

League of Women Voters of Massachusetts
Study of the Ballot Question Process in Massachusetts

Appendix 4: Initiative and Referendum in Seven States

Table of Contents

Overview of This Document..... 1

Initiative and Referendum Overview 2

Petition Summary..... 3

Signature Gathering; Circulator Regulations and Training..... 5

Links to Voter Guides for the Seven States and Massachusetts..... 9

Information for Voters..... 10

Legislative amendment or repeal of a law passed by initiative 13

Overview of This Document

The Study Committee identified seven states to study in detail: the five states with the greatest number of initiatives over time (Oregon, California, Colorado, North Dakota and Arizona), one mid-western state (Ohio), and the other New England state (Maine).

The details in this Appendix focus on information relevant to the study consensus questions, with the goal of putting Massachusetts procedures into perspective.

Initiative and Referendum Overview

This section compares the types of citizen-initiated ballot questions that can be used in the states, any limitations on proposed laws in the initiative petition, and whether there is legislature involvement prior to vote (i.e., direct vs. indirect).

Oregon

Types of Citizen-Initiated Ballot Questions:

Law, constitutional amendment, and veto referendum

Initiative Petition – Length of Proposed Law

No restrictions on length of a petition

Legislature Involvement prior to vote (Direct vs. Indirect): Direct

California

Types of Citizen-Initiated Ballot Questions

Law, constitutional amendment, and veto referendum

Initiative Petition – Length of Proposed Law

No restrictions on length of a petition

Legislature Involvement prior to vote (Direct vs. Indirect): Direct

Colorado

Types of Citizen-Initiated Ballot Questions

Law, constitutional amendment, and veto referendum

Initiative Petition – Length of Proposed Law

No restrictions on length of a petition

Legislature Involvement prior to vote (Direct vs. Indirect): Direct

North Dakota

Types of Citizen-Initiated Ballot Questions

Law, constitutional amendment, and veto referendum

Initiative Petition – Length of Proposed Law

No restrictions on length of a petition

Legislature Involvement prior to vote (Direct vs. Indirect): Direct

Arizona

Types of Citizen-Initiated Ballot Questions

Law, constitutional amendment, and veto referendum

Initiative Petition – Length of Proposed Law

No restrictions on length of a petition

Legislature Involvement prior to vote (Direct vs. Indirect): Direct

Ohio

Types of Citizen-Initiated Ballot Questions

Law, constitutional amendment, and veto referendum

Initiative Petition – Length of Proposed Law

No restrictions on length of a petition

Legislature Involvement prior to vote (Direct vs. Indirect)

Citizens of Ohio may initiate statutes through the process of indirect initiative and constitutional amendments through the process of direct initiative.

Maine

Types of Citizen-Initiated Ballot Questions

Law and veto referendum, not constitutional amendment

Initiative Petition – Length of Proposed Law

No restrictions on length of a petition

Legislature Involvement prior to vote (Direct vs. Indirect): Indirect

Petition Summary

This section describes how the summary of a law or amendment that will be included on the ballot is prepared and approved in each of the seven states.

Oregon

Attorney General writes preliminary caption and summary, receives public comments and writes final version after public comment.

California

- Proponent can request Secretary of State to review prior to its circulation. Secretary of State reviews the measure with respect to form and language clarity and will request and obtain a fiscal impact statement from the Legislative Analyst's Office.
- Once the measure is written, proponents are required to submit a draft to the Attorney General with a written request that a circulating title and summary of the chief purpose and points of the measure be prepared. Fee for this is \$2,000, which will be refunded if the measure qualifies for the ballot within 2 years after the summary has been issued.
- Attorney General posts the text of the initiative on their website and facilitates a 30-day public review process. Any member of the public can submit written comments to the Attorney General. Proponents can submit an amendment to the measure but must do so before 5 days after the public review period has ended.
- Attorney General writes preliminary caption and summary, receives public comments and then writes final version after public comment.

Colorado

Submitting proponents must be represented by two people who will be the point of contact for all matters affecting the petition. These "designated representatives" are not permitted to withdraw or swap with another individual. They must be present at all public meetings.

Colorado requires that initiative text is reviewed by the Colorado Legislative Council Staff and the Office of Legislative Legal Services. Results of their reviews and comments are presented at at least one public meeting, the first of which is scheduled approximately two weeks from submission.

Both designated representatives must attend every review and comment meeting or the initiative is automatically withdrawn. No delegation is allowed.

Proponents may revise the initiative based on the recommendations given at the public meeting. If revisions are made that are more than revisions that directly answer comments, then the revised draft must be resubmitted for additional review, which will occur within two weeks of submission at public meeting. Compliance with recommendations is not mandatory.

Once revisions are made, proponents submit the proposal to the Secretary of State and its Initiative Title Setting Review Board (“Title Board”). The Title Board holds hearings from early December to no later than the third Wednesday in April in the year in which the measure is to be placed on the ballot. Both representatives must attend every meeting. The Title Board sets the title, which must be a single subject.

The proponent or any registered Colorado elector can request a rehearing if they disagree with the Title Board’s work. Decision of the Title Board at a rehearing is final but appealable to the Colorado Supreme Court, which decides within five days.

After titles are set by the Title Board, a printer’s proof of the petition must be submitted for approval by the Secretary of State. Once approved, and after any paid petition circulator has met certain requirements, petitions may be circulated for signature.

North Dakota

A final draft of the petition, along with the completed sponsoring committee affidavits are submitted to the Secretary of State who then with the Attorney General drafts a petition title and approves the petition for style and legal form. The petition title is a short statement to be included on the petition, which must fairly represent the substance of the proposed change or addition.

Arizona

Petitioners write the 100-word summary. Text of a proposed measure must be submitted to the Arizona Legislative Council, which reviews for errors, consistent provisions, confusing language and conflict with existing laws. Proponents have discretion whether or not to accept any of the recommendations.

Once sufficient signatures are collected the Secretary of State prepares the official descriptive title and ballot measure language that will appear on the general election ballot.

Ohio

The petitioners prepare the proposed measure and summary for review by the Attorney General. If the Attorney General finds that the summary is fair and accurate, he or she forwards the measure to the Ohio Ballot Board. The board reviews the measure to ensure that it conforms to Ohio's single-subject rule. If the measure is found to propose more than one statute or amendment, the board may divide the measure into separate ballot questions. Petitioners must then submit new summaries for each of the measures. These summaries are also subject to the Attorney General's approval. Once a proposal is approved, it is transferred to the Secretary of State.

Maine

Sponsors of a measure write the initial summary explaining the purpose of the initiative. The Secretary of State requests the Revisor of Statutes to prepare a concise summary statement objectively outlining the content of the proposed law. This statement is included on each signature petition form.

Signature Gathering; Circulator Regulations and Training

This section provides any geographic distribution requirements, whether a second round of signatures is required, any signature gathering requirements, and any signature circulator training requirements.

Oregon

Geographic Distribution Requirements

None

Second Round of Signatures/Second Vote

No

Signature Gathering Requirements; Circulator Training and Regulations

- Circulators are permitted to sign the petition that they are circulating.
- Petition circulators are not required to reside in the state.
- Each initiative petition contains a mandatory circulator affidavit. Circulators are not required to sign these affidavits before a public notary, but must swear to and sign a statement, under the penalty of law, that they personally witnessed every act of signing the petition.
- Paid circulators must complete training and be registered with the Secretary of State, and all circulators must sign a certification before filing.
- Petitions of paid circulators must be filed monthly. Chief petitioners must ensure that criminal background checks have been performed on paid circulators.
- Paid petition circulators are identified by the color of their petition forms. The color of petition sheets circulated by paid gatherers must be different from the color of those circulated by volunteers. If proponents pay anyone to collect signatures, all petitions forms must prominently feature, in bold type, the words: "Some Circulators For This Petition Are Being Paid." In addition, the sheets must explain the color scheme that differentiates the petition sheets of volunteer and paid circulators.

California

Geographic Distribution Requirements

CA voters can only sign petitions that are being circulated in his/her county of registration.

Second Round of Signatures/Second Vote

No

Signature Gathering Requirements; Circulator Training and Regulations

- Voters can only sign petitions that are being circulated in his/her county of registration.
- Proponents are responsible for ensuring that any circulator is educated on the requirements/prohibitions of state law (which include criminal penalties for forgery, intentionally misrepresentation of information, making false certifications in affidavits, paying money for signatures) with respect to gathering signatures and circulating petitions.

- All paid circulators have a specific signed statement they are required to submit, certifying that they will not use the signatures for any other purpose than the qualification of the ballot measure.
- Any signature circulator must be a registered California voter (paid or unpaid).

Colorado

Geographic Distribution Requirements

For initiatives for constitutional amendments, must obtain 2% of total registered electors in each of the 35 Colorado state senate districts. No requirements for initiative for law or veto referendum.

Second Round of Signatures/Second Vote

No

Signature Gathering Requirements; Circulator Training and Regulations

- All petitions must be filed no later than 3 months before the election. After the Title Board sets final language, proponents have 6 months to circulate the petitions provided they meet the 3-month deadline.
- Only registered voters may sign.
- Petitions must be signed in the presence of the circulator.
- Signer's address on petition must match that on her voter registration record.
- Each circulator must either sign an affidavit that they understand the circulation laws or must have completed the Secretary of State circulator training.
- Circulators need not be Colorado residents, but they must have an "acceptable form of identification" and if the identification has an address listed, it must list a Colorado address. (The CO residency requirement was struck down in *Independence Institute v. Gessler*, however the court upheld the requirement that a circulator present the notary with a specific type of identification.) The identification must be presented to the notary at the time of notarizing each petition section.
- If paid, circulators must wear a badge stating "PAID CIRCULATOR"; if unpaid, circulators must wear a badge stating "VOLUNTEER CIRCULATOR."
- "Petition entities" (companies who hire paid signature gatherers) cannot be used unless they have registered with the Secretary of State for the specific ballot petition, obtained a license from the Secretary of State, paid the \$100 licensing fee, and completed circulator training.
- The Secretary of State circulator training program provides an overview of circulating petitions and how to avoid potential fraudulent activities. In addition, the training summarizes circulator rights and responsibilities.
- The petition's proponents or the petition entity's representatives must inform all circulators that training is available.
- Each circulator must affirm in the affidavit that he or she has read and understands the laws pertaining to petition circulation. If the circulator completes the training program, then he or she will satisfy this requirement.
- At least one petition entity representative (paid circulator) must complete the Secretary of State training program to obtain a petition entity license.

Link to training guide: <https://www.sos.state.co.us/pubs/elections/Initiatives/training/main.html>

North Dakota

Geographic Distribution Requirements

None

Second Round of Signatures/Second Vote

No

Signature Gathering Requirements; Circulator Training and Regulations

- Circulators may sign his/her own petition.
- Each initiative petition must contain a circulator affidavit, signed by the circulator in front of a public notary.
- Once signature petitions are submitted to the Secretary of State, they are considered filed and cannot be returned to the sponsoring committee for the purpose of continuing the circulation process or resubmitting the petitions at a later date.
- Within 180 days of submitting a petition, a statement must be submitted disclosing whether petition circulators will be paid or strictly volunteer and if paid, the total amount of money paid to or expected to be paid to circulators.
- Does not permit paying circulators based on the on number of signatures collected.
- Circulators and signers must be at least 18 years of age or older and be eligible to vote in the state. N.D. does not have a voter registration system. Thus any resident of the state who is a citizen of the U.S. and who is at least 18 years old and has resided in the state for at least 30 days is eligible to vote in the state.
- No badge required, but paid circulators must be registered with the Secretary of State. Volunteers do not have to register. The circulator's paid/volunteer status is not required to be disclosed.
- Circulator must also swear and sign a statement, under the penalty of law, that he/she personally witnessed every act of signing the petition.

Arizona

Geographic Distribution Requirements

None

Second Round of Signatures/Second Vote

No

Signature Gathering Requirements; Circulator Training and Regulations

- Paid and out of state circulators must register with the Secretary of State prior to circulating petitions.
- Circulators may sign the petition.
- Each petition must contain a mandatory circulator affidavit. These affidavits must be signed before a notary.
- Each circulator must sign a statement that they personally witnessed every signature.
- Each petition sheet must show if circulator is paid.
- No more than 15 signatures per sheet are allowed.
- The Secretary of State can disqualify a petition sheet for any of several reasons.
- Pay-per-signature is allowed.

- Out of state circulators are allowed but must register with the Secretary of State and must be qualified to vote in AZ. This means a non-resident circulator must be qualified to vote in AZ had she/he been a resident
- All circulators must be registered with the Secretary of State from whom they get an identification number. Paid circulators must be identified as such on each petition sheet.
- Each circulator must read the 11 page-training manual and acknowledge this to the Secretary of State.

Ohio

Geographic Distribution Requirements

For all measures, signatures must be gathered from at least 44 of Ohio's 88 counties. Petitioners must gather signatures equal to a minimum of half the total required percentage of the gubernatorial vote in each of the 44 counties: 5% for amendments, 1.5% for statutes, and 3% for referendums. This requirement also applies to the second round of signatures needed to place a statute on the ballot once it has been rejected by the General Assembly.

Second Round of Signatures/Second Vote

For initiated state statutes, signatures equaling 3% of these votes must be submitted in order to place the proposal before the Ohio State Legislature. If the legislature fails to enact the proposed legislation, additional signatures equaling another 3% of the last gubernatorial vote must be collected in order to place the measure on the ballot.

Signature Gathering Requirements; Circulator Training and Regulations

- Circulators are permitted to sign the petition that they are circulating.
- Circulators must be at least 18 years of age.
- Each circulator must be a registered voter and reside in a precinct in which the issue that is the subject of the petition will appear on the ballot.
- Each initiative petition contains a mandatory [circulator affidavit](#). According to Ohio Revised Code 3501.38 and 3519.05, a circulator is not required to sign these affidavits before a public notary, however he or she must swear to and sign a statement, under the penalty of law, that he or she personally witnessed every act of signing the petition.
- Once circulation is completed, the signatures are submitted to the Secretary of State grouped by county of signature origin. The Secretary of State will then distribute the petitions to the county board of elections for verification in accordance with Ohio Revised Codes 3501.38(K), 3519.10 and 3519.15.
- Ohio does not ban paying circulators based on the number of signatures collected. Ohio used to have such a ban, but it was struck down on March 5, 2008, in *Citizens for Tax Reform v. Deters*.
- Petition circulators must reside in the state.
- Circulators must disclose their paid/volunteer status in their circulator affidavit, which is completed after signatures have been collected.
- Ohio law does not limit how long a petition may be circulated. Signatures for an initiated statute must be filed at least 10 days prior to the legislative session.
- Sufficient signatures for constitutional amendments trigger a ballot measure at the next general election at least 125 days after the signatures are submitted.

Maine

Geographic Distribution Requirements

None

Second Round of Signatures/Second Vote

No

Signature Gathering Requirements; Circulator Training and Regulations

- Drafters of an initiative must file an application with Secretary of State along with 6 signatures of voters. Successful petitions are first presented to ME state legislature. If the measure is not adopted without change or is vetoed by the governor, the measure is placed before the voters.
- The Legislature may submit “any amended form, substitute or recommendation” to the people alongside the proposed initiative. This is treated as a competing measure.
- Voters may select one of the measures or reject both.
- Circulators are permitted to sign the petition that they are circulating. Each initiative petition contains a mandatory circulator affidavit. Circulators are required to sign these affidavits before a public notary and swear to and sign a statement under penalty of law, that he/she personally witnessed every act of signing the petition. Circulators may receive payment for each signature collected (pay-per-signature).
- However, paid circulators are required to register with the state ethics commission. Any committee or organization that is paying circulators must provide a \$2,000 bond for every circulator who receives more than \$2,500 in compensation.
- Each petition signature is certified by the local registrar of voters. The signatures are then submitted to the Secretary of State.
- Circulators must be registered to vote in Maine.
- Maine does not require that paid circulators be identified as such on badges.
- Maine publishes “Instructions for Petition Circulators” <http://action.fairbearhunt.com/page/-/The%20Den/Instructions%20to%20Circulators.pdf?nocdn=1>.

Links to Voter Guides for the Seven States and Massachusetts

(November 2016 unless otherwise noted)

Oregon General Election Voters Pamphlet: <https://www.sos.wa.gov/elections/research/2016-general-election-voters-pamphlet.aspx>

California Official Voter Information Guide: <http://vigarchive.sos.ca.gov/2016/general/>

Colorado State Ballot Information Booklet (Blue Book)

http://leg.colorado.gov/sites/default/files/2016_bilingual_bluebook_for_the_internet_0.pdf

North Dakota General Election Ballot Measures

<https://www.legis.nd.gov/files/resource/miscellaneous/17.9450.01000.pdf>

Arizona Publicity Pamphlet: https://apps.azsos.gov/election/2016/General/pamphlet_english.pdf

Ohio Issues Report (only 2018 readily available) “Statewide Issues” webpage:

<https://www.sos.state.oh.us/elections/voters/state-issue-information/>

Issue Report: https://www.sos.state.oh.us/globalassets/ballotboard/2018/2018_primary_issuesreport.pdf

Maine Citizen’s Guide to the Referendum Election

<https://www.maine.gov/sos/cec/elec/upcoming/citizensguide2016.pdf>

Massachusetts Information for Voters http://www.sec.state.ma.us/ele/elepdf/IFV_2016.pdf

Information for Voters

This section describes information provided to voters about ballot questions in the states.

Oregon

Voters Guide

The Voter's Pamphlet is an on-line tool that includes the question, explanatory statement, fiscal impact statement, arguments for and against, and who donated to the campaigns. A printed version is delivered to all registered voters.

Pro/Con Information

Any person may submit a short argument for or against a ballot measure to be included in the pamphlet. To submit an argument, an individual must either pay a \$1,200 fee or collect 500 signatures. A panel of citizens prepares the explanatory statement through the Citizens Initiative Review process.

Fiscal Impact Information

In Oregon, each measure that affects revenue, expenditure, or indebtedness by more than \$100,000 receives an estimate of financial impact. This estimate is included in the voters' pamphlet and on the ballot. If necessary, a longer "statement of financial impact" can also be written explaining the estimate in the voters' pamphlet. The financial estimate committee is responsible for creating these estimates. The committee includes the Secretary of State, the state treasurer, the director of the Oregon Department of Administrative Services, the director of the Oregon Department of Revenue, and a local representative with expertise in local government finance who is selected by the other members.

California

Voters Guide

For each measure placed on the ballot, the state Voter Information Guide contains much useful information for voters. Each measure in the guide is accompanied by an impartial analysis of the proposal and the potential costs to taxpayers as prepared by the Legislative Analyst's Office, arguments in favor and against it prepared by proponents and opponents, the text and a summary prepared by the Attorney General or the Legislature, as well as other information.

Pro/Con Information

Each measure receives ballot arguments for and against, which can be drafted by proponents, citizen groups, and individuals. The secretary of state selects the official arguments from among those submitted. Priority is given to arguments based on their author(s)—first to proponents, second to citizen groups, and third to individuals. Once arguments have been selected, their authors draft rebuttals to the opposing arguments.

Fiscal Impact Information

Attorney General provides the proposed measure to the Department of Finance and the Legislative Analyst, who are required to jointly prepare an estimate of the net impact of the measure. This must be done within 50 days. The Department of Finance and the Legislative Analyst prepare an estimate of the amount of any increase/decrease in revenues or costs to state or local government or, if they are unable to create a reasonable estimate, an opinion as to whether or not a substantial net change in state or local finances would result.

Colorado

Voters Guide

Legislative Council staff prepares a ballot information booklet called the “Blue Book Voter Guide.” It provides voters with the text, title, and a fair and impartial analysis of the initiative. It includes a summary, major arguments pro/con and fiscal assessment, and any other info that will help voters understand the purpose and effect of the initiative. Any person can file written comments for the staff to consider in preparing the analysis. Up to three drafts are written and published for public comment, see <https://leg.colorado.gov/content/initiatives/initiatives-blue-book-overview/ballot-information-booklet-blue-book> (most recent is 2016). Public comments are actively solicited by the staff, who create a mailing list of proponents, opponents and any others who might be subject matter experts or might be affected by the measure. See <https://leg.colorado.gov/content/ballot-analysis-process> for more details on the drafting process.

Pro/Con Information

Arguments for and against the measure are included in the “Blue Book.” Any person, proponents or opponent may submit information for consideration in drafting these sections.

Fiscal Impact Information

- Legislative Council staff prepares fiscal impact statements for all ballot measures, including citizen-initiated measures and measures referred to the voters by the General Assembly. For citizen-initiated measures, a fiscal impact statement is first prepared when the measure is considered by the Title Board. These initial fiscal estimates are then updated during the preparation of the Blue Book Voter Guide. Fiscal impact statements for ballot measures provide the following information:
 - An estimate of the effect the measure will have on state and local government revenues, expenditures, taxes, and fiscal liabilities if such measure is enacted;
 - An estimate of the amount of any state and local government recurring expenditures or fiscal liabilities if such measure is enacted; and
 - For any measure that modifies state tax laws, an estimate of the impact to the average taxpayer, if feasible, if such measure is enacted.

North Dakota

Voters Guide

The Secretary of State provides online voter information in a document titled: “Ballot Measures to Be Considered.” The document includes summaries. Guides were mailed to voters until the 70’s when the Legislature discontinued the practice as an “unnecessary expense.”

Pro/Con Information

North Dakota does not publish voter information guides and the state does not solicit or prepare Pro/Con statements.

Fiscal Impact Information

The North Dakota Legislative Council prepares a fiscal analysis of each measure after certification and prior to the election. The Council holds hearings, receives public testimony and gathers information on the estimated fiscal impact of the measure. Each agency, institution, or department provides information. At least 30 days before the public vote on the measure, the Legislative Council submits a statement of this estimated fiscal impact to the Secretary of State who is required to let the public know where copies of the estimated fiscal impact can be obtained.

Within 39 days of the close of the first complete year after the effective date of a measure approved by the voters, the agencies and departments that originally provided the fiscal impact estimates submit a report to the Legislative Council on the actual fiscal impact and a comparison to the estimates provided prior to the vote. The Legislative Council then issues a report of the actual fiscal impact of the measure.

Arizona

Voters Guide

The Secretary of State is required to hold at least three public hearings on the ballot measures. Hearings shall be held in three different counties and shall include a fiscal impact presentation by the Joint Legislative Budget Committee.

The Secretary of State publishes a voters' guide called "Publicity Pamphlet." It shall contain: title and text of the measure; arguments for and against; Legislative Council of the ballot proposal; the summary of a fiscal impact statement prepared by the Joint Legislative Budget Committee. The Publicity Pamphlet was 125 pages long in 2016. One copy is mailed to every household that contains a registered voter and is also posted on the website of the Secretary of State.

Pro/Con Information

Anyone can write a statement for or against a measure but for it to be printed in the Publicity Pamphlet s \$100 fee is required, and the statement cannot exceed 300 words.

Fiscal Impact Information

The Joint Legislative Budget Committee prepares the summary of a fiscal impact statement included in the Voter Guide (Publicity Pamphlet) and presented at the public hearings described above.

Ohio

Voters Guide

In addition to a generic title (e.g. Issue 1, Issue 2, Issue 3...), each Ohio ballot measure receives a descriptive title, a summary of the measure, which is approved prior to circulation, arguments for and against the measure, and statements explaining the effect of "yes" vote and a "no" vote. However, not all of these appear on the ballot.

Ohio also uses video <https://www.youtube.com/watch?v=V8mXfAZXobE>.

Pro/Con Information

The arguments for and against the measure are typically prepared by the proponents and a group of opponents selected by the president of the senate and the speaker of the house. If these groups do not prepare an argument, the duty falls to the Ohio Ballot Board, which is also responsible for finalizing the ballot language. The arguments for and against the measure and the full text of the measure are published in newspapers and made available online.

Fiscal Impact Information

After the Secretary of State receives the approved proposal, he or she transfers the measure to the Office of Budget and Management (and/or Tax Commissioner if the measure involves a tax). The office (and/or commissioner) then estimates the fiscal impact of the measure. This estimate (or joint estimate) is ultimately posted on the Secretary of State's website 30 days prior to the election.

Maine

Voters Guide

The official voters guide, is titled “Maine Citizens Guide to the Referendum Election.” The Department of the Secretary of State, the Attorney General, the State Treasurer and the Office of Fiscal and Program Review work together to prepare this booklet of information that includes:

- The referendum questions
- The legislation each question represents
- A summary of the intent and content of the legislation prepared by the Attorney General
- An explanation of the significance of a “yes” or “no” vote
- An analysis of the debt service on the bond issues
- The fiscal impact statement
- Public comments in support or in opposition

Pro/Con Information

Any individual, corporation, political action committee or other organization may file public comments in support or in opposition to a ballot measure for publication in the “Maine Citizens Guide to Referendum Election Ballot Measures Information.” There are requirements for public comment submission including a completed application accompanied by a check or money order in the amount of \$500. Comments are limited to 300 words or less.

The Secretary of State reviews the comments and can reject them for various reasons. Only a maximum number of three public comments in support and three in opposition will be printed in the Guide.

Fiscal Impact Information

The Office of Fiscal and Program Review prepares the fiscal impact statement for each ballot measure. The statement must summarize the impact of the measure on state funds. It must summarize the amount transferred from state to local governments. Each signature petition sheet must contain that summary.

Legislative amendment or repeal of a law passed by initiative

This section describes what the state legislatures can do in terms of repealing or amending a law passed by initiative petition.

Oregon

The Oregon State Legislature may repeal or amend an initiated statute by a simple majority vote. Changes to initiated amendments must follow the ordinary legislative process, which consists of a majority vote in both chambers.

California

Legislature may amend or repeal by another statute, however that other statute only becomes effective when approved by the voters, unless the initiative specifically stated that amendments or repeal without voter approval is permitted.

Colorado

The law is effective immediately upon Governor's proclamation of official results, which is usually within 30 days of the election.

The Colorado General Assembly can change or repeal statutory initiatives with a simple majority.

North Dakota

If the voters approve a ballot measure, it will become law 30 days after the election. If conflicting measures are approved the one receiving the highest number of votes shall be law. The Legislative Assembly may not repeal or amend an initiative for seven years without a two-thirds majority of both houses of the Legislative Assembly.

Arizona

Once the electorate has approved an initiative or referendum the Governor cannot veto it and the Legislature cannot repeal it. The Legislature can amend an initiative or divert funds created or allocated by an initiative only if it furthers the purpose of the measure and at least three-fourths of each House vote to amend the measure.

Ohio

Ballot measures take effect 30 days after the election at which they are approved.

The Ohio General Assembly may repeal or amend an initiated statute by a simple majority vote. Changes to initiated amendments must follow the ordinary legislative process, which requires a three-fifths vote in both chambers of the state legislature and majority approval at a statewide election.

Maine

Maine does not limit how soon or with what majority the legislature can repeal a measure.

Measures take effect 30 days after the governor has proclaimed the results of the election. However, if there are insufficient funds for a measure and the initiated measure does not specify a sufficient funding source the measure's effective date is delayed to allow the legislature to appropriate funds. Such measures take effect 45 days after the start of the next legislative session.