

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

139

By: Senator Allen

For An Act To Be Entitled

"AN ACT TO AMEND VARIOUS SECTIONS OF ARKANSAS CODE, TITLE 7, CHAPTER 9, SUBCHAPTER 1, RELATING TO INITIATIVES AND REFERENDUMS; TO ALLOW THE SECRETARY OF STATE TO ENTER INTO CONTRACTS WITH COUNTY CLERKS FOR THEIR SERVICES IN IDENTIFYING NAMES ON PETITIONS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code 7-9-104 is hereby amended to read as follows:

"7-9-104. Form of initiative petition. The following shall be substantially the form of petition for any law or amendment to the Constitution of the State of Arkansas, proposed by the initiative:

INITIATIVE PETITION

To the Honorable

Secretary of State of the State of Arkansas

We, the undersigned legal voters of the State of Arkansas, or County, Arkansas, or City of, or Incorporated Town of

(as the case may be) respectfully propose the following amendment to the Constitution of the State, or law, or ordinance (as the case may be), to wit:

(Here insert title and full text of measure proposed.)

.....
.....

and by this, our petition, order that the same be submitted to the people of said state, or county, or municipality (as the case may be), to the end that the same may be adopted, enacted, or rejected by the vote of legal voters of said (state, county, or municipality) at the regular general election to be held in said, on the day of, 19, and each of us for himself says:

I have personally signed this petition; I am a legal voter of the State of Arkansas, and my residence, post office address, and voting precinct are correctly written after my name."

(As Listed on Voter Registration Card) ³
Full Name ³ Address ³ City, Town or ³ Precinct No. or
Sign ³ Print ³ Post Office ³ Voting Place

SECTION 2. Arkansas Code 7-9-105 is hereby amended to read as follows:
"7-9-105. Form of referendum petition. The petition and order for referendum shall be substantially in the following form:

PETITION FOR REFERENDUM

To the Honorable
Secretary of State of the State of Arkansas

We, the undersigned legal voters of the State of Arkansas, or
County, Arkansas, or City (or Incorporated Town) of, Arkansas, (as
the case may be) respectfully order, by this, our petition, that Act No.
of the General Assembly of the State of Arkansas, approved on the day of
..... 19, entitled 'An Act' or Ordinance No., passed by the
city (or town) council of the City (or Incorporated Town) of,
Arkansas, on the day of 19, entitled 'An Ordinance.....,'
be referred to the people of said state, county, or municipality (as the case
may be), to the end that the same may be approved or rejected by the vote of
the legal voters of the state, or of said county or municipality (as the case
may be) at the biennial (or annual, as the case may be, if a city ordinance)
regular general election to be held on the day of, 19; and
each of us for himself says: I am a qualified elector of the State of
Arkansas, and my residence, post office address, and voting precinct are
correctly written after my name."

(As Listed on Voter Registration Card) ³
Full Name ³ Address ³ City, Town or ³ Precinct No. or
Sign ³ Print ³ Post Office ³ Voting Place

SECTION 3. Arkansas Code 7-9-106 is hereby amended to read as follows:

"7-9-106. Required attachments to petitions.

(a) To every petition for the initiative shall be attached a full and correct copy of the title and the measure proposed. The method of attachment shall be prescribed by the Secretary of State by regulation.

(b) To every petition for the referendum shall be attached a full and correct copy of the measure on which the referendum is ordered. The method of attachment shall be prescribed by the Secretary of State by regulation."

SECTION 4. Arkansas Code 7-9-107 (b) is hereby amended to read as follows:

"7-9-107. Approval of petitions prior to circulation.

(b) The Attorney General shall, within ten (10) days, approve and certify or shall substitute and certify a more suitable and correct ballot title and popular name for each amendment or act. The ballot title so submitted or supplied by the Attorney General shall state the purpose of the proposed measure in clear and concise wording with the intent of the measure being related as clearly as possible to provide easy interpretation by the average voter."

SECTION 5. The Secretary of State may enter into contracts with any county clerk for the county clerk's services in determining whether the persons listed on an initiative or referendum petition are registered voters.

SECTION 6. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 7. All laws and parts of laws in conflict with this Act are hereby repealed.