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## State News

## AP News Analysis: Groups shopping ideas for 2008 ballot measures

By ANDREW DeMILLO  
Saturday, June 30, 2007 12:51 PM CDT

LITTLE ROCK - Depending on how the next few months shape up, the 2008 election could be a busy one for Jerry Cox.

Cox, executive director of the conservative Arkansas Family Council, is finalizing a proposed ballot measure to ban homosexuals from fostering or adopting children that he wants to put before voters next year.

At the same time, the vocal gambling opponent could also end up battling Lt. Gov. Bill Halter's attempt to establish a statewide lottery for education.

Those ideas, and several others that failed during this year's legislative session, could find a new life as constitutional amendments or initiated acts on the 2008 ballot.

Ideas ranging from another hike in the state's minimum wage to restrictions on payday lenders are being weighed as groups decide whether they may find more support with voters than they did with lawmakers.

Cox has already decided that the foster-parent measure, which would reinstate a ban overturned by the state Supreme Court, would find more favor among the general public.

The council backed a constitutional amendment declaring marriage as only between a man and a woman, which was overwhelmingly approved by voters in 2004, and Cox said he thinks the foster-parent measure would find similar results.

"On this particular issue, I believe the opinion of the Legislature and the opinion of the public as a whole is pretty far apart," Cox said recently. "I believe many of the same people who voted for the marriage amendment in 2004 would support this."

Cox said last month that he hoped to submit the ballot measure to the attorney general's office for approval in a matter of weeks. Last week, he said it was more likely the measure would be submitted in July.

"At this point, we're on draft M," Cox said.

At the same time, Halter is still considering whether to try his luck with voters on his idea to create a lottery that would pay for college scholarships and teacher bonuses. Halter had backed a proposed constitutional amendment creating a lottery during the session, but it failed to win support from lawmakers.

Halter said he would want to work with other groups if he did try to get a lottery on the ballot, but said it's too early to say who he'd work with. Halter has said he may also try again with the lottery during the 2009 legislative session.

"I think we would want to work with other groups, but that falls into the category of evaluating what would be necessary for success," Halter said. "Certainly there are



significant costs involved in gathering signatures to put it on the ballot."

A big part of the cost comes from the number of signatures necessary to get an item on the ballot as a proposed constitutional amendment or initiated act.

To place a proposed constitutional amendment on the ballot, supporters would have to gather the signatures of registered voters equal to 10 percent of the ballots cast in last year's governor's election, about 78,000 signatures. An initiated act would require 8 percent of the votes cast, or around 62,000 signatures.

Two other measures that are being discussed surfaced last week when a poll of likely voters was released by the state chapter of the American Federation of State, County and Municipal Employees.

The labor union's poll asked respondents about their support for two potential constitutional amendment proposals, one that would raise the state's minimum wage and another focusing on the payday loan industry.

The proposal to raise the state's minimum wage from \$6.25 to \$7.25 an hour with annual adjustments for inflation is an idea that the union is considering for the 2008 ballot, said federal general counsel James Nickels.

Nickels, who was part of a coalition that pushed for raising the state's minimum wage in the Legislature last year, said he should know by September whether there would be support for a constitutional amendment. The wage hike passed the Legislature after the groups agreed to drop their push for a constitutional amendment to raise the wage with annual adjustments.

The federal minimum wage is set to gradually increase to \$7.25 an hour by summer 2009, but Nickels said a constitutional amendment could bring that rate to Arkansas more quickly and would allow for annual increases.

"We want to see if there is the same level of support this time as there was last year," Nickels said.

The same poll included questions on a proposed constitutional amendment that would classify as interest the fees charged by payday lenders. The measure may be an attempt by opponents of the payday loan industry who pushed unsuccessfully for a bill that would have fined lenders \$300 each time a customer is charged an interest rate above 17 percent.

Michael Rowett, chairman of Arkansans Against Abusive Payday Lending, said that the coalition is still evaluating its options and that a constitutional amendment could be one option.

Rep. Denny Sumpter, D-West Memphis, has also said he is drafting an initiated act to establish a \$25 million trauma-care system using general revenue money. Sumpter said he plans to submit the initiated act's language to the attorney general's office if Gov. Mike Beebe doesn't call a special session to fund the system.

"If there's not a legislative remedy out there, then the remedy we have out there is to begin a campaign and put it on the ballot," Sumpter said. "We need to let the people say this is what we want and you need to fund it."

DeMillo covers Arkansas politics and government for The Associated Press

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