



## STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

May 26, 2015

The Honorable Lawrence Denney  
Idaho Secretary of State  
Statehouse  
VIA HAND DELIVERY

RE: Certificate of Review  
Proposed Referendum Petition, 2015 House Bill 312, as Amended in the Senate, as Amended in the Senate

Dear Secretary of State Denney:

A proposed referendum petition was filed with your office on May 5, 2015. Pursuant to Idaho Code § 34-1809, this office has reviewed the petition and has prepared the following advisory comments. Given the strict statutory timeframe within which this office must review the petition, our review can only isolate areas of concern and cannot provide in-depth analysis of each issue that may present problems. Further, under the review statute, the Attorney General's recommendations are "advisory only." The petitioners are free to "accept or reject them in whole or in part." Due to the available resources and limited time for performing the review, we did not communicate directly with the petitioner as part of the review process. The opinions expressed in this review are only those that may affect the legality of the referendum. This office offers no opinion with regard to the policy issues raised by the proposed referendum.

### BALLOT TITLE

Following the filing of the proposed referendum, this office will prepare short and long ballot titles. The ballot titles should impartially and succinctly state the purpose of the measure without being argumentative and without creating prejudice for or against the measure. While our office prepares titles for the referendum, petitioners may submit proposed titles for consideration. Any proposed titles should be consistent with the standard set forth above.

### MATTERS OF SUBSTANTIVE IMPORT

The referendum petition addresses 2015 House Bill 312, as Amended in the Senate, as Amended in the Senate, 2015 Idaho Session Laws, Chapter 341, which passed both the

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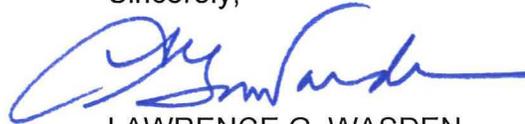
House of Representatives and the Senate and was signed into law by the Governor on April 21, 2015.

Sections 6 and 7 of this Act became immediately effective on April 21, 2015, when the Act was signed into law by the Governor and will continue in effect until the outcome of a referendum election (if one is held). Pursuant to Idaho Code § 34-1803, if supporters of the referendum petition submit to the Secretary of State the requisite number of signatures to qualify the referendum for the 2016 general election ballot within the time prescribed by that section, the remaining sections of this Act will not take effect unless they are approved by a majority of the voters casting ballots on the referendum in that general election.

#### CERTIFICATION

I HEREBY CERTIFY that the enclosed measure has been reviewed for form, style, and matters of substantive import, and that I have no recommendations to revise or alter the measure. This information has been communicated to the Petitioner via a copy of this Certificate of Review, deposited in the U.S. Mail to Alan R. Littlejohn, P. O. Box 192, Athol, Idaho 83801.

Sincerely,



LAWRENCE G. WASDEN  
Attorney General

**Analysis by:**

Michael S. Gilmore  
Deputy Attorney General