearly tied for highest signature requirement in the nation
 - 18 month circulation period
 - More liberal distribution requirement
 - No statutory initiative has qualified since 1992
- ALASKA
 - Requires 30K less signatures
 - 12 month circulation period
 - More liberal distribution requirement

FACT CHECK

1. IDAHO DID NOT HAVE A 10% OF REGISTERED VOTERS REQUIREMENT

- a. It has been repeated by the sponsors of this bill that a 10% signature requirement is reasonable because Idaho previously imposed such a requirement. This is a false equivocation.
- b. The 1933 law, amended in 1997 (pictured below) to its current requirement was 10% of “qualified electors of the state based upon **THE AGGREGATE VOTE CAST FOR GOVERNOR.**” Not “registered electors.”

action by the secretary of state shall be signed unless the signatures of legal voters equal in number to not less than ten per cent ~~six percent (6%)~~ of the qualified electors of the state based upon ~~the aggregate vote cast for governor at the general election next preceding the filing of such initiative or referendum petition~~ at the time of the last general election. Provided, that the petition must contain a number of signatures of qualified electors from each of ~~twenty-two (22) counties~~ equal to not less than six percent (6%) of the qualified electors at the time of the last general election in each of those ~~twenty-two (22) counties.~~

- c. It has been suggested that we go back to the 1933 law which actually would require 31,248 fewer signatures than S1159.
- ### 2. S1159 REQUIRES MORE SIGNATURES IN LESS TIME THAN ANY OTHER STATE
- a. It has been repeated by the sponsors that the 6 or 9 month circulation period is reasonable because other states have imposed similarly short periods. These are incomplete comparisons.
 - b. Maine *DOES NOT* have a six month circulation period for statutory initiatives, but 18 months. [Maine Constitution, Article IV, Part 3, Section 18](#)
 - c. Of the the five states Rep. Dixon and Sen. Grow referenced with with circulation periods equal to or shorter than S1159, they would require between 47-80% fewer total signatures than S1159, thus S1159 requires less time to gather more signatures.
 - i. Massachusetts does have a 4-5 month circulation period, but would require 73K fewer signatures in Idaho.
 - ii. Colorado does have a 6 month circulation period, but would require 63K fewer signatures in Idaho, and no distribution requirements (distribution requirements do apply to constitutional amendments).
 - iii. Oklahoma does have a ninety day circulation period, but would require 43K fewer signatures in Idaho, and no distribution requirement.
 - iv. California does have a six month circulation period, but would require 61K fewer signatures in Idaho, and no distribution requirement.

- v. Michigan does have a six month circulation period, but would require 43K fewer signatures in Idaho.

3. NO STATE IN THE COUNTRY REQUIRES SIGNATURES FROM 10% OF REGISTERED ELECTORS FOR A STATUTORY INITIATIVE

- a. “Many other states have a 10% or higher threshold than what we’re asking here. Alaska, Maine, Michigan, Nevada, Ohio, South Dakota, Utah, New Mexico all have 10% or higher. Other states even have higher Mississippi requires 12%, Wyoming and Oklahoma and Arizona have 15% thresholds...” -Representative Dixon in Committee March 26, 2019.
- b. S1159/H296
 - i. Would require 91,761 signatures. That number is more important than the percentages, because state-to-state comparisons are misleading when they measure different things.
- c. Alaska
 - i. Does not require signatures from 10% of registered electors, but 10% of ballots cast in the last general election, and would require 30K fewer signatures if applied to Idaho under S1159.
- d. Arizona
 - i. Does not require signatures from 15% of registered electors, but 15% of votes cast for governor for constitutional amendments, it requires 10% of votes cast for governor for statutory initiatives, or 31K fewer signatures if applied to Idaho under S1159.
- e. Arkansas
 - i. Does not require 10% for statutory initiatives, but for constitutional amendments. It requires 8% of votes cast for governor for statutory initiatives, or 43K fewer signatures if applied to Idaho under S1159.
- f. Maine
 - i. Does not require signatures from 10% of registered electors, but 10% of ballots cast in the last general election, and would require 30K fewer signatures if applied to Idaho under S1159.
- g. Montana
 - i. Does not require signatures from 10% of registered electors, but 10% of ballots cast for governor for constitutional amendments. It requires 5% of votes cast for governor for statutory initiatives, which would be 61K fewer signatures if applied to Idaho under S1159.
- h. Michigan
 - i. Does not require signatures from 10% of registered electors, but 10% of votes cast for governor for constitutional amendments. It requires 8% of

votes cast for governor for statutory initiatives, which would be 43K fewer signatures if applied to Idaho under S1159.

- i. Nebraska
 - i. Does not require signatures from 10% of registered electors for a statutory initiative but for a constitutional amendment. It is the only state in the country other than Idaho that bases its signature requirement off of registered electors, and it only requires 7%, or 31K fewer signatures if applied to Idaho under S1159.
- j. Nevada
 - i. Does not require signatures from 10% of registered electors, but for votes cast for governor, which would be 30K fewer signatures if applied to Idaho under S1159.
- k. Ohio
 - i. Does not require signatures from 10% of registered electors for a statutory initiative. It requires 10% of votes cast for governor for constitutional amendments. It requires 6% of votes cast for governor for statutory initiatives, or 55K fewer signatures if applied to Idaho under S1159.
- l. South Dakota
 - i. Does not require signatures from 10% of registered electors for a statutory initiative. It requires 10% of votes cast for governor for constitutional amendments. It requires 5% of votes cast for governor for statutory initiatives, or 61K fewer signatures if applied to Idaho under S1159.
- m. Utah
 - i. Does not require signatures from 10% of registered electors for a statutory initiative, but from 10% of ballots cast in a presidential election, or 22K fewer signatures if applied to Idaho under S1159.
 - ii. Following its successful ballot initiatives for Medicaid expansion and medicinal cannabis, three weeks ago Utah increased its signature requirement by lowering the percentage from 10% of ballots cast in a presidential election to 8% of active voters. They increased their standard by lowering the percentage because they measure different things.
- n. New Mexico
 - i. Doesn't even have the power of initiative. It has a veto referendum that requires signatures from 10% of ballots cast in the previous general election, or 30K fewer signatures if applied to Idaho under S1159.
- o. Mississippi
 - i. Doesn't even have the power of statutory initiatives, they may propose a constitutional amendment to the legislature after gathering signatures from

12% of votes cast for governor, or 19K fewer signatures if applied to Idaho under S1159.

p. Wyoming

- i. Doesn't require signatures from 15% of registered electors, but of votes cast in the last general election, or 119 more signatures if applied to Idaho under S1159.

q. Oklahoma

- i. Doesn't require signatures from 15% of registered electors, but 15% of votes cast for governor for constitutional amendments. It requires 8% of votes cast for governor for statutory initiatives or 43K fewer signatures if applied to Idaho under S1159.

POPULATION REFERENCES

Idaho Populations Used	#
Total Votes Cast For Office of Secretary Of State In 2018 Election	592,727
Total Votes Cast For Office of Governor In 2018 Election	605,131
Total Ballots Cast In 2018 Gubernatorial Election	612,536
Total Ballots Cast In 2018 General Election	612,536
Total Ballots Cast For President (2016)	690,255
Total Voter Registration March 2019	867,418
Total Registered Electors in 2018 General Election	917,612
Total Population (July 2018)	1,754,208

LEGAL CITATIONS

- Alaska
 - Signature Requirement: [Alaska Code Sec. 15.45.140\(a\)\(1\)](#)
 - Circulation Period: [Alaska Code Sec. 15.45.140\(a\), \(b\)](#)
 - Distribution Requirement: [Alaska Code 15.45.140\(a\)\(2\), \(3\)](#)
- Arizona
 - Signature Requirement: [Arizona State Constitution, Part I, Section 1\(7\)](#)
 - Circulation Period: [Arizona Revised Statutes 19-121\(5\)\(B\)](#)
 - Distribution Requirement: N/A
- Arkansas
 - Signature Requirement: [AR CONST Art. 5, § 1](#)
 - Circulation Period: [AR CONST Art. 5, § 1](#)
 - Distribution Requirement: [AR CONST Art. 5, § 1](#)

- California
 - Signature Requirement: [California Constitution, Article II, Section 8\(b\)](#)
 - Circulation Period: [California Code, Elections Code - ELEC § 9014](#)
 - Distribution Requirement: [California Constitution, Article II, Section 8](#)
- Colorado
 - Signature Requirement: [Colorado Constitution, Article V, Section 1, ¶ 2](#)
 - Circulation Period: [Colorado Revised Statutes, Title 1, Article 40, Section 108 and Article V, Section 1\(2\) of the Colorado Constitution](#)
 - Distribution Requirement: N/A (only applicable for initiated constitutional amendments)
- Idaho (currently)
 - Signature Requirement: [Idaho Statutes, Title 34, Chapter 18, Section 34-1805](#)
 - Circulation Period: [Idaho Statutes, Title 34, Chapter 18, Section 34-1802](#)
 - Distribution Requirement: [Idaho Statutes, Title 34, Chapter 18, Section 34-1805](#)
- [Idaho \(S1159\)](#)
 - all requirements are found in the full text of the bill
- Maine
 - Signature Requirement: [Maine Constitution, Article IV, Part 3, Section 18](#)
 - Circulation Period: [Maine Constitution, Article IV, Part 3, Section 18](#)
 - Distribution Requirement: N/A
- Massachusetts
 - Signature Requirement: [Massachusetts Constitution, Article XLVIII, Parts IV-V & Article LXXXI, Section 2](#)
 - Circulation Period: [Massachusetts Constitution, Article XLVIII, Part IV-V and Massachusetts Constitution, Article LXXXI, Section 1-3](#)
 - Distribution Requirement: [Massachusetts Constitution, Article XLVIII, "General Provisions"](#)
- Michigan
 - Signature Requirement: [Michigan Constitution, Article II, Section 9 & Article XII, Section 2](#)
 - Circulation Period: [Michigan Constitution, Article II, Section 9 & Article XII, Section 2](#)
 - Distribution Requirement: [Michigan Constitution, Article II, Section 9; Article XII, Section 2; Michigan Compiled Laws, Chapter 168, Section 471 and Section 473b](#)
- Missouri
 - Signature Requirement: [Missouri Constitution, Article III, Section 50 & 53](#)
 - Circulation Period: [Missouri Constitution, Article III, Section 50 & 53](#)

- Distribution Requirement: [Missouri Constitution, Article III, Sections 50](#) and [Missouri Revised Statutes, Title IX, Chapter 116, Section 116.334](#)
- Montana
 - Signature Requirement: [Montana Constitution, Article III, Section 4](#), [Montana Constitution Article III, Section 7](#) & [Article XIV, Section 9](#)
 - Circulation Period: [Montana Code Annotated, Title 13, Chapter 27, Section 104](#) and [Section 202](#)
 - Distribution Requirement: [Montana Constitution, Article III, Section 4](#) ; [Article XIV, Section 9](#) and [Montana Code Annotated, Title 13, Chapter 27, Section 303\(2\)](#)
- Nebraska
 - Signature Requirement: [Nebraska Constitution, Article III, Sections 2 & 3](#)
 - Circulation Period: [Nebraska Revised Statutes, Chapter 32, Section 1407 \(2\)](#)
 - Distribution Requirement: [Nebraska Constitution, Article III, Sections 2 & 3](#)
- Nevada
 - Signature Requirement: [Nevada Constitution, Article 19, Sections 2 & 3](#)
 - Distribution Requirement: [Nevada Revised Statutes, Chapter 295, Section 069](#)
 - Circulation Period: [Nevada Constitution, Article 19, Sections 1-2](#) and [Nevada Revised Statutes, Chapter 295, Section 056](#) and [Chapter 293, Section 1276](#)
- North Dakota
 - Signature Requirement: [North Dakota Constitution, Article III, Sections 4, 9, & 10](#)
 - Circulation Period: [North Dakota Century Code, Title 16.1, Chapter 1, Section 9 \(7\)](#) and [Article III, North Dakota Constitution](#)
 - Distribution Requirement: N/A
- Ohio
 - Signature Requirement: [Ohio Constitution, Article 2, Sections 1a,1b](#)
 - Circulation Period: [Ohio Constitution, Article 2, Sections 1a,1b](#)
 - Distribution Requirement: [Ohio Constitution, Article II, Section 1g](#)
- Oklahoma
 - Signature Requirement: [Oklahoma Constitution, Article V, Section 2](#) & [Section 6](#)
 - Circulation Period: [Oklahoma Constitution, Article V, Section 3](#) and [Oklahoma Statutes, Title 34, Section 34-25](#)
 - Distribution Requirement: [Oklahoma Constitution, Article V, Sections 1-8](#); and [Oklahoma Statutes, Title 34](#)
- Oregon
 - Signature Requirement: [Oregon Constitution, Article IV, Section 1](#)
 - Circulation Period: [Oregon Constitution, Article IV, Section 1 \(2e,4c\)](#) and [Oregon Revised Statutes, Chapter 250.105](#)

- Distribution Requirement: [Oregon Constitution, Article IV, Section 1, Oregon Revised Statutes, Chapter 250](#)
- South Dakota
 - Signature Requirement: [South Dakota Constitution, Article III, Section 1](#)
 - Circulation Period: [Utah Code, Title 20A, Chapter 7, Sections 206 and 306](#)
 - Distribution Requirement: [South Dakota Constitution, Article III, Section 1](#) and [Article XXIII, Sections 1-3](#)
- Utah
 - Signature Requirement: [Utah Code, Title 20A, Chapter 7, Section 201, Section 208 & Section 301](#)
 - Circulation Period: [Utah Code, Title 20A, Chapter 7, Sections 206 and 306](#)
 - Distribution Requirement: [Utah Code, Title 20A, Chapter 7, Section 201, Section 208 & Section 301](#)
- Washington
 - Signature Requirement: [Initiatives & Referenda In Washington State](#)
 - Distribution Requirement: [Washington Constitution, Article II, Section 1](#)
 - Circulation Period: [Revised Code of Washington, Title 29A, Chapter 72, Section 030](#) and [Section 160](#)
- Wyoming
 - Signature Requirement: (Page 16) [Wyoming Constitution](#), Article 3, Section 52(c)(i)
 - Circulation Period: [Wyoming Statutes, Title 22, Chapter 24, Section 315](#)
 - Distribution Requirement: (Page 16) [Wyoming Constitution](#), Article 3, Section 52(c)(ii)
 - [HISTORY OF BALLOT AND REFERENDUM IN WYOMING](#)

Twyla Melton

From: Twyla Melton
Sent: Tuesday, April 02, 2019 11:07 AM
To: Senator Brent Hill; Senator Cherie Buckner-Webb; Senator Chuck Winder; Senator Kelly Anthon; Senator Mark Harris; Senator Mary Souza; Senator Michelle Stennett; Senator Patti Anne Lodge
Cc: Colin Nash
Subject: FW: Correction

From: Colin Nash <colinnash2@gmail.com>
Sent: Tuesday, April 02, 2019 8:43 AM
To: Twyla Melton <sstaf@senate.idaho.gov>
Subject: Correction

Ms. Melton,

I wanted to correct an error in my report. I overstated a fact the effect of Wyoming's law. I said no initiative had qualified for the ballot since 1992. It is actually 1996. No initiative has passed since 1992. If you could please pass this information on to the committee I would appreciate it.

Colin Nash
(801) 600-0514

