

LWVNC Citizen Initiative Study Team Background Paper

What is Citizen Initiative, and how does it empower voters?

Citizen Initiative (CI) gives voters a powerful “direct democracy” tool enabling them to collect signatures and put a proposed law or constitutional amendment directly on the ballot. Twenty-four of the U.S. states have CI processes in place. North Carolina, like most Southern states, falls into the “have not” category.

CI is a way to address public policy issues that a state’s legislature refuses to address or is unable to resolve. The initiative process provides an opportunity for voters to make policy in an area where public opinion is moving but the legislature is not. CI provides a balance to the power of professional lobbyists by giving a voice to ordinary citizens, and it is a way to educate and engage voters in important issues and increase turnout at the polls.

Public opinion polls in states with Citizen Initiative consistently show that voters like it, and no state has ever repealed CI.

What sorts of issues can be addressed by CI?

Citizens across the country had an opportunity to weigh in on a variety of timely questions in 2024. Abortion rights, minimum wage increases, paid family leave, and legalization of marijuana are among the top issues on the ballot in states that allow CI. Other issues on the ballot in states with CI include assisted death, redistricting reform, and ranked choice voting. On these and other issues, voters will make the decision at the ballot box.

CI may provide the only way to enact needed changes when the legislature’s actions are constrained by gridlock or self-interest. Redistricting reform is one example where progress in NC may only be possible by direct citizen action.

Need a LWVNC position on Citizen Initiative to Take Action

A study team recruited from Leagues across the state of North Carolina has been studying CI, considering its pros and cons and reviewing dozens of other state LWV studies. Before the League can work toward or advocate for adoption of CI in our state, we must adopt a formal position, which we hope to do at the LWVNC convention in May 2025. Our team has looked at the positions adopted by Leagues in other states, and we’re recommending that LWVNC concur with the Alabama League’s position. Concurrence means that the LWVNC would adopt the same position, with changes made only so it’s appropriate for our state.

Advantages of the Alabama Position

CI is a powerful tool. It is important to recognize that CI *could* be used by special interest groups and thus it should *not* be “easy” to propose or pass initiatives. Initiatives should be applicable to, and have the best interests of, all NC citizens. Most importantly the process must embody safeguards to protect representative and deliberative democracy.

We chose to concur with the Alabama LWV’s position because we concluded they did the best job specifying standards, guardrails and guidelines, both for the certification of an initiative proposal and for the referendum in which voters approve or reject it.

It limits the scope of a particular proposal to a single subject, to avoid the behavior of tacking on an unpopular provision, that would not pass on its own, to a popular bill. It calls for a limit on the number of CI proposals on any one ballot, so it won’t be too confusing. It outlines a transparent process for the submission and review of proposals and calls for a two-year wait before a defeated proposal can be filed again.

Petition signatures would be collected from voters only and would have to be distributed geographically across the state. More signatures would be needed for a constitutional amendment to appear on the ballot than for a regular statute. Likewise, a higher proportion of the vote would be required for passage of a constitutional amendment. The proposal would be analyzed by a trusted independent body to assess unforeseen and undesirable effects from its passage.

The proposed position includes important safeguards without being overly specific.

What’s next?

We need to demonstrate support from League members across the state before a proposal can be added to the state LWV platform and members then have a chance to vote at the LWVNC 2025 Convention on whether to adopt it. There is a page on the state website where you can find more information on Citizen Initiative. We will be hosting programs in the coming months where you can learn more and get involved. Hopefully, you will become as enthusiastic as we are about the potential for direct democracy in North Carolina!