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Sept. 16, 2014

NEWS & NOTES

Arkansas Ballot Issues

Alcohol, Minimum Wage Make the Ballot But Lawsuit Filed Two lawsuits cloud November ballot

The Arkansas Alcoholic Beverage Amendment has enough signatures to make the November ballot, but retailers opposed to the amendment filed a [lawsuit](#) earlier this month in an attempt to kick it off the ballot.

Members of "Citizens for Local Rights," a group formerly known as "Let Local Communities Decide for Themselves" and which is led by representatives of the Arkansas Beverage Retailers Association, filed the lawsuit Sept. 5. The complaint said ballot issue sponsors did not submit signatures in time to qualify for the ballot and that the title doesn't say how the amendment would affect existing regulations on selling mixed drinks and how far liquor stores must be from churches and schools.

"This amendment is four sentences; the ballot title is basically the same as the amendment," David Couch, the ballot issue sponsor, told the Associated Press. "I think this accurately reflects the terms of the amendment."

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. This is the day that sponsors "Let Arkansas Decide" submitted their signatures.

Friday's filing means there are now two lawsuits trying to remove proposed constitutional amendments from the November ballot. The other [lawsuit](#) was filed by residents who say an amendment regarding state government issues of ethics, pay and term limits is misleading because of it didn't specify that the state already has legislative term limits. That lawsuit is still pending.

In addition to the alcohol amendment, the Secretary of State this month certified a proposal to raise the state's minimum wage. With the certification, there are now five issues on the ballot though the final count will depend on the outcome of the lawsuits mentioned above.

The five ballot issues are:

- Issue 1 - An Amendment Empowering the General Assembly to Provide for Legislative Committee Review and Approval of State Agencies' Administrative Rules
- 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
- 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
- Issue 4 - The Arkansas Alcoholic Beverage Amendment
- Issue 5 - An Act to Increase the Arkansas Minimum Wage

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?

In 1988, Arkansas' then-Secretary of State Bill McCuen disqualified every signature on a petition calling for an amendment to ban the use of public money for abortions. McCuen declared the signatures invalid due to what he said was a technical error with the petitions' format. Sponsors used the 30-day correction period to address the technical issues and resubmitted the petitions. Voters later approved Amendment 68, though the amendment was successfully challenged in court.

Source: [Arkansas Family Council](#)



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:

- "AML eyes liquor ballot issue" - [Hope Star](#)
- "Groups backing minimum wage hike submits more signatures" - [Arkansas News Bureau](#)
- "Liquor issue backers confident" - [Hope Star](#)
- "Arkansas Municipal League On Hold Over Alcohol Issue" - [Talk Business](#)
- "Challenge filed to prevent vote on alcohol sales" - [Arkansas Times Blog](#)

- "Arkansas Democrats Turn Up Focus on Minimum Wage Issue" - [Associated Press](#)
- "Asa Hutchinson, Tom Cotton Support Minimum Wage Increase" - [Associated Press](#)
- "Arkansas justices schedule oral argument Oct. 9" - [Associated Press](#)

Ballot Measures from the Public

[Issue No. 4 - Arkansas Alcoholic Beverage Amendment](#)

- This proposal 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](#) for Let Arkansas Decide

Opponent Group(s)

No website found for opposition group "Citizens for Local Rights," formerly known as "Let Local Communities Decide for Themselves"

[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](#)

- This proposal 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](#) for Give Arkansas A Raise Now

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

Opponent Group(s)

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 - 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 and approval of new state agency administrative rules before the rules could go into effect.

Sponsor: [Sen. Dismang](#)

Additional Information: [Legislative Impact Statement](#)

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

[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% 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](#)

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

[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](#)

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](#)

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

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.

Rejected

Aug. 21, 2014 - The Cultivate Hemp and Regulate Marijuana Amendment - A ballot measure to legalize the sale, possession, cultivation, manufacturing, distribution and use of the cannabis plant and every product derived from the cannabis plant in Arkansas was rejected. [Opinion No. 2014-091](#) said the ballot title had ambiguities and "misleading tendencies": "The popular name also implies that under the proposed amendment, cultivation is restricted to "hemp" and regulation is restricted to "marijuana." This is misleading and inconsistent with the text of the proposal." Rockie E. Barley of Malvern 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, 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>

News & Notes Volume 3, Issue 10. This e-mail newsletter is shared with Cooperative Extension Service agents, subscribers from the general public and election officials or educators identified by the Public Policy Center. To unsubscribe, click below on "instant removal with SafeUnsubscribe."

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