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Jan. 15, 2014

NEWS & NOTES

Arkansas Ballot Issues

Attention Shifts To Proposals From Legislature

Three ballot issues referred from the Legislature have taken an unexpected detour - they are on hold until a popular name can be worked out for the proposed constitutional amendments. The holdup is a result of a new state law that took away the attorney general's authority to establish popular names for ballot issues coming from the Legislature.

The Legislature did not include any popular names in its three proposed amendments, and without a popular name, the issues can not appear on the 2014 ballot. In opinions issued last month, Attorney General Dustin McDaniel said he no longer had the ability to prepare the short titles that headline each ballot question after his office was deleted from Arkansas Code 7-9-110. He still has the ability to propose changes to popular names on issues submitted by the public.

McDaniel, who told legislators he wasn't aware of the change until the opinion request from Secretary of State Mark Darr, said he believed Darr's office could prepare the popular names instead.

"If they don't, then your three amendments don't go to the people," McDaniel told legislators earlier this month at a joint House and Senate committee [meeting](#). "So the secretary of state from that point has the power to veto your amendments."

Legislators asked the two offices to work together on preparing the names. Aarron Sadler, a spokesman for the Attorney General's office, said Tuesday that he was not aware of any new development with the ballot titles. A phone call to Alex Reed, a spokesman for the Secretary of State's Office, was not returned Tuesday.

In addition to Legislative attention, one of the proposed amendments has attracted official opposition from a group called [Arkansas Term Limits](#). The group, led by Tim Jacob and Bob Porto of Little Rock, has filed

paperwork with the Arkansas Ethics Commission to be an official Legislative Question Committee, which allows the group to raise and spend money on its counter campaign.

Arkansas Term Limits is opposed to [HJR 1009](#), which proposes to change legislative term limits, set up an independent committee to determine elected state official pay and would place limits on gifts and campaign contributions from lobbyists. The group focuses only on the term-limit portion of the amendment.

Arkansas is one of 18 states where citizens can place issues on a statewide ballot after gathering signatures from registered voters. A complete list of ballot issues approved for signature gathering can be found below. The legislature also has the authority to refer three issues to the voters. The 2014 ballot will not be certified as final until July, but the legislature's three issues already are known and described below.

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



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.

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Attorney General Opinions

Read the latest Attorney General Opinions regarding proposed ballot issues.

[Read More](#)



Ballot Proposal News

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

[Read More](#)

Attorney General Opinions

The purpose of an Attorney General review and certification is to ensure that the popular name and ballot title honestly, intelligibly, and fairly set forth the purpose of the proposed amendment or act. Only after a ballot issue is certified can groups circulate petitions seeking voter signatures in support of putting the issue on the ballot.

Rejected Measures:

Jan. 13, 2014 - For the eighth time, the Attorney General rejected a proposed constitutional amendment on cannabis submitted by Marjorie LeClair of Shirley. [Opinion No. 2013-157](#) stated that the proposal referred to incorrect laws and had other ambiguities. "Unaccountably, in resubmitting your proposal, you have ignored altogether my correction of your apparent error. As a consequence, your submission again contains a confusing reference whose scope remains unclear," the opinion stated.

Dec. 23, 2013 - A proposed constitutional amendment that would prohibit bans on cannabis was rejected for the seventh time. [Opinion No. 2013-153](#) stated ambiguities in the proposed law as a reason why the ballot title and language were rejected. "I cannot at this time fairly or completely summarize the effect of your proposed measure to the electorate in a popular name or ballot title without the resolution of this ambiguity," the opinion states. The proposal, Ban Prohibition of Cannabis, was submitted by Marjorie LeClair of Shirley.

Certified Measures - Approved for signature gathering:

Jan. 4, 2014 - A ballot question committee received approval for signature gathering for its proposal to change state law to raise the state's minimum wage. [Opinion No. 2013-156](#) certified An Act to Increase the Arkansas Minimum Wage submitted by Stephen Copley of Little Rock who is chairman of [Give Arkansas A Raise Now](#).

Nov. 7, 2013 - A proposed amendment that would recognize marriage being between two people regardless of gender, and would repeal an existing amendment banning same sex marriage was approved. [Opinion No. 2013-135](#) certified the measure submitted by Jack Weir III of Maumelle. Weir submitted the measure as "The Arkansas Marriage Amendment," although the Attorney General's office offered a "more correct name" of "The Arkansas Same-Sex Marriage Amendment."

Oct. 3, 2013 - Arkansans for Compassionate Care's proposed ballot issue seeking to make the medical use and sale of marijuana legal was approved for signature gathering. [Opinion No. 2013-118](#) certified "[The Arkansas Medical Cannabis Act](#)," which was submitted by Melissa Fults, Campaign Director for Arkansans for Compassionate Care, of Hensley.

Sept. 19, 2013 - A proposed constitutional amendment seeking to repeal an existing amendment on same-sex marriage was certified. [Opinion No. 2013-114](#) certified the measure "Repeal of the Arkansas Marriage Amendment." The proposal was submitted by Christina Harrison, founder of Arkansans for Equality, of Little Rock. [Arkansans](#) approved the original amendment in 2004 with 75 percent of the vote in favor.

Sept. 16, 2013 - A proposed constitutional amendment to change the terms of county officials from two years to four years was certified. [Opinion No. 2013-110](#) certified the ballot title, "Four Year Terms of Office For Elected County Officials, Justices of the Peace, and Constables." David Dinwiddie of Pine Bluff submitted the ballot issue.

Aug. 6, 2013 - Arkansans for Responsible Medicine saw their proposed ballot issue seeking to make the medical use and sale of marijuana legal approved for signature gathering. [Opinion No. 2013-081](#) said the popular name and ballot title for the "Arkansas Medical Marijuana Act" are "sufficient as proposed." The proposed ballot issue was submitted by David Couch, representing Arkansans for Responsible Medicine.

Jan. 1, 2013 - In [Opinion No. 2012-148](#), the Attorney General approved the popular name and ballot title submitted by the Regnat Populus ballot question committee. The committee submitted "The Campaign Finance and Lobbying Act of 2014."

- Constitutional amendments require 78,133 valid signatures
- State statutes require 62,507 valid signatures
 - The deadline to submit signatures is July 7, 2014

In the News

- "Group to Oppose Arkansas Measure to Extend Legislative Terms" - [Arkansas News Bureau](#)
- "State lawmakers huddle on ballot-naming duties" - [Arkansas Democrat-Gazette](#)
- "Arkansas lawmakers say fix needed to allow 3 measure on November's ballot" - [Associated Press](#)
- "As of today, voters need photo IDs" - [Arkansas Democrat-Gazette](#)
- "AG certifies ballot proposal to raise minimum wage" - [Arkansas News Bureau](#)
- "Mark Pryor Backs Minimum Wage Hike in Arkansas" - [Huffington Post](#)
- "Arkansas Attorney General Rejects Wording of Marijuana Proposal" - [Arkansas Business](#)
- "Legalization backer arrested in 'pot' bust" - [Arkansas Democrat-Gazette](#)

Legislative Ballot Measures On the 2014 Ballot

Ethics, Transparency and Financial Reform - [HJR 1009](#)
Sponsor: [Rep. Sabin](#)

A proposed Constitutional Amendment concerning elected state officials, including without limitation ethics and service of elected state officials.

The Arkansas Elected Officials Ethics, Transparency, and Financial Reform Amendment of 2014. This 21-page proposal involves three different issues. 1) It would 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. 2) It would create an independent commission to set salaries of state elected officials. 3) It would place limits on lobbying by former legislators and set limits on campaign donations and gifts from lobbyists.

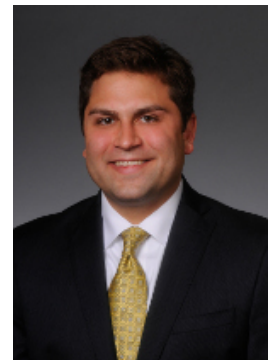


Opposition Group:
Arkansas Term Limits
[Legislative Question Committee filing](#)
[Website](#)

Administrative Rules Promulgated by State Agencies - [SJR 7](#)
Sponsor: [Sen. Dismang](#)
[Legislative Impact Statement](#)

A proposed Constitutional Amendment concerning administrative rules promulgated by state agencies.

An Amendment Concerning the Review and Approval of Administrative Rules By a Legislative Committee. This proposal would give legislative committees prior review of of new state agency rules before they go into effect.



Initiative and Referendum Amendment - [SJR 16](#)
Sponsor: [Sen. Sample](#)

A proposed Constitutional Amendment concerning initiative and referendum.

An Amendment Concerning Initiative and Referendum. The proposal would establish a signature threshold for ballot issue groups to meet if they want more time to collect additional signatures after turning in petitions to the Secretary of State. Petitions would need to contain at least 75 percent of valid signatures for a group to receive more time. Groups are usually given 30 additional days after submitting their original petitions to gather more signatures in case they fall short on the required number to place an issue on the ballot.

Stay Connected

Know of a potential ballot issue? E-mail the information to publicpolicycenter@uaex.edu.
You can find fact sheets on past ballot issues at <http://ppc.uaex.edu>



The Public Policy Center was established in 2004 to provide Arkansans with timely, credible, unbiased 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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