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Oct. 14, 2014

NEWS & NOTES

Arkansas Ballot Issues

Three Issues Still Under Court Review Early Voting Starts Monday

Opponents of several 2014 ballot issues have taken to billboards, radio and even a State Fair booth to highlight their viewpoints, but voters will have to wait a little longer to find out if Issues 3, 4 and 5 are on the state ballot.

Early voting starts Monday. Yet as of Oct. 14, state Supreme Court justices have not issued any rulings in challenges over the three ballot issues.

On Monday, attorneys involved in a dispute over the Act to Increase the Arkansas Minimum Wage from \$6.25 to \$8.50 by 2017 filed briefs with the Arkansas Supreme Court. Justices won't hear any arguments in the challenge brought by Jackson Stephens, Jr. and instead will review the court briefs.

Stephens' lawsuit said 8,501 of the initial registered voters' signatures submitted by Give Arkansas A Raise Now were invalid because a notary public's signature on many petition pages looked like it was signed by different people. An outside judge asked by the court to review those voter signatures [determined last week](#) that they were properly included in the Secretary of State's initial review that gave sponsors more time to collect additional signatures.

The outside judge said the signatures would not count toward the final signature count to place the issue on the ballot but that the Secretary of State's Office properly included them in an initial review because the petition pages appeared to contain everything required. The voter signatures were valid and there was a signature by a notary public on the petition.

Give Arkansas A Raise Now did submit enough valid signatures to place the issue on the ballot after receiving the additional 30 days that is given to any ballot issue group that submits petitions with more than 62,507 voter signatures.

Attorneys for Stephens believe the special judge erred in his decision, according to the brief filed Monday.

"But for fraud, this measure would not be on the ballot," the brief stated.

Stephens is also challenging the date that Give Arkansas A Raise Now submitted its final signatures. Opponents of Issue 4, a constitutional amendment that would legalize sale of alcohol in all 75 Arkansas counties, are also suing because of the date petitions were submitted.

Arkansas' Constitution requires ballot issue petitions be filed with the Secretary of State's Office no later than four months before the election. This year, the deadline would have fallen on July 4. The Secretary of State advertised the deadline as July 7, the first business day after the holiday.

Justices heard [oral arguments](#) last week for Issue 4, in which the deadline issue was discussed. An attorney for the Secretary of State's Office said that had the office set the deadline earlier, it would have infringed on people's rights.

A [lawsuit](#) filed in Pulaski County Circuit Court to block Issue 3 from the ballot has not been decided yet either. Briefs in that case over the legislatively-referred issue were submitted in September, with challengers saying the issue should not be included on the ballot because its ballot title may mislead voters about the state's term limits.

The [Public Policy Center](#) will continue to follow these issues and keep you updated on the 2014 ballot measures.

2014 Arkansas Ballot Issue Fact Sheets

Want to know more about the ballot issues? The Public Policy Center has put together easy-to-read fact sheets on each issue that include both supporter and opponent viewpoints.

- [Issue No. 1](#) - An amendment empowering the General Assembly to provide for legislative committee review and approval of state agencies' administrative rules and Distribution.
- [Issue No. 2](#) - 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 percent of the valid signatures required.
- [Issue No. 3](#) - 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.
- [Issue No. 4](#) - The Arkansas Alcoholic Beverage Amendment.
- [Issue No. 5](#) - An Act to Increase the Arkansas Minimum Wage.

We're also on YouTube. Watch our 8-minute [video](#) on the ballot issues or tune in at 9:30 p.m. Wednesday, Oct. 15 to AETN for a 30-minute discussion on the state ballot issues.

Help Us Tell Our Story

The Public Policy Center is evaluating its ballot issue education program, including its newsletters and fact sheets. You can participate by [taking this quick and anonymous survey](#).



Legislative Ballot Issues

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

[Read More](#)



Ballot Issues From the People

Click here to find background on ballot proposals from the people as well as links to supporters and opponents.

[Read More](#)



Ballot Proposal News

Here you will find mentions of 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:

- "Stephens Attorney: 'Sloppy Process' Put Wage Hike on the Ballot" - [Associated Press](#)
- "Arkansas Supreme Court to Hear Arguments Over Alcohol Sales" - [Associated Press](#)
- "Judge: Signatures OK in Arkansas Minimum Wage Case" - [Associated Press](#)
- "State Supreme Court hears oral arguments in alcohol case" - [Arkansas News Bureau](#)
- "Supreme Court will hear no oral arguments in challenge of minimum wage law" - [Arkansas Times](#)
- "A.G. Opinion suggests line of attack on constitutional amendment" - [Arkansas Times](#)
- "Lawyer: 'Fraud' Put Minimum Wage Issue on Arkansas' Ballot" - [Associated Press](#)
- "KUAR and PBS Look at Minimum Wage Issue in Arkansas" - [Arkansas Business](#)

Background on Ballot Measures from the Legislature

[Issue 1 - An Amendment Empowering the General Assembly to Provide for Legislative Committee Review and Approval of State Agencies' Administrative Rules](#)

Read the [Legislative bill](#)

Sponsor: [Sen. Dismang](#)

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

Additional Information:

[Legislative Impact Statement](#)

[Attorney General Opinion](#)

[Issue 2 - 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](#)

Read the [Legislative bill](#)

Sponsor: [Sen. Sample](#)

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

Opponent Group(s)

[Ballot Question Committee Filing](#) for Family Council Action Committee

[Issue 3 - 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](#)

Read the [Legislative bill](#)

Sponsor: [Rep. Sabin](#)

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

Opponent Group(s)

["Arkansas Term Limits" website](#)

[Legislative Question Committee filing](#) for Arkansas Term Limits

[Ballot Question Committee filing](#) for Family Council Action Committee

Background on Ballot Measures from the Public

[Issue 4 - Arkansas Alcoholic Beverage Amendment](#)

Read the Attorney General's Opinion certifying the measure at [Opinion No. 2014-049](#).

Ballot Issue Group

["Let Arkansas Decide" website](#)

[Ballot Question Committee Filing](#) for Let Arkansas Decide

Opponent Group(s)

["Citizens for Local Rights" website](#)

[Ballot Question Committee Filing](#) for Citizens for Local Rights/Let Local Communities Decide for Themselves

[Ballot Question Committee Filing](#) for Arkansas Beverage Retailers Association

[Ballot Question Committee Filing](#) for Conway County Line Liquor Association Fund

[Issue No. 5 - An Act to Increase the Arkansas Minimum Wage](#)

Read the Attorney General's Opinion certifying the measure at [Opinion No. 2013-156](#).

Ballot Issue Groups

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

[Ballot Question Committee Filing](#) for Give Arkansas A Raise Now

[Ballot Question Committee Filing](#) for Arkansas Interfaith Alliance

[Ballot Question Committee Filing](#) for Give Us A Raise

Opponent Group(s)

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

Looking Forward - 2016 Ballot

Attorney General Opinions

Rejected

Oct. 2, 2014 - The Arkansas Hemp and Marijuana Amendment - A ballot measure to legalize the cultivation, manufacturing, distribution, sale, purchase, possession and use of the cannabis plant in Arkansas was rejected. [Opinion No. 2014-105](#) cited ambiguities in the proposal's definitions of hemp, marijuana and cannabis. "The scope of your proposed change in the law regarding "cannabis" must be clearly conveyed to the voters in the ballot title," the opinion stated. Mary L. Berry of Summit submitted the measure.

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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