



Aug. 18, 2016

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Get the Facts - 2016 Ballot Issue Information



Legislative Ballot Issues

[Read up](#) on the three ballot issues referred by the legislature.



Citizen Proposals

[Find out](#) what ballot issues have been submitted by citizens.



News About Ballot Issues

[Click here](#) for mentions of ballot issues or election law on news blogs and websites.

Medical Lawsuit Amendment Qualifies for Ballot Casino, Marijuana Proposals Gather Additional Signatures

As Election Day draws closer, voters have a slightly better idea of what constitutional amendments and state laws will be on the ballot to decide.

Since the last *News & Notes*, a proposed amendment that asks voters to give state legislators the authority to pass laws regarding attorney fees and money awarded for pain and suffering in medical-injury lawsuits has qualified for the ballot.

That means, as of Aug. 18, there are two citizen initiatives on the November ballot in addition to the three from the legislature:

- The Arkansas Medical Cannabis Act

- An Amendment to Limit Attorney Contingency Fees and Non-Economic Damages in Medical Lawsuits

Two other citizen groups submitted their petitions before the July deadline. The Secretary of State's Office said they fell short of automatically qualifying for the ballot. But they did meet the threshold required to receive additional time to collect more voter signatures.

Last week, Arkansas Wins representatives turned in nearly 50,000 additional voter signatures for a constitutional amendment that would allow three casinos to operate in the state in Boone, Miller and Washington Counties. Representatives said they believed they finally had enough signatures to place the issue on the ballot.

Finally, the sponsor of the Arkansas Medical Marijuana Amendment said he expects to turn in additional signatures tomorrow for his constitutional amendment. If approved, it would legalize the growing, distributing, possession and use of marijuana for medical purposes.

Campaigns for and against the measures are expected to be more visible after Labor Day, and there is the possibility that some of the proposals will be challenged in court.

Get engaged. Get informed.

The Public Policy Center will publish a voters guide and other educational materials in September about Arkansas' ballot issues. The voter guide will be posted at www.uaex.edu/ballot. All 75 county Extension offices also will have limited numbers of printed guides.

In addition to the possibility of citizen group issues, legislators have referred three constitutional amendments to voters on the Nov. 8, 2016 ballot. The wording of the amendments can be found [below](#).

We welcome your questions, which could be included in future ballot issue Q&As. Send us your question to publicpolicycenter@uaex.edu.

The [Public Policy Center](#) will continue to follow these issues and keep you updated on the 2016 ballot measures.

Did you know?

If all proposals qualify for this year's ballot, voters will have seven ballot issues to decide in November. The last time voters decided this many issues was in 1964.

Source: [Arkansas Secretary of State](#)

The 2016 Ballot Issues

On the ballot

Issue 1 - Proposing an Amendment to the Arkansas Constitution Concerning The Terms, Election, And Eligibility of Elected Officials (HJR1027)

Read the [Legislative bill](#)

[Coalition for Arkansas Election Reform](#) has filed with the Arkansas Ethics Commission to support the amendment.

Issue 2 - An Amendment to the Arkansas Constitution to Allow the Governor to Retain His or Her Powers and Duties When Absent from the State (SJR3)

Read the [Legislative bill](#)

Issue 3 - An Amendment to the Arkansas Constitution to Encourage Job Creation, Job Expansion, and Economic Development (SJR16)

Read the [Legislative bill](#)

[Jobs for Arkansas](#) has filed with the Arkansas Ethics Commission to support the amendment.

Issue ?* - The Arkansas Medical Cannabis Act - [Opinion No. 2014-086](#) - A state law to make the medical use of marijuana legal under state law and establish a system regulating the cultivation, acquisition and distribution of medical marijuana.

[Arkansans for Compassionate Care 2016](#) has filed with the Arkansas Ethics Commission to support the proposal. [Coalition for Safer Arkansas Communities](#) and [Family Council Action Committee](#) have filed to oppose the measure.

Issue ?* - An Amendment to Limit Attorney Contingency Fees and Non-Economic Damages in Medical Lawsuits - [Opinion No. 2016-038](#) - A constitutional amendment that would define what an excessive medical-injury contingency fee is and prohibit the practice. The proposal also requires legislators to pass laws specifying a maximum dollar amount for "non-economic" damage awards, while the minimum could be \$250,000.

[Health Care Access for Arkansans](#) and [Arkansas Health Care Association](#) have filed with the Arkansas Ethics Commission to support the proposal. [Committee to Protect AR Families](#) has filed to oppose the measure.

** Issue has been approved for the ballot but no number has been assigned yet.*

Still under review at the Secretary of State's Office

The Arkansas Medical Marijuana Amendment of 2016 - [Opinion No. 2016-007](#) - A constitutional amendment to make the medical use of marijuana legal under state law and establish a system regulating the cultivation, acquisition and distribution of medical marijuana.

[Arkansans United for Medical Marijuana](#) has filed with the Arkansas Ethics Commission to support the proposal. [Coalition for Safer Arkansas Communities](#) and [Family Council Action Committee](#) have filed to oppose the measure.

An Amendment to Allow Three Casinos to Operate in Arkansas, One Each in the Following Counties: Boone County, Operated by Arkansas Gaming and Resorts, LLC; Miller County, Operated by Miller County Gaming, LLC; and Washington County, Operated by Washington County Gaming, LLC - [Opinion No. 2016-058](#) - A constitutional amendment that would allow gambling in Arkansas at certain locations.

[Arkansas Wins in 2016, LLC](#) and [Arkansas Winning Initiative, Inc.](#) have filed with the Arkansas Ethics Commission to support the proposal. [Committee to Protect Arkansas' Values Stop Casinos Now](#) has filed to oppose the measure.

Ballot Issues In the News

"Poll: Support for medical marijuana still strong among likely voters" - Talk Business & Politics

"'Pot' proposal's backers raise \$16,401" - Arkansas Democrat-Gazette

"Ethics filing seeks list of nursing-home group's donors" - Arkansas Democrat-Gazette

"Voter Regrets Signing Marijuana Petition; Canvasser Allegedly Denies Removal" - 5News

"Is Arkansas ready for medical marijuana?" - KATV

"Dismang at the helm, trying his best to be nongovernor" - Arkansas Democrat-Gazette

"Pro marijuana group reports \$339,982" - Arkansas Democrat-Gazette

"Group opposing medical marijuana, say it will lead to broader use" - Talk Business & Politics

"Backers of Arkansas casino ballot item have 30 days to gather signatures" - Arkansas News Bureau

"Medical marijuana amendment falls short on signatures, but has time to collect more" - Talk Business & Politics

"Tort reform amendment qualifies for Arkansas ballot" - Talk Business & Politics
"After 2014 Vote, A New Regulatory Landscape for State Agency Rules" - Arkansas Business
"Arkansas Farm Bureau Joins Four Other Groups in Opposing Medical Marijuana" - Talk Business & Politics
"Care-home group lists donors" - Arkansas Democrat-Gazette
"Lawyers back effort to beat tort measure" - Arkansas Democrat-Gazette
"Governor's budget chief to exit post" - Arkansas Democrat-Gazette
"More signatures back casinos in Arkansas" - Arkansas Democrat-Gazette
"Nursing home group donates another \$250,000 to tort reform effort, more signatures submitted for casino push" - Talk Business & Politics

Looking Forward - Potential 2018 Ballot Issues from Citizens

Attorney General Opinions

The Attorney General is responsible for reviewing the language and titles of potential ballot issues submitted to voters by the public. Ballot issue groups can circulate petitions only after the Attorney General verifies that the ballot title and popular name honestly, intelligibly and fairly describe the purpose of a proposed constitutional amendment or act. The following are recent Attorney General opinions regarding potential ballot issues:

Ballot proposals rejected

Aug. 1, 2016 - The Arkansas Cannabis Amendment - A proposal to legalize the cultivation, production, distribution, sale, possession and use of the cannabis plant and products derived from the plant was rejected because of ambiguities in the proposal, according to [Opinion No. 2016-078](#). The proposal is similar to one circulated during the 2016 election cycle, but sponsors did not collect enough voter signatures. The Attorney General noted the addition of a section to the amendment that contained numerous ambiguities and led to her rejecting it. Mary L. Berry of Summit submitted the measure.

Ballot proposals approved for signature gathering

July 29, 2016 - Arkansas Term Limits Amendment - A proposal to reduce the number of years a state senator or representative can serve in office was certified for signature gathering, according to [Opinion No. 2016-080](#). The proposal would repeal [Amendment 94](#), which voters passed in 2014 and set term limits of 16 years for members of the General Assembly. The proposal is similar to one circulated during the 2016 election cycle, but sponsors did not collect enough voter signatures. Skip Cook of Little Rock submitted the measure.

Stay Connected

Know of a potential ballot issue?

E-mail the information to publicpolicycenter@uaex.edu or call Kristin Higgins at 501-671-2160.

You can find past newsletters and ballot issue fact sheets at

<http://www.uaex.edu/ballot>



#ARballot

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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