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**RED INDICATES ROLL CALL**

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**RED INDICATES ROLL CALL**

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**--ooOoo--**  
**FIRST DAY'S PROCEEDINGS**  
**SENATE CHAMBER**  
**NINETY-FIRST GENERAL ASSEMBLY**  
**FIRST EXTRAORDINARY SESSION**

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Little Rock, Arkansas  
May 1, 2017

Tim Griffin, President of the Senate, called the Senate to order at 2:00 p.m., on Monday, May 1, 2017.

Ann Cornwell, Secretary of the Senate, called the roll, and the following members answered to roll call:

BLEDSOE, BOND, CALDWELL, E. CHEATHAM,  
CHESTERFIELD, CLARK, COLLINS-SMITH,  
J. COOPER, DISMANG, L. EADS, ELLIOTT,  
J. ENGLISH, FILES, FLIPPO, FLOWERS, T. GARNER,  
J. HENDREN, HESTER, HICKEY, J. HUTCHINSON,  
K. INGRAM, IRVIN, B. JOHNSON, B. KING,  
U. LINDSEY, MALOCH, RAPERT, RICE, SAMPLE,  
SANDERS, STANDRIDGE, G. STUBBLEFIELD,  
TEAGUE, D. WALLACE, WILLIAMS.

The Senate was led in prayer by Senator Wallace.

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

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

Senator Jonathan Dismang, President Pro Tempore of the Senate, named the following members of the Senate as a committee to notify the House of Representatives that the Senate was organized and ready for business:

Senator Ronald Caldwell, Chairman

Senator Scott Flippo

Senator John Cooper

Senator Linda Collins-Smith

Senator Linda Chesterfield

Senator Jonathan Dismang, President Pro Tempore of the Senate, named the following members of the Senate as a committee to notify the Governor that the Senate was organized and ready for business:

Senator Blake Johnson, Chairman

Senator Bruce Maloch

Senator Joyce Elliott

Senator Jason Rapert

Senator Cecile Bledsoe

Ann Cornwell, Director, Secretary of the Senate, read the Governor's Proclamation.

STATE OF ARKANSAS  
EXECUTIVE DEPARTMENT  
PROCLAMATION

TO ALL TO WHOM THESE PRESENTS SHALL COME - GREETINGS:

WHEREAS: An extraordinary occasion has arisen making it necessary to convene the 91st General Assembly into extraordinary session; and

WHEREAS: There is a need to integrate the provisions of Acts 2017, nos. 207, 312, and 1108 into the Arkansas Constitution, Article 19, § 30; and

WHEREAS: There is a need to make technical corrections to the Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016" to integrate and incorporate the provisions of Acts 4, 438, 479, 593, 639, 641, 670, 740, 948, 1023, 1024, 1098, and 1100 of 2017 into Arkansas Constitution, Amendment 98; and

WHEREAS: There is a need to amend the Arkansas Works Act of 2016 to reduce income eligibility limits in the Arkansas Works program to one hundred percent (100 %) of the federal poverty level, impose work requirement on certain individuals enrolled in the Arkansas Works program, and allow Arkansas the flexibility to select whether to become an "assessment state" or a "determination state" subject to the grant of a Medicaid waiver from the Centers for Medicare & Medicaid Services (CMS) and

WHEREAS: There is a need to prohibit development of technology for a state-based platform for the individual health insurance marketplace, make a state-based small business exchange optional, provide oversight of the Arkansas Health Insurance Marketplace to the Legislative Council, and study the future direction of the Arkansas Health Insurance Marketplace; and

WHEREAS: There is a need to amend Initiated Act 1 of 2000, also known as the "Tobacco Settlement Proceeds Act" to authorize the transfer of funds from the Arkansas Healthy Century Trust Fund and to transfer funds from the Arkansas Healthy Century Trust Fund to the Long Term Reserve Fund.

NOW THEREFORE, I ASA HUTCHINSON, governor of the State of Arkansas, by virtue of the power and authority vested in me by Article 6, Section 19 of the Arkansas Constitution, do hereby call an Extraordinary Session of the General Assembly to convene in Little Rock on Monday, May 1, 2017 at 2:00 p.m., and I do hereby specify that the General Assembly is convened in such Session to consider, and if so advised, enact laws for the following purposes:

1. To provide for the payment of expenses and per diem of the House of Representatives and the Senate for this Extraordinary Session.
2. To make technical corrections to Arkansas Constitution, Article 19, § 30 to integrate and incorporate the provisions of Acts 2017, nos. 207, 312, and 1108 into Arkansas Constitution, Article 19, §30.

3. To make technical corrections to Arkansas Constitution, Amendment 98, also known as the "Arkansas Medical Marijuana Amendment of 2016" to integrate and incorporate the provisions of Acts 4, 438, 479, 593, 639, 641, 670, 740, 948, 1023, 1024, 1098 and 1100 of 2017 into Arkansas Constitution, Amendment 98.
4. To amend the Arkansas Works Act of 2016 to reduce income eligibility limits in the Arkansas Works program to one hundred percent (100 %) of the federal poverty level and impose work requirements on certain individuals enrolled in the Arkansas Works program; to allow Arkansas the flexibility to select whether to become an "assessment state" or a "determination state."
5. To prohibit development of technology for a state-based platform for the individual health insurance marketplace; to provide oversight of the Arkansas Health Insurance Marketplace to the Legislative Council; to study the future direction of the Arkansas Health Insurance Marketplace.
6. To amend Initiated Act 1 of 2000, also known as the "Tobacco Settlement Proceeds Act"; to authorize the transfer of funds from the Arkansas Healthy Century Trust Fund; to transfer funds from the Arkansas Healthy Century Trust Fund to the Long Term Reserve Fund.
7. To confirm gubernatorial appointees.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 28<sup>th</sup> day of April, in the year of our Lord 2017.



Asa Hutchinson  
Governor



Attest:



Mark Martin, Secretary of State

**SENATE BILL NO. 1**

Call Item 2

**NINETY-FIRST GENERAL ASSEMBLY****FIRST EXTRAORDINARY SESSION****BY: SENATOR J. DISMANG****BY: REPRESENTATIVE GILLAM**

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO ARKANSAS CONSTITUTION, ARTICLE 19, § 30, TO INTEGRATE AND INCORPORATE THE PROVISIONS OF ACTS 2017, NOS. 207, 312, AND 1108 INTO ARKANSAS CONSTITUTION, ARTICLE 19, § 30; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 1** was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

**SENATE BILL NO. 2**

Call Item 3

**NINETY-FIRST GENERAL ASSEMBLY****FIRST EXTRAORDINARY SESSION****BY: SENATOR J. DISMANG****BY: REPRESENTATIVE GILLAM**

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO ARKANSAS CONSTITUTION, AMENDMENT 98, ALSO KNOWN AS THE "ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016" TO INTEGRATE AND INCORPORATE THE PROVISIONS OF ACTS 4, 438, 479, 593, 639, 641, 670, 740, 948, 1023, 1024, 1098, AND 1100 OF 2017 INTO ARKANSAS CONSTITUTION, AMENDMENT 98; TO DECLARE AN EMERGENCY; 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 PUBLIC HEALTH, WELFARE & LABOR.



**SENATE BILL NO. 3**

Call Item 4

**NINETY-FIRST GENERAL ASSEMBLY**

**FIRST EXTRAORDINARY SESSION**

**BY: SENATOR J. DISMANG**

**BY: REPRESENTATIVE GILLAM**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS WORKS ACT OF 2016 TO REDUCE INCOME ELIGIBILITY LIMITS IN THE ARKANSAS WORKS PROGRAM TO ONE HUNDRED PERCENT (100%) OF THE FEDERAL POVERTY LEVEL AND IMPOSE WORK REQUIREMENTS ON CERTAIN INDIVIDUALS ENROLLED IN THE ARKANSAS WORKS PROGRAM; TO ALLOW ARKANSAS THE FLEXIBILITY TO SELECT WHETHER TO BECOME AN "ASSESSMENT STATE" OR A "DETERMINATION STATE"; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 3** was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

**SENATE BILL NO. 4**

Call Item 5

**NINETY-FIRST GENERAL ASSEMBLY**

**FIRST EXTRAORDINARY SESSION**

**BY: SENATOR J. DISMANG**

**BY: REPRESENTATIVE GILLAM**

A Bill for an Act to be Entitled: AN ACT CONCERNING THE ARKANSAS HEALTH INSURANCE MARKETPLACE; TO PROHIBIT DEVELOPMENT OF TECHNOLOGY FOR A STATE-BASED PLATFORM FOR THE INDIVIDUAL HEALTH INSURANCE MARKETPLACE; TO PROVIDE OVERSIGHT OF THE ARKANSAS HEALTH INSURANCE MARKETPLACE TO THE LEGISLATIVE COUNCIL; TO STUDY THE FUTURE DIRECTION OF THE ARKANSAS HEALTH INSURANCE MARKETPLACE; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 4** was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

SENATE BILL NO. 5  
Call Item 6  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION  
BY: SENATORS J. HENDREN, J. DISMANG  
BY: REPRESENTATIVE GILLAM

A Bill for an Act to be Entitled: AN ACT TO AMEND INITIATED ACT 1 OF 2000, ALSO KNOWN AS THE "TOBACCO SETTLEMENT PROCEEDS ACT"; TO AUTHORIZE THE TRANSFER OF FUNDS FROM THE ARKANSAS HEALTHY CENTURY TRUST FUND; TO TRANSFER FUNDS FROM THE ARKANSAS HEALTHY CENTURY TRUST FUND TO THE LONG TERM RESERVE FUND; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 5** was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

The Delegation from the House arrived to notify the Senate that the House was open and ready for business.

Received from the House

HOUSE CONCURRENT RESOLUTION NO. 1001  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION  
BY: REPRESENTATIVE VAUGHT

HOUSE CONCURRENT RESOLUTION - FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AT 2:30 P.M., MONDAY, MAY 1, 2017, IN THE HOUSE CHAMBER TO HEAR AN ADDRESS BY THE HONORABLE ASA HUTCHINSON, GOVERNOR OF THE STATE OF ARKANSAS.

House Concurrent Resolution No. 1001 was read the first time, rules suspended, read the second time and placed on the Calendar.

On motion of Senator Williams, the rules were suspended in considering House Concurrent Resolution No. 1001 at this time.

On motion of Senator Williams, House Concurrent Resolution No. 1001 was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION 1001  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION  
BY: REPRESENTATIVE VAUGHT

HOUSE CONCURRENT RESOLUTION FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE AT 2:30 P.M., MONDAY, MAY 1, 2017, IN THE HOUSE CHAMBER TO HEAR AN ADDRESS BY THE HONORABLE ASA HUTCHINSON, GOVERNOR OF THE STATE OF ARKANSAS.

House Concurrent Resolution No. 1001 was read the first time, rules suspended, read the third time and concurred in.

(SIGNED) ANN CORNWELL, SECRETARY

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

On motion of Senator Dismang the Senate recessed until conclusion of Joint Session.

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

The President declared the morning hour to have expired.

Joint Session roll calls:

Ann Cornwell, Secretary of the Senate, called the roll, and the following members answered to roll call:

BLEDSON, BOND, CALDWELL, E. CHEATHAM,  
CHESTERFIELD, CLARK, COLLINS-SMITH,  
J. COOPER, DISMANG, L. EADS, ELLIOTT,  
J. ENGLISH, FILES, FLIPPO, FLOWERS, T. GARNER,  
J. HENDREN, HESTER, HICKEY, J. HUTCHINSON,  
K. INGRAM, IRVIN, B. JOHNSON, B. KING,  
U. LINDSEY, MALOCH, RAPERT, RICE, SAMPLE,  
SANDERS, STANDRIDGE, G. STUBBLEFIELD,  
TEAGUE, D. WALLACE, WILLIAMS.

The following House members answered to roll call:

Allen, Armstrong, E., Ballinger, Baltz, Barker, Beck, Bentley, Blake,  
Boyd, Bragg, Branscum, Brown, Burch, Capp, Cavanaugh, Coleman,  
Collins, Cozart, Dalby, Davis, Deffenbaugh, Della Rosa, Dotson,  
Douglas, C., Douglas, D., Drown, Eaves, Eubanks, Farrer,  
Ferguson, D., Fielding, Flowers, Fortner, Gates, Gazaway, Gonzales,  
Gray, M., Gray, M.J., Hammer, Henderson, Hendren, Hillman,  
Hodges, G., Hodges, M., Holcomb, Hollowell, House, Jean, Jett,  
Johnson, Leding, Lemons, Love, Lowery, Lundstrum, Lynch, Maddox,  
Magie, Mayberry, A., McCollum, McElroy, McGill, McNair, Meeks, D.,  
Meeks, S., Miller, Murdock, Nicks, Payton, Penzo, Petty, Pilkington,  
Pitsch, Richmond, Rushing, Rye, Sabin, Shepherd, Smith, Sorvillo,  
Speaks, Sturch, Sullivan, Tosh, Tucker, Vaught, Walker, Wardlaw,  
Warren, Whitaker, Williams, Wing, Womack, Mr. Speaker.

Absent: C. Fite, L. Fite, Ladyman, Richey.

**Governor Asa Hutchinson remarks to Joint Session:**

Lt. Governor Griffin; President Dismang; Speaker Gillam, Members of the Arkansas General Assembly. Good afternoon to you. Thank you for answering my call for this Special Session. And thank you for answering the call of your constituents and the people of Arkansas for your service in the Arkansas general assembly.

Before I start with the session, let me make a couple of personal comments. First, over the past weeks, I have worked to faithfully carry out the laws and the jury verdicts in multiple cases involving the death penalty. I want to personally thank you for your messages in support and your confidence in me and our effort to uphold the law of Arkansas.

I also want to mention the heavy winds and rain that raked Arkansas on Saturday night and took the lives of six individuals across this state. I want to particularly applaud our first responders in Arkansas for their quick action that saved lives and property, and also for putting their own lives at risk. I want to mention, out of great respect, Cove Creek Fire Chief Doug Deckard, who lost his life while doing his duty in Cleburne County. Our prayers are with his family and those who continue to serve.

As a result of these storms, yesterday I declared a state of emergency in order to release state money and resources to support our local response efforts. Today I have given the order to pre-position some of our National Guard resources in Jonesboro, in Pocahontas and northeast Arkansas. Tomorrow I will miss your early session of the legislature because I will be in that area to survey the damage and to make sure that our resources are positioned properly and that we are providing the support that is needed.

And now to the business of this session. The list of items on the Call is short but they are significant and very necessary. Let me address three major items during my time this afternoon.

First we want to continue our Medicaid reform efforts with new authorizations for Arkansas Works. Secondly, a bill to provide more legislative oversight of Arkansas Health Insurance Marketplace (AHIM). Thirdly, a transfer of funds into the Long Term Reserve Fund.

Last year, when I called you into Special Session to create Arkansas Works, we focused on four areas of reform:

- Work opportunities for those on the Arkansas Works program.
- More personal investment in their health care for those above the poverty level.
- Increasing opportunity for employer-based insurance.
- And finally, saving some money: cost-saving measures.

Those four themes are at the heart of the legislation we are introducing this year. But we are now taking a more bold approach to each of these guiding principles. This is possible because President Trump has demonstrated a commitment to give states the authority to emphasize more work opportunities and to promote personal responsibility.

There is another reason this session is timely. We have had more experience with Arkansas Works. During that time, we have eliminated the backlog of applications, and we have a more accurate picture of those that are qualifying for Arkansas Works. We know far more about the people that are enrolled than ever before.

Even with just a few months of the referral process for those in Arkansas Works, where recipients are referred from the Department of Human Services to Workforce Services, we've learned a great deal. In the packet before you, there is a series of slides, and I wanted to make a couple of points from these.

On your first slide, you'll see the work-referral program statistics for the first quarter of 2017. In the first column is the month, the second column is the work referrals to Workforce Services. Third are the services that are accessed after referral, and then fourthly, those who have actually been hired and gained employment.

If you look at the total figures, 106,000 have been referred to workforce services during those three months. Of those 3,700 have accessed services, and this is rather exciting to me actually, that almost 3,000 are new hires after they've been referred from DHS to workforce services. That tells me we are going the right direction in terms of work referrals

If you look at the percentages, about 2.8 percent of the total of 106,000 referrals during those three months resulted in new hires; 3.4 percent of those referrals accessed some level of services. The fact that 3,000 are new hires shows that there are people who want to work, that they need assistance in training so that they are ready to move into the workforce. But it also shows that we need to implement a mandatory program because 97 percent are not accessing those services; 97 percent of those that should be going to workforce services are not doing that. I propose we request a new requirement to mandate that people who are healthy, younger than 50 years of age, and don't have dependent children should be required to either hold a job, be in worker training, finish their education, complete community service or seek treatment to addictions to alcohol or drugs.

I understand that some have concerns about moving this voluntary work/training policy into a mandatory policy. The concept of requirements for participation in public-assistance programs is not new or novel. Under federal law, one of the core purposes of Medicaid is to help individuals achieve or attain independence.

The expectation of work is part of the social compact between those who receive services and the taxpayers who pay for them. We are not punishing people by requiring them to find a job, or access services or finish their education, or to seek treatment of an addiction. To the contrary, success in any or all of these areas will open the door to new opportunities. I believe that the path out of poverty is through the halls of schools and the walls of the workplace.

The good news is that Arkansans want to work, and worker training and work assistance provide a pathway to that. True Medicaid reform is certainly about improved access to health care. But we don't want the entitlement to become an entanglement. That is why we must provide the opportunity for work.

The second part of our waiver request to CMS is that beginning January 1, 2018, we will limit eligibility for Arkansas Works to adults whose income is at or below the federal poverty level. This is a fundamental change to entitlement policy. To make Medicaid available only to adults in poverty is common sense and consistent with the original design of Medicaid.

If you look at Arkansas Works, there are approximately 320,000 individuals who are enrolled. With this income limitation, about 60,000 will move from the Medicaid portion to the support on the marketplace. This doesn't mean that those 60,000 who are moving off of Arkansas Works will have no healthcare. It simply means that they move to the marketplace with the same level of financial support that they have now. The difference is that this saves money for the state - \$66 million over four years - and it saves money for the federal government as well.

I know some of you are concerned that this is just a cost shift. While the federal government does absorb some cost in a different way, it's going to be covered by the marketplace for that insurance, less the 2 percent that the individuals pay. But those that move off of Arkansas Works, some of those will be moving into employer-sponsored insurance, which is an objective of ours. And when that happens, then it will be saving the federal taxpayers, money as well. But it also helps preserve Arkansas Works coverage for those who need it the most. Let me emphasize, once again, that Arkansans whose income falls between the poverty level and the 138 percent level **will not** lose access to coverage.

So how will this transition work? Health-insurance providers have a lot of incentives to make sure that those who might come off of Arkansas Works are seamlessly transitioned into the marketplace. They have a lot at stake in this, and so does my administration. So we'll both be working to make sure there is a smooth transition, but ultimately, the carriers are marketing a product, and consumers must value that product and say "that's what we want".

As we pursue these reforms, we will also keep a close eye on the effects and the impact that it has throughout our health-care system. We will carefully monitor and evaluate how these changes might affect premiums and uncompensated care. We will pay special attention to our rural hospitals and health-care providers. Let me assure you that I understand the importance of rural hospitals in our system of healthcare and the important role they play as the lifeblood of our rural communities. We will pay close attention to those, and you have my commitment to monitor that very closely.

These fair and common-sense approaches will ultimately help more Arkansans achieve economic independence and will allow our state to be more competitive, and I believe more prosperous. I ask for your support in passing this important legislation.

Another matter of urgency for which I need your support is the strengthening of our Long Term Reserve Fund. There are three reasons I believe that this is important:

- The state's financial strength and its resilience;
- Improved credit rating;
- And economic development.

If you look at the handout, you'll see a map of the United States with the different states, and it points out that Arkansas stands out for its lack of a budget reserve. It is measured by the median of all the states is that we could survive almost 18 days if we had a recession or a downturn in the economy, and your revenues were at fault, and how long would your rainy day or your reserve funds last.

Arkansas is really not measureable because we do not have a reserve fund that has any significant money in it. And as noted on the second sheet, how prepared is Arkansas for the next recession? Arkansas ties for being the least prepared, according to a report by one economic study. It identifies that states that are least prepared, and all of this is tied to the preparation and the availability of the reserve funds in the event of a recession or a downturn.

It emphasizes the benefit of a long-term reserve fund. Fiscal strength, whether you can weather future revenue volatility. Secondly the credit rating. And let me talk about that for just a second.

In its review of our bond rating - last year I was working and pushing them to give us a higher bond rating - S&P cited a deficit of reserve funds in our state as hampering our ability to get a better bond rating.

I believe if you will support the creation and strengthening of these funds, over time our bond rating will improve. This will allow the state to issue bonds for future projects at less cost, at a lower interest rate. I am proposing that you authorize the transfer of about \$105 million from the Healthy Century Trust Fund to the Long-Term Reserve Fund.



Now the Healthy Century Trust Fund, let me emphasize - and there are legislators in here who helped create it, and they can speak to it with great expertise - But that reserve fund does not fund any current program. So you're not cutting programs.

The Healthy Century Trust Fund is a chunk of money that is accumulating interest. But it is not giving our state any benefit in terms of our bond rating because it is sitting there tied to the obligation of the trust fund and cannot be counted toward our own reserve fund. I am asking you to let us transfer that to a long-term reserve fund so that we actually get a benefit from our bonding standpoint. It could only be used for educational adequacy, Amendment 82 bonds, and if revenue growth is less than three percent. But it could never be used for any purpose that is not in the revenue stabilization act. So you have already approved it. It is just if there is an economic downturn and you can't meet educational adequacy, you can't meet a bond payment, you've got a reserve fund. And when you can show that, that helps your bond rating, but it also helps those that I'm trying to recruit to Arkansas by showing that we're a good place to [live] because we've got a stabilization in our budgeting process.

I would also emphasize that this not only applies to general revenue spending, it cannot be utilized as long-term reserve fund for general improvement funding, and those projects that are concerned. Now you can make an argument, we ought to have money for that as well, but this is about the long-term reserve fund. I will confess, I was tempted to put some of that money into a rainy-day fund, but the wisdom of others said, "Let's put it all into the reserve fund," and I am good with that, because we can accomplish those purposes.

It cannot be touched unless it meets the requirements of the RSA and of those unique opportunities if the revenue growth is not as anticipated - less than three percent. And secondly, it would have to be approved by legislative counsel. And so there are restrictions on it. It allows us to use our reserve for a good purpose that will benefit our state. I hope you can support that legislation.

Lastly, I am asking you to pass legislation that requires the Legislative Council to oversee the Arkansas Health Insurance Marketplace. The legislation would also prohibit the development of technology for a state-based exchange. As governor, I've already asked them to not develop a state-based exchange. This would put it into legislation.

ARKANSAS SENATE  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

May 1, 2017

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,  
to whom was referred:

SENATE BILL NO. 1, BY SENATOR JONATHAN DISMANG,

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

Respectfully submitted,

(SIGNED) SENATOR EDDIE JOE WILLIAMS, CHAIRMAN

ARKANSAS SENATE  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

May 1, 2017

Mr. President:

We, your Committee on INSURANCE & COMMERCE, to whom was referred:

SENATE BILL NO. 4, BY SENATOR JONATHAN DISMANG,

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

Respectfully submitted,

(SIGNED) SENATOR JASON RAPERT, CHAIRMAN

ARKANSAS SENATE  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

May 1, 2017

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

SENATE BILL NO. 2, BY SENATOR JONATHAN DISMANG,  
SENATE BILL NO. 3 , BY SENATOR JONATHAN DISMANG,

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

Respectfully submitted,

(SIGNED) SENATOR CECILE H. BLEDSOE, CHAIRMAN

\* \* \* \* \*

HOUSE CONCURRENT RESOLUTION TRANSMITTED  
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1001

HOUSE CONCURRENT RESOLUTION RETURNED  
TO THE HOUSE AS CONCURRED IN

HOUSE CONCURRENT RESOLUTION NO. 1001

On motion of Senator Dismang, the Senate adjourned until 9:00 a.m., Tuesday, May 2, 2017.

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PRESIDENT OF THE SENATE

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SECRETARY OF THE SENATE



**--ooOoo--**  
**SECOND DAY'S PROCEEDINGS**  
**SENATE CHAMBER**  
**NINETY-FIRST GENERAL ASSEMBLY**  
**FIRST EXTRAORDINARY SESSION**

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Little Rock, Arkansas

May 2, 2017

The Senate was called to order at 10:15 o'clock a.m. by the President.

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

BLEDSOE, BOND, CALDWELL, CHEATHAM,  
CHESTERFIELD, CLARK, COLLINS-SMITH, COOPER,  
DISMANG, EADS, ELLIOTT, ENGLISH, FILES,  
FLIPPO, FLOWERS, GARNER, HENDREN, HESTER,  
HICKEY, HUTCHINSON, INGRAM, IRVIN, JOHNSON,  
KING, LINDSEY, MALOCH, RAPERT, RICE, SAMPLE,  
SANDERS, STANDRIDGE, STUBBLEFIELD, TEAGUE,  
WALLACE, WILLIAMS.

The Senate was led in prayer by Senator Stubblefield.

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

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

The President declared the morning hour to have expired.

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

**SENATE BILL NO. 1**  
**Call Item 2**  
**NINETY-FIRST GENERAL ASSEMBLY**  
**FIRST EXTRAORDINARY SESSION**  
**BY: SENATOR J. DISMANG**  
**BY: REPRESENTATIVE GILLAM**

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO ARKANSAS CONSTITUTION, ARTICLE 19, § 30, TO INTEGRATE AND INCORPORATE THE PROVISIONS OF ACTS 2017, NOS. 207, 312, AND 1108 INTO ARKANSAS CONSTITUTION, ARTICLE 19, § 30; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

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

Senator Dismang moved that the body roll the vote on **Senate Bill No. 1**.  
Motion carried.

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

AFFIRMATIVE: Bledsoe, Bond, Caldwell, Cheatham, Chesterfield, Clark, Collins-Smith, Cooper, Dismang, Eads, Elliott, English, Files, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, King, Lindsey, Maloch, Rapert, Rice, Sample, Sanders, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....35

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING:

Total .....0

EXCUSED:

Total .....0

VOTING PRESENT:

Total .....0

Total number of votes cast.....35  
Necessary to the passage of the bill .....24

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:

AFFIRMATIVE: Bledsoe, Bond, Caldwell, Cheatham, Chesterfield, Clark, Collins-Smith, Cooper, Dismang, Eads, Elliott, English, Files, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, King, Lindsey, Maloch, Rapert, Rice, Sample, Sanders, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....35

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING:

Total .....0

EXCUSED:

Total .....0

VOTING PRESENT:

Total .....0

Total number of votes cast.....35  
Necessary to the adoption of the emergency clause.....24

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 Dismang, **Senate Bill No. 2** was called up for third reading and final disposition.

**SENATE BILL NO. 2**  
**Call Item 3**  
**NINETY-FIRST GENERAL ASSEMBLY**  
**FIRST EXTRAORDINARY SESSION**  
**BY: SENATOR J. DISMANG**  
**BY: REPRESENTATIVE GILLAM**

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO ARKANSAS CONSTITUTION, AMENDMENT 98, ALSO KNOWN AS THE "ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016" TO INTEGRATE AND INCORPORATE THE PROVISIONS OF ACTS 4, 438, 479, 593, 639, 641, 670, 740, 948, 1023, 1024, 1098, AND 1100 OF 2017 INTO ARKANSAS CONSTITUTION, AMENDMENT 98; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

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

Senator Dismang moved that the body roll the vote on **Senate Bill No. 2**.  
Motion carried.

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

AFFIRMATIVE: Bledsoe, Bond, Caldwell, Cheatham, Chesterfield, Clark, Collins-Smith, Cooper, Dismang, Eads, Elliott, English, Files, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, King, Lindsey, Maloch, Rice, Sample, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....33

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Rapert, Sanders.

Total .....2

EXCUSED:

Total .....0

VOTING PRESENT:

Total .....0

Total number of votes cast.....33

Necessary to the passage of the bill .....24

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:

AFFIRMATIVE: Bledsoe, Bond, Caldwell, Cheatham, Chesterfield, Clark, Collins-Smith, Cooper, Dismang, Eads, Elliott, English, Files, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, King, Lindsey, Maloch, Rice, Sample, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....33

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Rapert, Sanders.

Total .....2

EXCUSED:

Total .....0

VOTING PRESENT:

Total .....0

Total number of votes cast.....33

Necessary to the adoption of the emergency clause.....24

So the emergency clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

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

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

**SENATE BILL NO. 3**  
**Call Item 4**  
**NINETY-FIRST GENERAL ASSEMBLY**  
**FIRST EXTRAORDINARY SESSION**  
**BY: SENATOR J. DISMANG**  
**BY: REPRESENTATIVE GILLAM**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS WORKS ACT OF 2016 TO REDUCE INCOME ELIGIBILITY LIMITS IN THE ARKANSAS WORKS PROGRAM TO ONE HUNDRED PERCENT (100%) OF THE FEDERAL POVERTY LEVEL AND IMPOSE WORK REQUIREMENTS ON CERTAIN INDIVIDUALS ENROLLED IN THE ARKANSAS WORKS PROGRAM; TO ALLOW ARKANSAS THE FLEXIBILITY TO SELECT WHETHER TO BECOME AN "ASSESSMENT STATE" OR A "DETERMINATION STATE"; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 3** was placed on third reading and final disposition, the question being: Shall the Bill pass?

Senator King spoke against the Bill.

Senator Irvin spoke for the Bill.

Senator Maloch spoke against the Bill.

Senator Clark spoke on the Bill.

Senator Teague spoke against the Bill.

Senator Dismang closed for the Bill.

Pairs were announced at the desk.



STATE OF ARKANSAS  
ARKANSAS SENATE  
State Capitol  
Little Rock, Arkansas 72201  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

DATE May 2, 2017

PAIR VOTE

Passage of **Senate Bill No. 3**

VOTING YEA           (SIGNED) Gregory B. Standridge

VOTING NAY           (SIGNED) Larry R. Teague

(SIGNED) ANN CORNWELL  
SECRETARY OF THE SENATE



STATE OF ARKANSAS  
ARKANSAS SENATE  
State Capitol  
Little Rock, Arkansas 72201  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

DATE May 2, 2017

PAIR VOTE

Passage of **Senate Bill No. 3**

VOTING YEA           (SIGNED) Missy Irvin

VOTING NAY           (SIGNED) Bruce Maloch

(SIGNED) ANN CORNWELL  
SECRETARY OF THE SENATE



STATE OF ARKANSAS  
ARKANSAS SENATE  
State Capitol  
Little Rock, Arkansas 72201  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

DATE May 2, 2017

PAIR VOTE

Passage of **Senate Bill No. 3**

VOTING YEA           (SIGNED) Jake Files

VOTING NAY           (SIGNED) Keith Ingram

(SIGNED) ANN CORNWELL  
SECRETARY OF THE SENATE

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

AFFIRMATIVE: Bledsoe, Caldwell, Cheatham, Clark, Cooper, Dismang, Eads, English, Files, Flippo, Flowers, Hendren, Hester, Hickey, Hutchinson, Irvin, Johnson, Rapert, Sample, Sanders, Standridge, Wallace, Williams.

Total .....18

NEGATIVE: Bond, Chesterfield, Collins-Smith, Elliott, Garner, Ingram, Lindsey, Maloch, Teague.

Total .....9

ABSENT OR NOT VOTING: King.

Total .....1

EXCUSED:

Total .....0

VOTING PRESENT: Rice, Stubblefield.

Total .....2

Total number of votes cast.....34  
Necessary to the passage of the bill .....24

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

(SIGNED) ANN CORNWELL, SECRETARY

\* \* \* \* \* **EXPUNGED** \* \* \* \* \*

There being an emergency clause attached to **Senate Bill No. 3**, 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:

AFFIRMATIVE: Bledsoe, Caldwell, Cheatham, Clark, Cooper, Dismang, Eads, English, Files, Flippo, Flowers, Hendren, Hester, Hickey, Hutchinson, Irvin, Johnson, Rapert, Sample, Sanders, Standridge, Wallace, Williams.

Total .....23

NEGATIVE: Bond, Chesterfield, Collins-Smith, Elliott, Garner, Ingram, Lindsey, Maloch, Teague.

Total .....9

ABSENT OR NOT VOTING: King.

Total .....1

EXCUSED:

Total .....0

VOTING PRESENT: Rice, Stubblefield.

Total .....2

Total number of votes cast.....34

Necessary to the adoption of the emergency clause.....24

So the emergency clause failed.

(SIGNED) ANN CORNWELL, SECRETARY

\* \* \* \* \* **EXPUNGED** \* \* \* \* \*

The record pertaining to the vote by which the emergency clause on **Senate Bill No. 3** failed was expunged, in accordance with a prevailing motion on May 2, 2017.

Senator Dismang moved that the record pertaining to the vote by which the emergency clause on **Senate Bill No. 3** failed be expunged, the motion was duly seconded and prevailed.

Senator Dismang moved the body vote on the emergency clause after failure was expunged. Motion carried.

Senator Dismang moved that the body roll the vote on the emergency clause on **Senate Bill No. 3**. Motion carried.

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

AFFIRMATIVE: Bledsoe, Caldwell, Cheatham, Chesterfield, Clark, Collins-Smith, Cooper, Dismang, Eads, Elliott, English, Files, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, Lindsey, Maloch, Rapert, Rice, Sample, Sanders, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....33

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Bond, King.

Total .....2

EXCUSED:

Total .....0

VOTING PRESENT:

Total .....0

Total number of votes cast.....33

Necessary to the adoption of the emergency clause.....24

So the emergency clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 3** was ordered immediately transmitted to the House.

On motion of Senator Dismang, **Senate Bill No. 4** was called up for third reading and final disposition.

**SENATE BILL NO. 4**  
**Call Item 5**  
**NINETY-FIRST GENERAL ASSEMBLY**  
**FIRST EXTRAORDINARY SESSION**  
**BY: SENATOR J. DISMANG**  
**BY: REPRESENTATIVE GILLAM**

A Bill for an Act to be Entitled: AN ACT CONCERNING THE ARKANSAS HEALTH INSURANCE MARKETPLACE; TO PROHIBIT DEVELOPMENT OF TECHNOLOGY FOR A STATE-BASED PLATFORM FOR THE INDIVIDUAL HEALTH INSURANCE MARKETPLACE; TO PROVIDE OVERSIGHT OF THE ARKANSAS HEALTH INSURANCE MARKETPLACE TO THE LEGISLATIVE COUNCIL; TO STUDY THE FUTURE DIRECTION OF THE ARKANSAS HEALTH INSURANCE MARKETPLACE; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 4** was placed on third reading and final disposition, the question being: Shall the Bill pass?

Senator Dismang moved that the body roll the vote on **Senate Bill No. 4**. Motion carried.

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

AFFIRMATIVE: Bledsoe, Bond, Caldwell, Cheatham, Chesterfield, Clark, Cooper, Dismang, Eads, Elliott, English, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, Lindsey, Maloch, Rapert, Rice, Sample, Sanders, Stubblefield, Teague, Wallace, Williams.

Total .....31

NEGATIVE: King.

Total .....1

ABSENT OR NOT VOTING: Collins-Smith, Files, Standridge.

Total .....3



EXCUSED:

Total .....0

VOTING PRESENT:

Total .....0

Total number of votes cast .....32

Necessary to the passage of the bill .....18

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. 4**, 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:

AFFIRMATIVE: Bledsoe, Bond, Caldwell, Cheatham, Chesterfield, Clark, Cooper, Dismang, Eads, Elliott, English, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, Lindsey, Maloch, Rapert, Rice, Sample, Sanders, Stubblefield, Teague, Wallace, Williams.

Total .....31

NEGATIVE: King.

Total .....1

ABSENT OR NOT VOTING: Collins-Smith, Files, Standridge.

Total .....3

EXCUSED:

Total .....0

VOTING PRESENT:

Total .....0

Total number of votes cast .....32

Necessary to the adoption of the emergency clause.....24

So the emergency clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 4** was ordered immediately transmitted to the House.

Received from the House

HOUSE BILL NO. 1001

Call Item 2

NINETY-FIRST GENERAL ASSEMBLY

FIRST EXTRAORDINARY SESSION

BY: REPRESENTATIVE GILLAM

BY: SENATOR J. DISMANG

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO ARKANSAS CONSTITUTION, ARTICLE 19, § 30, TO INTEGRATE AND INCORPORATE THE PROVISIONS OF ACTS 2017, NOS. 207, 312, AND 1108 INTO ARKANSAS CONSTITUTION, ARTICLE 19, § 30; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1001 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

Received from the House

HOUSE BILL NO. 1002

Call Item 3

NINETY-FIRST GENERAL ASSEMBLY

FIRST EXTRAORDINARY SESSION

BY: REPRESENTATIVE GILLAM

BY: SENATOR J. DISMANG

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO ARKANSAS CONSTITUTION, AMENDMENT 98, ALSO KNOWN AS THE "ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016" TO INTEGRATE AND INCORPORATE THE PROVISIONS OF ACTS 4, 438, 479, 593, 639, 641, 670, 740, 948, 1023, 1024, 1098, AND 1100 OF 2017 INTO ARKANSAS CONSTITUTION, AMENDMENT 98; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1002 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

Received from the House

HOUSE BILL NO. 1003

Call Item 4

NINETY-FIRST GENERAL ASSEMBLY

FIRST EXTRAORDINARY SESSION

BY: REPRESENTATIVE GILLAM

BY: SENATOR DISMANG

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS WORKS ACT OF 2016 TO REDUCE INCOME ELIGIBILITY LIMITS IN THE ARKANSAS WORKS PROGRAM TO ONE HUNDRED PERCENT (100%) OF THE FEDERAL POVERTY LEVEL AND IMPOSE WORK REQUIREMENTS ON CERTAIN INDIVIDUALS ENROLLED IN THE ARKANSAS WORKS PROGRAM; TO ALLOW ARKANSAS THE FLEXIBILITY TO SELECT WHETHER TO BECOME AN "ASSESSMENT STATE" OR A "DETERMINATION STATE"; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1003 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

Received from the House

HOUSE BILL NO. 1004

Call Item 5

NINETY-FIRST GENERAL ASSEMBLY

FIRST EXTRAORDINARY SESSION

BY: REPRESENTATIVE GILLAM

BY: SENATOR J. DISMANG

A Bill for an Act to be Entitled: AN ACT CONCERNING THE ARKANSAS HEALTH INSURANCE MARKETPLACE; TO PROHIBIT DEVELOPMENT OF TECHNOLOGY FOR A STATE-BASED PLATFORM FOR THE INDIVIDUAL HEALTH INSURANCE MARKETPLACE; TO PROVIDE OVERSIGHT OF THE ARKANSAS HEALTH INSURANCE MARKETPLACE TO THE LEGISLATIVE COUNCIL; TO STUDY THE FUTURE DIRECTION OF THE ARKANSAS HEALTH INSURANCE MARKETPLACE; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1004 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

On motion of Senator Dismang the Senate recessed until the call of the Chair.

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

ARKANSAS SENATE  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

May 2, 2017

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS,  
to whom was referred:

HOUSE BILL NO. 1001, BY REPRESENTATIVE GILLAM,

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

Respectfully submitted,  
(SIGNED) SENATOR EDDIE JOE WILLIAMS, CHAIRMAN  
SENATOR MISSY IRVIN  
SENATOR GARY STUBBLEFIELD  
SENATOR TERRY RICE  
SENATOR TRENT GARNER  
SENATOR DAVE WALLACE

ARKANSAS SENATE  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

May 2, 2017

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom  
was referred:

HOUSE BILL NO. 1002, BY REPRESENTATIVE GILLAM,  
HOUSE BILL NO. 1003, BY REPRESENTATIVE GILLAM,

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

Respectfully submitted,  
(SIGNED) SENATOR CECILE BLEDSOE, CHAIRMAN

ARKANSAS SENATE  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

May 2, 2017

Mr. President:

We, your Committee on INSURANCE & COMMERCE, to whom was referred:

HOUSE BILL NO. 1004, BY REPRESENTATIVE GILLAM,

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

Respectfully submitted,

(SIGNED) SENATOR JASON RAPERT, CHAIRMAN

ARKANSAS SENATE  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

May 2, 2017

Mr. President:

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

SENATE BILL NO. 5, BY SENATOR HENDREN,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR LARRY TEAGUE, CHAIRMAN

On motion of Senator Teague, **Senate Bill No. 5** was placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE**  
**NINETY-FIRST GENERAL ASSEMBLY**  
**FIRST EXTRAORDINARY SESSION**  
**Amendment No. 1 to SENATE BILL NO. 5**

Amend **Senate Bill No. 5** as originally introduced:

Delete SECTION 2 of the bill in its entirety, and substitute the following:

"SECTION 2. Arkansas Code § 19-6-486 is amended to read as follows:  
 19-6-486. Long Term Reserve Fund.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a special revenue fund to be known as the "Long Term Reserve Fund".

(b) The Long Term Reserve Fund shall consist of such funds as may be provided by the General Assembly.

(c) The Long Term Reserve Fund shall be used to distribute moneys to one (1) or more funds or fund accounts in the Revenue Stabilization Law, § 19-5-101 et seq.

(d)(1) After determining the estimated amount of general revenue that will be available for allocation to the state agencies under the Revenue Stabilization Law, § 19-5-101 et seq., and after making the determination required by § 19-5-1227(c) and prior to making any transfers deemed necessary by the Chief Fiscal Officer of the State in § 19-5-1227(d), the Chief Fiscal Officer of the State may transfer funds from the Long Term Reserve Fund in the event a "revenue shortfall" exists to meet the state's financial obligation to provide an adequate educational system for the state and to provide for the effective operation of state government. In the event the Chief Fiscal Officer of the State determines that a "revenue shortfall" exists as defined as a circumstance when the official forecast of gross general revenue certified by the Chief Fiscal Officer of the State is projected to increase less than three percent (3%) over and above the gross general revenue collections of the previous fiscal year due to changes in economic conditions, he or she may then transfer funds from the Long Term Reserve Fund, as approved by a vote of at least two-thirds (2/3) of the members of the Legislative Council or at least two-thirds (2/3) of the members of the Joint Budget Committee, to various funds and fund accounts, as deemed necessary, in the Revenue Stabilization Law, § 19-5-101 et seq., for the purpose of meeting unanticipated shortfalls in state general revenue.

(2) Or the Chief Fiscal Officer of the State may transfer funds from the Long Term Reserve Fund to the Economic Development Superprojects Project Fund for projects authorized under Arkansas Constitution, Amendment 82, as approved by the Governor and at least two-thirds (2/3) of the members of the Legislative Council or at least two-thirds (2/3) of the members of the Joint Budget Committee.

(e)(1) Upon recommendation by the Chief Fiscal Officer of the State, the Governor may determine that circumstances exist that meet the requirements for the utilization of the Long Term Reserve Fund as set out in this section, and the procedures set out herein shall apply.

(2) When the Governor determines there is a need requiring transfer from the Long Term Reserve Fund, he or she shall instruct the Chief Fiscal Officer of the State to prepare and submit written documentation to the Legislative Council or the Joint Budget Committee. Such documentation shall include:

(A) Sufficient financial data that will enable the verification of the existence of an emergency and the amount necessary to address the need for long term reserve funds;

(B) A proposed distribution of moneys from the Long Term Reserve Fund to one (1) or more funds or fund accounts in the Revenue Stabilization Law, § 19-5-101 et seq., or to the Economic Development Superprojects Project Fund, or both; and

(C) A statement certifying that no other funds are available that could be transferred in lieu of the funds in the Long Term Reserve Fund.

(3) Such documentation shall be submitted to the Legislative Council or Joint Budget Committee for approval prior to the implementation of the proposed distribution. The Chief Fiscal Officer of the State, after having sought and received prior approval of at least two-thirds (2/3) of the members of the Legislative Council or at least two-thirds (2/3) of the members of the Joint Budget Committee, shall cause the required transfers to be made on his or her books and on the books of the Treasurer of State and the Auditor of State from the Long Term Reserve Fund to the appropriate funds and fund accounts in the Revenue Stabilization Law, § 19-5-101 et seq., or to the Economic Development Superprojects Project Fund, or both. In no event shall the amounts transferred in any fiscal year to the funds and fund accounts in the Revenue Stabilization Law, § 19-5-101 et seq., by this section cause the general revenues to exceed the maximum allocations authorized in the Revenue Stabilization Law, § 19-5-101 et seq.

(f) Determining the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation acts for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law, § 19-5-101 et seq. Further, the General Assembly has determined that creating the Long Term Reserve Fund and establishing the procedures for the transfer of funds to various funds and fund accounts in the Revenue Stabilization Law, § 19-5-101 et seq., or to the Economic Development Superprojects Project Fund, or both, provides for the efficient and effective operation of state government if a revenue shortfall is determined to exist. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

(g) During each fiscal year, after the provisions of § 19-5-1004(b)(2) are complied with, the Chief Fiscal Officer of the State ~~may~~ shall replenish the Long Term Reserve Fund by transferring no more than fifty percent (50%) of the balance in the General Revenue Allotment Reserve Fund or an amount equal to all transfers made under this section during the fiscal year immediately preceding the fiscal year



in which such replenishment is made under this section, whichever is less, to the Long Term Reserve Fund. ~~In no event shall the balance of the Long Term Reserve Fund exceed one hundred twenty five million dollars (\$125,000,000) at any time."~~

(SIGNED) SENATOR LARRY R. TEAGUE

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 5** was ordered engrossed.

On motion of Senator Maloch, the Senate recessed until 2:25 p.m.

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

**ARKANSAS SENATE  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION**

May 2, 2017

Mr. President:

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

**SENATE BILL NO. 5**, BY SENATOR HENDREN,

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

Respectfully submitted,

(SIGNED) SENATOR BILL SAMPLE, CHAIRMAN

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

On motion of Senator Teague, **Senate Bill No. 5** was called up for third reading and final disposition.

**SENATE BILL NO. 5**

*As Engrossed: S5/2/17*

Call Item 6

**NINETY-FIRST GENERAL ASSEMBLY**

**FIRST EXTRAORDINARY SESSION**

**BY: SENATORS J HENDREN, J. DISMANG**

**BY: REPRESENTATIVE GILLAM**

A Bill for an Act to be Entitled: AN ACT TO AMEND INITIATED ACT 1 OF 2000, ALSO KNOWN AS THE "TOBACCO SETTLEMENT PROCEEDS ACT"; TO AUTHORIZE THE TRANSFER OF FUNDS FROM THE ARKANSAS HEALTHY CENTURY TRUST FUND; TO TRANSFER FUNDS FROM THE ARKANSAS HEALTHY CENTURY TRUST FUND TO THE LONG TERM RESERVE FUND; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Senate Bill No. 5** was placed on third reading and final disposition, the question being: Shall the Bill pass?

Pairs were announced at the desk.



STATE OF ARKANSAS  
ARKANSAS SENATE  
State Capitol  
Little Rock, Arkansas 72201  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

DATE May 2, 2017

PAIR VOTE

Passage of [Senate Bill No. 5](#)

VOTING YEA (SIGNED) Missy Irvin

VOTING NAY (SIGNED) Stephanie Flowers

(SIGNED) ANN CORNWELL  
SECRETARY OF THE SENATE



STATE OF ARKANSAS  
ARKANSAS SENATE  
State Capitol  
Little Rock, Arkansas 72201  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

DATE May 2, 2017

PAIR VOTE

Passage of [Senate Bill No. 5](#)

VOTING YEA (SIGNED) Gregory B. Standridge

VOTING NAY (SIGNED) Keith Ingram

(SIGNED) ANN CORNWELL  
SECRETARY OF THE SENATE



STATE OF ARKANSAS  
ARKANSAS SENATE  
State Capitol  
Little Rock, Arkansas 72201  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

DATE May 2, 2017

PAIR VOTE

Passage of **Senate Bill No. 5**

VOTING YEA           (SIGNED) Jake Files

VOTING NAY           (SIGNED) Joyce Elliott

(SIGNED) ANN CORNWELL  
SECRETARY OF THE SENATE

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

AFFIRMATIVE: Bledsoe, Caldwell, Cheatham, Clark, Cooper, Dismang, Eads, English, Files, Flippo, Hendren, Hester, Hickey, Hutchinson, Irvin, Johnson, Lindsey, Maloch, Rapert, Rice, Sample, Sanders, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....27

NEGATIVE: Bond, Chesterfield, Collins-Smith, Elliott, Flowers, Ingram, King.

Total .....7

ABSENT OR NOT VOTING: Garner.

Total .....1

EXCUSED:

Total .....0

VOTING PRESENT:

Total .....0

Necessary to the passage of the bill .....24

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. 5**, 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:

AFFIRMATIVE: Bledsoe, Caldwell, Cheatham, Clark, Cooper, Dismang, Eads, English, Files, Flippo, Hendren, Hester, Hickey, Hutchinson, Irvin, Johnson, Lindsey, Maloch, Rapert, Rice, Sample, Sanders, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....27

NEGATIVE: Bond, Chesterfield, Collins-Smith, Elliott, Flowers, Ingram, King.

Total .....7

ABSENT OR NOT VOTING: Garner.

Total .....1

EXCUSED:

Total .....0

VOTING PRESENT:

Total .....0

Total number of votes cast .....34

Necessary to the adoption of the emergency clause.....24

So the emergency clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 5** was ordered immediately transmitted to the House.

On motion of Senator Maloch, the Governor's appointments were approved  
as follows:



## Arkansas Senate

91ST GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS 72201

**ANN CORNWELL, DIRECTOR**  
SECRETARY OF THE SENATE  
PHONE: 501-682-5951  
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E-MAIL: [ann.cornwell@senate.ar.gov](mailto:ann.cornwell@senate.ar.gov)

STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator John Cooper, confirmed the following appointment:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Randy Woodard Craighead County	January 14, 2024	Stadium Commission

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions



## Arkansas Senate

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Eddie Cheatham, confirmed the following appointment:

<b><u>APPOINTEE NAME &amp; COUNTY</u></b>	<b><u>EXPIRATION DATE</u></b>	<b><u>BOARD OR COMMISSION</u></b>
John F. Gibson Drew County	March 31, 2024	Red River Compact Commission

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions



## Arkansas Senate

91ST GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS 72201

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Jake Files, confirmed the following appointment:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Melissa Hanesworth Sebastian County	May 1, 2021	AR Workforce Development Board

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions





## Arkansas Senate

91ST GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS 72201

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Trent Garner, confirmed the following appointment:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Warner Smith, Sr., Union County	January 1, 2019	State Board of Collection Agencies

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commission



## Arkansas Senate

91ST GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS 72201

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Lance Eads, confirmed the following appointment:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Thomas Boyer Washington County	March 1, 2027	Board of Trustees of the University of Arkansas

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions



## Arkansas Senate

91ST GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS 72201

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Jane English, confirmed the following appointment:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Lindsay Brown, Pulaski County	May 1, 2021	AR Workforce Development Board

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions



## Arkansas Senate

91ST GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS 72201

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Jim Hendren, confirmed the following appointment:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Gene Pharr Washington County	March 30, 2020	AR Beef Council

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions



## Arkansas Senate

91ST GENERAL ASSEMBLY  
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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Jeremy Hutchinson, confirmed the following appointments:

<b>APPOINTEE NAME &amp; COUNTY</b>	<b>EXPIRATION DATE</b>	<b>BOARD OR COMMISSION</b>
Brian Itzkowitz, Pulaski County	May 1, 2021	AR Workforce Development Board
Holley Little, Saline County	May 1, 2021	AR Workforce Development Board

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions



## Arkansas Senate

91ST GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS 72201

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Blake Johnson, confirmed the following appointment:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Pasturine "Pat" Johnson Randolph County	January 14, 2020	Black History Commission of Arkansas

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions



## Arkansas Senate

91ST GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS 72201

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

\  
May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Bryan King, confirmed the following appointment:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Sheriff Timothy Helder Washington County	January 14, 2024	State Crime Laboratory Board

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions



## Arkansas Senate

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Uvalde Lindsey, confirmed the following appointment:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Kelley Sharp Washington County	May 1, 2021	AR Workforce Development Board

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions





## Arkansas Senate

91ST GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS 72201

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Jason Rapert, confirmed the following appointments:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Stephanie Smith Faulkner County	June 30, 2019	Board of the Division of State Services for the Blind
William James "Jimmy" Bryant Faulkner County	January 14, 2024	AR History Commission

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions



## Arkansas Senate

91ST GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS 72201

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Terry Rice, confirmed the following appointment:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Ken Griffin, Crawford County	January 14, 2024	Stadium Commission

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions



## Arkansas Senate

91ST GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS 72201

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Bill Sample, confirmed the following appointment:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Edward Vance, Saline County	January 1, 2020	State Board of Collection Agencies

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions



## Arkansas Senate

91ST GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS 72201

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator David Sanders, confirmed the following appointments:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Col. Thomas Anderson Pulaski County	May 1, 2021	AR Workforce Development Board
Gary Patton, Faulkner County	March 30, 2020	AR Beef Council

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions



## Arkansas Senate

91ST GENERAL ASSEMBLY  
LITTLE ROCK, ARKANSAS 72201

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STATE CAPITOL, ROOM 320  
LITTLE ROCK, ARKANSAS 72201

May 2, 2017

The Honorable Asa Hutchinson  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, AR 72201

Dear Governor Hutchinson:

This is to advise that the Senate of the First Extraordinary Session of the Ninety-First General Assembly, 2017, on a motion of Senator Gary Stubblefield, confirmed the following appointment:

<u>APPOINTEE NAME &amp; COUNTY</u>	<u>EXPIRATION DATE</u>	<u>BOARD OR COMMISSION</u>
Dennis Wiederkehr Franklin County	March 1, 2020	AR Wine Producers Council

Respectfully submitted,

Ann Cornwell, Director, Arkansas Senate  
Secretary of the Senate

AC/mhf

cc: The Honorable Mark Martin, Secretary of State  
Bruce Campbell, Director of Boards and Commissions

\* \* \* \* \*

SENATE BILLS TRANSMITTED TO THE HOUSE  
AS PASSED

SENATE BILL NO. 1  
SENATE BILL NO. 2  
SENATE BILL NO. 3  
SENATE BILL NO. 4  
SENATE BILL NO. 5

HOUSE BILLS TRANSMITTED TO THE SENATE  
AS PASSED

HOUSE BILL NO. 1001  
HOUSE BILL NO. 1002  
HOUSE BILL NO. 1003  
HOUSE BILL NO. 1004

On motion of Senator Dismang, the Senate adjourned until 9:00 a.m.,  
Wednesday, May 3, 2017.

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PRESIDENT OF THE SENATE

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SECRETARY OF THE SENATE



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

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Little Rock, Arkansas

May 3, 2017

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:

BLEDSOE, BOND, CALDWELL, CHEATHAM,  
CHESTERFIELD, CLARK, COLLINS-SMITH, COOPER,  
DISMANG, EADS, ELLIOTT, ENGLISH, FILES,  
FLIPPO, FLOWERS, GARNER, HENDREN, HESTER,  
HICKEY, HUTCHINSON, INGRAM, IRVIN, JOHNSON,  
LINDSEY, MALOCH, RAPERT, RICE, SAMPLE,  
SANDERS, STANDRIDGE, STUBBLEFIELD, TEAGUE,  
WALLACE, WILLIAMS.

Senator Hester requested leave for Senator King. Leave granted.

The Senate was led in prayer by Senator Teague.

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

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

The President declared the morning hour to have expired.



On motion of Senator Dismang, **House Bill No. 1001** was called up for third reading and final disposition.

**HOUSE BILL NO. 1001**  
**Call Item 2**  
**NINETY-FIRST GENERAL ASSEMBLY**  
**FIRST EXTRAORDINARY SESSION**  
**BY: REPRESENTATIVE GILLAM**  
**BY: SENATOR J. DISMANG**

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO ARKANSAS CONSTITUTION, ARTICLE 19, § 30, TO INTEGRATE AND INCORPORATE THE PROVISIONS OF ACTS 2017, NOS. 207, 312, AND 1108 INTO ARKANSAS CONSTITUTION, ARTICLE 19, § 30; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**House Bill No. 1001** was placed on third reading and final disposition, the question being: Shall the Bill pass?

Senator Dismang moved that the Body roll the vote on House Bill No. 1001. Motion carried.

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

AFFIRMATIVE: Bledsoe, Bond, Caldwell, Cheatham, Chesterfield, Clark, Collins-Smith, Cooper, Dismang, Eads, Elliott, English, Files, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, Lindsey, Maloch, Rapert, Rice, Sample, Sanders, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....34

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING:

Total .....0

EXCUSED: King.

Total .....1

VOTING PRESENT:

Total .....0

Total number of votes cast.....34  
Necessary to the passage of the bill .....24

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1001**, 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:

AFFIRMATIVE: Bledsoe, Bond, Caldwell, Cheatham, Chesterfield, Clark, Collins-Smith, Cooper, Dismang, Eads, Elliott, English, Files, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, Lindsey, Maloch, Rapert, Rice, Sample, Sanders, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....34

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING:

Total .....0

EXCUSED: King.

Total .....1

VOTING PRESENT:

Total .....0

Total number of votes cast.....34  
Necessary to the adoption of the emergency clause.....24

So the emergency clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1001** was ordered immediately transmitted to the House.

On motion of Senator Dismang, **House Bill No. 1002** was called up for third reading and final disposition.

**HOUSE BILL NO. 1002**  
**Call Item 3**  
**NINETY-FIRST GENERAL ASSEMBLY**  
**FIRST EXTRAORDINARY SESSION**  
**BY: REPRESENTATIVE GILLAM**  
**BY: SENATOR J. DISMANG**

A Bill for an Act to be Entitled: AN ACT TO MAKE TECHNICAL CORRECTIONS TO ARKANSAS CONSTITUTION, AMENDMENT 98, ALSO KNOWN AS THE "ARKANSAS MEDICAL MARIJUANA AMENDMENT OF 2016" TO INTEGRATE AND INCORPORATE THE PROVISIONS OF ACTS 4, 438, 479, 593, 639, 641, 670, 740, 948, 1023, 1024, 1098, AND 1100 OF 2017 INTO ARKANSAS CONSTITUTION, AMENDMENT 98; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**House Bill No. 1002** 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:

AFFIRMATIVE: Bledsoe, Bond, Caldwell, Cheatham, Chesterfield, Clark, Collins-Smith, Cooper, Dismang, Eads, Elliott, English, Files, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, Lindsey, Maloch, Rice, Sample, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....32

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Rapert, Sanders.

Total .....2

EXCUSED: King.

Total .....1

VOTING PRESENT:

Total .....0

Total number of votes cast .....32  
 Necessary to the passage of the bill .....24

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1002**, 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:

AFFIRMATIVE: Bledsoe, Bond, Caldwell, Cheatham, Chesterfield, Clark, Collins-Smith, Cooper, Dismang, Eads, Elliott, English, Files, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, Lindsey, Maloch, Rice, Sample, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....32

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Rapert, Sanders.

Total .....2

EXCUSED: King.

Total .....1

VOTING PRESENT:

Total .....0

Total number of votes cast .....32  
 Necessary to the adoption of the emergency clause.....24

So the emergency clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1002** was ordered immediately returned to the House as passed.

On motion of Senator Dismang, **House Bill No. 1003** was called up for third reading and final disposition.

**HOUSE BILL NO. 1003**  
**Call Item 4**  
**NINETY-FIRST GENERAL ASSEMBLY**  
**FIRST EXTRAORDINARY SESSION**  
**BY: REPRESENTATIVE GILLAM**  
**BY: SENATOR J. DISMANG**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS WORKS ACT OF 2016 TO REDUCE INCOME ELIGIBILITY LIMITS IN THE ARKANSAS WORKS PROGRAM TO ONE HUNDRED PERCENT (100%) OF THE FEDERAL POVERTY LEVEL AND IMPOSE WORK REQUIREMENTS ON CERTAIN INDIVIDUALS ENROLLED IN THE ARKANSAS WORKS PROGRAM; TO ALLOW ARKANSAS THE FLEXIBILITY TO SELECT WHETHER TO BECOME AN "ASSESSMENT STATE" OR A "DETERMINATION STATE"; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**House Bill No. 1003** 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:

AFFIRMATIVE: Bledsoe, Caldwell, Cheatham, Cooper, Dismang, Eads, English, Garner, Hendren, Hester, Hickey, Hutchinson, Irvin, Johnson, Rapert, Sample, Sanders, Wallace, Williams.

Total .....19

NEGATIVE: Bond, Chesterfield, Elliott, Ingram, Lindsey, Maloch, Teague.

Total .....7

ABSENT OR NOT VOTING: Clark, Collins-Smith, Files, Flippo, Flowers, Standridge.

Total .....6

EXCUSED: King.

Total .....1

VOTING PRESENT: Rice, Stubblefield.

Total .....2

Total number of votes cast.....28  
Necessary to the passage of the bill .....18

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

(SIGNED) ANN CORNWELL, SECRETARY

\* \* \* \* \* **EXPUNGED** \* \* \* \* \*

There being an emergency clause attached to **House Bill No. 1003**, 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:

AFFIRMATIVE: Bledsoe, Caldwell, Cheatham, Cooper, Dismang, Eads, English, Garner, Hendren, Hester, Hickey, Hutchinson, Irvin, Johnson, Rapert, Sample, Sanders, Wallace, Williams.

Total .....19

NEGATIVE: Bond, Chesterfield, Elliott, Ingram, Lindsey, Maloch, Teague.

Total .....7

ABSENT OR NOT VOTING: Clark, Collins-Smith, Files, Flippo, Flowers, Standridge.

Total .....6

EXCUSED: King.

Total .....1

VOTING PRESENT: Rice, Stubblefield.

Total .....2

Total number of votes cast .....28  
 Necessary to the adoption of the emergency clause .....24

So the emergency clause failed.

(SIGNED) ANN CORNWELL, SECRETARY

**\* \* \* \* \* EXPUNGED \* \* \* \* \***

The record pertaining to the vote by which **House Bill No. 1003** failed to pass was expunged, in accordance with a prevailing motion on May 3, 2017.

Senator Dismang moved that the record pertaining to the vote by which the emergency clause to **House Bill No. 1003** failed of adoption be expunged; the motion was duly seconded and prevailed.

Senator Dismang moved that the body roll the vote on the emergency clause to **House Bill No. 1003**. Motion carried.

There being an emergency clause attached to **House Bill No. 1003**, 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:

AFFIRMATIVE: Bledsoe, Caldwell, Cheatham, Chesterfield, Clark, Collins-Smith, Cooper, Dismang, Eads, Elliott, English, Files, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, Lindsey, Maloch, Rapert, Rice, Sample, Sanders, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....33

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Bond.

Total .....1

EXCUSED: King.

Total .....1

VOTING PRESENT:

Total .....0

Total number of votes cast.....33  
Necessary to the adoption of the emergency clause.....24

So the emergency clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1003 was ordered immediately returned to the House as passed.

On motion of Senator Dismang, House Bill No. 1004 was called up for third reading and final disposition.

HOUSE BILL NO. 1004  
Call Item 5  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION  
BY: REPRESENTATIVE GILLAM  
BY: SENATOR J. DISMANG

A Bill for an Act to be Entitled: AN ACT CONCERNING THE ARKANSAS HEALTH INSURANCE MARKETPLACE; TO PROHIBIT DEVELOPMENT OF TECHNOLOGY FOR A STATE-BASED PLATFORM FOR THE INDIVIDUAL HEALTH INSURANCE MARKETPLACE; TO PROVIDE OVERSIGHT OF THE ARKANSAS HEALTH INSURANCE MARKETPLACE TO THE LEGISLATIVE COUNCIL; TO STUDY THE FUTURE DIRECTION OF THE ARKANSAS HEALTH INSURANCE MARKETPLACE; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1004 was placed on third reading and final disposition, the question being: Shall the Bill pass?



AFFIRMATIVE: Bledsoe, Bond, Caldwell, Cheatham, Chesterfield, Clark, Collins-Smith, Cooper, Dismang, Eads, Elliott, English, Files, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, Lindsey, Maloch, Rapert, Rice, Sample, Sanders, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....34

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING:

Total .....0

EXCUSED: King.

Total .....1

VOTING PRESENT:

Total .....0

Total number of votes cast .....34

Necessary to the passage of the bill .....18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1004**, 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:

AFFIRMATIVE: Bledsoe, Bond, Caldwell, Cheatham, Chesterfield, Clark, Collins-Smith, Cooper, Dismang, Eads, Elliott, English, Files, Flippo, Flowers, Garner, Hendren, Hester, Hickey, Hutchinson, Ingram, Irvin, Johnson, Lindsey, Maloch, Rapert, Rice, Sample, Sanders, Standridge, Stubblefield, Teague, Wallace, Williams.

Total .....34

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING:

Total .....0

EXCUSED: King.

Total .....1

VOTING PRESENT:

Total .....0

Total number of votes cast .....34

Necessary to the adoption of the emergency clause.....24

So the emergency clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1004 was ordered immediately returned to the House as passed.

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.

Senate Bill No. 3 was returned from the House as passed and ordered enrolled.

Senate Bill No. 4 was returned from the House as passed and ordered enrolled.

Senate Bill No. 5 was returned from the House as passed and ordered enrolled.

ARKANSAS SENATE  
NINETY-FIRST GENERAL ASSEMBLY  
FIRST EXTRAORDINARY SESSION

May 3, 2017

Mr. President:

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

- SENATE BILL NO. 1, BY SENATOR JONATHAN DISMANG,
- SENATE BILL NO. 2, BY SENATOR JONATHAN DISMANG,
- SENATE BILL NO. 3, BY SENATOR JONATHAN DISMANG,
- SENATE BILL NO. 4, BY SENATOR JONATHAN DISMANG,
- SENATE BILL NO. 5, BY SENATOR JIM HENDREN,

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 10:39 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) SENATOR BILL SAMPLE, CHAIRMAN

GOVERNOR'S BILL RECEIPTS

- SENATE BILL NO. 1
- SENATE BILL NO. 2
- SENATE BILL NO. 3
- SENATE BILL NO. 4
- SENATE BILL NO. 5

RECEIVED the above papers from the Secretary of the Senate this third day of May, 2017 at 10:39 a.m.

(SIGNED) ASA HUTCHINSON, GOVERNOR  
(SIGNED) CHRISTIAN GONZALEZ, SECRETARY

\* \* \* \* \*

SENATE BILLS RETURNED FROM THE HOUSE  
AS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 1

SENATE BILL NO. 2

SENATE BILL NO. 3

SENATE BILL NO. 4

SENATE BILL NO. 5

HOUSE BILLS RETURNED TO THE HOUSE  
AS PASSED

HOUSE BILL NO. 1001

HOUSE BILL NO. 1002

HOUSE BILL NO. 1003

HOUSE BILL NO. 1004

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

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PRESIDENT OF THE SENATE

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SECRETARY OF THE SENATE



Arkansas General Assembly  
91st General Assembly  
2017 FIRST EXTRAORDINARY SESSION

We, your Committee on Transportation, Technology and Legislative Affairs, have checked the Journal of the 91st General Assembly, 2017, FIRST EXTRAORDINARY SESSION, carefully and find it correct and in proper form for filing with the Secretary of State.

Respectfully submitted,

(SIGNED) BILL SAMPLE  
CHAIRMAN

(SIGNED) TIM GRIFFIN  
PRESIDENT OF THE SENATE

(SIGNED) ANN CORNWELL  
SECRETARY OF THE SENATE

# ADDENDUM



STATE OF ARKANSAS

**Asa Hutchinson**

**Governor**

May 4, 2017

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on May 4, 2017, I approved the following measures from the First Extraordinary Session of the Ninety-First General Assembly:

SB 4 - Act 5

SB 3 - Act 6

SB 5 - Act 7

SB 2 - Act 8

SB 1 - Act 9

Sincerely,

s/ Asa Hutchinson

cc: Sherri Stacks, Chief Clerk/Fiscal Officer, Arkansas House of Representatives

