

**JOURNAL OF THE
ARKANSAS STATE SENATE**



**83rd GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION**

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**FIRST DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION**

Little Rock, Arkansas

June 10, 2002

The Senate was called to order at 12:00 Noon o'clock p.m. by the President.

The Secretary called the roll, and the following members answered to roll call:

ARGUE, BAKER, BEEBE, BISBEE, BROWN,
BRYLES, CASH, CRITCHER, DELAY, EVERETT,
FARIS, FITCH, GULLETT, GWATNEY, HILL,
HOOFMAN, HORN, HUNTER, JEFFRESS,
JOHNSON, MAHONY, D. MALONE, P. MALONE,
MILLER, K. SMITH, T. SMITH, WALKER, WHITAKER,
WILKINS, WILKINSON, WOOLDRIDGE.

Absent: 1

Simes

Excused: 2

Riggs Trusty

Leave requested for Senators Riggs and Trusty.

The Senate was led in prayer by Senator Hank Wilkins.

The President of the Senate, the Honorable Winthrop P. Rockefeller, led the Senate in the Pledge of Allegiance.

STATE OF ARKANSAS
EXECUTIVE DEPARTMENT

—————
PROCLAMATION

AMENDED

TO ALL TO WHOM THESE PRESENTS SHALL COME – GREETINGS:

WHEREAS, an extraordinary occasion has arisen making it necessary to convene the 83rd General Assembly into extraordinary session; and

WHEREAS, there is an immediate and pressing need to respond to devastating economic conditions that have significantly reduced the available general revenues of the state by approximately 56 million dollars; and

WHEREAS, the various programs and services provided by state agencies funded from the general revenues of the state are in distress and immediate action is required by the Governor and General Assembly to ameliorate these conditions; and

WHEREAS, specific legislation is necessary to transfer various un-obligated funds of the state to the net available general revenues to be distributed under the Revenue Stabilization Law for the fiscal period ending June 30, 2002; and

WHEREAS, specific legislation is necessary to provide for additional funds to be made available to the net available general revenues to be distributed under the Revenue Stabilization Law for the fiscal period ending June 30, 2003;

NOW THEREFORE, I, Mike Huckabee, Governor of the State of Arkansas, by virtue of the power and authority vested in me by the Constitution of this State, Article VI, Section 19, do hereby call an Extraordinary Session of the General Assembly to convene at the seat of government in the State Capitol on June 10, 2002, at 12 noon, and I do hereby specify that the General Assembly is convened to consider, and,

1. To appropriate funds to pay the expenses and per diem of this Extraordinary Session of the General Assembly for the Senate, the House of Representatives, and the Office of the Governor.
2. To consider a resolution for the purpose of calling a joint session of the House and Senate on the opening day of the extraordinary session and for the purpose of hearing an address by the Honorable Mike Huckabee, Governor of the State of Arkansas, at that time.

3. To consider a bill to transfer various funds of the state for the fiscal year ending June 30, 2002.
4. To consider a bill for the establishment of a Rainy Day Fund to be used in the event of continued economic distress during the fiscal year ending June 30, 2003.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed at the State Capitol in Little Rock on this 10th day of June in the year of our Lord 2002.

(Signed) Mike Huckabee_____

Mike Huckabee, Governor

(Signed) Sharon Priest_____

Sharon Priest, Secretary of State

The President Pro Tempore of the Senate, Senator Mike Beebe, named the following members of the Senate as a committee to notify the House of Representatives that the Senate is organized and ready for business:

Senator Barbara Horn
 Senator Jack Critcher
 Senator Gilbert Baker
 Senator Jimmy Jeffress

The President Pro Tempore of the Senate, Senator Mike Beebe, named the following members of the Senate as a committee to notify the Governor that the Senate is organized and ready for business:

Senator Ruth Whitaker
 Senator Tim Wooldridge
 Senator Paul Miller
 Senator Ed Wilkinson

On motion of Senator Beebe, the Senate recessed until 12:25 p.m. The Senate reconvened after recess. The Secretary called the roll and a quorum was present.

HOUSE CONCURRENT RESOLUTION NO. 1001
CALL ITEM NO. 2
EIGHTY THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
BY: REPRESENTATIVE BEVIS AND SENATOR BEEBE

HOUSE CONCURRENT RESOLUTION FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AT 12:30 P.M., MONDAY, JUNE 10, 2002, TO HEAR AN ADDRESS BY GOVERNOR MIKE HUCKABEE.

House Concurrent Resolution No. 1001 read 1st time, rules suspended, read 2nd time and placed on the calendar.

On motion of Senator D. Malone, rules were suspended to consider **House Concurrent Resolution No. 1001**.

HOUSE CONCURRENT RESOLUTION NO. 1001
CALL ITEM NO. 2
EIGHTY THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
BY: REPRESENTATIVE BEVIS AND SENATOR BEEBE

HOUSE CONCURRENT RESOLUTION FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AT 12:30 P.M., MONDAY, JUNE 10, 2002, TO HEAR AN ADDRESS BY GOVERNOR MIKE HUCKABEE.

House Concurrent Resolution No. 1001 read 3rd time and concurred in.

House Concurrent Resolution No. 1001 returned to the House as concurred in.

On motion of Senator Mahony, the Senate recessed for Joint Session.

Call to order by Speaker of the House, Shane Broadway, and President of the Senate, Winthrop Paul Rockefeller.

Roll Call of the Senate by Secretary of the Senate.

Argue	Critcher	Hill	Malone, D.	Wilkins
Baker	DeLay	Hoffman	Malone, P.	Wilkinson
Beebe	Everett	Horn	Miller	Wooldridge
Bisbee	Faris	Hunter	Smith, K.	
Brown	Fitch	Jeffress, J.	Smith, T.	
Bryles	Gullett	Johnson, B.	Walker, B.	
Cash	Gwatney	Mahony	Whitaker	

Absent: Simes

Leave: Riggs Trusty

Total Present: 31

Electronic Roll Call of the House by Clerk:

Adams	Duggar	Judy	Roebuck
Agee	Eason	King	Salmon
Allison	Elliott, D.	Ledbetter	Schall
Altes	Ferguson	Lendall	Scrimshire
Bennett	Fite	Lewellen	Scroggin
Bevis	French	Lowery	Seawel
Biggs	Gillespie	Mack	Shoffner
Bledsoe	Gipson	Magnus	Smith, M.
Bolin	Glover	Mathis	Smith, R.
Bond	Goss	McMellon	Steele, M.
Bookout	Green	Milligan	Steele, T.
Borhauer	Haak	Milum	Stovall
Boyd	Hathorn	Minton	Taylor C.
Bradford	Hausam	Moore	Taylor, J.
Bright	Hendren	Napper	Teague
Carson	Hickinbotham	Nichols	Thomas
Childers	Holt	Oglesby	Trammell
Clemons	House	Ormond	Verkamp
Cleveland	Hutchinson	Parks	Walker, W.
Cook	Jackson	Prater	Weaver
Cowling	Jacobs	Pritchard	White
Creekmore	Jeffress, G.	Rackley	Womack
Dangeau	Johnson, C.	Rankin	SPEAKER
Dees	Jones	Rodgers	

Absent: Elliott, J Files Willis Wood

TOTAL PRESENT: 95

Invocation by House Chaplain, Dr. John E. Owen, Bryant, Arkansas.

President of the Senate, Winthrop Paul Rockefeller, appoints the following named Senators as the Committee to escort the Governor to the House Chamber.

Senator David Malone, Chairman	Senator Cliff Hoofman
Senator Claud Cash	Senator Gary Hunter
Senator Gunner DeLay	Senator John Brown
Senator Jon Fitch	Senator Kevin Smith
Senator Bill Gwatney	Senator Bill Walker

Speaker Shane Broadway appoints the following named Representatives as the Committee to escort Governor Huckabee to the House Chamber:

Rep. M. Olin Cook, Chairman	Rep. George R. French
Rep. David C. Hausam	Rep. Jim Magnus
Rep. Jim Wood	Rep. Jerry Allison
Rep. Wilma Walker	Rep. Larry R. Teague
Rep. Bobby Lee Trammell	Rep. Pat Bond

Governor Mike Huckabee presented to the General Assembly by Speaker Shane Broadway.

Address by Governor Huckabee.

Joint Session adjourns.

House reconvenes in five (5) minutes.

Senate reconvenes in ten (10) minutes.

Senator Simes arrived at the Senate after the Joint Session.

The Senate reconvened after recess. The Secretary called the roll and a quorum was present.

SENATE BILL NO. 1
CALL ITEM NO. 3
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
BY: SENATORS B. JOHNSON, FARIS, J. JEFFRESS, MAHONY

A Bill for an Act to be Entitled: AN ACT TO TRANSFER CERTAIN FUNDS TO THE GENERAL REVENUES OF THE STATE TO BE DISTRIBUTED FOR THE FISCAL PERIOD ENDING JUNE 30, 2002; AND FOR OTHER PURPOSES.

Senate Bill No. 1 read the 1st time, rules suspended, read 2nd time and referred to Committee on JOINT BUDGET.

On motion of Senator Beebe, the Senate recessed until 2:00 p.m. The Senate reconvened after recess. The Secretary called the roll and a quorum was present.

SENATE BILL NO. 2
CALL ITEM NO. 4
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION

BY: SENATORS BEEBE, P. MALONE, HOOFFMAN, HILL, GWATNEY, MILLER, D. MALONE, BRYLES, WILKINSON, EVERETT, ARGUE, GULLETT, K. SMITH, WOOLDRIDGE, CRITCHER, B. WALKER, FARIS, WILKINS, J. JEFFRESS, CASH, BROWN, HORN, FITCH
BY: REPRESENTATIVES BROADWAY, FRENCH, CLEVELAND, BEVIS, SALMON, TEAGUE, JACOBS

A Bill for an Act to be Entitled: AN ACT TO CREATE AN ARKANSAS RAINY DAY FUND; TO MAKE MONEYS IMMEDIATELY AVAILABLE TO SUSTAIN THE STATE MEDICAID PROGRAM AT ITS PRESENT LEVEL OF SERVICE; AND FOR OTHER PURPOSES.

Senate Bill No. 2 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

**SENATE RESOLUTION NO. 1
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
BY: SENATORS BEEBE, HILL**

SENATE RESOLUTION COMMENDING GOVERNOR SIDNEY S. McMATH FOR HIS SERVICE TO HIS STATE AND NATION, AND CONGRATULATING HIM UPON THE CELEBRATION OF HIS NINETIETH BIRTHDAY.

Senate Resolution No. 1 was read the first time, rules suspended, read the second time and placed on the Calendar.

**SENATE RESOLUTION NO. 2
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
BY: SENATOR K. SMITH**

SENATE RESOLUTION REQUESTING THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO EMPLOY A DATA MINING FIRM TO AUDIT AND COLLECT STATE TAX REVENUES FOR THE YEARS 2001 THROUGH 2003, AND SUBSEQUENT YEARS.

Senate Resolution 2 was read the first time, rules suspended, read the second time and placed on the Calendar.

**ARKANSAS SENATE
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION**

June 10, 2002

Mr. President:

We, your Committee on JOINT BUDGET, to whom was referred:

SENATE BILL NO. 1, BY SENATOR JOHNSON, ET AL,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that do pass as amended #1.

Respectfully submitted,

(SIGNED) SENATOR CLIFF HOOFMAN

**ARKANSAS SENATE
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION**

June 10, 2002

Mr. President:

We, your Committee on JOINT BUDGET, to whom was referred:

SENATE BILL NO. 2, BY SENATOR BEEBE, ET AL

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that do pass as amended #1 and #2.

Respectfully submitted,

(SIGNED) SENATOR CLIFF HOOFMAN

On motion of Senator D. Malone, the rules were suspended in considering **Senate Bill No. 1** at this time.

On motion of Senator D. Malone, **Senate Bill No. 1** was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
Amendment No. 1 to SENATE BILL NO. 1

JBC 06/10/2002 (1)

Subtitle of Senate Bill No. 1

"AN ACT TO TRANSFER FUNDS TO GENERAL REVENUES."

Amend Senate Bill No. 1 as originally introduced:

delete on page one the sponsor(s) and substituting therefor "Joint Budget Committee";
and by
deleting on page 2 line 10 the words "during the 2001 fiscal year".

(SIGNED) SENATOR CLIFF HOOFMAN

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1 was ordered engrossed.

On motion of Senator D. Malone, the rules were suspended in considering Senate Bill No. 2 at this time.

On motion of Senator D. Malone Senate Bill No. 2 was placed back on second reading for purpose of amendments.

**ARKANSAS SENATE
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
AMENDMENT NO. 1 TO SENATE BILL NO. 2**

Subtitle of Senate Bill No. 2

"CREATE ARKANSAS RAINY DAY FUND AND MAINTAIN
MEDICAID SERVICES."

Amend Senate Bill No. 2 as originally introduced:

Add Senators Simes, Mahony, B. Johnson and T. Smith as cosponsors of the bill.

(SIGNED) SENATOR JIM HILL

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

AMENDMENT NO. 2 TO SENATE BILL NO. 2

JBC 06/10/2002

Amend Senate Bill No. 2 as originally introduced:

Add Representatives McMellon, M. Steele, Creekmore, Lendall, Adams, Cowling, Clemons, Rankin, Boyd, House, Hathorn, Napper, Borhauer, Ledbetter, Jones, R. Smith, Biggs, Prater, Thomas, Walker, Lewellen, White, Fite, Roebuck, Dees, Bookout, T. Steele, Carson, Judy, Shoffner, Oglesby, Sewell, Mack, Mathis, Bolin, Hausam, Dangeau, Pritchard, Ormond as co-sponsors.

(SIGNED) SENATOR DAVID MALONE

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 2 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION

June 10, 2002

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

SENATE BILL NO. 1, BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 2, BY SENATOR BEEBE, ET AL

beg leave to report that we have carefully compared the engrossed copies with the originals and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) KEVIN SMITH, CHAIRMAN

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HOUSE CONCURRENT RESOLUTION TRANSMITTED TO THE SENATE

AS ADOPTED

HCR 1001

HOUSE CONCURRENT RESOLUTION RETURNED TO THE HOUSE

AS CONCURRED IN

HCR 1001

On motion of Senator D. Malone, the Senate adjourned until 10:00 a.m.
Tuesday, June 11, 2002.

PRESIDENT

SECRETARY

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**SECOND DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION**

Little Rock, Arkansas

June 11, 2002

The Senate was called to order at 10:00 a.m. o'clock a.m. by the President.

The Secretary called the roll, and the following members answered to roll call:

ARGUE, BAKER, BEEBE, BISBEE, BROWN,
BRYLES, CASH, CRITCHER, DELAY, FARIS, FITCH,
GULLETT, GWATNEY, HILL, HOOFFMAN, HORN,
HUNTER, JOHNSON, MAHONY, D. MALONE, P.
MALONE, MILLER, SIMES, K. SMITH, T. SMITH,
WALKER, WHITAKER, WILKINS, WILKINSON,
WOOLDRIDGE.

Leave was requested for Senators Everett, Jeffress, Riggs and Trusty.

The Senate was led in prayer by Senator Gilbert Baker.

The Senate was led in the Pledge of Allegiance by the President.

On motion of Senator Hill, the reading of the Journal was dispensed with.

On motion of Senator Beebe, **Senate Resolution No. 1** was called up for third reading and final disposition.

**SENATE RESOLUTION NO. 1
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
BY: SENATORS BEEBE, HILL**

SENATE RESOLUTION COMMENDING GOVERNOR SIDNEY S. McMATH FOR HIS SERVICE TO HIS STATE AND NATION, AND CONGRATULATING HIM UPON THE CELEBRATION OF HIS NINETIETH BIRTHDAY.

Senate Resolution No. 1 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator K. Smith, **Senate Resolution No. 2** was called up for third reading and final disposition.

**SENATE RESOLUTION NO. 2
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
BY: SENATOR K. SMITH**

SENATE RESOLUTION REQUESTING THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO EMPLOY A DATA MINING FIRM TO AUDIT AND COLLECT STATE TAX REVENUES FOR THE YEARS 2001 THROUGH 2003, AND SUBSEQUENT YEARS.

Senate Resolution No. 2 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

The President declared the morning hour to have expired.

Senate Bill No. 1 was ordered re-referred to the Committee on Joint Budget.

Senate Bill No. 2 was ordered re-referred to the Committee on Joint Budget.

On motion of Senator Beebe the Senate recessed until the conclusion of Joint Budget Committee Meeting.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

**ARKANSAS SENATE
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION**

June 11, 2002

Mr. President:

We, your Committee on JOINT BUDGET, to whom was referred:

SB1, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that do pass as amended #2.

Respectfully submitted,

(SIGNED) SENATOR CLIFF HOOFMAN

On motion of Senator Beebe, the rules were suspended in considering **Senate Bill No. 1** at this time.

On motion of Senator Beebe, **Senate Bill No. 1** was placed back on second reading for purpose of amendment.

**ARKANSAS SENATE
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
Amendment No. 2 to SENATE BILL NO. 1**

JBC 06/11/2002 (1)

Subtitle of Senate Bill No. 1

"AN ACT TO TRANSFER FUNDS TO GENERAL REVENUES."

Amend Senate Bill No. 1 as engrossed, 6/10/02:

By deleting on page 1 line 34 the words and number "thirteen million dollars (\$13,000,000)" and substituting therefor "eleven million nine hundred thousand dollars (\$11,900,000)";

And

By deleting on page 2 line 4 the words and number "seven million dollars (\$7,000,000)" and substituting therefor "eight million one hundred thousand dollars (\$8,100,000)".

(SIGNED) SENATOR MIKE BEEBE

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION

June 11, 2002

Mr. President:

We, your Committee on JOINT BUDGET, to whom was referred:

SB2, BY SENATOR BEEBE, ET AL,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that do pass as amended #3.

Respectfully submitted,

(SIGNED) SENATOR CLIFF HOOFMAN

On motion of Senator Beebe, the rules were suspended in considering **Senate Bill No. 2** at this time.

On motion of Senator Beebe, **Senate Bill No. 2** was placed back on second reading for purpose of amendment.

ARKANSAS SENATE
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
Amendment No. 3 to SENATE BILL NO. 2

JBC 06/11/2002 (3)

Subtitle of Senate Bill No. 2

"CREATE ARKANSAS RAINY DAY FUND AND MAINTAIN
MEDICAID SERVICES."

Amend Senate Bill No. 2 as engrossed, 06/10/2002:

Adding the following co-sponsors:

Senators Hunter, Bisbee, Baker

Representatives Magnus, King, Scrimshire, C. Johnson, Holt, Duggar, Ferguson, Childers, Goss

Page 4, line 30 immediately following "2002" insert "or upon certification from the Director of the Department of Human Services and in such detail as required by the Chief Fiscal Officer of the State that sufficient funds will not become available to meet the needs and requirements of the Arkansas Medicaid program";

Page 4, line 31 delete "lost";

Insert a new Section immediately following Section 10 to read as follows:

" SECTION 11. In addition to the purposes enumerated in Arkansas Code 19-12-116 for the Medicaid Expansion Program, the funds made available to the Medicaid Expansion Program Account may also be used to supplement current general revenues as approved by the Governor and the Chief Fiscal Officer of the State for the Arkansas Medicaid Program. None of the funds shall be used for this additional purpose if the usage will reduce the funds made available by the General Assembly for the Meals on Wheels and the Senior Prescription Drug Program."

And

By renumbering subsequent sections accordingly.

(SIGNED) SENATOR MIKE BEEBE

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 2 was ordered engrossed.

On motion of Senator Beebe the Senate recessed until 1:30 p.m..

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

ARKANSAS SENATE
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION

June 11, 2002

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

SENATE BILL NO. 1, BY JOINT BUDGET,
SENATE BILL NO. 2, BY SENATOR BEEBE, ET AL

beg leave to report that we have carefully compared the engrossed copies with the originals and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) KEVIN SMITH, CHAIRMAN

On motion of Senator Hoofman, the Senate resolved itself into the Committee of the Whole for the purpose of Joint Budget Bill.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Hoofman, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Hoofman, **Senate Bill No. 1** was called up for third reading and final disposition.

SENATE BILL NO. 1
CALL ITEM NO. 3
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
BY: JOINT BUDGET COMMITTEE

As Engrossed: S6/10/02 S6/11/02

A Bill for an Act to be Entitled: AN ACT TO TRANSFER CERTAIN FUNDS TO THE GENERAL REVENUES OF THE STATE TO BE DISTRIBUTED FOR THE FISCAL PERIOD ENDING JUNE 30, 2002; AND FOR OTHER PURPOSES.

Senate Bill No. 1 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted in the affirmative:

ARGUE, BAKER, BEEBE, BISBEE, BROWN, BRYLES, CASH, CRITCHER, DELAY, FARIS, FITCH, GULLETT, GWATNEY, HILL, HOOFFMAN, HORN, HUNTER, B. JOHNSON, MAHONY, D. MALONE, P. MALONE, MILLER, SIMES, K. SMITH, T. SMITH, B. WALKER, WHITAKER, WILKINS, WILKINSON, WOOLDRIDGE.

Voting in the negative:

NONE

Absent or not voting:

0

On Leave:

EVERETT, JEFFRESS, RIGGS, TRUSTY

Total number of votes cast	30
Necessary to the passage of the Bill	18
Total number voting in the affirmative	30
Total number voting in the negative	0
Total number absent or not voting	0
Total number on leave	4

So the bill passed and the title as read was agreed to.

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 1**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

The Secretary called the roll, and the following members voted in the affirmative:

ARGUE, BAKER, BEEBE, BISBEE, BROWN, BRYLES, CASH, CRITCHER, DELAY, FARIS, FITCH, GULLETT, GWATNEY, HILL, HOOFFMAN, HORN, HUNTER, B. JOHNSON, MAHONY, D. MALONE, P. MALONE, MILLER, SIMES, K. SMITH, T. SMITH, B. WALKER, WHITAKER, WILKINS, WILKINSON, WOOLDRIDGE.

Voting in the negative:

NONE

Absent or not voting:

0

On leave

EVERETT, JEFFRESS, RIGGS, TRUSTY

Total number of votes cast	30
Necessary to the adoption of the Emergency Clause	24
Total number voting in the affirmative	30
Total number voting in the negative	0
Total number absent or not voting	0
Total number on leave	4

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1 was ordered immediately transmitted to the House.

On motion of Senator Beebe, the Senate resolved itself into the Committee of the Whole for the purpose of Consideration of **Senate Bill No. 2**.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Beebe, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Beebe, **Senate Bill No. 2** was called up for third reading and final disposition.

SENATE BILL NO. 2

CALL ITEM NO. 4

EIGHTY-THIRD GENERAL ASSEMBLY

FIRST EXTRAORDINARY SESSION

BY: SENATORS BEEBE, P. MALONE, HOOFFMAN, HILL, GWATNEY, ET AL

As Engrossed: S6/10/02 S6/11/02

A Bill for an Act to be Entitled: AN ACT TO CREATE AN ARKANSAS RAINY DAY FUND; TO MAKE MONEYS IMMEDIATELY AVAILABLE TO SUSTAIN THE STATE MEDICAID PROGRAM AT ITS PRESENT LEVEL OF SERVICE; AND FOR OTHER PURPOSES.

Senate Bill No. 2 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted in the affirmative:

ARGUE, BAKER, BEEBE, BISBEE, BROWN, BRYLES, CASH, CRITCHER, DELAY, FARIS, FITCH, GULLETT, GWATNEY, HILL, HOOFFMAN, HORN, HUNTER, B. JOHNSON, MAHONY, D. MALONE, P. MALONE, MILLER, SIMES, K. SMITH, T. SMITH, B. WALKER, WHITAKER, WILKINS, WILKINSON, WOOLDRIDGE.

Voting in the negative:
NONE

Absent or not voting:
0

On leave:
EVERETT, JEFFRESS, RIGGS, TRUSTY

Total number of votes cast	30
Necessary to the passage of the bill	24
Total number voting in the affirmative	30
Total number voting in the negative	0
Total number absent or not voting	0
Total number on leave	4

So the bill passed and the title as read was agreed to.

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 2**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

The Secretary called the roll, and the following members voted in the affirmative:

ARGUE, BAKER, BEEBE, BISBEE, BROWN, BRYLES, CASH, CRITCHER, DELAY, FARIS, FITCH, GULLETT, GWATNEY, HILL, HOOFFMAN, HORN, HUNTER, B. JOHNSON, MAHONY, D. MALONE, P. MALONE, MILLER, SIMES, K. SMITH, T. SMITH, B. WALKER, WHITAKER, WILKINS, WILKINSON, WOOLDRIDGE.

Voting in the negative:
NONE

Absent or not voting:
0

On leave:

EVERETT, JEFFRESS, RIGGS, TRUSTY

Total number of votes cast	30
Necessary to the adoption of the Emergency Clause	24
Total number voting in the affirmative	30
Total number voting in the negative	0
Total number absent or not voting	0
Total number on leave	4

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 2 was ordered immediately transmitted to the House.

**SENATE RESOLUTION NO. 3
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
BY: SENATOR GWATNEY**

SENATE RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR AND THE CHIEF FISCAL OFFICER TO ALTER THE GENERAL REVENUE FORECAST FOR THE 2003 FISCAL YEAR TO REFLECT A 2.5% GROWTH IN "NET AVAILABLE REVENUES FOR DISTRIBUTION".

Senate Resolution No. 3 was read the first time, rules suspended, read the second time and placed on the Calendar.

On motion of Senator Beebe the Senate recessed until the House completes their business for the day.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

* * * * *

SENATE BILLS TRANSMITTED TO THE HOUSE AS PASSED.

SENATE BILL NO. 1

SENATE BILL NO. 2

On motion of Senator Beebe, the Senate adjourned until 9:00 a.m. Wednesday, June 12, 2002.

PRESIDENT

SECRETARY

--ooOoo--

**THIRD DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION**

Little Rock, Arkansas

June 12, 2002

The Senate was called to order at 9:00 o'clock a.m. by the President.

The Secretary called the roll, and the following members answered to roll call:

ARGUE, BAKER, BEEBE, BISBEE, BROWN,
BRYLES, CRITCHER, DELAY, EVERETT, FARIS,
FITCH, GULLETT, GWATNEY, HILL, HOOFMAN,
HORN, HUNTER, JOHNSON, MAHONY, D.
MALONE, P. MALONE, MILLER, SIMES, K. SMITH, T.
SMITH, WALKER, WHITAKER, WILKINS,
WILKINSON, WOOLDRIDGE.

Leave was granted Senators CASH, EVERETT, JEFFRESS, RIGGS and TRUSTY.

The Senate was led in prayer by Senator Gullett.

The Senate was led in the Pledge of Allegiance by the President.

On motion of Senator D. Malone, the reading of the Journal was dispensed with.

On motion of Senator Gwatney, **Senate Resolution No. 3** was called up for third reading and final disposition.

SENATE RESOLUTION NO. 3
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION
BY: SENATOR GWATNEY

SENATE RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR AND THE CHIEF FISCAL OFFICER TO ALTER THE GENERAL REVENUE FORECAST FOR THE 2003 FISCAL YEAR TO REFLECT A 2.5% GROWTH IN "NET AVAILABLE REVENUES FOR DISTRIBUTION".

On motion of Senator Gwatney, the Senate resolved itself into the Committee of the Whole for the purpose of explanation by Richard Wilson of budget projections..

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

Senate Resolution No. 3 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Beebe, the Senate resolved itself into the Committee of the Whole for the purpose of presenting former Governor Sid McMath with a Resolution and Citation.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Walker, the Senate resolved itself into the Committee of the Whole for the purpose of presenting former Senator Jerry Jewell with a Citation.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Beebe the Senate recessed until 11:00 a.m.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

On motion of Senator Beebe the Senate recessed until 1:15 p.m.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

**HOUSE BILL 1010
CALL ITEM NO. 3
As Engrossed: H/6/11/02**

**EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION**

**BY: REPRESENTATIVES HATHORN, CREEKMORE, *STOVALL, GILLESPIE, BOLIN,*
*MCMELLON, SEAWEL, FITE***

A Bill for an Act to be Entitled: AN ACT TO
TRANSFER FUNDS TO THE HIGHER
EDUCATION GRANTS FUND ACCOUNT FOR
ARKANSAS ACADEMIC CHALLENGE
SCHOLARSHIPS; TO REQUIRE A NO SMOKING
PLEDGE AS A CONDITION FOR RECEIVING AN
ARKANSAS ACADEMIC CHALLENGE
SCHOLARSHIP AWARD; AND FOR OTHER
PURPOSES.

House Bill No. 1010 was read the first time, rules suspended, read the second time and referred to the Committee on Public Health.

On motion of Senator Beebe the Senate recessed until the completion of Public Health Committee meeting.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

At the conclusion of the Public Health Committee meeting, session was begun. There was no action taken by the Committee on **House Bill No. 1010**.

On motion of Senator Mahony, the Senate recessed until the Chair determines when to return.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

Senate Bill No. 1 was returned from the House as passed and ordered enrolled.

Senate Bill No. 2 was returned from the House as passed and ordered enrolled.

ARKANSAS SENATE
EIGHTY-THIRD GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION

June 12, 2002

Mr. President:

We, your Committee on ENROLLED BILLS, to whom was referred:

SENATE BILL NO. 1, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 2, BY SENATOR BEEBE

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 3:15 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) KEVIN SMITH, CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 1
SENATE BILL NO. 2

Received the above papers from the Secretary of the Senate this 12th day of June, 2001 at 3:15 p.m.

(SIGNED) Olan Reeves

**STATE OF ARKANSAS
OFFICE OF THE GOVERNOR
State Capitol
Little Rock 72201**

**Mike Huckabee
Governor**

2002 Special Session

Received of Ann Cornwell this 12th day of June 2002, **SB1, SB2**

Olan W. Reeves

**STATE OF ARKANSAS
ARKANSAS SENATE
GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS 72201**

ANN CORNWELL
Secretary of the Senate
Senate Fiscal Officer
State Capitol, Room 320
Little Rock, Arkansas 72201

June 12, 2002

The Honorable Shane Broadway
Speaker
House of Representatives
State Capitol, Room 350
Little Rock, Arkansas 72201

Dear Mr. Speaker:

I am enclosing herewith the following House Bill that died in the Senate Public Health Welfare and Labor Committee at Sine Die Adjournment on June 12, 2002.

HOUSE BILL DYING IN PUBLIC HEALTH, WELFARE AND LABOR COMMITTEE

HOUSE BILL 1010

Respectfully Submitted,

(SIGNED) Ann Cornwell
Secretary of Senate

Rec'd from Senate
6-12-02

J. Renshaw

STATE OF ARKANSAS
ARKANSAS SENATE
GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS 72201

ANN CORNWELL
Secretary of the Senate
Senate Fiscal Officer
State Capitol, Room 320
Little Rock, Arkansas 72201

June 12, 2002

The Honorable Sharon Priest
Secretary of State
State Capitol, Room
Little Rock, Arkansas 72201

Dear Secretary Priest:

I am enclosing herewith the following Senate Resolutions that were adopted in the Senate.

SENATE RESOLUTIONS ADOPTED BY THE SENATE

SENATE RESOLUTION 1
SENATE RESOLUTION 2
SENATE RESOLUTION 3

Respectfully submitted,

(SIGNED) ANN CORNWELL
Secretary of the Senate

Enclosures

FILED
June 12, 2002
Sharon Priest
Secretary of State
By: LG

**STATE OF ARKANSAS
OFFICE OF THE GOVERNOR
State Capitol
Little Rock 72201**

**Mike Huckabee
Governor**

June 12, 2002

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on June 12, 2002, I approved the following measures from the Special Session of the Eighty-third General Assembly:

SB 1, which is now Act 1 of 2002.
SB 2, which is now Act 2 of 2002.

Sincerely,

(SIGNED) Mike Huckabee

MDH:br

* * * * *

SENATE BILLS RETURNED FROM THE HOUSE AS PASSED
AND ORDERED ENROLLED.

SB 1
SB 2

HOUSE BILL TRANSMITTED TO THE SENATE AS PASSED;
EMERGENCY CLAUSE HAVING FAILED TO PASS

HB 1010

On motion of Senator Beebe, the Senate adjourned Sine Die.

PRESIDENT

SECRETARY

We your Committee on Technology and Legislative Affairs, have checked the Journal of the Eighty-third General Assembly, First Extraordinary Session, carefully and find it correct and in proper form for filing with the Secretary of State.

Respectfully submitted,

(SIGNED) KEVIN SMITH, CHAIRMAN

(SIGNED) WINTHROP P. ROCKEFELLER
PRESIDENT OF THE SENATE

(SIGNED) ANN CORNWELL
SECRETARY OF THE SENATE

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