

Proposed change to Ark. draft casino regulations could render support letters invalid

Written by Administrator
Friday, 04 January 2019 19:41 -

Highlighted, a change in Arkansas's draft rules for regulating casino expansion, would require a letter of support from city and/or county officials accompanying a casino operator's application would have to be dated at the time of when the application is submitted. (Photo: KATV)

LITTLE ROCK (KATV) —

A minor tweak to draft rules regulating casino expansion in Arkansas could have major implications for two out-of-state resort casino developers.

Legal counsel for the Arkansas Racing Commission reviewed and then changed the wording surrounding required letters of support from county and/or city officials for casino operator applicants on Thursday.

Prior to the change, the Racing Commission's draft rules said, "letters of support and resolutions by the Quorum Court, required by these Rules and the Amendment, shall be dated after the effective date of the Amendment." The line changed in the Minimum Qualifications for a Non-Franchiser Applicant now reads, "all letters of support or resolutions by the Quorum Court, required by these Rules and the Amendment, shall be dated and signed by the County Judge, Quorum Court members, or Mayor holding office at the time of the submission of an application for a casino gaming license."

Mississippi-based Gulfside Casino Partnership had already received letters of support from now former Pope County Judge Jim Ed Gibson and former Russellville Mayor Randy Horton, in turn announcing their plans to build a casino in Pope County by 2020.

But Scott Hardin, spokesperson for the Department of Finance & Administration, said if the draft rules as currently written are approved back the Racing Commission, the letters from Gibson and Horton wouldn't count.

"Which letter of support are we looking for here? Are we looking for the former leadership of the county and the city - is that enough to satisfy? Or as this rule change indicates, do we want the current leadership to provide that letter of support accompanying the application at the time of the application," said Hardin, explaining the position of the commission.

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Anna Stiritz, the Russellville attorney representing client James Knight in his lawsuit against the Racing Commission, current and former county judge, said the proposed rule change is the clarification and frankly the outcome Knight's case seeks.

"Those are policy questions and they should be handled on a legislative basis, which is encouraging to see that happening now," said Stiritz. "The only reason we went the route of a lawsuit at this point was because there was no other mechanism available to us."

While Stiritz says her client would likely drop the case if the rule change is approved, in the meantime her client's case trudges on.

The proposed rule change would also impact the Quapaw Nation's plans to build a casino in Jefferson County. Right now the Quapaw have a letter of support from now former Jefferson County Judge Booker Clemons. If the rule is approved, the Quapaw would need a letter of support from current Jefferson County Judge, former Jefferson County Sheriff Gerald Robinson.

Hardin said the rule change, along with the other draft rules for casino regulation, will be considered at next week's Racing Commission meeting. If approved at that meeting, the rules will still have to endure a 30-day public comment period and subsequent vote by the Racing Commission before the rules will go into effect.

Casey Castleberry, attorney for Gulfside Casino Partnership released a statement to KATV that reads, "while we are disappointed with this proposed rule change, we have worked tirelessly to comply with the requirements of Amendment 100 and will continue to do so moving forward."

Read more <http://katv.com/news/local/proposed-change-to-ark-draft-casino-regulations-could-render-support-letters-invalid>