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April 18, 2018

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Casino Backers Sue Over AG Rejections Lawsuit Seeks Approval to Collect Voter Signatures

Backers of a proposed constitutional amendment to allow casino gaming in Arkansas have [sued](#) the state's Attorney General after she again [rejected](#) their proposed ballot title and amendment.

With time running out to collect voter signatures for the proposal, attorney Alex Gray filed the [lawsuit](#) Tuesday with the Arkansas Supreme Court on behalf of Driving Arkansas Forward.

[Driving Arkansas Forward](#) is petitioning the court to order Attorney General Leslie Rutledge to approve the group's casino ballot title and establish that the wording of the ballot title is "honest and impartial, free of any misleading tendency, and conveys an intelligible idea of the scope and significance of the proposed change in the law ..."

Gray has asked the Supreme Court to order Rutledge to certify the ballot proposal in three days or less.

Time is of the essence. June 6 is the deadline for ballot issue groups to publish the title of their proposed constitutional amendment in newspapers statewide. There also is the rapidly approaching July 6 deadline to submit voter signatures to the Secretary of State's Office.

Ballot groups can't collect any voter signatures until after the Attorney General approves their ballot title.

Driving Arkansas Forward has to collect 84,859 signatures from registered voters in Arkansas. Most ballot initiative groups collect thousands more signatures to make up for flawed signatures found during the Secretary of State's review process.

Rutledge has rejected Driving Arkansas Forward's proposal four times, and has rejected dozens of other proposals from groups seeking a spot on the November ballot. A recreational marijuana proposal has been rejected more than 10 times. The only group cleared to collect voter signatures is the Arkansas Term Limits Amendment and that approval happened in October 2016.

In a statement to [Talk Business and Politics](#) on Tuesday, Rutledge defended her rejections.

"In recent years, the Arkansas Supreme Court has set a very high standard for certifying a ballot proposal. As Attorney General, I have a responsibility to follow those standards to ensure that voters fully understand the issue presented on the ballot and what exactly a 'for' or 'against' vote means," she told the news outlet.

Voters in November will decide the fate of two constitutional amendments proposed by the legislature, [Issue 1 \(SJR8\)](#) and [Issue 2 \(HJR1016\)](#).

Get Engaged. Get Informed.

The [Public Policy Center](#) has published nonpartisan fact sheets on Arkansas' statewide ballot issues since 2004. We welcome your questions at publicpolicycenter@uaex.edu. Follow us on [Facebook](#) and [Twitter](#) and look for our posts with the hashtag #ARballot.

Did you know?

You can look up how much money ballot issue groups are raising and spending by going to the Arkansas Ethics Commission [website](#), and clicking on "View Local-Option/Ballot/Legislative Question Committee Filings." You can find financial filings by local and state-wide ballot issue groups.

Source: Arkansas Ethics Commission

Constitutional Amendments From the Legislature

Legislators are able to refer up to three constitutional amendments to the voters every general election. These two proposals will be on the Nov. 6, 2018 ballot:

[Issue 1 \(SJR8\)](#) - An Amendment Concerning Civil Lawsuits and the Powers of the General Assembly and Supreme Court to Adopt Court Rules.

Read [Issue 1 \(SJR8\)](#)

Sponsor: [Sen. Missy Irvin](#)

[Issue 2 \(HJR1016\)](#) - A Constitutional Amendment Adding as a Qualification to Vote that a Voter Present Certain Valid Photographic Identification When Casting a Ballot In Person or Casting an Absentee Ballot.

Read [Issue 2 \(HJR1016\)](#)

Sponsor: [Rep. Robin Lundstrum](#)

Looking Forward Potential Ballot Issues from the Public

The Attorney General is responsible for reviewing the language and titles of potential ballot issues submitted to voters by the public. Ballot issue groups can circulate petitions only after the Attorney General verifies that the ballot title and popular name honestly, intelligibly and fairly describe the purpose of a proposed constitutional amendment or act. The following are recent Attorney General opinions regarding potential ballot issues:

Rejected Ballot Proposals

April 16, 2018 - An Amendment to Authorize Four Casinos, One Each in Crittenden (to Southland Racing Corporation), Garland (to Oaklawn Jockey Club, Inc.), Pope, and Jefferson Counties - A proposal seeking to legalize casinos in specific parts of Arkansas was rejected because of ambiguities in the proposal, such as where the proposed casinos would be located and how the word "may" could be interpreted in one section regarding compensation to casinos, according to [Opinion No. 2018-035](#). Alex Gray of Little Rock submitted the measure.

This was the second time this proposal with this popular name was rejected. See [Opinion No. 2018-029](#) (March 29, 2018). Gray's had similar proposals with different popular names also rejected two times. See [Opinion No. 2018-021](#) (March 12, 2018), [Opinion No. 2018-001](#) (Jan. 25, 2018).

April 10, 2018 - An Amendment to Allow Four Casinos to Operate in Arkansas, One Each at a Specifically Designated Location Within Each of the Following Four Counties: Benton County, Boone County, Miller County, and Pulaski County - A proposal seeking to legalize casinos in specific parts of Arkansas was rejected because of "fatal deficiencies" such as the "complete lack of information regarding casino licensing under your proposal ..." and whether properties specifically mentioned in the ballot title were related to the licensing, according to [Opinion No. 2018-032](#). The title was also long at 1.036 words. Randall Bynum of Little Rock submitted the measure.

Ballot Proposals Approved for Signature Gathering

Oct. 28, 2016 - Arkansas Term Limits Amendment - A proposal to reduce the number of years a state senator or representative can serve in office was certified for signature gathering, according to [Opinion No. 2016-105](#). The proposal would institute six-year terms for representatives and eight-year terms for senators, with a maximum of 10 years total. The proposal would return Arkansas' term limits to what they were before a voter-approved change in 2014 that extended terms. Thomas Steele of Little Rock submitted the measure.

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>



#ARballot

The Public Policy Center was established in 2004 to provide Arkansans with timely, credible, unaligned and research-based information and education about public issues. Public issues are defined as pressing and emerging issues that involve multiple points of view and have widespread consequences. Our goals are to:

- 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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