

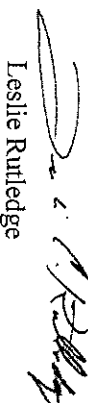
Instructions to Canvassers and Signers

1. The Arkansas Constitution gives Arkansas citizens the power to (a) initiate legislation by petition of 8% of the legal voters or constitutional amendments by petition of 10% of legal voters, or (b) order the referendum against any general act or any item of an appropriation bill or measure passed by the General Assembly by petition of 6% of legal voters. A proposed measure must be submitted at a regular election. Referendum petitions may be referred at special elections on petition of 15% of the registered voters. Any measure submitted to the people becomes law when approved by a majority of the votes cast on the measure.
2. Only registered voters may sign. All signatures must be in the signer's own handwriting and in the presence of the person circulating the petition. Each petition part should contain only the signatures of voters residing in a single county.
3. Printed name, date of birth, residence, city or town of residence, and date of signing must be given. If a petition signer needs assistance with this information due to disability, another person may print the signer's information and that person shall sign and print their name in the margin of the petition.
4. Pursuant to Ark. Code Ann. § 7-9-103, a person commits a Class A misdemeanor, punishable by a fine of up to \$2,500 and confinement of up to one year in jail, if the person knowingly prints a name, address, or birth date other than his or her own to a petition or prints the date of signing for another person unless the signer requires assistance due to disability and the person complies with § 7-9-103.
5. Pursuant to Ark. Code Ann. § 5-55-601(c), each of the following activities constitutes "petition fraud," which is a Class D felony and is punishable by a fine of up to \$10,000 and imprisonment for up to six years. Subsection (b) states: "A person commits the offense of petition fraud:
 - (1) If the person knowingly:
 - (A) Signs a name other than his or her name to a petition;
 - (B) Signs his or her name more than one (1) time to a petition; or
 - (C) Signs a petition when he or she is not legally entitled to sign the petition;
 - (2) If the person acting as a canvasser, notary, sponsor as defined under § 7-9-101, or agent of a sponsor:
 - (A) Signs a name other than his or her own to a petition;
 - (B) Prints a name, address, or birth date other than his or her own to a petition unless the signor requires assistance due to disability and the person complies with § 7-9-103;
 - (C) Solicits or obtains a signature to a petition knowing that the person signing is not qualified to sign the petition;
 - (D) Knowingly pays a person any form of compensation in exchange for signing a petition as a petitioner;
 - (E) Accepts or pays money or anything of value for obtaining signatures on a petition when the person acting as a canvasser, sponsor, or agent of a sponsor knows that the person acting as a canvasser's name or address is not included on the sponsor's list filed with the Secretary of State under § 7-9-601; or
 - (F) Knowingly misrepresents the purpose and effect of the petition or the measure affected for the purpose of causing a person to sign a petition;
 - (3) If the person acting as a canvasser knowingly makes a false statement on a petition verification form; [or]

* * *

- (5) If the person acting as a sponsor files a petition or a part of a petition with the official charged with verifying the signatures knowing that the petition or part of the petition contains one (1) or more false or fraudulent signatures unless each false or fraudulent signature is clearly stricken by the sponsor before filing."

Arkansas Attorney General


Leslie Rutledge

Revised 6/13/19

F I L E D

JUN 14 2019

Arkansas
Secretary of State

REFERENDUM PETITION

AN ACT TO AMEND THE DEFINITION OF "PRACTICE OF OPTOMETRY"

FOR OFFICE USE ONLY

Valid of _____

By _____ Date _____

To the Honorable John Thurston, Secretary of State of the State of Arkansas: We the undersigned registered voters of the State of Arkansas, respectfully order by this, our petition, that Act No. 579 of the General Assembly of the State of Arkansas, approved on the 27th day of March, 2019, entitled "An Act to Amend the Definition of 'Practice of Optometry,'" be referred to the people of said state, to the end that the same may be approved or rejected by the vote of the registered voters of the state at the biennial regular general election to be held on the 3rd day of November 2020; and each of us for himself or herself says: I have personally signed this petition; I am a registered voter of the State of Arkansas, and my printed name, date of birth, residence, city or town of residence, and date of signing this petition are correctly written after my signature. The Popular Name is AN ACT TO AMEND THE DEFINITION OF "PRACTICE OF OPTOMETRY" and the ballot title is attached or affixed hereto.

VOTERS REGISTERED IN _____ COUNTY

#	Signature	Printed Name	Date of Birth	Residence (Street Address)	City or Town of Residence	County of Residence	Date of Signing
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

State of Arkansas, County of _____ (county where notary signs)

I, _____ being sworn, state that each of the foregoing persons signed his or her own name to this sheet of petition in my presence. To the best of my knowledge and belief, each signature is genuine and each signer is a registered voter of the State of Arkansas, in the County listed at top of the Petition. At all times during the circulation of this signature sheet, an exact copy of the popular name, ballot title, and text was attached to this signature sheet. My current residence address is correctly stated below.

Signature _____

Permanent Domicile Address _____

Current Residence Address _____

Indicate one: Paid Canvasser Volunteer/Unpaid Canvasser

On this ____ day of _____, 20__, before me, the undersigned Notary Public, personally appeared _____ well known to me (or satisfactorily proven by identification documents provided) to be the person described in the foregoing Canvasser Affidavit and acknowledged that s/he executed the same in the capacity of a Canvasser for the purposes of fulfilling legal requirements of a Canvasser in the State of Arkansas; and that I personally witnessed the signature of the Canvasser.

Signature of Notary _____

My Commission Expires _____

Residence County of Notary _____

[Notary Seal Above]

Popular Name

AN ACT TO AMEND THE DEFINITION OF "PRACTICE OF OPTOMETRY"

Ballot Title

An act to amend the Arkansas Code regarding the definition of "practice of optometry"; providing that the definition of "practice of optometry" is amended to permit licensed optometrists to use ophthalmic lasers for the following surgical procedures: perform injections (excluding intravenous or intraocular injections), incision and curettage of a chalazion, removal and biopsy of skin lesions with low risk of malignancy (excluding lesions involving the lid margin or nasal to the puncta), laser capsulotomy, and laser trabeculectomy; providing that licensed optometrists continue to be prohibited from using ophthalmic lasers for surgical procedures other than those previously identified, performing cataract surgery, performing radial keratotomy surgery, and selling prescription drugs; providing that the State Board of Optometry has the power and duty to establish credentialing requirements for a licensee to administer or perform the following procedures: injections (excluding intravenous or intraocular injections), incision and curettage of a chalazion, removal and biopsy of skin lesions with low risk of malignancy (excluding lesions involving the lid margin or nasal to the puncta), laser capsulotomy, and laser trabeculectomy; providing that the State Board of Optometry shall require every optometrist who meets the requirements for certification to perform authorized laser procedures to report to the board regarding the outcome of the procedures performed in a format as required or directed by the board, and these reports shall also be sent to the Department of Health; this act being Act No. 579 of the Regular Session of 2019.

BE IT REFERRED TO THE PEOPLE OF THE STATE OF ARKANSAS

(TEXT OF REFERRED ACT)

ACT NO. 579 OF 2019

Section 1. Arkansas Code § 17-90-101(a)(3)(B), concerning the definition of “practice of optometry”, is amended to read as follows:

(B) All licensed optometrists are prohibited from using ophthalmic lasers for surgical procedures except as permitted in subdivision (a)(3)(D) of this section, performing cataract surgery, performing radial keratotomy surgery, and selling prescription drugs.

Section 2. Arkansas Code § 17-90-101(a)(3), concerning the definition of “practice of optometry”, is amended to add an additional subdivision to read as follows:

(D) The “practice of optometry” includes the following procedures:

(i) Injections, excluding intravenous or intraocular injections;

(ii) Incision and curettage of a chalazion;

(iii) Removal and biopsy of skin lesions with low risk of malignancy, excluding lesions involving the lid margin or nasal to the puncta;

(iv) Laser capsulotomy; and

(v) Laser trabeculoplasty.

Section 3. Arkansas Code § 17-90-204, concerning the powers and duties of the State Board of Optometry, is amended to add an additional subdivision to read as follows:

(9) To establish credentialing requirements for a licensee to administer or perform procedures as listed in § 17-90-101(a)(3)(D).

Section 4. Arkansas Code Title 17, Chapter 90, Subchapter 2, is amended to add an additional section to read as follows:

17-90-206. Reporting requirements.

(a) The State Board of Optometry shall require every optometrist who meets the requirements for certification to perform authorized laser procedures to report to the board regarding the outcome of the procedures performed in a format as required or directed by the board.

(b) Reports under subsection (a) of this section shall also be sent to the Department of Health.