

NOTICE TO THE PUBLIC is hereby given that the following popular name and ballot title for a proposed constitutional amendment has been certified by the Arkansas Attorney General. Pursuant to Arkansas Constitution, Amendment 7, any party may contest the popular name and ballot title as an original action with the Arkansas Supreme Court after the Secretary of State has verified the petition as having the sufficient number of qualified electors' signatures to have the measure placed on the ballot at the next general election.

Notice of Certification of Sufficiency

Pursuant to A.C.A. § 7-9-107

On May 15, 2007, this office received Opinion No. 2007-160 from the Attorney General for the State of Arkansas whereby he approved and certified a Popular Name and Ballot Title. Pursuant to A.C.A. § 7-9-107 the Secretary of State shall also approve and certify the proposed Popular Name and Ballot Title as certified by the Attorney General.

Therefore, I, Charlie Daniels, Secretary of State, State of Arkansas, do hereby approve and certify the sufficiency of the following:

Popular Name

THE ARKANSAS COMMISSION ON LOTTERIES AND GAMBLING
AMENDMENT

Ballot Title

AN AMENDMENT TO THE ARKANSAS CONSTITUTION
CREATING THE ARKANSAS COMMISSION ON LOTTERIES AND
GAMBLING AND INVESTING IT WITH POWER TO LICENSE AND
REGULATE CHARITABLE BINGO AND RAFFLES, CONDUCT AND
REGULATE GAMBLING GAMES AT CASINOS OWNED BY THE
COMMISSION AND OPERATED BY THE COMMISSION OR ITS
CONTRACTORS, LICENSE THOROUGHBRED AND GREYHOUND
RACING TRACKS TO CONDUCT GAMBLING GAMES, AND
REQUIRING THE COMMISSION TO OPERATE AND REGULATE

ONE OR MORE STATEWIDE LOTTERY GAMES; DEPRIVING THE GENERAL ASSEMBLY OF ANY POWER TO REGULATE OR REVIEW THE COMMISSION EXCEPT AS OTHERWISE STATED IN THE AMENDMENT; RENDERING INAPPLICABLE TO THE COMMISSION ANY STATE LAW REGULATING A STATE AGENCY; PROVIDING FOR THE APPOINTMENT BY THE GOVERNOR OF FOUR (4) INITIAL COMMISSIONERS, ONE FROM EACH CONGRESSIONAL DISTRICT, AND THE APPOINTMENT OF ONE ADDITIONAL INITIAL COMMISSIONER, WHO SHALL BE MR. CHARLES ORMOND OF MORRILTON, ARKANSAS, WHO SHALL SERVE AS DIRECTOR; AUTHORIZING THE GOVERNOR TO ARRANGE STAGGERED TERMS OF TWO (2), FOUR (4), SIX (6) AND EIGHT (8) YEARS FOR THE FOUR (4) INITIAL COMMISSIONERS AND SETTING THE TERM OF MR. CHARLES ORMOND BEGINNING JANUARY 1 OF THE YEAR FOLLOWING ADOPTION AND ENACTMENT OF THIS AMENDMENT FOR A TERM OF TEN (10) YEARS; PROVIDING, UPON THE EXPIRATION OF THE INITIAL COMMISSIONERS' TERMS, FOR THE STAGGERED POPULAR, NONPARTISAN, PLURALITY ELECTION OF FOUR FUTURE COMMISSIONERS ONE FROM EACH CONGRESSIONAL DISTRICT FOR ONE EIGHT (8) YEAR TERM EACH, AND THE APPOINTMENT, BY THE FOUR (4) ELECTED COMMISSIONERS, OF A FIFTH COMMISSIONER TO SERVE AS DIRECTOR; AUTHORIZING THE DIRECTOR TO VOTE IN CASE OF A TIE AND LIMITING HIS SERVICE TO NO MORE THAN TEN (10) YEARS; SETTING THE QUALIFICATIONS OF COMMISSIONERS AND PROVIDING FOR THE FILLING OF TEMPORARY VACANCIES BY THE REMAINING COMMISSION MEMBERS; AUTHORIZING THE COMMISSIONERS TO SET THEIR OWN REASONABLE SALARIES AND THE SALARY OF THE DIRECTOR AND OTHER EMPLOYEES; AUTHORIZING THE COMMISSION TO LICENSE AND REGULATE CHARITABLE BINGO AND RAFFLES BY CERTAIN NONPROFIT ENTITIES WITH NET RECEIPTS USED ONLY FOR CHARITABLE, RELIGIOUS AND PHILANTHROPIC PURPOSES AND REQUIRING IT TO OPERATE AND REGULATE ONE OR MORE STATEWIDE LOTTERY GAMES, AS DEFINED, THROUGH CONTRACTUALLY-AUTHORIZED LOTTERY GAME RETAILERS; AUTHORIZING THE COMMISSION TO CONDUCT AND REGULATE GAMBLING GAMES, AS DEFINED, IN

FACILITIES (CASINOS) OWNED BY THE COMMISSION AND OPERATED BY THE COMMISSION OR THROUGH CONTRACTS WITH ONE (1) OR MORE PERSONS; AUTHORIZING LODGING, RECREATIONAL AND ENTERTAINMENT FACILITIES IN CONJUNCTION WITH GAMBLING FACILITIES AND AUTHORIZING THE SERVING OF ALCOHOLIC BEVERAGES AT ANY TIME IN GAMBLING FACILITIES; REQUIRING THE COMMISSION TO COMPLY WITH ALCOHOLIC BEVERAGE LAWS NOT IN CONFLICT WITH THE AMENDMENT; RESTRICTING THE CONDUCTING OF GAMBLING GAMES TO COUNTIES WHERE THE VOTERS HAVE APPROVED SUCH GAMES, EXCEPT THAT THE COMMISSION MAY AGREE TO LICENSE ANY EXISTING THOROUGHBRED OR GREYHOUND RACING TRACK OWNER TO CONDUCT GAMBLING GAMES WITHOUT LOCAL VOTER APPROVAL; AUTHORIZING SIMULCASTING OF RACES HELD AT THE TRACKS AT GAMBLING FACILITIES OF THE COMMISSION OR ITS CONTRACTORS; DENYING THE COMMISSION THE AUTHORITY TO REGULATE PARI-MUTUEL WAGERING AT THE TRACKS BUT INCLUDING "ELECTRONIC GAMES OF SKILL" CONDUCTED BY THE TRACKS IN THE DEFINITION OF "GAMBLING GAMES" SUBJECT TO EXCLUSIVE REGULATION BY THE COMMISSION INSTEAD OF THE ARKANSAS RACING COMMISSION AS UNDER CURRENT LAW; PROVIDING THAT DISAPPROVAL OF GAMBLING GAMES BY COUNTY VOTERS WILL NOT AFFECT PARI-MUTUEL WAGERING BY HORSE RACING OR GREYHOUND TRACKS OR WAGERING AUTHORIZED BY OTHER LAW; REQUIRING THE COMMISSION TO ESTABLISH ONE OR MORE "GAMBLING DISTRICTS" COMPRISED OF APPROVING COUNTIES WHEN ONE (1) OR MORE COUNTIES APPROVE GAMBLING GAMES; REQUIRING A FACILITY FOR GAMBLING GAMES TO BE LOCATED IN AT LEAST ONE COUNTY IN EACH GAMBLING DISTRICT; PROVIDING FOR THE APPOINTMENT, BY THE COMMISSION, OF "GAMBLING DISTRICT ADVISORY COMMITTEES" FOR EACH GAMBLING DISTRICT; AUTHORIZING THE COMMISSION TO: (1) BORROW MONEY AND ISSUE NEGOTIABLE EVIDENCES OF DEBT, BUT PROVIDING THAT THE STATE, COMMISSIONERS AND ITS EMPLOYEES SHALL NOT BE LIABLE FOR SUCH DEBTS; (2) PLEDGE ITS REVENUES AND MORTGAGE ITS PROPERTY; (3)

ACQUIRE PROPERTY BY EMINENT DOMAIN IN THE SAME MANNER AS EXERCISED BY THE GAME AND FISH COMMISSION; AND (4) RECEIVE FUNDS APPROPRIATED BY LAW; REQUIRING INCOME RECEIVED FROM LICENSURE OF CHARITABLE BINGO AND RAFFLES TO BE USED SOLELY FOR ADMINISTRATION OF THAT PROGRAM; REQUIRING RETENTION OF NET LOTTERY PROCEEDS BY THE COMMISSION TO SUPPORT ITS FUNCTIONS; REQUIRING THE DISTRIBUTION OF NET GAMBLING PROCEEDS IN A GAMBLING DISTRICT AS FOLLOWS: (1) FOURTEEN PERCENT (14%) TO THE COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS IN THE GAMBLING DISTRICT AS DETERMINED BY THE COMMISSION AFTER CONSIDERING THE PROPORTION OF REAL PROPERTY TAXES DISTRIBUTED BY EACH COUNTY TO THE TAXING ENTITIES DURING THE PREVIOUS CALENDAR YEAR; (2) SIX PERCENT (6%) FOR REBATES TO REAL PROPERTY OWNERS OF REAL PROPERTY TAXES PAID IN THE DISTRICT AS DETERMINED BY THE COMMISSION; (3) TEN PERCENT (10%) TO A TRUST FUND TO REIMBURSE RESIDENTS OF THE DISTRICT FOR A PORTION OF THEIR HEALTH INSURANCE PREMIUMS AS DETERMINED BY THE COMMISSION; AND (4) SEVENTY PERCENT (70%) RETAINED BY THE COMMISSION FOR OPERATIONS; AUTHORIZING THE GENERAL ASSEMBLY TO INCREASE THE PERCENTAGES DISTRIBUTED TO TAXING UNITS AND FOR TAX REBATES AND TO THEREBY REDUCE THE AMOUNT RETAINED BY THE COMMISSION; AUTHORIZING THE COMMISSION TO REMIT SURPLUS FUNDS TO THE STATE APPORTIONMENT FUND IN THE STATE TREASURY; PROVIDING THAT COMMISSION EXPENDITURES SHALL NOT BE SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY; LEGALIZING SHIPMENTS OF GAMBLING DEVICES INTO ARKANSAS FOR PURPOSES OF FEDERAL LAW; DENYING THE GENERAL ASSEMBLY AND POLITICAL SUBDIVISIONS REGULATORY AUTHORITY OVER THE COMMISSION OR ITS ACTIVITIES EXCEPT AS OTHERWISE STATED; AMENDING THE ARKANSAS CONSTITUTION'S ART. 19, SECTION 14 LOTTERY PROHIBITION TO EXCEPT LOTTERIES AUTHORIZED BY THE CONSTITUTION; AMENDING ARKANSAS CONSTITUTION AMENDMENT 84 TO SUBSTITUTE THE COMMISSION FOR THE GENERAL ASSEMBLY

AS THE ENTITY WITH THE DUTY TO PROVIDE FOR LICENSURE
AND REGULATION OF CHARITABLE BINGO AND RAFFLES AND
REPEALING THE REFERENCE TO THE GENERAL ASSEMBLY'S
AUTHORITY TO TAX SUCH ACTIVITIES; AND MAKING THE
AMENDMENT SEVERABLE AND EFFECTIVE JANUARY 1 OF THE
YEAR FOLLOWING ADOPTION AND ENACTMENT

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of
the Office of Secretary of State on this the 16th day of May, 2007.

Charlie Daniels
SECRETARY OF STATE
STATE OF ARKANSAS

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