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Aug. 15, 2014

NEWS & NOTES

Arkansas Ballot Issues

Last Weekend for Ballot Groups to Seek Signatures Lawsuit filed over ballot issue title

Two ballot groups seeking a spot on the November 2014 general election ballot should know their fate next week. Aug. 21 is the deadline for the Secretary of State's Office to tell local counties what will be on the ballot in terms of ballot issues.

Sponsors of a proposal to raise the state's minimum wage and to make alcohol sales legal in all 75 Arkansas counties have told local media outlets that they are confident they have enough signatures for their ballot measures to be voted on in November. They are expected to turn in additional signatures next week ahead of the Secretary of State's own deadline.

An Act to Increase the Arkansas Minimum Wage needs 15,107 more valid signatures to make the November ballot. The Arkansas Alcoholic Beverage Amendment needs 17,133 more signatures to make the ballot, according to the Secretary of State's Office.

Although the Secretary of State's deadline is near, the actual ballot may still be in legal flux. An attorney raised questions last month about whether the two ballot issue groups missed an initial signature deadline as outlined in the state's Constitution.

Then earlier this month, three voters jointly filed [lawsuit](#) challenging the ballot title of a constitutional amendment from the legislature.

The lawsuit calls for striking [Issue No. 3](#) from the ballot because the ballot title and popular name do not reflect that legislative term limits would be lengthened. In addition to referring to campaign contributions, lobbying and salary, Issue No. 3's title refers to "setting term limits" for legislators. Term limits are

already in place for legislators, which is why some opponents say the ballot issue's title is misleading. A hearing on this lawsuit has not been set yet.

The [Public Policy Center](#) will continue to follow these issues and keep you updated on the 2014 ballot measures. The Center will release fact sheets on ballot issues referred from the legislature and the public closer to the November 2014 election.

Did You Know?

Arkansas legislators can refer a maximum of three constitutional amendments to the public at election time. However, a 2011 Arkansas Supreme Court ruling said that one of those ballot measures could include multiple amendments, as long as those amendments were relevant to each other. Issue No. 3 on the 2014 ballot is an example of a multi-provision amendment.

Source: [Arkansas Supreme Court](#)



Legislative Ballot Issues

Read up on the three ballot issues referred by the legislature. We include links to the ballot proposal, sponsors and financial impact forms.

[Read More](#)



Ballot Issues From the People

Click here to find out the latest on ballot measures seeking a spot on the 2014 ballot.

[Read More](#)



Ballot Proposal News

Here you will find mentions of proposed ballot issues on news blogs and websites.

[Read More](#)

In the News

News organizations from across the state have been reporting on ballot measures and Arkansas election/voting issues. Here are links to stories we have come across:

- "Sponsor of alcohol measure '100 percent' sure Arkansas will go wet" - [Arkansas News Bureau](#)
- "Tough road for ethics, term limit item" - [Associated Press](#)
- "Election 2014: Group Hails Lawsuit Over Arkansas Proposed Term-Limits Proposal" - [Arkansas News Bureau](#)
- "Alcohol sales vote petitions should be held valid, lawyer argues" - [Arkansas Times Blog](#)
- "Medical marijuana item certified for 2016 ballot" - [Associated Press](#)
- "Senators Eye Plan to Abolish Lt. Governor's Office" - [Associated Press](#)

Ballot Measures Submitted to Secretary of State for Review

An initiated amendment petition must contain at least 78,133 signatures and the required numbers from at least 15 counties. An initiated act petition must contain at least 62,507 signatures and the required numbers from 15 counties. The Secretary of State has until August 21 to certify November's ballot measures.

Alcohol

- The "Arkansas Alcoholic Beverage Amendment" seeks to legalize the statewide sale, manufacture and transport of alcohol. Little Rock attorney David Couch submitted the constitutional amendment. Read the Attorney General's Opinion certifying the measure at [Opinion No. 2014-049](#).

Ballot Issue Group

["Let Arkansas Decide" website](#)

["Let Arkansas Decide" Facebook page](#)

[Ballot Question Committee Filing](#)

Opponent Group

No website found for opposition group "Let Local Communities Decide for Themselves"

[Ballot Question Committee Filing](#)

Minimum Wage

- The "An Act to Increase the Arkansas Minimum Wage" seeks to raise the state's minimum wage from \$6.25 to \$8.50 by 2017. Stephen Copley of Little Rock submitted the proposed state law. Read the Attorney General's Opinion certifying the measure at [Opinion No. 2013-156](#).

Ballot Issue Group

["Give Arkansas A Raise Now" website](#)

[Ballot Question Committee Filing](#)

[Ballot Question Committee Filing](#)

Opponent Group

There are no opposition groups registered with the Arkansas Ethics Commission specifically for this proposed ballot measure.

Ballot Measures from the Legislature

[Issue No. 1 - Constitutional Amendment](#)

Popular name: "An Amendment Empowering the General Assembly to Provide for Legislative Committee Review and Approval of State Agencies' Administrative Rules"

Ballot title: "An amendment to the Arkansas Constitution providing that administrative rules promulgated by state agencies shall not become effective until reviewed and approved by a legislative committee of the General Assembly."

This proposal asks voters to give legislative committees prior review and approval of new state agency administrative rules before the rules could go into effect.

Sponsor: [Sen. Dismang](#)

Additional Information: [Legislative Impact Statement](#)

[Issue No. 2 - Constitutional Amendment](#)

Popular name: "An Amendment Allowing More Time to Gather Signatures on a State-Wide Initiative or Referendum Petition Only if the Petition as Originally Filed Contained at Least 75% of the Valid Signatures Required"

Ballot title: "Proposing an amendment to Article 5, Section 1, of the Arkansas Constitution concerning initiative and referendum; and providing certain requirements for the correction or amendment of insufficient state-wide petitions"

This proposal asks voters to establish a signature threshold for ballot issue groups to meet before they are permitted more time to collect additional signatures. At least 75 percent of signatures submitted to the Secretary of State's office for review would need to be valid in order for a group to receive the additional time. Current practice calls for giving any group 30 additional days to gather and submit new signatures, in case their original petitions fall short of the required number of voter signatures to place an issue on the ballot.

Sponsor: [Sen. Sample](#)

Issue No. 3 - Constitutional Amendment

Popular name:

"An Amendment Regulating Contributions to Candidates for State or Local Office, Barring Gifts from Lobbyists to Certain State Officials, Providing for Setting Salaries of Certain State Officials, and Setting Term Limits for Members of the General Assembly"

Ballot title: "To amend the Arkansas Constitution concerning elected state officials; prohibiting members of the General Assembly and elected constitutional officers of the executive department from accepting gifts from lobbyists, and defining key terms relating to that prohibition; prohibiting members of the General Assembly from setting their own salaries and the salaries of elected constitutional officers of the executive department, justices, and judges; establishing a seven-member independent citizens commission to set salaries for members of the general assembly, elected constitutional officers of the executive department, justices, and judges; establishing the appointment process for members of the independent citizens commission, and prohibiting members of the independent citizens commission from accepting gifts from lobbyists; prohibiting certain contributions, including contributions by corporations, to candidates for public office; prohibiting a member of the General Assembly from registering as a lobbyist until two (2) years after the expiration of his or her term; and establishing term limits for members of the General Assembly."

This proposal asks voters to:

- Allow legislators to serve 16 years total in the House or Senate, whereas they are now limited to specific number of years in each chamber.
- Approve creating an independent commission to set salaries of state elected officials.
- Approve placing limits on lobbying by former legislators and set limits on campaign donations and gifts from lobbyists.

Sponsor: [Rep. Sabin](#)

Opposition: [Arkansas Term Limits](#)

Additional Information: [Legislative Question Committee filing](#)

Looking Forward - 2016 Ballot

Attorney General Opinions

Approved for circulation

Aug. 5, 2014 - [The Arkansas Hemp and Cannabis Amendment](#) - A ballot measure to legalize the cultivation, manufacture, distribution, sale, possession and use of the cannabis plant in Arkansas was certified for signature gathering. [Opinion No. 2014-079](#) said the proposed constitutional amendment was identical to a previously approved measure. Frederick W. Porter of Hot Springs submitted the measure.

Aug. 14, 2014 - [The Arkansas Medical Cannabis Act](#) - A ballot measure to legalize the use of medical marijuana, and a system for growing and selling medical marijuana was certified for signature gathering. The ballot measure was similar to a recent proposal that did not receive enough signatures for the 2014 ballot. In [Opinion No. 2014-086](#), the Attorney General cautioned the group that "according to my experience there is a direct correlation between the length and complexity of initiated acts and their susceptibility to a successful ballot title challenge." Melissa Fults, campaign director of Arkansans for Compassionate Care 2016, submitted the measure.

Stay Connected

Know of a potential ballot issue? E-mail the information to publicpolicycenter@uaex.edu.

You can find past newsletters and ballot issue fact sheets at

<http://www.uaex.edu/business-communities/voter-education/state-ballot-issues.aspx>



The University of Arkansas Division of Agriculture is celebrating the 100th anniversary of the Smith-Lever Act, the law responsible for creating Extension.

To learn more about Extension's history and role in Arkansas, watch this [video](#).



The Public Policy Center was established in 2004 to provide Arkansans with timely, credible, unaligned and research-based information and education about public issues. Public issues are defined as pressing and emerging issues that involve multiple points of view and have widespread consequences. Our goals are to:

- increase citizen knowledge, awareness and understanding of public issues;
- enhance public participation in decisions regarding public issues and
- help citizens craft, evaluate and implement alternative solutions to public issues.

University of Arkansas Division of Agriculture - <http://www.uaex.edu>

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