



STEVE CLARK  
ATTORNEY GENERAL

STATE OF ARKANSAS  
OFFICE OF THE ATTORNEY GENERAL  
JUSTICE BUILDING, LITTLE ROCK 72201

(501) 371-2007

OPINION NO. 85-109

May 14, 1985

Ms. Sandra Peters  
Route 1, Box 516  
Austin, Arkansas 72007

Dear Ms. Peters:

I acknowledge receipt of your proposed Petition for Referendum against Act 456 of 1985.

The Popular Name and Ballot Title of the Referendum Petition submitted is believed to be insufficient and the following is hereby substituted:

POPULAR NAME

FOR REPEAL OF ACT 456 of 1985.

BALLOT TITLE

FOR REPEAL OF ACT 456 OF 1985 WHICH LEVIES AN EXCISE TAX OF .04¢ PER GALLON UPON ALL MOTOR FUEL AND LIQUIFIED PETROLEUM GAS AND .02¢ PER GALLON UPON ALL DISTILLATE SPECIAL MOTOR FUELS AUTHORIZING THE LEVYING OF ADDITIONAL FEES ON CLASSES OF VEHICLES USING LIQUIFIED GAS SPECIAL FUEL AND POSSESSING LIQUIFIED GAS SPECIAL FUEL USERS PERMITS, BOTH FOR NON-FARM VEHICLES AND FARM VEHICLES; INSTRUCTING THE COMMISSIONER OF REVENUES, RECEIVING ALL TAXES, INTEREST, PENALTIES, AND COSTS, WHICH ARE TO BE CLASSIFIED AS "SPECIAL REVENUES", TO DEPOSIT SAME IN THE STATE TREASURY AND TRANSFER ON THE LAST BUSINESS DAY OF EACH MONTH TO THE COUNTY AID FUND (15%), MUNICIPAL AID FUND (15%) AND 70% TO THE STATE HIGHWAY DEPARTMENT FUND; REQUIRING THE HIGHWAY COMMISSION TO PROVIDE TO MEMBERS OF THE GENERAL ASSEMBLY, ANNUALLY, REPORTS ON THE EXPENDITURE OF SAID MONIES AND A LIST OF THE ROADS WORKED ON; THE SAME BEING ACT 456 OF 1985.

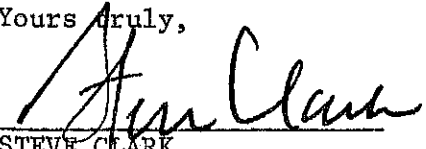
The substituted Popular Name and Ballot Title is hereby approved and certified as sufficient.

I call your attention to Ark. Stat. Ann. §2-205 which requires that to every Petition for Referendum shall be attached a full and correct copy of the measure upon which the referendum is ordered. Likewise, Ark. Stat. Ann. §2-206 requires each Referendum Petition to contain Instructions to Canvassers and Signers over the signature of the Attorney General.

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The foregoing opinion, which I hereby approve, was prepared by Chief Deputy Attorney General Rodney Parham.

Yours truly,

  
STEVE CLARK  
Attorney General

SC:RP:lm