



Jan. 17, 2017

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Legislators Considering Limiting Their Own Proposals

The 91st General Assembly is underway. Scores of bills have been filed yet there's still just the one constitutional amendment proposal that was filed before the start of the January session.

Article 19 of Arkansas' Constitution allows legislators to refer up to three constitutional amendments at a time to voters. In past years, a joint committee of House and Senate members would sift through dozens of proposals together to refer up to three amendments to both chambers for final consideration.

State legislators are considering [changing their operating rules](#) to limit themselves to one proposed amendment from the House and one proposal from the Senate. (Both chambers would still have to vote to put the amendments on the 2018 ballot.)

Under the proposal, a third amendment could not be considered or voted on by legislators until identical resolutions authorizing the consideration of the proposed amendment have been approved by each chamber.

In 2015, legislators filed 40 bills proposing constitutional amendments. Whether the proposed rule change will affect the number of constitutional amendments filed this year remains to be seen. The deadline to file bills proposing constitutional amendments is Feb. 8.

The one amendment filed as of Jan. 17 would ask voters to eliminate legislators' fiscal session that has taken place every other year since 2010. Voters in 2008 approved a [constitutional amendment](#) calling for the fiscal sessions, which are to last 30 days and be devoted to the state budget and appropriation bills.

[Senate Joint Resolution 1](#) of 2017 was filed by Rep. Jim Hendren. The bill has been assigned to the Senate Committee on State Agencies and Governmental Affairs.

News articles in recent weeks have hinted that the public might see legislators discuss constitutional amendments related to voter identification and medical-injury lawsuits. A proposed amendment regarding medical-injury lawsuits ([Issue 4](#)) was struck from the 2016 ballot.

Earlier this month, the Arkansas Good Roads Foundation [presented](#) to the Arkansas State Highway Commission [survey findings](#) that showed 62 percent of Arkansans surveyed favored making permanent a temporary half-cent sales tax for road improvements. The survey was part of the group's study into increasing funding for roads.

Voters in 2012 approved the [temporary tax](#) that's set to expire in 2023. Voters would have to approve making the tax permanent through a constitutional amendment.

Did you know?

A bill to require people to show identification or "verification of voter registration" when voting in person or by absentee ballot was filed this month. [HB1047](#), filed by [Rep. Mark Lowery](#) of Maumelle, has been referred to the House Committee on State Agencies and Governmental Affairs.

Source: Arkansas State Legislature

The 2017 Legislative Session & Proposed Ballot Issues

Legislators are able to refer up to three constitutional amendments to the voters every general election. The following are bills that have been filed in the legislative session:

SJR1 - An Amendment to the Arkansas Constitution to Reduce the Number of Days the General Assembly is in Session by Repealing the Fiscal Session of the General Assembly and Providing that an Appropriation by the General Assembly not be for a Longer Period than Two (2) Years.

Read the [Legislative bill](#)

Sponsor: [Sen. Jim Hendren](#)

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

Dec. 27, 2016 - A proposal to allow a company to initiate a local election to allow a casino was rejected because of ambiguities in the ballot title and the description of how the amendment would go into effect if approved by voters, according to [Opinion No. 2016-133](#). The Attorney General also noted numerous spelling and grammatical errors with the proposal and wrote, "I believe the Arkansas Supreme Court would have deep concerns about voters' ability to fully understand and appreciate the issues presented in your proposed amendment."

This is the third time this proposal has been rejected. See [Opinion No. 2016-109](#) (Nov. 7, 2016) and [Opinion No. 2016-099](#) (Oct. 10, 2016). Barry Emigh of Hot Springs submitted the measure.

Jan. 4, 2017 - Arkansas Cannabis Amendment - A proposal to legalize the cultivation, production, distribution, sale, possession and use of the cannabis plant and products derived from it was rejected

because it did not describe how it would affect the Arkansas Medical Marijuana Amendment of 2016, according to [Opinion No. 2016-138](#).

This is the seventh time this proposal has been rejected. See [Opinion No. 2016-122](#) (Dec. 9, 2016), [Opinion No. 2016-107](#) (Oct. 31, 2016), [Opinion No. 2016-100](#) (Oct. 14, 2016), [Opinion No. 2016-097](#) (Sept. 26, 2016), [Opinion No. 2016-089](#) (Aug. 22, 2016) and [Opinion No. 2016-078](#) (Aug. 1, 2016) for previously rejected proposals. Mary L. Berry of Summit submitted the measure.

Ballot proposals approved for signature gathering

Oct. 28, 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. 2016-105](#). The proposal would repeal Amendment 94, which voters passed in 2014 and extended term limits to 16 years for members of the General Assembly. Thomas Steele of Little Rock submitted the October measure.

Corrections

- Rep. Jim Hendren lives in an unincorporated area of Benton County but is originally from Gravette and has his business located there. We identified the wrong home town for the representative in our December 2016 ballot newsletter article.

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>



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.

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News & Notes Volume 5, Issue 2. 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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