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July 23, 2014

NEWS & NOTES

Arkansas Ballot Issues

Ballot Groups Missed Deadline for Signatures, Attorney Says

Like many people on July 4, Secretary of State employees had the day off. The state Capitol building was closed. Because of the national holiday, the published deadline to turn in signatures for the 2014 ballot was the following Monday, July 7.

This is decades-old practice in Arkansas, but an attorney has asked the Secretary of State's office to throw out thousands of signatures for an alcohol measure because the state Constitution requires petitions to be turned in four months ahead of an election. The real deadline, according to the attorney, was July 4.

This latest wrinkle came as supporters of a statewide alcohol sales amendment and a law to increase the state's minimum wage continued to collect signatures for their proposed ballot measures. The Secretary of State's office had just told the two campaigns that their initial petitions didn't have enough signatures from registered voters and that they would have 30 days to submit more.

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

In a recent [letter](#) to the Secretary of State's Office, Elizabeth Robben Murray wrote that Arkansas Alcoholic Beverage Amendment petitions were turned in less than four months before the Nov. 4 election. This was in violation of Amendment 7 of the Arkansas Constitution, wrote Murray, an attorney for an opposition group called "Let Local Communities Decide for Themselves."

"I am not aware of any legal authority that allows the filing of Amendment 7 initiative petition on a statewide proposal to be delayed," Murray wrote. The letter asked the Secretary of State not to refuse

the certify the signatures because of the missed deadline.

Although the letter addressed the proposed alcohol measure, the argument would also apply to an act to increase the state's minimum wage. Give Arkansas A Raise Now supporters also submitted their petition signatures on July 7. Supporters of that issue have told media outlets that they are not concerned about the deadline issue raised by Murray.

The Secretary of State's office is reviewing the law and doing legal research on the matter, spokesman Laura Labay said. Rolling the due date to the next business day after a holiday is common practice, Labay said.

"We've been doing that since 1925, when the 7th Amendment went into place," she said.

Aug. 21 is the deadline for the Secretary of State to certify ballot measures and tell counties what issues made the ballot.

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?

Legible handwriting is important when signing a ballot measure petition. Common reasons for a signature to be counted as "invalid" includes: not being a registered voter; illegible handwriting or the signature is illegible and isn't accompanied by any other personally identifying information such as a date of birth.

Source: [Arkansas Secretary of State's Office](#)



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:

- "Setback for Pot Push in Arkansas, Andrew DeMillo Analysis" - [Associated Press](#)
- "Term Limits" - [KATV](#)
- "McDaniel rejects wording for medical-marijuana measure" - [Associated Press](#)
- "Opponents of proposal for statewide alcohol sales say supporters missed deadline" - [Arkansas News Bureau](#)
- "Lawyer says statewide alcohol petitions invalid" - [Arkansas Times Blog](#)
- "Arkansas defends extending ballot deadline" - [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](#).

No website found for "Let Arkansas Decide!"
[Ballot Question Committee Filing](#)

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

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](#).

Website for "Give Arkansas A Raise Now": <http://givearkansasaraisenow.org/>
[Ballot Question Committee Filing](#)
[Ballot Question Committee Filing](#)

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

July 21, 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 rejected. [Opinion No. 2014-072](#) said the proposed measure contained phrases that did not have clear meanings. 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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