

Initiative & Referendum Institute's Ballotwatch Report

Report on Initiatives and Referendums that have qualified for the ballot
(as of 4/30/03)

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INITIATIVE & REFERENDUM INSTITUTE

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www  *BallotWatch.org*

Citizen Lawmaker Press

Washington, D.C.

General Overview

State	Initiatives	Popular Referendum	Legislative Referendum	Total Number of Statewide Ballot Measures
Alabama	0	0	0	0
Alaska	0	0	0	0
Arizona	0	0	0	0
Arkansas	0	0	0	0
California	1	0	3	4
Colorado	0	0	0	0
Connecticut	0	0	0	0
Delaware	0	0	0	0
Florida	0	0	0	0
Georgia	0	0	0	0
Hawaii	0	0	0	0
Idaho	0	0	0	0
Illinois	0	0	0	0
Indiana	0	0	0	0
Iowa	0	0	0	0
Kansas	0	0	0	0
Kentucky	0	0	0	0
Louisiana	0	0	0	0
Maine	0	0	0	0
Maryland	0	0	0	0
Massachusetts	0	0	0	0
Michigan	0	0	0	0
Minnesota	0	0	0	0
Mississippi	0	0	0	0
Missouri	0	0	0	0
Montana	0	0	0	0
Nebraska	0	0	0	0
Nevada	0	0	0	0
New Hampshire	0	0	0	0
New Jersey	0	0	0	0
New Mexico	0	0	0	0
New York	0	0	0	0
North Carolina	0	0	0	0
North Dakota	0	0	0	0
Ohio	0	0	0	0
Oklahoma	0	0	0	0
Oregon	0	0	0	0
Pennsylvania	0	0	0	0
Rhode Island	0	0	0	0
South Carolina	0	0	0	0
South Dakota	0	0	1	1
Tennessee	0	0	0	0
Texas	0	0	0	0
Utah	0	0	0	0
Vermont	0	0	0	0

State	Initiatives	Popular Referendum	Legislative Referendum	Total Number of Statewide Ballot Measures
Virginia	0	0	0	0
Washington	0	0	0	0
West Virginia	0	0	0	0
Wisconsin	0	0	0	0
Wyoming	0	0	1	1
Total	1	0	5	6

State -by-State Listings

ALABAMA - Nothing scheduled for the ballot

ALASKA - Nothing scheduled for the ballot

ARIZONA - Nothing scheduled for the ballot

ARKANSAS - Nothing scheduled for the ballot

CALIFORNIA

State ID Number: AB 16 (Chapter 33, 2002)

Type: Legislative Referendum

Election Date for Ballot Measure: March 2, 2004

Summary: Kindergarten-University Public Education Facilities Bond Act of 2004.

State ID Number: ACA 11 (Resolution Chapter 185, 2002)

Type: Legislative Referendum

Election Date for Ballot Measure: March 2, 2004

Summary: Infrastructure: finance.

State ID Number: 933. (SA01RF0027)

Type: Initiative

Election Date for Ballot Measure: March 2, 2004

Summary: Classification by Race, Ethnicity, Color or National Origin. Effective January 1, 2005, prohibits state, local governments from using race, ethnicity, color or national origin to classify current or prospective students, contractors, or employees in public education, contracting or employment operations. Does not prohibit classification by sex. Prohibition also covers persons subject to other operations of government unless Legislature finds compelling state interest, authorizes by two-thirds of each house, and Governor approves. "Classifying" defined as separating, sorting, or organizing persons or personal data. Exemptions include: law enforcement descriptions; prisoner and undercover assignments; action taken to maintain federal funding. Summary of estimate by

Legislative Analyst and Director of Finance of fiscal impact on state and local governments: This measure would have a major fiscal impact of annual state savings potentially ranging from several million dollars in excess of \$10 million beginning in 2015.

State ID Number: SB 1856 (Chapter 697, 2002)

Type: Legislative Referendum

Election Date for Ballot Measure: November 2, 2004

Summary: Safe, Reliable High-Speed Passenger Train Bond Act of the 21st Century.

COLORADO - Nothing scheduled for the ballot

CONNECTICUT - Nothing scheduled for the ballot

DELAWARE - Nothing scheduled for the ballot

FLORIDA - Nothing scheduled for the ballot

GEORGIA - Nothing scheduled for the ballot

HAWAII - Nothing scheduled for the ballot

IDAHO - Nothing scheduled for the ballot

ILLINOIS - Nothing scheduled for the ballot

INDIANA - Nothing scheduled for the ballot

IOWA - Nothing scheduled for the ballot

KANSAS - Nothing scheduled for the ballot

KENTUCKY - Nothing scheduled for the ballot

LOUISIANA - Nothing scheduled for the ballot

MAINE - Nothing scheduled for the ballot

MARYLAND - Nothing scheduled for the ballot

MASSACHUSETTS - Nothing scheduled for the ballot

MICHIGAN - Nothing scheduled for the ballot

MINNESOTA - Nothing scheduled for the ballot

MISSISSIPPI - Nothing scheduled for the ballot

MISSOURI - Nothing scheduled for the ballot

MONTANA - Nothing scheduled for the ballot

NEBRASKA - Nothing scheduled for the ballot

NEVADA - Nothing scheduled for the ballot

NEW HAMPSHIRE - Nothing scheduled for the ballot

NEW JERSEY - Nothing scheduled for the ballot

NEW MEXICO - Nothing scheduled for the ballot

NEW YORK - Nothing scheduled for the ballot

NORTH CAROLINA - Nothing scheduled for the ballot

NORTH DAKOTA - Nothing scheduled for the ballot

OHIO - Nothing scheduled for the ballot

OKLAHOMA - Nothing scheduled for the ballot

OREGON - Nothing scheduled for the ballot

PENNSYLVANIA - Nothing scheduled for the ballot

RHODE ISLAND - Nothing scheduled for the ballot

SOUTH CAROLINA - Nothing scheduled for the ballot

SOUTH DAKOTA

State ID Number: To Be Determined

Type: Legislative Referendum

Election Date for Ballot Measure: November 2, 2004

Summary: Would provide for the merit selection of circuit court judges

TENNESSEE - Nothing scheduled for the ballot

TEXAS - Nothing scheduled for the ballot

UTAH - Nothing scheduled for the ballot

VERMONT - Nothing scheduled for the ballot

VIRGINIA - Nothing scheduled for the ballot

WASHINGTON - Nothing scheduled for the ballot

WEST VIRGINIA - Nothing scheduled for the ballot

WISCONSIN - Nothing scheduled for the ballot

WYOMING

State ID Number: Constitutional Amendment A

Type: Legislative Referendum

Election Date for Ballot Measure: November 2, 2004

Summary: The adoption of this amendment eliminates a maximum on the amount of revenues rebated from school districts with assessed valuations exceeding statewide averages.

What is an initiative or referendum?

Anything that appears on the ballot other than a candidate for office is called a *ballot measure*. Ballot measures are broken down into two distinct categories – *initiatives and referendums*.

Initiatives are when the citizens, collecting signatures on a petition, place advisory questions, memorials, statutes or constitutional amendments on the ballot for the citizens to adopt or reject. Twenty-four states have the initiative process. Of the 24 states, 18 have the *constitutional initiative process* which is further broken down into two distinct subcategories - *direct initiative amendments (DA)* and *indirect initiative amendments (IDA)*. A *direct initiative amendment (DA)* is when a constitutional amendment is proposed by the people and is placed directly on the ballot for voter approval or rejection. An *indirect initiative amendment (IDA)* is when a constitutional amendment is proposed by the people but must first be submitted to the state legislature for consideration before the amendment can be placed on the ballot for voter

approval or rejection. Sixteen of the 18 states have the *direct initiative amendment* process and two have the *indirect initiative amendment* process.

Twenty-one of the 24 initiative states have the *statutory initiative process* which is further broken down into two distinct subcategories - *direct initiative statutes (DS)* and *indirect initiative statutes (IDS)*. A *direct initiative statute (DS)* is when statutes (laws) or memorials (non-biding laws) proposed by the people are directly placed on the ballot for voter approval or rejection. An *indirect Initiative statute (IDS)* is when statutes (laws) or memorials (non-biding laws) proposed by the people must first be submitted to the state legislature for consideration before they can be placed on the ballot for voter approval or rejection. Fourteen of the 21 states allow *direct initiative statutes (DS)* and nine allow *indirect initiative statutes (IDS)*. That adds up to 23 – which is greater than the universe of 21 states that allow statutory initiatives. The reason for the difference is that two states – Utah and Washington – allow statutory initiatives through the *direct and indirect* process.

In many of the same states the citizens have the ability to reject laws or amendments proposed by the state legislature. This process is commonly referred to as the *referendum process*. There are two types of referendum in this country — *popular and legislative*.

Popular referendum, which is available in 24 states, is when the people have the power to refer, by collecting signatures on a petition, specific legislation that was enacted by their legislature for the people to either accept or reject. *Legislative referendum*, which is possible in all states, is when the state legislatures, an elected official, state appointed constitutional revision commission or other government agency or department submits propositions (constitutional amendments, statutes, bond issues, etc.) to the people for their approval or rejection. This is either constitutionally required, as in proposing constitutional amendments, or because the legislature, government official or agency voluntarily chooses to submit the proposal to the people (however, not all states allow their state legislature to place statutes on the ballot for voter approval or rejection). Every state requires that constitutional amendments proposed by the legislature be submitted to the citizenry via legislative referendum for approval or rejection. *Legislative referendum* is further broken down into two subcategories. *Legislative amendments (LA)* are constitutional amendments placed on the ballot by the legislature or governmental body. This includes constitutional bond issues and amendments proposed by a constitutional revision commission. *Legislative statues (LS)* are binding and non-binding statues (laws) and statutory bonds placed on the ballot by the legislature or government body.

In the United States, the *initiative process* is used much more frequently than the *popular referendum process* and is considered by many the more important and powerful of the two processes.

Additionally, there is no national initiative or referendum process in the

United States. However, the initiative and referendum process is available in thousands of counties, cities and towns across the country and is utilized far more frequently than their statewide counterpart.

**Please forward any recommended changes or questions to
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