

IN THE SUPREME COURT OF THE STATE OF IDAHO

IDAHOANS UNITED FOR WOMEN
AND FAMILIES,

Petitioner,

vs.

RAÚL R. LABRADOR, in his official
capacity as the Idaho Attorney General;
PHIL MCGRANE, in his official capacity
as the Idaho Secretary of State; LORI
WOLFF, in her official capacity as the
Administrator of the Idaho Division of
Financial Management; and the IDAHO
DIVISION OF FINANCIAL
MANAGEMENT,

Respondents.

Docket No. 52636-2025

**RESPONSE BRIEF OF PHIL MCGRANE
TO VERIFIED PETITION**

RAÚL R. LABRADOR
ATTORNEY GENERAL

Alan M. Hurst, ISB #12425
Solicitor General

OFFICE OF THE ATTORNEY GENERAL
P.O. Box 83720
Boise, ID 83720-0010
(208) 334-2400
alan.hurst@ag.idaho.gov
michael.zarian@ag.idaho.gov
jack.corkery@ag.idaho.gov

Michael A. Zarian, ISB #12418
Deputy Solicitor General

Sean M. Corkery, ISB #12350
Assistant Solicitor General

Attorneys for Respondent Phil McGrane

ARGUMENT

The Secretary of State's duties with respect to ballot titles and fiscal impact statements are purely ministerial. *See generally* Idaho Code § 34-1809 (Secretary of State is given no discretion to review, alter, or otherwise provide any input for the ballot titles); *id.* § 34-1812 (Secretary of State is given no discretion to review, alter, or otherwise provide any input for the fiscal impact statement). No one alleges the Secretary failed to perform any of these statutory duties.

The Secretary takes no position on whether the Petition in this case should be granted or denied, and he will comply with this Court's decision with regards to both the ballot titles and the fiscal impact statement. Specifically, he will: (1) assign the initiative any ballot titles this Court certifies, *see* Idaho Code § 34-1809(3)(c); and (2) consider any fiscal impact statement this Court approves to be the official fiscal impact statement for the purposes of his duties, *see generally* Idaho Code § 34-1812.

DATED: March 4, 2025

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By: /s/ Alan M. Hurst

Alan M. Hurst
Solicitor General

Michael A. Zarian
Deputy Solicitor General

Sean M. Corkery
Assistant Solicitor General

CERTIFICATE OF SERVICE

I certify that on March 4, 2025, I filed the foregoing electronically through the iCourt E-File system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notification of Service:

Jennifer M. Jensen
jmjensen@hollandhart.com

Anne Henderson Haws
ahhaws@hollandhart.com

Attorneys for Petitioner

/s/ Alan M. Hurst
Alan M. Hurst