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Arkansas Supreme Court Blocks Votes on Issue 1 Minimum Wage Survives Court Challenge

Not all of the proposals included in Issue 1 on this year's ballot are related to each other, the Arkansas Supreme Court said Thursday when blocking votes from counting on the issue.

With early voting set to start Monday, the court's decision comes too late to remove [Issue 1](#) from printed ballots and from voting machines. Their ruling will mean that any votes cast for or against the measure will not be counted.

Issue 1 would have limited attorney pay in contingency fee cases, set limits on how much money could be awarded for non-economic and punitive damages, given the legislature authority to create court rules, and lowered the number of votes needed to change or do away with existing court rules.

"Without opining upon the relationship between other sections, it is simply untenable to assert that section 1 is reasonably germane to sections 3 or 4," the majority opinion stated.

"Section 1 limits the rights of private parties to contract for legal services. Sections 3 and 4 broaden and diversify the legislature's ability to exert influence over judicial rule-making authority. Section 1 does not operate to support, develop, clarify, or otherwise aid the function of sections 3 or 4 in any meaningful way, nor do sections 3 or 4 offer any such benefit to section 1. The first section of Issue No. 1 is simply not reasonably germane to the other sections."

Read the [majority opinion](#). There was a [concurring opinion](#) and a [dissenting opinion](#) on the case *Martin v Humphrey*.

More than \$4 million has been spent by groups supporting or opposing Issue 1.

The Arkansas Supreme Court also Thursday dismissed a challenge seeking to remove [Issue 5](#), an increase to the Arkansas minimum wage, from the ballot. The proposal was being challenged over the

petition paperwork filed to place the issue on the ballot.

Opponents said the proposal didn't have enough valid voter signatures to be on the ballot. However, a special judge who reviewed the paperwork disagreed, and the Arkansas Supreme Court on Thursday rejected the request to stop voting on the issue.

Read the [majority opinion](#). There was a [concurring opinion](#).

Issue 5 seeks to increase the Arkansas minimum wage from \$8.50 per hour to \$9.25 per hour in 2019, then up to \$10 in 2020, and finally to \$11 in 2021.

Last week, the court dismissed a complaint against the ballot title of [Issue 4](#). The only remaining court challenge is related to [Issue 3](#), a proposal to shorten term limits for state legislators from 16 years to 10 years. There has been no legal challenge to [Issue 2](#), which would require voters to present photographic identification when voting in person or through absentee ballot.

Election Day is Nov. 6. Read our updated [voter guide](#) for more information about the Arkansas ballot issues.

Do you know how you want to vote?

We love feedback. Take this anonymous survey to let us know how we did with the 2018 Arkansas Ballot Issue Voter Guide. Did we provide you with enough information to make a decision on the ballot issues? What did you like? What could we do better?



Take the survey:

https://uaex.co1.qualtrics.com/jfe/form/SV_eDn0BtXQPUUavhH

Pick up an Arkansas Ballot Issue Voter Guide at your [County Extension Office!](#)

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Watch our short video on all the ballot issues.

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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>



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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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