



Feb. 15, 2016

Be Ahead of the Curve - Discover 2016 Ballot Issue Information



Legislative Ballot Issues

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



Attorney General Opinions

[Find out](#) what ballot issues are coming from citizen petitions and have been approved for signature gathering.



News About Ballot Issues

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

Voters Won't Find Petitions for Every Proposal

When you look at the bottom of this e-mail, you will find a long list of potential ballot issues whose sponsors have the official OK to circulate them for signatures needed to put the issues on the November ballot. But that doesn't mean you will find petitions for all of them.

David Couch's name can be found on at least five different proposals that have been submitted to the Attorney General's office over the past two years. So far, three proposals have been approved for signature gathering.

However, Couch said he's not pursuing two of the issues for which he's won approval.

"I submitted the [Arkansas Alcoholic Beverage Amendment](#) and an [Act Concerning Local Option Elections](#) early in the cycle and am not circulating those proposals," he said. "I couldn't generate enough interest in those proposals to continue to circulate them."

The third issue - [the Campaign Finance Act of 2016](#) - was submitted by him on behalf of Paul Spencer. Although the ballot title has been approved for the signature process, Couch said he doesn't believe that the proposal is being circulated.

He is now focusing his attention on [medical marijuana](#) and another alcohol related proposal. Neither ballot title has been approved for signature gathering but Couch said he expects them to be soon.

Couch has a history of writing ballot issue titles in Arkansas. He received enough signatures in 2014 to add an alcohol measure to the ballot that would have legalized alcohol sales in every county if voters had passed it.

"When I was doing the Alcohol Amendment i[n] 2014 I did focus groups on the issue in several counties. The #1 thing that individuals wanted was to be able to have an alcoholic beverage at a restaurant, a hotel, a microbrewery and/or a festival," he said in an e-mail.

A substantial number of people didn't want liquor stores, he said, but would vote for the measure so that they could drink in restaurants or other businesses. His [latest proposal](#) would allow for elections in dry cities or counties for "on premise consumption" with 15% of the necessary signatures instead of the 38% currently required. Local alcohol elections require a higher number of voter signatures than measures for the statewide ballot.

"I fully expect for this proposal to be on the ballot," he said about his latest alcohol proposal, which has not been approved yet by the Attorney General. He shares that confidence for the medical marijuana proposal he's seen rejected several times in recent months.

Other potential 2016 ballot issues include legalizing the growing and selling of marijuana, changes to term limits for state legislators, limiting the number of amendments the legislature can refer to the public, and the inclusion of gender identity and sexual orientation as a protected class under state law. Read more about these citizen initiatives [below](#).

In addition to these potential measures, legislators have referred three constitutional amendments to voters. The language of those amendments can be found [below](#).

Get engaged. Get informed. Over the next several months, the Public Policy Center will research all referred ballot issues, and will publish fact sheets and other educational materials about the issues ahead of the November election.

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?

Early voting starts tomorrow - Feb. 16 - for Arkansas' March 1 primary. To see what will be on your ballot, go to <https://www.voterview.ar-nova.org/> and click on "registration information."

Source: [Arkansas Secretary of State](#)

Looking Forward - Potential 2016 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:

Rejected Ballot Proposals

Feb. 2, 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 text, according to [Opinion No. 2016-006](#). The proposal, which includes a provision to release people incarcerated for nonviolent marijuana offenses, has evolved over the past few months based on notes made by the Attorney General in previous rejections. See [Opinion No. 2015-144](#) (Dec. 15, 2015), [Opinion No. 2015-132](#) (Nov. 17, 2015), [Opinion No. 2015-122](#) (Oct. 26, 2015), and [Opinion No. 2015-117](#) (Oct. 9, 2015) for previously rejected proposals this petition cycle. The proposals were submitted by Mary L. Berry of Summit.

Feb. 11, 2016 - The On Premise Local Option Election Alcohol Act - A proposal to set the number of signatures needed to hold an election on whether a dry county or city could allow the sale and consumption of alcohol in restaurants, hotels, microbreweries or festivals was rejected because of ambiguities in the proposal. [Opinion No. 2015-009](#) cited a long list of ambiguities related to definitions and other sentences in the proposal. David Couch of Little Rock submitted the measure.

Ballot proposals approved for signature gathering

Nov. 30, 2015 - Four Year Terms of Office for Elected County Officials, Justices of the Peace, and Constables - A proposal seeking to increase the term of office for elected county officials from two to four years was approved for signature gathering. The law would apply to county officials sworn in after Dec. 31, 2016, according to [Opinion No. 2015-139](#). David Dinwiddie of Pine Bluff submitted the measure.

Nov. 2, 2015 - Reducing From 3 to 1 the Number of Constitutional Amendments That May Be Proposed by the General Assembly Under Article 19, Section 22 - A proposal seeking to reduce the number of constitutional amendments state legislators can send to voters was again approved for signature gathering. This proposal had already been approved for signature gathering, but the sponsor resubmitted it with a different ballot title, according to [Opinion No. 2015-124](#). The sponsor's suggested ballot title was rejected because the Attorney General's Office found it to be misleading. The Attorney General changed the proposed ballot title to what is listed above. See [Opinion No. 2015-115](#) (Oct. 5, 2015), and [Opinion No. 2015-107](#) (Sept. 8, 2015) for previous proposals this petition cycle. Frederick N. Scott, a spokesperson for the Little Red Hen Committee, submitted the measure.

Aug. 6, 2015 - Arkansas Term Limits Amendment of 2016 - 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. 2015-089](#). The proposal would repeal [Amendment 94](#), which voters passed in 2014 and set term limits of 16 years for members of the General Assembly. Brenda V. Taylor, an attorney in Fayetteville, submitted the measure.

July 24, 2015 - The Campaign Finance Act of 2016 - This [previously approved ballot proposal](#) (Opinion No. 2015-059) to create campaign spending disclosure requirements was recertified after a new, less confusing ballot title was submitted. The Attorney General had said the original title would require the voter to be an expert in campaign-finance regulation to understand the proposed changes. The [newer version](#) (Opinion No. 2015-083) was an attempt to better explain the effect of the measure. David Couch of Little Rock submitted the new version. Paul Spencer, chairman of the Regnat Populus Ballot Question Committee, submitted the original measure.

March 31, 2015 - An Act Amending The Arkansas Civil Rights Act of 1993 - A proposal to amend state law to include sexual orientation and gender identity to groups protected from discrimination under the Arkansas Civil Rights Act of 1993 was certified for signature gathering, according to [Opinion No. 2015-029](#). Jack Michael Weir III of Little Rock submitted the measure.

March 30, 2015 - An Act Concerning Local Option (Wet-Dry) Elections - A proposal to reduce the number of signatures required to call a local option (wet-dry) election from 38 percent of qualified electors to 20 percent of qualified electors was certified for signature gathering, according to [Opinion No. 2015-026](#). David Couch of Little Rock submitted the measure.

Feb. 3, 2015 - The Arkansas Alcoholic Beverage Amendment - A constitutional amendment to legalize the manufacturing and sale of alcohol statewide was certified for signature gathering, according to [Opinion No. 2015-12](#). David Couch of Little Rock submitted the measure.

Nov. 3, 2014 - The Arkansas Hemp and Marijuana Amendment - A constitutional amendment to legalize the cultivation, production, distribution, sale, purchase, possession and use of the cannabis plant in Arkansas was certified for signature gathering, according to [Opinion No. 2014-119](#). Mary L. Berry of Summit submitted the measure.

Aug. 5, 2014 - The Arkansas Hemp and Cannabis Amendment - A constitutional amendment to legalize the cultivation, manufacture, distribution, sale, possession and use of the cannabis plant in Arkansas was certified for signature gathering, according to [Opinion No. 2014-079](#). 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.

In the News

["Electing judges best, says justice"](#) - Arkansas Democrat-Gazette

["Merit Selection of Arkansas Justices Gets New Look"](#) - Associated Press

["Arkansas legislators received nearly 150 percent pay raise in 2015"](#) - Arkansas News Bureau

["Arkansas GOP, having embraced term limits, is now conflicted"](#) - Associated Press

["Williams, Hopper squaring off"](#) - Arkansas Democrat-Gazette

["Several Ballot Measures Just Need Signatures"](#) - Arkansas Business

Ballot Issues from the Legislature

Legislators are able to refer up to three constitutional amendments to the voters every general election. You can find the full text of each proposal and information about their sponsors below.

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

Read the [Legislative bill](#)

Sponsor: [Rep. Jack Ladyman](#)

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

Read the [Legislative bill](#)

Sponsor: [Sen. Eddie Joe Williams](#)

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

Read the [Legislative bill](#)

Sponsor: [Sen. Jonathan Woods](#)

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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/business-communities/voter-education/state-ballot-issues.aspx>



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- 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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