

Sample Ballot
for the November 7, 2000
General Election
State of Arkansas
Office of the Secretary of State

Vote by placing an "X" in the square opposite the person for whom you wish to vote.

President and Vice President of the United States

(Vote for One)

Howard Phillips	Constitutional	<input type="checkbox"/>
Vice President Al Gore	Democrat	<input type="checkbox"/>
Joe Lieberman	Green Party	<input type="checkbox"/>
Harry Browne	Libertarian	<input type="checkbox"/>
Art Olivier		
Dr. John Hagelin	Natural Law	<input type="checkbox"/>
Dr. Mike Tompkins	Reform Party	<input type="checkbox"/>
Governor George W. Bush	Republican	<input type="checkbox"/>
Dick Chaney		

United States Congress, District 01

(Vote for One)

Congressman Marion Berry	Democrat	<input type="checkbox"/>
Susan Myshka	Republican	<input type="checkbox"/>
_____	Write-In	<input type="checkbox"/>

United States Congress, District 02

(Vote for One)

Vic Snyder	Democrat	<input type="checkbox"/>
Bob Thomas	Republican	<input type="checkbox"/>

United States Congress, District 03

(Vote for One)

Congressman Asa Hutchinson	Republican	<input type="checkbox"/>
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United States Congress, District 04

(Vote for One)

State Senator Mike Ross	Democrat	<input type="checkbox"/>
Congressman Jay Dickey	Republican	<input type="checkbox"/>

State Senate, District _____

(Vote for One)

_____	Democrat	<input type="checkbox"/>
_____	Republican	<input type="checkbox"/>
_____	Independent	<input type="checkbox"/>
_____	Write In	<input type="checkbox"/>

State Representative, District _____

(Vote for One)

_____	Democrat	<input type="checkbox"/>
_____	Republican	<input type="checkbox"/>
_____	Independent	<input type="checkbox"/>

State Supreme Court Associate Justice Position _____

(Vote for One)

_____	Democrat	<input type="checkbox"/>
_____	Republican	<input type="checkbox"/>

(Vote for One)

_____	Democrat	<input type="checkbox"/>
_____	Republican	<input type="checkbox"/>

Court of Appeals Associate Judge District _____, Position _____

(Vote for One)

_____	Democrat	<input type="checkbox"/>
_____	Republican	<input type="checkbox"/>
_____	Independent	<input type="checkbox"/>

Circuit Judge, District _____, Subdistrict _____, Division _____

(Vote for One)

_____	Democrat	<input type="checkbox"/>
_____	Republican	<input type="checkbox"/>

Circuit/Chancery Judge, Dist. _____, Subdistrict _____, Div. _____

(Vote for One)

_____	Democrat	<input type="checkbox"/>
_____	Republican	<input type="checkbox"/>

Chancery Judge, District _____, Division _____

(Vote for One)

_____	Democrat	<input type="checkbox"/>
_____	Republican	<input type="checkbox"/>
_____	Independent	<input type="checkbox"/>

Prosecuting Attorney, District _____

(Vote for One)

_____	Democrat	<input type="checkbox"/>
_____	Republican	<input type="checkbox"/>

Unopposed Candidates

(By placing an X in the block you have voted for all unopposed candidates)

.....
*Vote on Referred and Initiated Amendments and Question by placing a mark in the square opposite the Amendments and Question either **FOR** or **Against**.*
.....

Proposed Constitutional Amendment No. 1
(Referred to the People by the General Assembly)
(Poplar Name)

THE CITY AND COUNTY GOVERNMENT REDEVELOPMENT BOND AND SHORT TERM FINANCING AMENDMENT
(Ballot Title)

" A PROPOSED AMENDMENT TO THE ARKANSAS CONSTITUTION; TO AUTHORIZE CITIES AND COUNTIES TO FORM REDEVELOPMENT DISTRICTS AND TO ISSUE BONDS FOR REDEVELOPMENT PROJECTS IN THE DISTRICTS; TO AUTHORIZE THE DIVISION OF AD VALOREM TAXES LEVIED BY ANY TAXING UNIT AGAINST PROPERTY IN THE DISTRICT SO THAT THE AD VALOREM TAXES LEVIED AGAINST ANY INCREASE IN THE ASSESSED VALUE OF PROPERTY IN THE DISTRICT SHALL BE USED TO PAY THE BONDS; TO DEFINE REDEVELOPMENT PROJECTS; TO LIMIT THE EFFECT OF ARTICLE XVI, SECTION 14; TO PROVIDE THAT MUNICIPALITIES AND COUNTIES MAY INCUR SHORT-TERM FINANCING OBLIGATIONS HAVING A TERM NOT TO EXCEED FIVE (5) YEARS AND BEARING INTEREST AT EITHER A FIXED OR VARIABLE RATE, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, INSTALLING OR RENTING REAL PROPERTY OR TANGIBLE PERSONAL PROPERTY HAVING AN EXPECTED USEFUL LIFE OF MORE THAN ONE (1) YEAR; TO PROVIDE THAT THE MAXIMUM LAWFUL RATE OF INTEREST FOR FIXED RATE OBLIGATIONS IS THE FORMULA RATE IN EFFECT WHEN THE OBLIGATION IS INCURRED, AND THAT THE MAXIMUM LAWFUL RATE OF INTEREST FOR VARIABLE RATE OBLIGATIONS IS THE FORMULA RATE IN EFFECT WHEN THE INTEREST ACCRUES; TO DEFINE "FORMULA RATE" AS THAT RATE OF INTEREST WHICH IS FIVE PERCENTAGE POINTS (5%) ABOVE THE EQUIVALENT BOND YIELD OF ONE YEAR U. S. TREASURY BILLS OFFERED BY THE U. S. TREASURY AT THE LAST AUCTION DURING THE IMMEDIATELY PRECEDING CALENDAR QUARTER, CALCULATED BY ROUNDING UP TO THE NEAREST ONE-FOURTH OF ONE PERCENTAGE POINT (0.25%) AND ANNOUNCED BY THE STATE

State Supreme Court Chief Justice Position 1

BANK COMMISSIONER FROM TIME TO TIME; TO PROVIDE THAT THE AGGREGATE PRINCIPAL AMOUNT OF SHORT-TERM FINANCING OBLIGATIONS INCURRED BY A MUNICIPALITY OR A COUNTY PURSUANT TO THIS AMENDMENT SHALL NOT EXCEED FIVE PERCENT (5%) OF THE ASSESSED VALUE OF TAXABLE PROPERTY LOCATED WITHIN THE MUNICIPALITY OR TWO AND ONE HALF PERCENT (2½ %) OF THE ASSESSED VALUE OF TAXABLE PROPERTY LOCATED WITHIN THE COUNTY; TO PROVIDE THAT THE TOTAL ANNUAL PRINCIPAL AND INTEREST PAYMENTS IN EACH FISCAL YEAR ON ALL OUTSTANDING OBLIGATIONS PURSUANT TO THIS AMENDMENT SHALL BE PAID FROM THE GENERAL REVENUES FOR SUCH FISCAL YEAR; TO PROVIDE THAT THE AUTHORITY CONFERRED BY THIS AMENDMENT SHALL BE IN ADDITION TO THE AUTHORITY OF MUNICIPALITIES AND COUNTIES TO ISSUE BONDS AND OTHER DEBT OBLIGATIONS PURSUANT TO OTHER PROVISIONS OF THE CONSTITUTION AND LAWS OF THE STATE; TO DEFINE OTHER TERMS IN THE AMENDMENT; AND TO PROVIDE THAT THE AMENDMENT SHALL BE SELF-EXECUTING."

FOR Proposed Referred Constitutional Amendment No. 1

AGAINST Proposed Referred Constitutional Amendment No. 1

Proposed Constitutional Amendment No. 2

(Referred to the People by the General Assembly)

(Popular Name)

AN AMENDMENT TO LIMIT THE INCREASE IN THE ASSESSED VALUE OF A TAXPAYER'S REAL PROPERTY AFTER A COUNTYWIDE REAPPRAISAL AND TO REQUIRE A PROPERTY TAX CREDIT OF AT LEAST THREE HUNDRED DOLLARS (\$300) ON HOMESTEAD PROPERTY

(Ballot Title)

"PROPOSING A CONSTITUTIONAL AMENDMENT TO PROVIDE PROPERTY TAX RELIEF; TO LIMIT THE INCREASE IN THE ASSESSED VALUE OF A TAXPAYER'S REAL PROPERTY FOR PROPERTY TAX PURPOSES AS A RESULT OF A COUNTY-WIDE REAPPRAISAL; TO PROVIDE A STATE CREDIT OF AT LEAST THREE HUNDRED DOLLARS (\$300) AGAINST AD VALOREM PROPERTY TAX ON A HOMESTEAD; CONCERNING ADJUSTMENT OF PROPERTY TAXES; AND FOR OTHER PURPOSES."

FOR Proposed Referred Constitutional Amendment No. 2

AGAINST Proposed Referred Constitutional Amendment No. 2

Proposed Constitutional Amendment No. 3

(Referred to the People by the General Assembly)

(Popular Name)

AN AMENDMENT TO REVISE THE JUDICIAL ARTICLE OF THE ARKANSAS CONSTITUTION

(Ballot Title)

"PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO REVISE THE JUDICIAL ARTICLE."

FOR Proposed Referred Constitutional Amendment No. 3

AGAINST Proposed Referred Constitutional Amendment No. 3

Proposed Constitutional Amendment No. 4

(Proposed by Initiative Petition of the People)

(Popular Name)

AN AMENDMENT TO ABOLISH THE STATE AND LOCAL SALES AND USE TAX ON USED GOODS, TO PROHIBIT THE INCREASE OF TAXES WITHOUT VOTER APPROVAL AT A GENERAL ELECTION, TO PROVIDE FOR A THREE YEAR STATUTE OF LIMITATIONS FOR ACTIONS TO RECOVER TAXES, BY THE TAXING AUTHORITY OR BY AN AGGRIEVED TAXPAYER, TO PROVIDE PROCEDURAL SAFEGUARDS FOR TAXPAYERS, AND FOR OTHER PURPOSES

(Ballot Title)

AN AMENDMENT TO THE ARKANSAS CONSTITUTION ABOLISHING THE STATE AND LOCAL SALES AND USE TAX ON USED GOODS; AUTHORIZING THE COLLECTION OF SALES AND USE TAX ON GOODS USED TO MAKE REMANUFACTURED GOODS, BUT NOT ON THE SALE PRICE OR MARKET VALUE OF THE REMANUFACTURED GOODS; PROVIDING THAT THIS AMENDMENT SHALL NOT BE CONSTRUED TO PREVENT THE IMPOSITION OF SALES AND USE TAX UPON OTHERWISE TAXABLE GOODS, OR THE SALE OR USE OF SAME, WHICH HAVE NOT BEEN PREVIOUSLY SUBJECT TO ANY SALES OR USE TAX BY ANY GOVERNMENT ENTITY; PROVIDING THAT THIS AMENDMENT SHALL NOT BE CONSTRUED TO PROHIBIT THE COLLECTION OF TAXES FOR WHICH LIABILITY ACCRUED PRIOR TO THE EFFECTIVE DATE OF THIS AMENDMENT; PROHIBITING THE IMPOSITION OR INCREASE OF ANY TAX, OR THE DIVERSION OF ANY FUEL TAXES OR OTHER REVENUE SOURCES PRESENTLY USED FOR ROAD OR BRIDGE CONSTRUCTION OR MAINTENANCE TO OTHER PURPOSES, WITHOUT THE APPROVAL OF A MAJORITY OF THE QUALIFIED ELECTORS, OF THE STATE OR THE AFFECTED LOCAL GOVERNMENTAL ENTITY, FREELY VOTING AT THEIR ABSOLUTE UNFETTERED DISCRETION UPON THE ISSUE AT A REGULARLY SCHEDULED STATEWIDE ELECTION; PROVIDING THAT THE REDUCTION OR ELIMINATION OF EXEMPTIONS OR CREDITS, OR THE CHANGING OF ANY LAW OR RULE WHICH RESULTS IN THE COLLECTION OF ADDITIONAL REVENUE FROM SOME OR ALL TAXPAYERS, SHALL BE DEEMED A TAX INCREASE TO THE EXTENT THAT SAID LAW RESULTS IN INCREASED TAX OR EXACTION; PROVIDING THAT THE TERM "MAJORITY OF THE QUALIFIED ELECTORS," AS USED IN THIS AMENDMENT, MEANS A MAJORITY OF THE QUALIFIED ELECTORS WHO ACTUALLY APPEAR AND VOTE UPON THE PERTINENT QUESTION; ABOLISHING THE RULE AGAINST RECOVERY BACK

OF VOLUNTARY PAYMENTS, AS APPLIED TO ILLEGAL EXACTIONS; PROVIDING FOR A THREE (3) YEAR STATUTE OF LIMITATIONS FOR THE CITIZENS' RECOVERY BACK OF ILLEGAL EXACTIONS, AND FOR A THREE (3) YEAR STATUTE OF LIMITATIONS ON ALL CIVIL, CRIMINAL, OR OTHER ACTIONS BY ANY STATE OR LOCAL GOVERNMENT TO COLLECT DELINQUENT TAXES; PROVIDING THAT IN ANY ILLEGAL EXACTION LAWSUIT, ALL PERSONS SIMILARLY SITUATED TO THE NAMED PLAINTIFF SHALL BE ENTITLED TO RECOVER BACK ANY SUMS FOUND TO HAVE BEEN ILLEGALLY EXACTED, LESS COSTS AND REASONABLE ATTORNEY'S FEES, UPON SUCH CONDITIONS AS THE COURT MAY FIND JUST; EXPANDING THE DEFINITION OF ILLEGAL EXACTION TO INCLUDE NOT ONLY ILLEGAL IMPOSITION, LEVYING, ASSESSMENT, OR COLLECTION OF TAX OR ENFORCED GOVERNMENTAL OR QUASI GOVERNMENTAL EXACTIONS, BUT ALSO ERRONEOUS OR EXCESSIVE IMPOSITION, LEVYING, ASSESSMENT, OR COLLECTION OF TAX OR ENFORCED GOVERNMENTAL OR QUASI GOVERNMENTAL EXACTIONS OF ANY KIND WHATSOEVER, PROVIDED, HOWEVER, THAT SUCH SHALL NOT INCLUDE ANY LEGAL TAX IF THE TAXING AUTHORITY REASONABLY ATTEMPTED TO COMPLY WITH ALL LAWS, REGULATIONS, AND REQUIREMENTS FOR THE ASSESSMENT OR COLLECTION OF TAX, AND THE CIRCUMSTANCES ARE SUCH THAT THE TAXPAYERS IN FAIRNESS AND EQUITY OUGHT NOT TO ESCAPE LIABILITY FOR THE TAX; PROVIDING THAT SOVEREIGN IMMUNITY, FAILURE TO EXHAUST ADMINISTRATIVE REMEDIES, FAILURE TO APPROPRIATE MONEY FOR REPAYMENT, OR PAYMENT OVER TO ANOTHER ENTITY, CONSTITUTE NO DEFENSES TO AN ACTION FOR ILLEGAL EXACTION; PROVIDING FOR LIBERAL CONSTRUCTION IN FAVOR OF THE TAXPAYER, SEVERABILITY, AND GENERAL REPEALER OF CONFLICTING PROVISIONS; PROVIDING THAT THE AMENDMENT IS SELF- EXECUTING AND SHALL TAKE EFFECT IMMEDIATELY, EXCEPT AS OTHERWISE PROVIDED; PROVIDING THAT ALL PROTECTIONS FOR THE TAXPAYER, RELATED TO LITIGATION, SHALL APPLY TO ALL ACTIONS BROUGHT TO JUDGMENT AFTER THE DATE OF PASSAGE OF THIS AMENDMENT, EXCEPT AS TO ACTIONS IN WHICH A NEW TRIAL WOULD BE REQUIRED IN ORDER TO DETERMINE FACTS ESSENTIAL TO THE JUDGMENT, OR ACTIONS IN WHICH THE JUDGMENT WAS ALREADY FINAL ON THE DATE OF THE PASSAGE OF THIS AMENDMENT; AND FOR OTHER PURPOSES.

FOR Proposed Constitutional Amendment No. 4

AGAINST Proposed Constitutional Amendment No. 4

Proposed Constitutional Amendment No. 5

(Proposed by Initiative Petition of the People)

(Popular Name)

AN AMENDMENT TO ESTABLISH A STATE LOTTERY; TO PERMIT CHARITABLE BINGO GAMES AND RAFFLES; TO ALLOW ARKANSAS CASINO CORPORATION TO OWN AND OPERATE SIX CASINO GAMBLING ESTABLISHMENTS ONE EACH IN SEBASTIAN, PULASKI, GARLAND, MILLER, CRITTENDEN AND BOONE COUNTIES; AND TO ESTABLISH THE ARKANSAS EDUCATIONAL TRUST FUND AND THE ARKANSAS GAMING COMMISSION.

(Ballot Title)

AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO: 1) ESTABLISH A STATE-RUN LOTTERY, TO BE OPERATED AND REGULATED BY THE ARKANSAS GAMING COMMISSION; 2) AUTHORIZE CHARITABLE BINGO AND RAFFLES IN ARKANSAS AS REGULATED BY THE ARKANSAS GAMING COMMISSION; AND 3) IMMEDIATELY AUTHORIZE SIX CASINO GAMBLING ESTABLISHMENTS, TO BE OWNED AND OPERATED BY "ARKANSAS CASINO CORPORATION" (A PRIVATE FOR-PROFIT CORPORATION), ONE EACH TO BE LOCATED IN SEBASTIAN, PULASKI, GARLAND, MILLER, CRITTENDEN AND BOONE COUNTIES, THE OPERATIONS OF WHICH SHALL BE AUDITED BY THE ARKANSAS GAMING COMMISSION FOR THE SOLE PURPOSE OF INSURING THAT CASINO TAXES DUE TO THE STATE ARE PAID, BUT WHICH SHALL NOT OTHERWISE BE REGULATED BY THE GAMING COMMISSION; REQUIRING THE GENERAL ASSEMBLY TO ENACT LEGISLATION SO THAT THE STATE LOTTERY AND CHARITABLE BINGO AND RAFFLES MAY BEGIN AT THE EARLIEST POSSIBLE TIME, BUT PROHIBITING THE GENERAL ASSEMBLY FROM ENACTING ANY LEGISLATION REGARDING CASINO GAMING; PROHIBITING CASINO GAMING IN ANY OTHER COUNTY OR AT ANY OTHER THAN THE LOCATIONS OPERATED BY ARKANSAS CASINO CORPORATION; PROHIBITING PERSONS UNDER THE AGE OF 21 FROM PURCHASING LOTTERY TICKETS OR PARTICIPATING IN BINGO, RAFFLES OR CASINO GAMING; REQUIRING AT LEAST 50% OF STATE LOTTERY REVENUE TO BE DISTRIBUTED AS PRIZES, AT LEAST 45% OF LOTTERY REVENUE TO BE PAID TO THE ARKANSAS EDUCATIONAL TRUST FUND AND NO MORE THAN 5% FOR THE EXPENSES OF THE LOTTERY; REQUIRING PAYMENT OF A 15% TAX ON THE "NET GAMING REVENUE" (AS DEFINED) OF ANY CASINO, TO BE ALLOCATED AS FOLLOWS: 80% TO THE STATE'S GENERAL FUND FOR THE PURPOSE OF REDUCING OR ELIMINATING THE GROSS RECEIPTS TAX ON FOOD PURCHASED IN A RETAIL FOOD STORE, WITH ANY EXCESS RETURNED TO THE GENERAL FUND, 10% TO THE ARKANSAS EDUCATIONAL TRUST FUND; 5% OF THE TAX OF ONE CASINO TO THE COUNTY IN WHICH THAT CASINO IS LOCATED (IF THE CASINO IS IN A CITY LIMITS THEN THIS REVENUE SHALL BE DIVIDED EQUALLY BETWEEN THE COUNTY AND THE CITY), 1% TO THE ARKANSAS COMPULSIVE

GAMBLING FOUNDATION FOR THE TREATMENT AND PREVENTION OF GAMBLING ADDICTION; 4% TO THE STATE'S GENERAL FUND FOR THE OPERATIONAL COSTS OF THE ARKANSAS GAMING COMMISSION; PROHIBITING THE GENERAL ASSEMBLY FROM REDUCING LOCAL OR STATE FUNDING BECAUSE OF CASINO TAX REVENUE; PROHIBITING ANY OTHER STATE OR LOCAL TAXES, FEES OR ASSESSMENTS ON THE FURNITURE, FIXTURES, EQUIPMENT, PROPERTY, BUSINESS OPERATIONS, GROSS REVENUES, NET GAMING REVENUES OR INCOME OF ARKANSAS CASINO CORPORATION FROM OR USED IN CASINO GAMING; ESTABLISHING THE ARKANSAS EDUCATIONAL TRUST FUND, ALLOCATED AND ADMINISTERED BY THE DEPARTMENT OF EDUCATION, TO PROVIDE GRANTS TO QUALIFIED HIGH SCHOOL GRADUATES FOR POST-SECONDARY EDUCATION; DEFINING POST-SECONDARY EDUCATION AS THE PURSUIT OF AN UNDERGRADUATE DEGREE AT A PUBLIC OR PRIVATE UNIVERSITY, COLLEGE, COMMUNITY COLLEGE OR A DEGREE FROM A VOCATIONAL-TECHNICAL SCHOOL; REQUIRING NOT LESS THAN 24% OF THE EDUCATIONAL TRUST FUND TO BE USED TO EXPAND PRE-KINDERGARTEN EDUCATIONAL PROGRAMS AND TUTORIAL PROGRAMS FOR PRIMARY AND SECONDARY STUDENTS; CREATING THE ARKANSAS GAMING COMMISSION, WHOSE MEMBERS SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, WHO SHALL: 1) ESTABLISH AND OPERATE THE STATE LOTTERY; 2) LICENSE AND REGULATE CHARITABLE BINGO AND RAFFLES; AND 3) AUDIT THE OPERATIONS OF THE CASINOS FOR THE SOLE PURPOSE OF INSURING THAT ALL CASINO TAXES DUE TO THE STATE ARE PAID; PROVIDING FOR JUDICIAL REVIEW OF THE COMMISSION'S DECISIONS OR ACTIONS; ALLOWING A CASINO TO OPERATE ANY DAY FOR ANY PORTION OF THE DAY; ALLOWING THE SELLING OR FREE FURNISHING OF ALCOHOLIC BEVERAGES IN CASINOS DURING ALL HOURS THEY OPERATE BUT OTHERWISE REQUIRING ADHERENCE TO ALL ALCOHOLIC BEVERAGE CONTROL BOARD REGULATIONS; PERMITTING THE SHIPMENT OF GAMBLING DEVICES INTO AUTHORIZED COUNTIES FOR PURPOSES OF FEDERAL LAW; RENDERING THE PROVISIONS OF THE AMENDMENT SEVERABLE; DECLARING INAPPLICABLE ALL CONSTITUTIONAL PROVISIONS AND LAWS TO THE EXTENT THEY CONFLICT WITH THE AMENDMENT; AND DECLARING THE AMENDMENT OPERATIVE UPON PASSAGE.

FOR Proposed Constitutional Amendment No. 5

AGAINST Proposed Constitutional Amendment No. 5

Proposed Initiated Act No. 1

(Proposed by Initiative Petition of the People)

(Popular Name)

THE TOBACCO SETTLEMENT PROCEEDS ACT

(Ballot Title)

AN ACT ESTABLISHING FUNDS AND ACCOUNTS FOR THE DEPOSIT, INVESTMENT AND MANAGEMENT OF PROCEEDS TO BE RECEIVED BY THE STATE FROM THE MASTER SETTLEMENT AGREEMENT BETWEEN VARIOUS STATES AND TOBACCO MANUFACTURERS (THE "TOBACCO SETTLEMENT"); AND PROVIDING THAT THE FUNDS AND ACCOUNTS WILL BE MANAGED BY THE STATE BOARD OF FINANCE; PROVIDING THAT ALL TOBACCO SETTLEMENT PROCEEDS SHALL BE DEPOSITED IN THE TOBACCO SETTLEMENT CASH HOLDING FUND (THE "HOLDING FUND"), WHICH WILL BE A CASH FUND HELD SEPARATE AND APART FROM THE STATE TREASURY, AND THAT PROCEEDS WILL BE TRANSFERRED FROM THE HOLDING FUND TO THE OTHER FUNDS AS DIRECTED IN THIS ACT; PROVIDING THAT THE FIRST \$100,000,000 OF TOBACCO SETTLEMENT PROCEEDS RECEIVED BY THE STATE WILL FUND THE ARKANSAS HEALTHY CENTURY TRUST FUND (THE "TRUST FUND") WITHIN THE STATE TREASURY AS A REVOCABLE TRUST SUBJECT TO AMENDMENT, TO BE INVESTED FOR USE IN THE FUTURE; PROVIDING THAT EARNINGS ON THE TRUST FUND SHALL BE USED ONLY TO PAY COSTS OF THE STATE BOARD OF FINANCE IN MANAGING THE TOBACCO SETTLEMENT AND ADDITIONAL HEALTH-RELATED USES AS DIRECTED BY THE GENERAL ASSEMBLY; PROVIDING THAT IN 2001, ANY TOBACCO SETTLEMENT PROCEEDS RECEIVED BY THE STATE AND NOT NEEDED TO FUND THE TRUST FUND TO ITS INITIAL ENDOWMENT LEVEL WILL BE TRANSFERRED TO THE TOBACCO SETTLEMENT PROGRAM FUND (THE "PROGRAM FUND") WITHIN THE STATE TREASURY AND USED FOR THE PROGRAMS DESCRIBED BELOW; PROVIDING THAT BEGINNING IN 2002 AND IN EACH YEAR THEREAFTER, TOBACCO SETTLEMENT PROCEEDS SHALL BE DIVIDED AS FOLLOWS: (1) THE FIRST \$5,000,000 RECEIVED IN EACH YEAR WILL BE TRANSFERRED TO THE TOBACCO SETTLEMENT DEBT SERVICE FUND (THE "DEBT SERVICE FUND"), A CASH FUND HELD SEPARATE AND APART FROM THE STATE TREASURY AND IRREVOCABLY PLEDGED TO PAY DEBT SERVICE ON TOBACCO SETTLEMENT REVENUE BONDS (THE "REVENUE BONDS"); PROVIDING THAT ANNUAL TRANSFERS TO THE DEBT SERVICE FUND SHALL BE PERPETUAL, BUT THAT AMOUNTS IN THE DEBT SERVICE FUND NOT NEEDED TO PAY DEBT SERVICE SHALL BE TRANSFERRED TO THE TRUST FUND; AND PROVIDING THAT REVENUE BONDS WILL BE ISSUED BY THE ARKANSAS DEVELOPMENT FINANCE

AUTHORITY FOR THE FOLLOWING CAPITAL IMPROVEMENT PROJECTS: (a) UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES ("UAMS") BIOSCIENCES RESEARCH BUILDING IN A PRINCIPAL AMOUNT NOT TO EXCEED \$25,000,000; (b) ARKANSAS STATE UNIVERSITY ("ASU") BIOSCIENCES RESEARCH BUILDING IN A PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000; (c) SCHOOL OF PUBLIC HEALTH IN A PRINCIPAL AMOUNT NOT TO EXCEED \$15,000,000; AND (d) ANY OTHER CAPITAL IMPROVEMENT PROJECTS RELATED TO HEALTH SUBSEQUENTLY DESIGNATED BY THE GENERAL ASSEMBLY; (2) THE REMAINING PROCEEDS RECEIVED EACH YEAR SHALL BE TRANSFERRED TO THE PROGRAM FUND AND USED TO PAY FOR THE FOLLOWING PROGRAMS IN THE FOLLOWING PERCENTAGES, PROVIDED, HOWEVER, THAT SUCH EXPENDITURES ARE SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY: (a) 31.6% TO PREVENTION AND CESSATION PROGRAMS ADMINISTERED BY THE ARKANSAS DEPARTMENT OF HEALTH ("ADH"), WHICH SHALL ALLOCATE MONEY AND MAKE GRANTS TO PREVENT TOBACCO USE AND ASSIST IN CESSATION OF TOBACCO USE; (b) 15.8% TO THE TARGETED STATE NEEDS PROGRAMS, TO BE ESTABLISHED BY UAMS, WITH FUNDS DISTRIBUTED AMONG (i) A NEW ARKANSAS SCHOOL FOR PUBLIC HEALTH ON THE CAMPUS OF UAMS (33%), (ii) A NEW AREA HEALTH EDUCATION CENTER TO SERVE EASTERN ARKANSAS (22%), (iii) PROGRAMS PROVIDING HEALTH SERVICES TO THE ELDERLY THROUGH THE DONALD W. REYNOLDS CENTER ON AGING (22%), AND (iv) A MINORITY HEALTH INITIATIVE ADDRESSING HEALTH PROBLEMS DISPROPORTIONATELY AFFECTING MINORITIES (23%); (c) 22.8% TO THE ARKANSAS BIOSCIENCES INSTITUTE, A COOPERATIVE VENTURE AMONG THE UNIVERSITY OF ARKANSAS, DIVISION OF AGRICULTURE, UAMS, THE UNIVERSITY OF ARKANSAS, FAYETTEVILLE, ARKANSAS CHILDREN'S HOSPITAL, AND ASU, TO CONDUCT RESEARCH; AND (d) 29.8% FOR THE MEDICAID EXPANSION PROGRAM, TO BE ADMINISTERED BY THE ARKANSAS DEPARTMENT OF HUMAN SERVICES ("DHS") TO INCREASE MEDICAID BENEFITS AND SERVICES; PROVIDING THAT THE STATE BOARD OF FINANCE SHALL INVEST ALL AMOUNTS IN THE HOLDING FUND, THE PROGRAM FUND AND RELATED ACCOUNTS, AND THE ARKANSAS TOBACCO SETTLEMENT COMMISSION FUND (THE "ATSC FUND") IN THE SAME MANNER AS OTHER STATE TREASURY FUNDS, AND SHALL INVEST THE TRUST FUND AND THE DEBT SERVICE FUND PURSUANT TO A PRUDENT INVESTOR STANDARD; CREATING THE ARKANSAS TOBACCO SETTLEMENT COMMISSION (THE "ATSC") TO MONITOR AND EVALUATE THE PROGRAMS FUNDED FROM TOBACCO SETTLEMENT PROCEEDS; PROVIDING THAT THE ATSC SHALL BE COMPRISED OF THE DIRECTORS OR THEIR DESIGNEES OF THE ARKANSAS SCIENCE AND TECHNOLOGY AUTHORITY ("ASTA"), THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HIGHER EDUCATION, DHS, AND ADH, TWO HEALTHCARE PROFESSIONALS (ONE SELECTED BY THE SENATE PRESIDENT PRO TEMPORE AND ONE BY THE SPEAKER OF THE HOUSE), AND TWO CITIZENS (ONE SELECTED BY THE GOVERNOR AND ONE BY THE ATTORNEY GENERAL); AND PROVIDING THAT EARNINGS ON THE PROGRAM FUND AND THE PROGRAM ACCOUNTS SHALL BE TRANSFERRED TO THE ATSC FUND TO BE USED TO PAY EXPENSES OF THE ATSC AND FUND ATSC GRANTS; CREATING THE ARKANSAS BIOSCIENCES INSTITUTE AND ESTABLISHING THAT ITS BOARD HAS THE AUTHORITY TO MAKE RESEARCH GRANTS AND WILL BE COMPRISED OF THE FOLLOWING: THE PRESIDENT OF THE UNIVERSITY OF ARKANSAS ("UA"), THE PRESIDENT OF ARKANSAS STATE UNIVERSITY, THE CHANCELLOR OF UAMS, THE CHANCELLOR OF UA, FAYETTEVILLE, THE VICE PRESIDENT FOR AGRICULTURE OF UA, THE DIRECTOR OF THE ASTA, THE DIRECTOR OF THE NATIONAL CENTER FOR TOXICOLOGICAL RESEARCH, THE PRESIDENT OF ARKANSAS CHILDREN'S HOSPITAL, AND TWO PERSONS POSSESSING SCIENTIFIC, ACADEMIC OR BUSINESS QUALIFICATIONS APPOINTED BY THE GOVERNOR; CREATING THE ARKANSAS SCHOOL OF PUBLIC HEALTH; CREATING AN ADVISORY COMMITTEE TO THE ARKANSAS BOARD OF HEALTH TO PROVIDE RECOMMENDATIONS ON PREVENTION AND CESSATION PROGRAMS; ESTABLISHING SPECIFIC GUIDELINES FOR EVALUATING EACH PROGRAM FUNDED UNDER THIS ACT; AMENDING ARK. CODE ANN. § 19-4-803 TO EXEMPT THE HOLDING FUND FROM NORMAL BUDGETING AND APPROPRIATION REQUIREMENTS; DIRECTING THE DIRECTOR OF DHS TO COMMENCE MEDICAID EXPANSION FROM AVAILABLE FUNDS PRIOR TO RECEIPT OF TOBACCO SETTLEMENT PROCEEDS; DIRECTING THE DIRECTOR OF DHS TO SPEND \$600,000 DURING THE BIENNIAL PERIOD ENDING JUNE 30, 2001 TO OFFSET FEDERAL CUTS IN THE MEALS ON WHEELS PROGRAM; DECLARING THE

PROVISIONS OF THIS ACT TO BE SEVERABLE; AND
REPEALING ALL LAWS AND PARTS OF LAWS IN
CONFLICT WITH THIS ACT.

FOR Proposed Initiated Act No.1

AGAINST Proposed Initiated Act No. 1

