2023 SENATE STATE AND LOCAL GOVERNMENT

SB 2163

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

SB 2163
1/19/2023

Relating to language on voting ballots.

9:00 AM Chairman Roers opened the hearing.
Present: Chairman Roers, Vice Chairman Barta, Senator Cleary, Senator Estenson, Senator J Lee, and Senator Braunberger.

Discussion Topics:

- Ballot summary
- Ballot language

9:05 AM Senator Dever, District 32, sponsor of the bill, introduced the bill and testified in support. #14602

9:12 AM Veronica Zietz, Executive Director of the ND Protection and Advocacy Project, testified in support. #14350.

9:20 AM Sargianna Wutzke, Lead Operations Officer for Community Options, testified in support #13812.

9:23 AM Brian Newby, State Election Director for the Secretary of State Office, answered questions.

9:25 AM Leann Oliver, Election Division, Secretary of State Office, answered questions.

9:32 AM Chairman Roers closed the hearing.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

SB 2163
1/19/2023

Relating to language on voting ballots.

10:57 AM Chair Roers opened the hearing.
Present: Chair Roers, Vice Chair Barta, Senator Cleary, Senator Estenson, Senator J Lee, and Senator Braunberger.

Discussion Topics:

- Plain language laws
- Montana laws

Chair Roers reviewed the bill and read an email from Veronica Zietz, from Protection and Advocacy. #26705.

11:00 AM Chair Roers closed the meeting.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

SB 2163
1/20/2023

Relating to language on voting ballots.

11:12 AM Chair Roers opened committee work. Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

Discussion Topics:

- Plain language

Sen Braunberger handed out an example from Oklahoma. #27796.

11:14 AM Chair Roers adjourned the meeting.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

SB 2163
2/10/2023

Relating to language on voting ballots.

9:18AM Chair Roers opened the meeting.
Members Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

Discussion Topics:

- Amendment
- Used Oklahoma law
- Bill action

9:18AM Senator Braunberger proposed and explained Amendment 23.0606.01001. #20656

9:31AM Senator Lee moved Do Not Pass on SB 2163.

9:31AM Senator K. Roers seconded the motion.

9:32AM Roll Call Vote:

Senators	Vote
Senator Kristin Roers	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Sean Cleary	N
Senator Judy Estenson	N
Senator Judy Lee	Y

Motion carries 4-2-0.

9:32AM Senator Lee will carry the bill.

9:33AM Chair Roers closed the meeting.

Carie Winings, Chief Clerk

REPORT OF STANDING COMMITTEE

SB 2163: Education Committee (Sen. Elkin, Chairman) recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2163 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

2023 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2163

2023 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Pioneer Room, State Capitol

SB 2163
3/3/2023

Relating to language on voting ballots.

Chairman Schauer called the meeting to order at 8:34 AM.

Chairman Austen Schauer, Vice Chairman Bernie Satrom, Reps. Landon Bahl, Claire Cory, Jorin Johnson, Karen Karls, Scott Louser, Carrie McLeod, Karen M. Rohr, Vicky Steiner, Steve Vetter, and Mary Schneider present. Rep. Jeff A. Hoverson not present.

Discussion Topics:

- Informed decision-making
- Plain language laws
- Intellectual disabilities
- Confusion with ballot measures
- Biased language
- Implementation
- Readability of language

Sen. Dever introduced SB 2163 speaking in favor of bill.

Veronica Zietz, Executive Director of the North Dakota Protection and Advocacy Project, supportive testimony (#21271).

Sargianna Wutzke, Lead Operations Officer for Community Options, supportive testimony (#21324).

Michael Howe, North Dakota Secretary of State, spoke in a neutral position.

Chairman Schauer adjourned the meeting at 9:12 AM.

Phillip Jacobs, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Pioneer Room, State Capitol

SB 2163
3/10/2023

Relating to language on voting ballots.

Chairman Schauer called the meeting to order at 11:20 AM.

Chairman Austen Schauer, Vice Chairman Bernie Satrom, Reps. Claire Cory, Jeff A. Hoverson, Jorin Johnson, Karen Karls, Scott Louser, Carrie McLeod, Karen M. Rohr, Vicky Steiner, Steve Vetter, and Mary Schneider present. Rep. Landon Bahl not present.

Discussion Topics:

- Committee work

Chairman Schauer called for a discussion on SB 2163.

Rep. Louser moved a do not pass on SB 2163.

Seconded by Rep. Cory.

Rep. Louser withdrew the motion.

Rep. Schneider moved a do pass on SB 2163.

Seconded by Rep. McLeod

Roll Call Vote:

Representatives	Vote
Representative Austen Schauer	Y
Representative Bernie Satrom	Y
Representative Landon Bahl	AB
Representative Claire Cory	N
Representative Jeff A. Hoverson	Y
Representative Jorin Johnson	Y
Representative Karen Karls	Y
Representative Scott Louser	N
Representative Carrie McLeod	Y
Representative Karen M. Rohr	Y
Representative Mary Schneider	Y
Representative Vicky Steiner	Y
Representative Steve Vetter	N

Motion carries 9-3-1.

Carried by Rep. Johnson.

Chairman Schauer adjourned the meeting at 11:36 AM.

Phillip Jacobs, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2163: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO PASS** (9 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2163 was placed on the Fourteenth order on the calendar.

TESTIMONY

SB 2163

My name is Sargianna Wutzke and I am writing in support of SB 2163.

I think that everyone could benefit from putting our ballots in plain language so there is not confusion as to what a person votes for in an election. Prior to when I vote, I do comprehensive research on the measures on the ballot because the wording could easily confuse someone, and I fear voting incorrectly.

The National Institute on Standards and Technology did a study where participants had a traditional language ballot and a plain language ballot encompassing the same voting. 82% of participants in the study preferred the plain language ballot, 9% of participants preferred the traditional ballot and 9% of participants had no preference. In this same study, it was demonstrated that participants voted more accurately on the plain language ballot than the traditional language ballot.

This and several other studies show that framing a ballot question with information about what will change if the measure passes, what means if you vote yes/for or no/against the measure are needed because it will assist voters in voting the way they intended to cast their ballot.

I am the Lead Operations Officer for Community Options. We provide services to individuals with Developmental Disabilities. Many individuals that we serve truly have an interest in voting however struggle with understanding the measures on the ballot. Some of these individuals will reach out to their staff or family members for an explanation of the ballot measures however sometimes they may also have some confusion as to what is meant by a ballot measure. If there is plain language, there will be a positive change for all.

Voter accuracy should be the most important thing when someone casts their ballot and plain language ballots will significantly assist with this happening. Isn't that what we want in the voting process? Don't we want everyone's vote to count in the way they intended?

Sargianna Wutzke

PROTECTION & ADVOCACY PROJECT
400 EAST BROADWAY, SUITE 409
BISMARCK, ND 58501-4071
701.328.2950

Senate State & Local Government Committee
Senate Bill 2163 – January 19, 2023
Testimony of Veronica Zietz, P&A Executive Director

Greetings Chair Roers and members of the Senate State and Local Government Committee. My name is Veronica Zietz and I'm the Executive Director of the North Dakota Protection and Advocacy Project (P&A). P&A protects the human, civil and legal rights of people with disabilities. The agency's programs and services seek to make positive changes for people with disabilities where we live, learn, work and play.

Voting is a fundamental right and responsibility for all North Dakotans, including those with disabilities. When people can't easily understand a ballot question, they are less likely to engage in the voting process. Senate Bill 2163 will empower North Dakota voters to exercise their right to vote. SB 2163 requires that constitutional amendments and initiated and referred measures be written in plain, clear, understandable language using words with common, everyday meaning. The purpose of this bill is to help people understand proposed ballot measures, so they can make informed decisions.

Plain language is a way of writing. It uses smaller words and shorter sentences. This helps people understand the main ideas more clearly. According to www.plainlanguage.gov, "Plain language is clear, straightforward expression, using only as many words as necessary. It is language that avoids obscurity, inflated vocabulary, and convoluted sentence construction. Plain language lets the reader concentrate and easily understand the message instead of being distracted by complicated language."

Plain language creates access for people with intellectual and developmental disabilities, a group that makes up approximately 25% of North Dakota voters. Plain language benefits everyone, as more than half of Americans read below a sixth-grade level according to the US Department of Education. In research studies on plain language, both low and high-literacy people found information faster, answered more questions correctly, and gave higher satisfaction ratings when information was written clearly.

So how do we measure whether the text of a ballot question is clear enough to make a difference? Many tools and resources are available to ensure proper implementation of this bill. Grade level formulas and

vocabulary checkers can be useful to highlight difficult words or phrases. Various software and applications can assist with measuring readability, including Microsoft Word's readability statistics which is already accessible to State Government. This specific measure uses the Flesch Reading Ease (higher number means text is easier to understand) and Flesch Reading Level (lower number means text is easier to understand). Please see the end of this document for a sample comparison of standard versus plain language ballot measures. In addition, guidelines for writing ballot questions may be created. This can include information on general writing style, how to construct text, and make the meaning of the question clear. Finally, a review or usability test with voters can be helpful to learn what aspects of the question might be confusing.

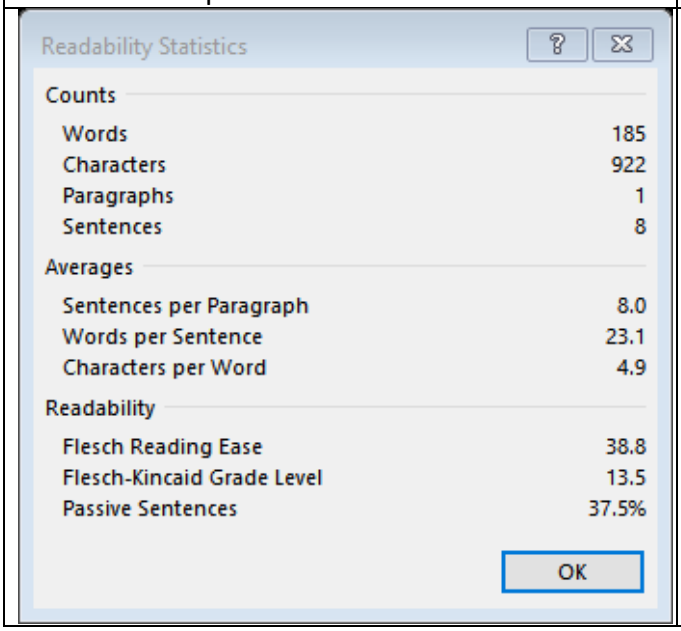
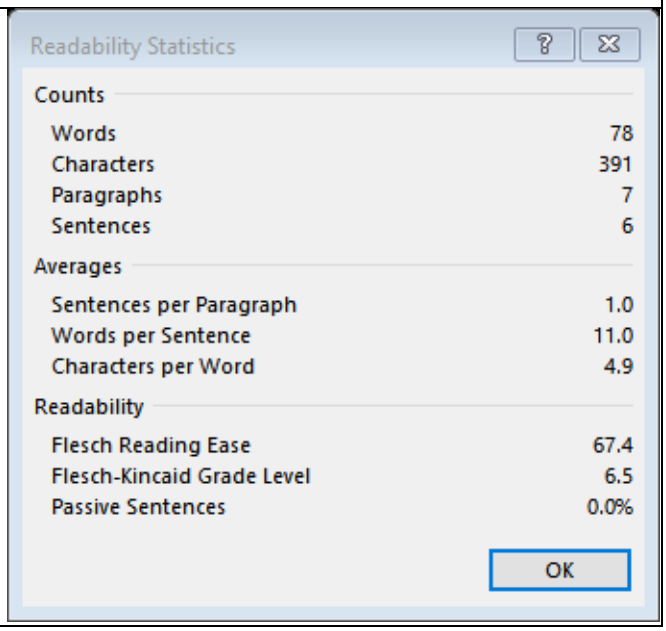
I respectfully request the Committee support SB 2163. Thank you for your time and I'd be happy to address any questions.

Veronica Zietz
Executive Director Protection & Advocacy Project
vzietz@nd.gov

Resources:

- Plain Language Checklist
- Center for Civic Design
- Plainlanguage.gov

Sample Comparison of Ballot Measures

Initiated Constitutional Measure No. 1	
Original	**Plain Language**
This initiated measure would add a new article to the North Dakota Constitution. Under the measure, an individual could not serve as a state legislator for a total of more than eight years in either the North Dakota House of Representatives or the North Dakota Senate, separately. It also would prohibit an individual from being elected as Governor more than twice. Service as a member of the legislature or election to the office of governor before the effective date of this measure would not count towards an individual's eight-year or two-election limit. An individual would not be allowed to serve a full or remaining term as a member of the legislature if serving the term would cause the individual to serve a total of more than eight years in that particular house. Any amendment to this article could not be proposed by the legislature, but only by citizen initiative. The article would become effective on January 1, 2023 if approved by the voters. If the measure conflicts with any other provision of the constitution, the measure states it would prevail over the other constitutional provision.	This initiated measure will add a new article to the State Constitution: • A legislator can't serve in the State House of Representatives for more than eight years. • A legislator can't serve in the State Senate for more than eight years. • A Governor can't serve more than two terms. • If approved this article will become effective on January 1, 2023. • Time served before this date doesn't count towards the term limit. • Legislators can't change this part of the Constitution.
	

North Dakota Senate

State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505-0360

Senator
Dick Dever
District 32
1416 Eastwood Street
Bismarck, ND 58504-6226

ddever@nd.gov

Committees:
Appropriations

January 19, 2023

Testimony in Support of SB 2163

Madam Chair, members of the Committee, I am Dick Dever, Senator from District 32 here in Bismarck

I was asked to sponsor this bill by Protection and Advocacy in support of the people they serve.

When a measure is placed on the ballot, the language in the measure is determined by the proponents.

The summary that is placed on the ballot is written by the Secretary of State and approved by the Attorney General.

SB 2163 requires that the language on the ballot be written "in plain, clear, understandable language using words with common, everyday meaning"

The language in the measure is available on the Secretary of State's website. Efforts to address issues associated with that language have met with frustration. It is difficult when "yes" means "no" and vice versa.

This bill only seeks to address the ballot language. I am happy to respond to any questions. Veronica is here to visit also. Thank you.

23.0606.01001
Title.

Prepared by the Legislative Council staff for
Senator Braunberger
February 9, 2023

PROPOSED AMENDMENTS TO SENATE BILL NO. 2163

Page 1, line 16, after "concise" insert "ballot title"

Page 1, line 16, remove the overstrike over "~~that~~"

Page 1, line 16, remove "written in plain, clear,"

Page 1, line 17, remove "understandable language using words with common, everyday meaning which"

Page 1, line 17, overstrike "must" and insert immediately thereafter ":

a. Does not exceed two hundred words, or three hundred words if the proposed measure will have a fiscal impact on the state;

b. Explains in basic words, which can be easily found in dictionaries of general usage, the effect of the proposition;

c. Does not contain any words which have a special meaning for a particular profession or trade not commonly known to the citizens of this state;

d. Does not reflect partiality in its composition or contain any argument for or against the measure;

e. Must"

Page 1, line 19, after the period insert:

"2."

Page 2, line 1, overstrike ""Yes" and "No" must be printed on the ballot at the"

Page 2, line 2, overstrike "close of the statement regarding the effect of an affirmative or negative vote" and insert immediately thereafter "printed on the ballot must clearly state that a "Yes" vote is a vote in favor of the proposition and a "No" vote is a vote against the proposition and may not indicate that language whereby a "Yes" vote is, in fact, a vote against the proposition and a "No" vote is, in fact, a vote in favor of the proposition"

Page 2, line 6, replace "2." with "3."

Renumber accordingly

PROTECTION & ADVOCACY PROJECT
400 EAST BROADWAY, SUITE 409
BISMARCK, ND 58501-4071
701.328.2950

House Government & Veterans Affairs Committee
Senate Bill 2163 – March 3, 2023
Testimony of Veronica Zietz, P&A Executive Director

Greetings Chairman Schauer and members of the House Government & Veterans Affairs Committee. My name is Veronica Zietz and I'm the Executive Director of the North Dakota Protection and Advocacy Project (P&A). P&A protects the human, civil and legal rights of people with disabilities. The agency's programs and services seek to make positive changes for people with disabilities where we live, learn, work and play.

Voting is a fundamental right and responsibility for all North Dakotans, including those with disabilities. When people can't easily understand a ballot question, they are less likely to engage in the voting process. Senate Bill 2163 will empower North Dakotans to exercise their right to vote. SB 2163 requires that constitutional amendments and initiated and referred measures be written in plain, clear, understandable language using words with common, everyday meaning. The purpose of this bill is to help people understand proposed ballot measures, so they can make informed decisions.

Currently 16 states have plain language laws, most of which are focused on clearly explaining ballot measures; please see page 3 for more information plain language laws in other states. Of these states, seven (7) allow for citizen-initiated measures in some form and five (5) states allow for citizen-initiated measures that can change the state constitution. Similar to ND our neighbor Montana allows citizen-initiated constitutional measures and recently implemented a plain language law like the one you see before you today.

Plain language is a way of writing. It uses smaller words and shorter sentences. This helps people understand the main ideas more clearly. According to www.plainlanguage.gov, "Plain language is clear, straightforward expression, using only as many words as necessary. It is language that avoids obscurity, inflated vocabulary, and convoluted sentence construction. Plain language lets the reader concentrate and easily understand the message instead of being distracted by complicated language."

Plain language creates access for people with intellectual and developmental disabilities, a group that makes up approximately 25% of North Dakota voters. Plain language benefits everyone, as more than

half of Americans read below a sixth-grade level according to the US Department of Education. In research studies on plain language, both low and high-literacy people found information faster, correctly answered more questions, and gave higher satisfaction ratings when information was written clearly.

So how do we measure whether the text of a ballot question is in fact plain language? Many tools and resources are available to ensure proper implementation of this bill. Grade level formulas and vocabulary checkers can be useful to highlight difficult words or phrases. Various software and applications can assist with measuring readability, including Microsoft Word's readability statistics which is already accessible to the State. This specific measure uses the Flesch Reading Ease (higher number means text is easier to understand) and Flesch Reading Level (lower number means text is easier to understand). Please see page 4 for a sample comparison of standard versus plain language ballot measures. In addition, guidelines for writing ballot questions may be created and made available to the public. This can include information on general writing style, how to construct text, and make the meaning of the question clear. Finally, a review or usability test with voters can be helpful to learn what aspects of the question or statement might be confusing.

I respectfully request the Committee support SB 2163 in an effort to ensure voters in ND are well informed. Thank you for your time and I'd be happy to address any questions.

Veronica Zietz
Executive Director Protection & Advocacy Project
vzietz@nd.gov

Resources:

- Plain Language Checklist
- Center for Civic Design
- Plainlanguage.gov

Plain Language Laws Summary

Provided by Michael Blaise, Assistant Professor of Law Seattle University

Alabama	Ala. Code § 17-6-81(b)(4)–(c) (2020) (summary and ballot statements)
Alaska	Alaska Stat. Ann. § 15.80.005 (West 2010) (ballot and pamphlet must have minimum readability score of 60)
Arkansas	153.00 Ark. Code R. § 1-XI (LexisNexis 2017) (handbook for candidates)
California	Cal. Elec. Code § 2053(b)(8) (West 2017) (election materials); Cal. Elec. Code § 2700(b)(9) (West 2021) (same); Cal. Elec. Code § 13218(b) (West 2020) (members of ballot design committee must have experience with plain language); Cal. Elec. Code § 2600 (West 2017) (election committee members must have experience with plain language)
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New York	N.Y. Elec. Law § 4-108(d) (McKinney 2019) (abstract of proposed constitutional amendment, proposition, or question)
Oklahoma	Okla. Stat. Ann. tit. 34, § 9 (West 1992) (ballot title of voter petition)
Pennsylvania	25 Pa. Stat. and Cons. Stat Ann. § 2621.1 (West 1986) (Attorney General explanation of proposed state constitutional amendment or statewide ballot measure)
South Carolina	S.C. Code Ann. § 7-13-2110 (2020) (explanation of state constitutional amendments)
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Virginia	Va. Code Ann. § 15.2-1702(B) (West 2000) (explanation on vote to create county police force); Va. Code Ann. § 24.2-687 (West 2011) (explanation on local referendums); Va. Code Ann. § 30-19.9 (West 2001) (explanation of proposed constitutional amendment); Va. Code Ann. § 30-19.10 (West 2021) (explanation or fiscal impact statement on non-constitutional statewide referendum)
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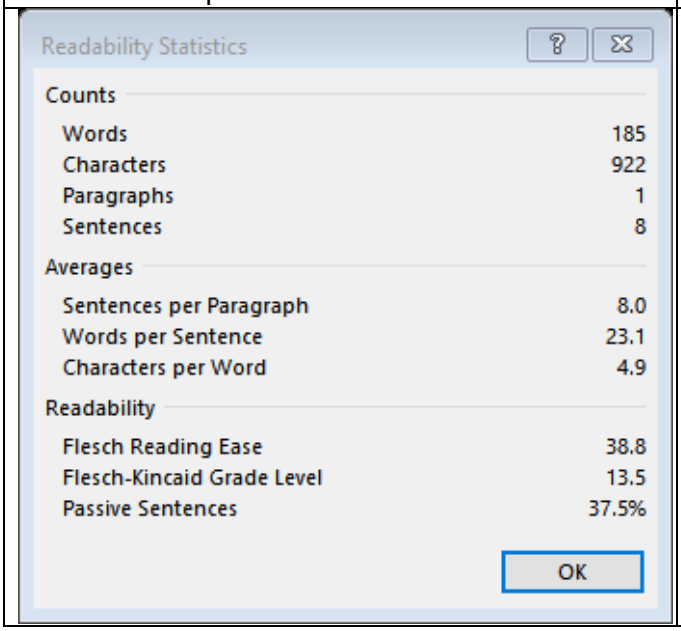	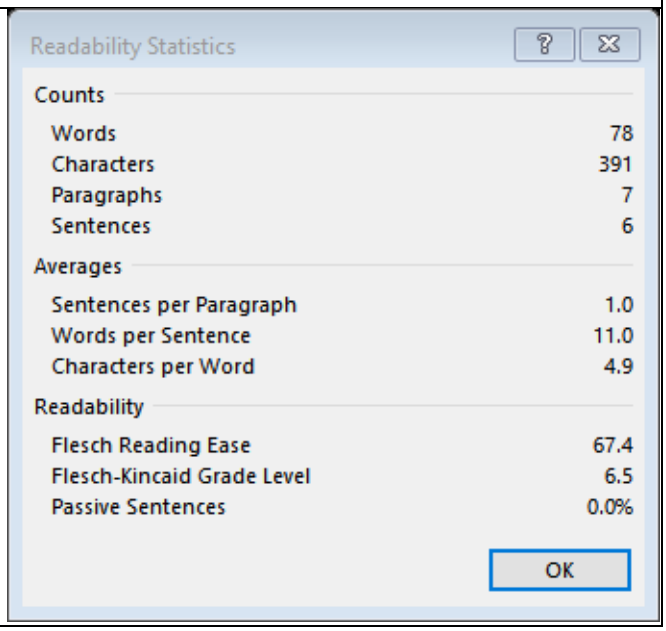

Chairman Schauer and members of the House Government and Veteran Affairs Committee,

My name is Sargianna Wutzke and I am writing in support of SB 2163.

I think that everyone could benefit from putting our ballots in plain language so there is not confusion as to what a person votes for in an election. Prior to when I vote, I do comprehensive research on the measures on the ballot because the wording could easily confuse someone, and I fear voting incorrectly.

The National Institute on Standards and Technology did a study where participants had a traditional language ballot and a plain language ballot encompassing the same voting. 82% of participants in the study preferred the plain language ballot, 9% of participants preferred the traditional ballot and 9% of participants had no preference. In this same study, it was demonstrated that participants voted more accurately on the plain language ballot than the traditional language ballot.

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Sargianna Wutzke

Wolf, Lynn

From: Roers, Kristin
Sent: Monday, March 27, 2023 11:51 AM
To: Wolf, Lynn
Subject: FW: Answers to your questions on SB 2163 (Plain Language)
Attachments: Plain Language Laws Summary.pdf

Senator Kristin Roers
North Dakota State Senate, District 27
ND Senate Republican Caucus Leader
Phone 701-566-0340
Email kroers@ndlegis.gov
4378 Estate Dr S Fargo ND 58104
@RoersforND @RaisedRightKris

From: Zietz, Veronica <vzietz@nd.gov>
Sent: Thursday, January 19, 2023 10:56 AM
To: Roers, Kristin <kroers@ndlegis.gov>; Barta, Jeff <jbarta@ndlegis.gov>; Braunberger, Ryan <rbraunberger@ndlegis.gov>; Cleary, Sean <scleary@ndlegis.gov>; Estenson, Judy <jestenson@ndlegis.gov>; Lee, Judy E. <jlee@ndlegis.gov>
Cc: Dever, Dick D. <ddever@ndlegis.gov>; Newby, Brian <bnewby@nd.gov>
Subject: Answers to your questions on SB 2163 (Plain Language)

Greetings Chair Roers & Members of the Senate State & Local Government Committee,

Thank you for your time and attention today regarding SB 2163. I certainly appreciate your consideration. I would like to provide some additional information in response to questions from the committee.

Currently, 16 states have plain language laws on the books in some form. Most of these laws have to do with explaining ballot measures.

Of these 16 states that have plain language laws, seven (7) allow for citizen-initiated measures in some form and five (5) states allow for citizen-initiated measures that can change the state constitution.

Of states with plain language laws, I believe Montana is the most similar to North Dakota as a neighbor that has a plain language law and that allows citizen-initiated constitutional measures. That said Montana may serve as a model on the issue of plain language. Please see Montana Code 13-27-312.

Please see the attached document for further background information. The intent of this bill is to create informed voters and looking at other states we know this can be done.

Thank you and I'm happy to discuss this bill further or provide more information.

Veronica Zietz
Executive Director

Protection & Advocacy Project
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TDD Relay: 711
Fax: 701.328.3934
Email: vzietz@nd.gov
Website: www.ndpanda.org

Plain Language Laws Summary
Provided by Michael Blaise, Assistant Professor of Law Seattle University

Alabama	Ala. Code § 17-6-81(b)(4)–(c) (2020) (summary and ballot statements)
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Virginia	Va. Code Ann. § 15.2-1702(B) (West 2000) (explanation on vote to create county police force); Va. Code Ann. § 24.2-687 (West 2011) (explanation on local referendums); Va. Code Ann. § 30-19.9 (West 2001) (explanation of proposed constitutional amendment); Va. Code Ann. § 30-19.10 (West 2021) (explanation or fiscal impact statement on non-constitutional statewide referendum)
Wisconsin	Wis. Admin. Code Eth § 1.96 (2020) (source of campaign communication financing)

Citizen Initiated Measures Summary
Retrieved from https://ballotpedia.org/States_with_initiative_or_referendum

Chart of powers in each state

The chart below lists the 26 states with the power of initiative or referendum, shows what powers—initiated statute, initiated amendment, veto referendum, or some combination—are available to the people in that state. It also shows the signature requirement for each type of measure as of the 2023/2024 election cycle. The chart does not differentiate between different types of initiated statute or initiated amendment, such as between direct or indirect initiatives. Read details about the process in each state by clicking the links in the chart.

State	Constitutional	Signatures	Statute	Signatures	Referendum	Signatures
Alaska	✗	N/A	✓	26,705	✓	26,705
Arizona	✓	383,923	✓	255,949	✓	127,975
Arkansas	✓	90,704	✓	72,563	✓	54,422
California	✓	874,641	✓	546,651	✓	546,651
Colorado	✓	124,238	✓	124,238	✓	124,238
Florida	✓	891,589	✗	N/A	✗	N/A
Idaho	✗	N/A	✓	60,371	✓	60,371
Illinois	✓	328,371	✗	N/A	✗	N/A
Maine	✗	N/A	✓	67,682	✓	67,682
Maryland	✗	N/A	✗	N/A	✓	60,157
Massachusetts	✓	74,490	✓	74,490	✓	37,245[3]
Michigan	✓	446,198	✓	356,958	✓	223,099
Mississippi[4]	✓	106,190	✗	N/A	✗	N/A
Missouri	✓	171,592[5]	✓	107,246[5]	✓	107,246[5]
Montana	✓	60,359	✓	30,179	✓	30,179
Nebraska	✓	126,838	✓	88,787	✓	63,419[6]
New Mexico	✗	N/A	✗	N/A	✓	71,475[7]
Nevada	✓	102,362	✓	135,561	✓	102,362
North Dakota	✓	31,164	✓	15,582	✓	15,582
Ohio	✓	413,488	✓	124,046 [8]	✓	248,093
Oklahoma	✓	172,993	✓	92,263	✓	57,664
Oregon	✓	156,231	✓	117,173	✓	78,115
South Dakota	✓	35,017	✓	17,509	✓	17,509
Utah	✗	N/A	✓	137,802	✓	137,802
Washington	✗	N/A	✓	324,516	✓	162,258
Wyoming	✗	N/A	✓	29,730	✓	29,730

Oklahoma

§34-9. Filing - Ballot title - Official ballot title - Review by Attorney General - Appeal.

A. When a referendum is ordered by petition of the people against any measure passed by the Legislature or when any measure is proposed by initiative petition, whether as an amendment to the Constitution or as a statute, it shall be the duty of the parties submitting the measure to prepare and file one copy of the measure with the Secretary of State and one copy with the Attorney General.

B. The parties submitting the measure shall also submit a suggested ballot title to the Secretary of State which shall be filed on a separate sheet of paper and shall not be part of or printed on the petition. The suggested ballot title:

1. Shall not exceed two hundred words, or three hundred words if the proposed measure will have a fiscal impact on the state;

2. Shall explain in basic words, which can be easily found in dictionaries of general usage, the effect of the proposition;

3. Shall not contain any words which have a special meaning for a particular profession or trade not commonly known to the citizens of this state;

4. Shall not reflect partiality in its composition or contain any argument for or against the measure;

5. Shall contain language which clearly states that a "yes" vote is a vote in favor of the proposition and a "no" vote is a vote against the proposition;

6. Shall not contain language whereby a "yes" vote is, in fact, a vote against the proposition and a "no" vote is, in fact, a vote in favor of the proposition; and

7. Shall indicate if a proposed measure will have a fiscal impact on the state and if so, the potential source of funding including but not limited to federal funding or legislative appropriation which may require imposition of a new tax, increase of an existing tax or elimination of existing services.