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May 14, 2014

NEWS & NOTES

Arkansas Ballot Issues

Gay Marriage Petitioners Weighing Future After Court Ruling

Gay marriage advocates are taking a wait-and-see approach before deciding whether to continue gathering signatures to overturn a 2004 voter-approved ban on same-sex marriage after a judge last week found the decade old amendment unconstitutional.

"We're adopting a wait and see approach right now. We understand as this works its way through the Supreme Court that we might have a year and a half wait," said Judd Mann, organizer of Arkansans for Equality. "We have been taking signatures and we hope to continue taking signatures."

The pause comes after Pulaski County Circuit Court Judge Chris Piazza [struck down](#) Amendment 83, a 2004 constitutional amendment that defined marriage as a union between one man and one woman. Piazza found the amendment unconstitutional because it discriminated against same-sex couples in violation of the Equal Protection Clause of the United States Constitution. The state is appealing the ruling.

Arkansas for Equality's proposed constitutional amendment would ask voters to restore state law to where it was before the 2004 amendment that voters overwhelmingly approved, and give the General Assembly the power to pass laws governing marriage. Mann said he did not know how many signatures Arkansans for Equality had gathered before the court ruling.

The deadline to submit signatures for the 2014 ballot is July 7. Ballot campaigns must collect 78,133 signatures for proposed constitutional amendments and 62,507 signatures for state laws.

Organizers of Arkansas Initiative for Marriage Equality are meeting May 14 to discuss the future of its 2016 initiative campaign that would ask voters to declare that the right to marry could not be denied based on sex or sexual orientation.

"I'm pretty sure we will be suspending the campaign and moving to something different, another LGBT issue," said Trey Weir, who has been collecting signatures for the past few months.

"The battle is won," he said. "There has been 17 different rulings like this and I don't think there would be a ruling that would go the other way just because of the precedent that's already set."

Weir did not know how many signatures had been gathered for his group's 2016 initiative.

"We haven't had a count thus far but I know we had a few thousand and its from a lot of places. We've been traveling around so its not just Central Arkansas," he said.

Arkansas is one of 26 states where voters and legislators have approved laws in recent years that prohibit same-sex marriage, according to procon.org, a website that researches controversial issues. Groups in at least five other states are gathering signatures for ballot measures that would repeal existing bans or recognizing same sex unions, according to ballotpedia.org.

In addition to same sex marriage issues, Arkansas voters are being asked to sign petitions to put on the ballot measures regarding raising the minimum wage, legalizing medical marijuana and approving four-year terms for county officials. A complete list of ballot issues approved for signature gathering in Arkansas can be found below.

The [Public Policy Center](http://PublicPolicyCenter.org) 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.

Did You Know?

Since 1996, 25 of 37, or 68%, of Arkansas ballot measures have been approved by voters.

Source: Ballotpedia.org



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.

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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:

April 17, 2014 - A proposed constitutional amendment that would legalize the manufacturing, distributing, transport and sale of alcohol in all 75 Arkansas counties was rejected because of ambiguities in the proposal. [Opinion No. 2014-039](#) cited several grammatical issues and said that although the title of the issue mentioned it being a constitutional amendment, the body of the proposal did not. The proposal was submitted by David Couch of Little Rock. This marks the second time the proposal has been rejected.

May 2, 2014 - The proposed Arkansas Alcoholic Beverage Amendment continues to be too vague to approve, according to [Opinion No. 2014-042](#). An opinion addressed to David Couch of Little Rock states, "Your proposal states that manufacture, etc., "is authorized in every county of this State." It is unclear whether the entire state would be "wet" or the requirement would be met if at least some area of each county were "wet."

May 9, 2014 - Wording for the "Arkansas Cannabis Amendment" proposal was once again rejected because of ambiguities that the Attorney General's opinion stated have not been fixed despite several past comments. "I cannot overstate the importance of the voters understanding the scope of the regulatory authority, if any, that the legislature would retain under your measure. Whatever your reasons for failing to address this issue directly, I cannot and will not continue to tax this office's resources by repeatedly making this point to you. Accordingly, please resolve this ambiguity before submitting for my approval any revised version of your proposal," [Opinion No. 2014-043](#) tells Robert L. Reed of Dennard.

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."

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:

- "Arkansas would buck national trend if marriage amendment stands" - [Arkansas News Bureau](#)
- "Challenge to Arkansas gay marriage ban heard" - [Associated Press](#)
- "AG considering revised wording on AR alcohol ballot item" - [KAIT](#)
- "Arkansas voter ID law challenged in court by ACLU" - [Associated Press](#)
- "Arkansas GOP Sees Voter ID Double Standard" - [Associated Press](#)
- "Parties Eye Boost from Voter ID Debate" - [Associated Press](#)
- "Dustin McDaniel Files Notice of Appeal in Voter ID Case" - [Associated Press](#)
- "Minimum wage hike fails in the U.S. Senate, debate continues in Arkansas" - [The City Wire](#)
- "Gay couples marry in Little Rock" - [Associated Press](#)

Legislative Ballot Measures On the 2014 Ballot

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

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

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

Sponsor: [Sen. Dismang](#)

Additional Information: [Legislative Impact Statement](#)

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

"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"

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](#)

"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"

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](#)

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://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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United States map created with PowerPoint Toolkit.

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