



INITIATIVE AND REFERENDUM SUMMARY

Wyoming Secretary of State's Office
Election Division

The people of the State of Wyoming have had the privilege of proposing and enacting laws by the initiative, or rejecting acts of the legislature by the referendum, since December 1968.

The first amendments to the initiative and referendum laws were made by the 1985 Wyoming Legislature. The definition of a political action committee was amended to include any group organized for the support or defeat of any initiative or referendum petition drive and an 18- month circulation period was established for an initiative.

Also, several amendments that address the initiative and referendum process have been made to the Wyoming Constitution by the resolution process. One significant amendment was made by the 1997 legislature and ratified by a vote of the people at the November 3, 1998 General Election and proclaimed in effect on November 10, 1998. This amendment kept the requirement of petition signatures to equal at least 15% of qualified voters who voted in the preceding general election, but increased the requirement of signatures from within each county to equal at least 15% in at least two-thirds (2/3) of the counties of the state.

Previous initiatives/referendums filed in Wyoming:

- **Peggy A. Kelley Wyoming Cannabis Act of 2016.** An application for an initiative was certified by the Secretary of State's Office on July 10, 2015. This initiative seeks to legalize medical marijuana in the state. The group of applicants must obtain and file 25,673 signatures with the Secretary of State's Office prior to the Wyoming Legislature convening on February 8, 2016 in order for the initiative to appear on the 2016 ballot.
- **2013 Senate Enrolled Act.** An application for a referendum was certified by the Secretary of State's Office on March 7, 2013. This referendum attempted to repeal 2013 Senate Enrolled Act 1 – original Senate File 104, which amended the duties of, and transferred specified duties from, the state superintendent of public instruction to the director of the state department of education. Sponsors of the bill were Jennifer Young, Daniel Garnett, Sr. and Linda Bergeron. 37,606 signatures were needed to make the 2014 ballot. The 90-day period in which to file the petition, after the adjournment of the legislative session at which the act was passed, had expired on May 28, 2013. The referendum failed to gather enough signatures to qualify.

- **Denturism.** An application for an initiative was certified by the Secretary of State's Office on September 12, 2006. This initiative would allow denturists to make, place, and sell dentures directly to the public. The denturist would be regulated by a new state board of denturists. A denturist would be required to refer patients to a dentist or physician before making or fitting a denture if the denturist believed that there was any abnormality or disease in the mouth. Sponsors of the bill were Gary W. Vollan, Fred Mills, and Deborah E. Brewer. 29,433 signatures were needed to make the 2008 ballot. The allotted 18-month circulation period established by the 1985 legislature expired September 2, 2008.
- **Food Tax Exemption.** An application for an initiative was certified by the Secretary of State's Office on May 19, 2005. This initiative would remove the sales and use tax on food for domestic home consumption as defined by department rule and regulation. Sponsors of the bill were Representative Ann Robinson, Ms. Kenilynn Zanetti and Dr. John Millin. 36,868 signatures were needed to make the 2006 ballot. The allotted 18-month circulation period established by the 1985 legislature expired December 1, 2006. The initiative failed to gather enough signatures to qualify.
- **Surface Owners' Accommodation.** An application for an initiative was certified by the Secretary of State's Office on May 14, 2004. This initiative required surface owners and oil and gas operators to enter into good faith negotiations for a surface use agreement to compensate the surface owner for reasonable damages, if any, to the surface estate, that may be caused by the oil and gas operations. Such agreement included reclamation requirements. Upon failure to reach such agreement, the oil and gas operator would provide financial assurance to the Wyoming Oil and Gas Conservation Commission, in an amount not less than \$5,000 nor more than \$500,000, to pay for any reasonable damages to the surface estate, should they occur. Sponsors of the bill were John G. Andrikopoulos, Bill Garland and Laurie D. Goodman. 38,868 signatures were needed to make the 2006 ballot. The 18-month circulation period established by the 1985 legislature expired January 20, 2006. Legislature passed SF60 on 2/24/05. Initiative was withdrawn.
- **Ethics in Government.** An application for an initiative was certified by the Secretary of State's Office on September 3, 1997. This initiative would have established ethical standards and specify unlawful acts for specified public employees, officials and other public members; require financial disclosure and other filings; provide for enforcement; provide definitions, procedures, penalties and remedies; authorize investigations; make conforming amendments; and provide for an effective date. Sponsors of the bill were Curt Kaiser, Angeline M. Kinneman and Nyla Murphy. 32,377 signatures were needed to make the 1998 or 2000 ballot. The 18-month circulation period established by the 1985 legislature expired March 3, 1999.

- **Denturity.** An application for an initiative was certified by the Secretary of State's Office on April 18, 1997. This initiative would have established professional licensure of denturists; require the Board of Dental Examiners to regulate denturists, dental hygienists and dentists and to function with a lay person majority vote; and repealing the authority of dentists to make and repair dentures, bridges and appliances. Sponsors of the bill were Billy M. Strickland, Christine L. Conley and Marilyn V. Anderson. 32,377 signatures were needed to make the 1998 ballot. The 18-month circulation period established by the 1985 legislature expired October 18, 1998.
- **Term Limits.** An application for an initiative was certified by the Secretary of State's Office on July 5, 1995. This initiative was to require candidates for a legislative office to have a statement next to their name on the ballot indicating their support of congressional term limits by past votes or a signed pledge. It also would instruct the legislators to call for a federal constitutional convention. 30,604 signatures were needed to make the 1996 ballot. Sponsors were Jack Adsit, Jim Brady and Steve Richardson. This petition gained the appropriate number of signatures and appeared on the 1996 ballot. The initiative was defeated: Yes votes - 105,093; No votes - 89,018. Total votes cast were 215,844.

In order to pass a constitutional amendment, initiative or referendum it must receive a majority of the total votes cast in the election. The total votes cast were 215,844. Therefore, the majority needed was 107,923.

- **Term Limits.** An application for a referendum to repeal Senate Enrolled Act 4 was certified March 14, 1995. Principal Sponsor: Mr. Jack Adsit, 73 Metz Road, Sheridan, WY 82801. 30,604 signatures were needed to make the 1996 ballot. The needed signatures were gathered and filed by the deadline. The question appeared on the 1996 ballot, but failed: Yes votes - 104,544; No votes - 90,138.

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- **Legislative Accountability.** Filed August 19, 1993. Principal sponsor: Betty Jo Beardsley, 814 Hillcrest Road, Cheyenne, WY 82001. 30,540 signatures needed for ballot access. The initiative failed to gather enough signatures to qualify.
- **Invest in Wyoming.** Filed May 17, 1993. Principal sponsor: Russ Donley, 1120 Ivy Lane, Casper, WY 82607. 30,540 signatures of registered voters needed for ballot access. This petition reached the appropriate number of signatures and appeared on the 1994 ballot. The initiative was defeated: Yes votes - 75,547; No votes - 114,273. Total votes cast were 204,025.

- **Local Option Gambling.** Filed October 30, 1991. Principal sponsor: Leo McCue, 4 Corthell, Laramie, WY 82070. The sponsors were notified April 19, 1993 that the Secretary of State had verified 24,646 signatures and April 23, 1993 that the Secretary of State had verified 30,540 signatures. The initiative appeared on the 1994 general election ballot. The initiative was defeated: Yes votes - 61,980; No votes - 137,379. Total votes cast were 204,025.
- **Abortion Restrictions.** Filed August 8, 1991. Coordinator: Richard Grout, 4950 Antelope Drive, Bar Nunn, WY 82801. The sponsors were notified on December 8, 1992 that the Secretary of State had verified 24,646 signatures. The initiative will appear on the 1994 ballot. The initiative was defeated: Yes votes - 78,978; No votes - 118,760. Total votes cast were 204,025.
- **Railway Safety.** Filed October 31, 1991. Principal sponsor: Tom Jones, 215 Lakeshore Drive, Cheyenne, WY 82009. The sponsors were notified February 14, 1992 that the Secretary of State had verified 24,646 signatures. The initiative appeared on the 1992 general election ballot and was passed: Yes votes - 130,803; No votes - 52,835.
- **Term Limitations.** Filed September 13, 1991. Principal sponsor: Dave Dawson, 3518 Partridge, Casper, WY 82604. The sponsors were notified February 4, 1992 that the Secretary of State had verified 24,646 signatures. The initiative appeared on the 1992 general election ballot and was passed: Yes votes - 150,113; No votes - 44,424.
- **Prohibiting triple trailers.** Filed August 27, 1990. Principal sponsor: John Rogers, 2909 Capitol Avenue, Cheyenne, WY 82001. The sponsors were notified January 4, 1991 that the Secretary of State had verified 27,962 signatures. The initiative appeared on the 1992 general election ballot and was passed: Yes votes - 165,879; No votes - 31,997.
- **Local Option Gambling.** Filed July 15, 1989. Principal sponsor: Mary Allison, P.O. Box 775, Dubois, WY 82513. The 18-month circulation period expired with the sponsors submitting 11,787 signatures. 1990 or 1992 general election ballot placement required 27,962 signatures.
- **Link Deposit Program.** Filed July 15, 1988. Principal sponsor: Russ Donley, 1120 Ivy Lane, Casper, WY 82607. The 18-month circulation period expired with the sponsors filing 267 verified signatures. 1990 General election ballot placement required 27,962 signatures.
- **Election of Public Service Commission members.** Filed July 11, 1985. Principal Sponsor: Fremont County Sen. John P. Vinich, P.O. Box 67, Hudson, WY 82515. The 18-month circulation period established by the 1985 legislature expired January 11, 1987.

- **Water storage for instream flows.** Filed August 22, 1983. Principal sponsor: Gilbert Engen, Wyoming Citizens for Wyoming Water, P.O. Box 1348, Laramie, WY 82070. Failed to file petition by the December 16, 1983 deadline for placement on the 1984 General Election Ballot. The Committee continued to gather signatures for the 1986 General Election ballot. However, failed to file the requisite number of signatures by February 17, 1986, the first day of the legislature. (Note: An Attorney General's opinion issued January 10, 1986 stated an initiative petition need not be verified 60 days prior to a legislative session but rather, the initiative petition must only be deposited prior to the convening of the legislative session.
- **Instream flows as a beneficial use of water under Wyoming law.** Filed May 23, 1982. Principal Sponsor: Tom Dougherty, Wyoming Citizens for Committee for Instream Flow, P.O. Box 15732, Cheyenne, WY 82003. Initial verification by Secretary of State completed January 6, 1984. Initiative fell short of the 25,810 required signatures. Because of a February 1984 ruling by the Attorney General, 4,370 additional signatures were submitted on November 5, 1984. The Wyoming Citizens Committee for Instream Flow was notified on November 13, 1984 that the initiative petition had been properly filed and qualified for ballot placement in the 1986 General Election. However, this initiative did not appear on the 1986 General Election ballot as legislation passed in 1985 was determined to be substantially the same.
- **Constitutional Amendment - Article 3, Section 52(c) and (f) on initiative.** Filed June 16, 1982. Principal sponsor: Sweetwater County Rep. James Roth, P.O. Box 432, Green River, WY 82935. Amending constitutional provision on initiative process and lowering signature requirement for placement of an initiative on the general election ballot from 15% to 10%.

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- **Deposits in credit unions.** Filed March 3, 1982. Principal sponsor: Roshara J. Holub, Wyoming Credit Union League, Inc., 864 Spruce St, Casper, WY 82601.
- **Replacement of exported groundwater.** Filed June 22, 1981. Principal sponsor: Winslow Taylor, P.O. Box 39, Story, WY 82842.
- **Preserving minimum in-stream flows.** Filed October 20, 1980. Principal sponsor: Dr. Charles Stebner. Petitions filed December 11, 1981. Verification completed January 26, 1982 and the Secretary of State notified the sponsors that the initiative fell 1,266 signatures short of the 27,154 needed.

In February 1982 the In-Stream Flow Committee filed an action for review of the Secretary of State's determination. On May 10, 1982 the action was heard in District Court. The decision handed down by

Judge Alan Johnson on August 12, 1982 reversed the letter decision of the Secretary of State.

- **Imposing an additional 5% severance tax on the value of coal produced.** Filed September 22, 1978. Principal sponsor: Bob Burnett, P.O. Box 1123, Laramie, WY 82070.
- **Authorizing the issuance of malt beverage and wine permits by cities and counties to restaurants.** Filed August 31, 1978. Principal sponsor: Bob Hulburt, 162 N. Beech, Casper, WY 82601.
- **Imposing a 23% severance tax on the value of coal produced by open mining.** Filed November 23, 1976. Principal sponsor: Donald Shanor, 5001 Sagebrush, Cheyenne, WY 82001.
- **Providing for a constitutional amendment on the General Election ballot to create the office of Lt. Governor.** Filed May 14, 1976. Principal sponsor: John Jacobs, P.O. Box 98, Gillette, WY 82716.

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- **Relating to private ownership or possession of big and trophy game animals and importation of same into Wyoming.** Filed September 19, 1973. Principal sponsor: Dick Sadler, 2626 Bonnie Brae, Casper, WY 82601.
- **Disclosing private interests by certain public officials;** requiring such disclosure and providing penalties for failure to disclose and for false disclosure. Filed July 9, 1973. Principal sponsor: Rodger McDaniel, P.O. Box 1707, Cheyenne, WY 82003.
- **Declaring gambling to be lawful.** Filed May 8, 1970. Principal sponsor: Harry Poulos, 6902 Bomar Drive, Cheyenne, WY 82009.