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The Nebraska Citizen Initiative Process

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CORNHUSKER ECONOMICS

The Nebraska Citizen Initiative Process

Market Report	Yr Ago	4 Wks Ago	11/26/10
<u>Livestock and Products,</u>			
<u>Weekly Average</u>			
Nebraska Slaughter Steers, 35-65% Choice, Live Weight.	\$82.35	\$98.27	\$100.71
Nebraska Feeder Steers, Med. & Large Frame, 550-600 lb.	105.72	120.26	130.13
Nebraska Feeder Steers, Med. & Large Frame 750-800 lb.	98.31	116.00	116.42
Choice Boxed Beef, 600-750 lb. Carcass.	140.85	161.54	161.01
Western Corn Belt Base Hog Price Carcass, Negotiated.	56.66	52.68	64.61
Feeder Pigs, National Direct 50 lbs, FOB.	*	*	*
Pork Carcass Cutout, 185 lb. Carcass, 51-52% Lean.	59.86	74.23	78.71
Slaughter Lambs, Ch. & Pr., Heavy, Wooled, South Dakota, Direct.	92.12	149.25	154.75
National Carcass Lamb Cutout, FOB.	240.83	343.21	352.10
<u>Crops,</u>			
<u>Daily Spot Prices</u>			
Wheat, No. 1, H.W. Imperial, bu.	4.28	6.02	5.66
Corn, No. 2, Yellow Omaha, bu.	3.65	5.45	5.27
Soybeans, No. 1, Yellow Omaha, bu.	10.26	11.76	12.09
Grain Sorghum, No. 2, Yellow Dorchester, cwt.	6.21	9.23	8.52
Oats, No. 2, Heavy Minneapolis, MN, bu.	2.52	3.63	3.44
<u>Feed</u>			
Alfalfa, Large Square Bales, Good to Premium, RFV 160-185 Northeast Nebraska, ton.	*	170.00	140.00
Alfalfa, Large Rounds, Good Platte Valley, ton.	82.50	*	72.50
Grass Hay, Large Rounds, Premium Nebraska, ton.	*	75.00	*
Dried Distillers Grains, 10% Moisture, Nebraska Average.	121.50	160.00	161.50
Wet Distillers Grains, 65-70% Moisture, Nebraska Average.	42.00	55.00	54.00
*No Market			

Nebraska is one of about half of the states that allow its citizens to initiate new statutes (legislative laws) or constitutional provisions by way of the citizen initiative petition process. Since 1992, over 30 constitutional amendments have been voted on under these provisions. In Nebraska, citizen initiatives have dealt with corporate farming restrictions, term limits, gambling, government spending limits and anti-affirmative action requirements. There is a chance that an animal welfare provision may be on the November 6, 2012 general election ballot. This newsletter takes a quick look at the initiative process. For more detailed information, consult an attorney.

How does the initiative process work? Basically, once an initiative petition to add an amendment to the Nebraska Constitution has been reviewed by the Nebraska Secretary of State (NSOS), petitions are circulated throughout Nebraska. If enough valid signatures are collected and verified, the measure is placed on the ballot. If the ballot measure carries and if at least 35 percent of those voting in the election have cast ballots in favor of the initiative measure, it becomes a part of the Nebraska Constitution.

What is the timeline for the initiative process? Petition signatures become invalid at the first general election occurring at least four months after the petition is filed with the NSOS. In addition, the petition must be filed with the NSOS at least four months before the general election. So, with general election dates of November 2, 2010 and November 6, 2012, a petition for the 2012 general election ballot could be filed with the Secretary of State as early as July 3, 2010 or as late as July 6, 2011.

How does the initiative petition process begin? The initiative sponsors file the proposed initiative with the NSOS, who refers it to the Nebraska Revisor of



Statutes for review. Within ten days, the Revisor returns the proposed initiative to the NSOS with any proposed changes to the initiative's language. The sponsor has five days within which to accept or reject the proposed changes. Then the NSOS prepares camera ready initiative petition forms for circulation.

What is the initiative petition circulation process? Petition circulators must be registered Nebraska voters, and may be paid or volunteer. Paid circulators cannot be paid on a per-signature basis, and must be identified as paid circulators on the petitions they circulate. Petitions are circulated on a county-by-county basis (which makes petition signature verification easier for county election officials). The petition must be signed by at least ten percent of Nebraska registered voters, and must include the signatures of at least five percent of the registered voters from each of at least 38 counties. Voters cannot be paid to sign a petition, and the circulator must witness each signature. Petition signers must be registered to vote in the county where the petition is signed, and can sign only one petition. When the initiative sponsor feels it has sufficient signatures, it delivers the signed petitions to the NSOS at least four months before the general election.

How are the initiative petitions verified? The NSOS examines the submitted petitions to see if at least the minimum number of signatures have been submitted to qualify the initiative petition for the general election ballot. If so, the NSOS sends the petitions to the counties from which signatures were collected so that county election officials can verify that each signature is valid. County election officials first determine whether petition circulators are registered voters. If not, petitions submitted by that circulator are invalid. Next, county election officials check each signature to determine whether the signer is a registered voter. If not, that signature is disqualified. Duplicate and fraudulent signatures are also invalidated. When the county petition verification process is completed, county election officials return the signed petitions to the NSOS, who makes a final determination of whether there are enough valid signatures to place the initiative on the ballot.

Are there other initiative petition requirements? Yes – many, many more! Some of the more important ones are:

- the Nebraska Attorney General must prepare the initiative petition ballot language,
- the NSOS makes available a summary of the arguments for and against the initiative,
- public hearings on the initiative must be held in each of Nebraska's three Congressional districts,

- the text of the initiative must be published in all legal newspapers (where legal notices are published) once a week for three weeks prior to the election,
- initiative supporters and opponents must comply with Nebraska political accountability disclosure and reporting requirements regarding fundraising and expenditures,
- initiative supporters and opponents must comply with Nebraska campaign advertising disclosure and reporting requirements.

This sounds like a complicated process! It is, but remember it is the process to amend our Nebraska Constitution.

For information regarding political accountability and disclosure requirements go to the website of the Nebraska Accountability and Disclosure Commission, <http://nadc.nol.org/>

References:

Nebraska Secretary of State, *How to Use the Initiative and Referendum Process in Nebraska* (Jan. 2009), available at:

http://www.sos.ne.gov/elec/pdf/init_ref.pdf

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