

IN THE SENATE

SENATE BILL NO. 1484

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO INITIATIVES; AMENDING SECTION 34-1804, IDAHO CODE, TO PROVIDE FOR STATEMENT OF FISCAL IMPACT, TO REVISE PETITION REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 18, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1809A, IDAHO CODE, TO PROVIDE FOR ANALYSIS OF STATEMENT OF FISCAL IMPACT AND FOR REBUTTAL STATEMENT; AMENDING SECTION 34-1812C, IDAHO CODE, TO REVISE CONTENTS OF THE VOTERS' PAMPHLET AND TO PROVIDE FOR WEBSITE PUBLICATION OF THE VOTERS' PAMPHLET; AND AMENDING SECTION 34-1813, IDAHO CODE, TO REVISE THE EFFECTIVE DATE OF INITIATIVE ADOPTED BY THE VOTERS AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 34-1804, Idaho Code, be, and the same is hereby amended to read as follows:

34-1804. PRINTING OF PETITION AND SIGNATURE SHEETS -- **STATEMENT OF FISCAL IMPACT.** (1) Before or at the time of beginning to circulate any petition for the referendum to the people on any act passed by the state legislature of the state of Idaho, or for any law proposed by the initiative, the person or persons or organization or organizations under whose authority the measure is to be referred or initiated shall send or deliver to the secretary of state a copy of such petition duly signed by at least twenty (20) qualified electors of the state which shall be filed by said officer in his office, and who shall immediately transmit a copy of the petition to the attorney general for the issuance of the certificate of review as provided in section 34-1809, Idaho Code.

(2) Before beginning to circulate any petition for any law proposed by initiative, the person or organization under whose authority the initiative is proposed shall send or deliver a concise statement of fiscal impact to the secretary of state. The statement of fiscal impact shall estimate the impact of the initiative, if adopted by the voters, on the revenues of the state of Idaho and any unit of local government, on the expenditure of funds by the state or any unit of local government and on private property and business within the state of Idaho. The secretary of state shall immediately transmit a copy of the statement of fiscal impact to the division of financial management for analysis as provided in section 34-1809A, Idaho Code.

(3) All petitions for the initiative and for the referendum and sheets for signatures shall be printed on a good quality of bond or ledger paper in the form and manner as approved by the secretary of state. To every sheet of petitioners' signatures shall be attached a full and correct copy of the measure so proposed by initiative petition, a summary of the statement of fiscal impact, the division of financial management's summary analysis as provided for in section 34-1809A, Idaho Code, and a summary of the rebuttal statement permitted by section 34-1809A, Idaho Code; but such petition may be filed by the secretary of state in numbered sections for convenience in handling. Every

sheet of petitioners' signatures upon referendum petitions shall be attached to a full and correct copy of the measure on which the referendum is demanded, and may be filed in numbered sections in like manner as initiative petitions. Not more than twenty (20) signatures on one (1) sheet shall be counted. Each signature sheet shall contain signatures of qualified electors from only one (1) county.

SECTION 2. That Chapter 18, Title 34, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 34-1809A, Idaho Code, and to read as follows:

34-1809A. ANALYSIS OF INITIATIVE STATEMENT OF FISCAL IMPACT -- REBUTTAL STATEMENT. After receiving a copy of the statement of fiscal impact from the secretary of state as provided in section 34-1804, Idaho Code, the division of financial management shall review the statement of fiscal impact for accuracy. Within thirty (30) days of receipt of the statement of fiscal impact, the division of financial management shall transmit to the secretary of state and to the person or organization under whose authority the initiative is proposed the division's analysis of the statement of fiscal impact, including the accuracy of the statement of fiscal impact's estimates, the division's estimates, if different from those contained in the statement of fiscal impact, and the basis for the division's estimates and a summary of that analysis. The division's analysis shall be available for public inspection in the office of the secretary of state and be published on the secretary of state's website. If the person or organization under whose authority the initiative is proposed disagrees with the division's analysis, such person or organization may file a rebuttal statement with the secretary of state within thirty (30) days from the date of transmittal.

SECTION 3. That Section 34-1812C, Idaho Code, be, and the same is hereby amended to read as follows:

34-1812C. VOTERS' PAMPHLET. (1) Not later than September 25 before any regular general election at which an initiative or referendum measure is to be submitted to the people, the secretary of state shall cause to be printed a voters' pamphlet which shall contain the following:

(a) A complete copy of the title and text of each measure with the number and form in which the ballot title thereof will be printed on the official ballot;

(b) A copy of the arguments and rebuttals for and against each state measure; and

(c) A copy of the statement of fiscal impact, the division of financial management's analysis of that statement and any rebuttal statement permitted by section 34-1809A, Idaho Code.

(2) The secretary of state shall mail or distribute a copy of the voters' pamphlet to every household in the state and shall cause to have a copy of the voters' pamphlet published on the secretary of state's website. Sufficient copies of the voters' pamphlet shall also be sent to each county clerk. The county clerk and the secretary of state shall make copies of the voters' pamphlet available upon request.

(3) The voters' pamphlet shall be printed according to the following specifications:

(a) The pages of the pamphlet shall be not smaller than 6 x 9 inches in size;

(b) It shall be printed in clear readable type, no less than 10-point,

1 except that the text of any measure may be set forth in no less than
2 7-point type;

3 (c) It shall be printed on a quality and weight of paper which in the
4 judgment of the secretary of state best serves the voters;

5 (d) If the material described in subsections (a) and (b) of this section
6 is combined in a single publication with constitutional amendments, the
7 entire publication shall be treated as a legal notice.

8 SECTION 4. That Section 34-1813, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 34-1813. COUNTING, CANVASSING AND RETURN OF VOTES. The votes on measures
11 and questions shall be counted, canvassed and returned by the regular boards
12 of judges, clerks and officers, as votes for candidates are counted, canvassed
13 and returned, and the abstract made by the several county auditors of votes on
14 measures shall be returned to the secretary of state on separate abstract
15 sheets in the manner provided for abstract of votes for state and county offi-
16 cers. It shall be the duty of the secretary of state, in the presence of the
17 governor, to proceed within thirty (30) days after the election, and sooner if
18 the returns be all received, to canvass the votes given for each measure, and
19 the governor shall forthwith issue his proclamation, giving the whole number
20 of votes cast in the state for and against such measure and question, and
21 declaring such measures as are approved by a majority of those voted thereon
22 to be in full force and effect as the law of the state of Idaho ~~from the date~~
23 ~~of said proclamation~~ on April 15 of the year following the election; provided,
24 that if two (2) or more measures shall be approved at said election which are
25 known to conflict with each other or to contain conflicting provisions he
26 shall also proclaim which is paramount in accordance with the provisions of
27 sections 34-1801— through 34-1822, Idaho Code.