



STATE OF ARKANSAS
ASA HUTCHINSON
GOVERNOR

April 6, 2017

Dear President Dismang and Members of the Senate:

Pursuant to Article 6, Section 15 of the Arkansas Constitution, I write to inform you that today I have vetoed Senate Bill 550. I have done so because the bill in its current form is overbroad, vague and will have the effect of restricting both free speech and the right to assemble.

On its face, SB550 attempts to ensure public safety. Public safety is, first and foremost, a priority of government. Much of my life in public service has been spent in pursuit of this goal. That being said, a balanced view is always required in approaching public policy. Benjamin Franklin's famous remark, "Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety," comes to mind with regard to this legislation.

SB550 defines mass picketing as "the assembly of persons in the use of pickets or demonstrations at or near a business, school, or private facility." Such a description is vague as it fails to sufficiently provide the public or law enforcement with the parameters under which the statute would be utilized. The bill would provide an opportunity for law enforcement to apply criminal statutes to public assembly, and in being vague in its definition, could impede the exercise of constitutional rights.

SB550 itself appears to anticipate potential constitutional issues. The bill includes the following: "This section does not apply to a person who is validly exercising his or her rights as guaranteed by the United States Constitution or the Arkansas Constitution." However, the bill fails to identify bright-line differentiation between constitutionally protected activity and activity subject to the penalties outlined in the bill. In short, it is both overly broad and vague.

Finally, the core issues SB550 attempts to address are already provided for in existing statute, specifically:

- 10-2-110. Disruptive conduct
- 5-54-102. Obstructing governmental operations
- 5-71-226. Disruption of campus activities
- 5-60-123. Obstructing emergency medical personnel

While Senator Garner's goal - public safety - is admirable, I believe this bill will have a chilling effect on free speech and the right to assemble. For these reasons, I must veto this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Asa Hutchinson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Asa Hutchinson



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ASA HUTCHINSON
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April 6, 2017

Dear President Dismang and Members of the Senate,

Pursuant to Article 6 of the Arkansas Constitution, I write to inform you that today I have vetoed Senate Bill 446. I have done so because it is now up to the local school districts to choose whether to pay for the panic button alert systems.

SB 446 is an appropriation for the panic button alert system expenses. When the panic button system was initially presented for funding in FY16, it was presented as a pilot project that the local school districts would eventually pay for. After funding for FY16 from the Department of Education and for FY17 with money from the Attorney General's office, it is now time for the local school districts to choose to fund this or not.

For these reasons, I have vetoed Senate Bill 446.

Sincerely,

A handwritten signature in black ink, appearing to read "Asa Hutchinson", written over a white background.

Asa Hutchinson