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March 22, 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.

## Campaign Reports Reveal Ballot Issue Support/Opposition

Before campaign signs ever pop up in yards and street medians, supporters or opponents of a ballot issue register with the Arkansas Ethics Commission to essentially say they will be spending money and time on an election.

The Commission's website offers up a long list of "ballot question committees" that have registered in recent years to work for or against local and state ballot issues. These issues have included everything from library and school taxes to wet-dry elections and sales tax increases.

Reports, which are accessible online, include the names of people who are considered members of the ballot issue group and a description of the issue they are supporting or opposing. They also include how much money the group has raised or spent.

For the 2016 election, at least seven ballot issue groups have registered their efforts. They include groups working on citizen-led initiatives and ballot issues referred by the legislature last year.

## Citizen-led ballot issue groups

- Arkansans for Compassionate Care
- Arkansans United for Medical Marijuana
- Coalition for Safer Arkansas Communities
- Let Locals Decide
- Regnat Populus Committee for Campaign Finance Reform
- Restore Term Limits

## Legislative-referred ballot issue groups

- Coalition for Arkansas Election Reform
- Jobs for Arkansans

Reports by these supporters and opponents can be accessed by going to the [Arkansas Ethics Commission](#) website and clicking on "View local-option/ballot/legislative question committee filings." Newer groups can be found at the bottom of the page.

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.

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](#).

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

Election commissioners have to be careful with their political social media posts in light of an Arkansas law that prohibits members of a county election commission from soliciting on behalf of a candidate. A recent Attorney General's opinion delves into social media posts as well as whether commissioners or their spouses can put candidate signs in their front yards or bumper stickers on their cars. The opinion, which is not legally binding, says the law does not apply to signs for or against ballot issues.

Source: [Arkansas Attorney General's Office](#)

## 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

**March 18, 2016 - The On Premise Local Option Election Alcohol Act** - A proposal to establish the number of voter 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 twice this month because of ambiguities in the proposal. [Opinion No. 2016-022](#) (March 18, 2016) and [Opinion No. 2016-015](#) (March 1, 2016) cited several unclear sections in the proposal, including potential confusion over how the law would interact with current state code and questions about the definition of festival. This is the third time the proposed ballot title has been rejected. (See [Opinion No. 2016-009](#) for previously rejected title.) David Couch of Little Rock submitted the measure.

**March 9, 2016 - State colleges prohibited from requiring enrollment in a dormitory or cafeteria plan as requirement for admission, with the exception of students in Athletic Programs - A** proposal to prohibit public colleges from requiring students to live in a dorm and have a food plan as a requirement to be admitted to the school was rejected because several terms were not clearly defined, according to [Opinion No. 2016-017](#). David Dinwiddie of Pine Bluff submitted the measure.

**March 17 - 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. 2016-021](#). 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.

This is the seventh time this ballot title has been rejected because of uncertainties or unclear language. See Opinion [Opinion No. 2016-012](#) (Feb. 23, 2016), [Opinion No. 2016-006](#) (Feb. 2, 2016), [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.

### **Ballot proposals approved for signature gathering**

**Feb. 17, 2016 - The Arkansas Medical Marijuana Amendment of 2016 - A** proposal to make the medical use of marijuana legal under state law and establish a system regulating the cultivation, acquisition and distribution of medical marijuana was approved for signature gathering. In [Opinion No. 2016-007](#), the Attorney General cautioned 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." David Couch of Little Rock submitted the measure.

**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

["Could Arkansas Supreme Court Justice elections end?"](#) - KATV

["Arkansas Attorney General Approves Wording of Medical Marijuana Proposal"](#) - Associated Press

["Backers of term-limits proposal step up bid for voter signatures"](#) - Arkansas Democrat-Gazette

["Amidst Record Spending Arkansas Chief Justice Race A Matter of Ethics and Disclosure"](#) - KUAR

["Voters getting chance to sign 3 ballot issues"](#) - Arkansas Democrat-Gazette ([graphic](#))

["AG says school millage election could be on same day as primary election"](#) - Pine Bluff Commercial

## 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](#)

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### **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](#)

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## **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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Know of a potential ballot issue?  
E-mail the information to [publicpolicycenter@uaex.edu](mailto: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.

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