

**CONFIDENTIAL**

**Tobacco Settlement State Allocation Legislation Report**

May 14, 1999

<input type="checkbox"/>	Courts That Approved MSA
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**Total Estimated  
State Allocations  
(Source: NAAG)**

**Alabama \***

**\$3,166,302,118.81**

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**Alabama** - H38, a "model statute" of the MSA regarding non-participating manufacturers.

**Alabama** - (1998) H92, Creates the Children First Trust Fund consisting of revenues received by the state pursuant to any federal tobacco-related settlement up to \$85 million. The program will provide children with health insurance, education and pay for juvenile probation officers, foster care families, school disciplinary programs, boot camps and juvenile detention facilities. On April 27, 1998 the bill was signed by the Governor.

**Alaska \***

**\$668,903,056.50**

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**Alaska** - H21 allocates all MSA funds to medical assistance for needy persons and for smoking education and health screening.

**Alaska** - H102, the MSA model bill pertaining to non-participating manufacturers.

**Alaska** - HJR12, which requests the Congress to enact legislation to prohibit any federal claim against money obtained by settlement of state tobacco litigation.

**Alaska** - S70, making a special appropriation of money received by the state before 7/1 as a result of the MSA to the budget reserve fund.

**Alaska** - S84 the MSA model bill pertaining to non-participating manufacturers.

**Alaska** - SRJ7, which requests Congress and the Clinton administration to recognize state interests and enact legislation prohibiting the Federal Department of Health and Human Services from recouping the tobacco settlement funds as third-party recoveries under Medicaid.

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### Arizona \*

**\$2,887,614,909.02**

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**Arizona** - H2642 creates the tobacco settlement fund from monies received by the state in a settlement with the tobacco industry. The Department of Health Services shall administer the fund for the state. The bill passed both Houses and is on the way to the Governor.

**Arizona** - H2665 establishes a litigation settlement fund for payments received by the state and for interest earned.

**Arizona** - S1359, establishing the tobacco litigation settlement fund and appropriating funds for construction at the state hospital and for a new state health lab, was sent to the Governor for signature.

### Arkansas \*

**\$1,622,336,125.69**

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**Arkansas** - (1999) S867 to enact the model statute as delineated in the MSA with tobacco manufacturers. Passed the Legislature and sent to the Governor and signed on 4/6 and is now Act 1165.

### California \*

**\$25,006,972,510.74**

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**California** – A100 provides health coverage for the natural or adoptive parent of a child eligible for the Healthy Family Program, and requires that all tobacco settlement funds received by the state be deposited into the Healthy Families Fund.

**California** – A112 states the legislature's intent that the 50% allocation to cities and counties from the tobacco settlement recovery be deposited in a special fund in the State Treasury to be available to cities and counties for financing capital improvements and as security for certificates of participation for local capital projects.

**California** - A251, which allocates \$20 million received by the state pursuant to the MSA for heart disease research for women (\$10 million) and specific generic cancer research (\$10 million).

**California** - A255, which appropriates an unspecified sum from funds received by the state pursuant to the MSA to the Dept. of Health Services for the CA Smokers Helpline and to fund grants for smoking cessation programs for teenagers.

**California** - A359, which allocates an unspecified amount from the MSA funds to be used to provide health care access for low-income and uninsured patients.

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**California** - A437, which allocates \$2 million of funds received from the MSA to increase field enforcement of the STAKE act.

**California** - A887, which appropriates MSA funds to provide health services for medically under-insured and under-served persons.

**California** - A1046, which states the legislature's intent to expend MSA funds to provide school nurses to public schools.

**California** - A1071, which expresses the legislature's intent to expend MSA funds to provide health care to uninsured children and for prenatal care.

**California** - A1227, which establishes legislative intent that the MSA funds be expended for seismic retrofitting of hospitals.

**California** - A1262, which establishes legislative intent to use MSA funds to fund tax incentives for employers to provide quality health insurance to employees.

**California** - S748 creates the Master Tobacco Settlement Fund in the State Treasury and appropriates MSA funds for: 1) medical services; 2) prevent tobacco consumption; 3) enforcement of tobacco laws; and, 4) support public and private organizations that advocate or support tobacco control programs.

**California** - S822, the MSA model bill pertaining to non-participating manufacturers.

**California** - S1192, which requires L.A. County to use funds it receives from MSA to help fund building of L.A. County/USC Medical Center.

**California** - (1998) A734, establishes the California Federal Tobacco Settlement Fund. The bill was amended and now supplements \$8 million of the funding provided to the STAKE Act, a program established to control substance abuse and the enforcement of tobacco sales to minors. The bill was unanimously approved in its amended form on 7/1/98 in the Senate Health and Human Services Committee. The bill was passed.

**California** - (1998) A1899, requires the first \$10,000 received from a National Tobacco Settlement be allocated for specific heart disease research and prevention programs. The bill was amended to delete the tobacco resolution language and passed the legislature on 8/31/98. The bill was passed.

**California** - (1998) SJR32, requests that funds be diverted from any tobacco settlement to the U.S. Department of Veterans Affairs to compensate veterans who suffer tobacco-related diseases acquired during their service in the military. On 4/16/98, the bill was heard and amended in the Assembly and is on the Senate floor's third reading file. The bill was then passed.

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**Colorado \***

**\$2,685,773,548.89**

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**Colorado** - H1208 prohibits use of cartoons in advertising for non-settling tobacco companies and would enact model provisions for non-settling tobacco companies.

**Colorado** - S231 replaces tobacco litigation settlement funds with a tobacco litigation settlement cash fund for the purpose of ensuring that a permanent source of money is available to fund authorized programs.

**Colorado** - (1999) S172, creation of the Tobacco Litigation Settlement Fund. Was signed by the Governor on 3/30.

**Connecticut \***

**\$3,637,303,381.55**

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**Connecticut** -- Proposed Bill 356, sets aside \$5 million of the funds received by the state under the tobacco settlement for the express purpose of funding programs, as part of the health curriculum, and in public schools to discourage the use of tobacco and alcohol.

**Connecticut** - Proposed Bill 412, proposes to use 44.5 million dollars of the tobacco settlement for underage smokers for enforcement, education regarding smoking, preventive health programs and smoking cessation programs.

**Connecticut** - Proposed Bill 416, creates a trust for those adversely affected by smoking, 85% would go to the trust, including 1% to be set aside for creation of a medical panel who would determine who receives help, the remaining 14% would be used for education programs to discourage young people from smoking.

**Connecticut** - Proposed Bill 537, uses the settlement funds to create a trust fund for children's health, a campaign to discourage underage smoking, and education programs.

**Connecticut** - Proposed Bill 629, would set up two separate trusts for the funds received from the settlement. One fund, would be a Tobacco Risk Reduction Fund, with the interest from this fund used for underage sales and use enforcement education and punitive health. The interest from the second trust would be used for debit service and debit repayment of state financing of urban initiative and school construction.

**Connecticut** - Proposed Bill 5763, requires the Governor to submit his recommendations on the settlement funds to the appropriations, human services, and public health committees. The committees would then advise the Governor of their approval or modifications provided that the modifications include 45% for prevention, education and cessation programs, 10% placed in an endowment fund to be established, and 45% for health services not provided by existing programs.

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**Connecticut** - Proposed Bill 6514, allocates \$10 million of the settlement to the Healthy Families Program, setting up a home visit program for at-risk families and substance abuse education.

**Connecticut** - Proposed Bill 6577, allocates a portion of the settlement to local fire departments for equipment, training and fire prevention.

**Connecticut** - Proposed Bill 6866, establishes a trust fund with the tobacco settlement proceeds.

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**Delaware \*** **\$774,798,676.89**

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**Delaware** - H180 introduced model language of the Master Settlement Agreement.

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**D.C. \*** **\$1,189,458,105.56**

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No information at this time

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**Florida** - - - -

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**Florida** - (1998) S1660, Appropriates to the Department of Children and Family Service \$10 million from the state tobacco settlement. On May 22, 1998 the bill was signed by Governor.

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**Georgia \*** **\$4,808,740,668.60**

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**Georgia** - H174, which designates settlement fund proceeds to be deposited into the indigent care trust fund. The bill is in committee and will carry over into next years session.

**Georgia** - H204, which provides that a taxpayer shall be allowed a credit against a tax imposed on proceeds received from the settlement and the commissioner shall determine annually the amount of such proceeds. The bill is in committee and will carry over into next years session.

**Georgia** - H463, which requires MSA funds to be used to set up an indigent care trust fund. The bill is in committee and will carry over into next years session.

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**Georgia** - H872, which provides for establishment of a Georgia tobacco community development board for allocation of funds to tobacco growers. Passed the Legislature and has been sent to the Governor.

**Georgia** - HR424, urges the U.S. Congress to prevent recoupmnt of the tobacco settlement funds. The bill is in committee and will carry over into next years session.

**Georgia** - (1999) H388 requires certain tobacco product manufacturers to establish and make deposits into certain escrow accounts and providing that those manufacturers required to establish escrow accounts shall be those who are not participating in the master settlement agreement. Was signed by the Governor.

### **Hawaii \***

**\$1,179,165,923.07**

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**Hawaii** - HI175, which establishes that half of the tobacco settlement funds be placed in a special fund to be used for programs to provide tobacco use prevention services and health-related initiatives.

**Hawaii** - H292, which creates a special fund from tobacco litigation settlements and awards to fund healthy living programs under the Department of Health.

**Hawaii** - HI1008, the MSA model bill pertaining to non-participating manufacturers.

**Hawaii** - HI1034, which requires 50% of MSA payments to be allocated to the Dept. of Human Services for children's health programs.

**Hawaii** - HI1589 establishes the HI tobacco settlement agreement trust fund within the Department of Health to receive the state's share of the MSA prohibits the principal amount of the fund to be expended for an unspecified period of time and allows only the interest income to be used for tobacco prevention and education and for tobacco related health needs.

**Hawaii** - HI1651 requires unspecified percentage of the annual payments for the MSA to be deposited into the state's tobacco settlement trust fund to maximize financial resources for tobacco prevention, for health promotion and disease prevention programs, and serve as a long term source of stable funding for prevention oriented public health efforts.

**Hawaii** - HR52, urging Congress to enact legislation to prohibit the federal government from receiving any share of the funds awarded in the MSA.

**Hawaii** - S1034, which requires 50% of the payment made to the state pursuant to the MSA be allocated to the Department of Human Services for children's health programs.

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**Idaho \***

**\$711,700,479.23**

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**Idaho** - (1999) S1002 , adds to existing law to provide that the State Treasurer shall deposit all moneys received from the settlement through 6/30/00 into the Budget Reserve Account or Budget Stabilization Fund. The bill passed, 54-13-2 and was signed by the Governor on 2/8/99.

**Idaho** - (1999) H82 allows the state of Idaho to receive MSA funds and includes "model statute" language. It passed the legislature on 2/5 and was sent to the Governor. The bill was signed on 2/12/99.

**Illinois \***

**\$9,118,539,559.10**

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**Illinois** - H125, creates the Tobacco Litigation Settlement Distribution Act and the Tobacco Litigation Settlement Distribution Fund, provides that all unrestricted proceeds received by the State under the tobacco litigation settlement agreement shall be deposited into the Tobacco Litigation Settlement Distribution Fund, requires all unrestricted proceeds to be used for public health purposes, specifies certain acceptable uses, provides that restricted proceeds received under the settlement shall be placed in separate special funds and used only for the purposes specified in the settlement agreement, amends the State Finance Act to add the Tobacco Litigation Settlement Distribution Fund to the list of special funds in the State Treasury, effective immediately.

**Illinois** - H1711, amends the State Finance Act, creates the Tobacco Settlement Biomedical Research Fund, creates the Investment of Tobacco Settlement Proceeds Act, provides that a portion of the proceeds received by the State from a tobacco settlement shall be deposited into the Tobacco Settlement Biomedical Research Fund, provides that moneys in the fund shall be distributed to medical schools in this State and used by those medical schools for programs relating to tobacco-related illness research, effective immediately.

**Illinois** - H1183, creates the tobacco Product Manufacturer's Escrow Act, providing that any tobacco product manufacturer selling cigarettes to consumers within the state, on and after the effective date of this Act, shall become a "participating manufacturer" and perform its financial obligations under the MSA.

**Illinois** - HR139, urging the US Congress to support House Resolution 351 concerning distribution of tobacco settlement funds to the states blocking Federal intervention.

**Illinois** - S118, amends the State Finance Act, creates the Tobacco Settlement Recovery Fund which shall consist of all monies paid to the State pursuant to (1) the Master Settlement Agreement and (2) any settlement with or judgment against any tobacco product manufacturer other than one participating in the Master Settlement Agreement in

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satisfaction of any released claim, as well as any other monies as provided by law, provides that at least 50% of all monies deposited into the Fund shall be appropriated for new or enhanced public health initiatives or for the continuation of any such initiatives.

**Illinois** - S1005, amends the State Finance Act, Creates the Tobacco Settlement Biomedical Research Fund, creates the Investment of Tobacco Settlement Proceeds Act, provides that a portion of the proceeds received by the State from a tobacco settlement shall be deposited into the Tobacco Settlement Biomedical Research Fund, provides that the moneys in the fund shall be distributed to medical schools in this State and used by those medical schools for programs relating to tobacco-related illness research.

**Illinois** - S1183, a "model statute" of the MSA regarding non-participating manufacturers.

**Illinois** - (1997) HR148, urges the Department of Public Aid to use a portion of the proceeds derived from lawsuits and litigation against the tobacco industry to pay for smoking cessation programs. On May 23, 1997, the bill passed the House.

### **Indiana \***

**\$3,996,355,551.01**

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**Indiana** - H1136, requires that, unless directed by the general assembly, money collected on behalf of the state or a state agency from a civil action prosecuted by the attorney general shall be deposited in the state general fund and that, as part of the civil action, the attorney general may not require the respondent to spend money for specific purposes, was introduced on 1/6 and referred to the House Judiciary Committee.

**Indiana** - H1454, appropriates a total of 30% of the tobacco lawsuit settlement for the next 25 years; 20% to the Department of Agriculture to make grants to those that own rights to tobacco production on 1/1/99; 10% to Purdue University for development of new crops to replace tobacco, was introduced on 1/19.

**Indiana** - H1614, establishes the tobacco related diseases fund with the state Medicaid program to pay the state's share of Medicaid payments for the treatment of tobacco related diseases; provides that money in the fund consists of money from the tobacco settlement, was introduced on 1/21.

**Indiana** - H1759, appropriates from the tobacco lawsuit settlement \$20,000,000 for each of the next 25 years to the Department of Agriculture to make grants to develop new farm commodities in tobacco producing counties or to subsidize tobacco farmers for losses due to reduced tobacco production.

**Indiana** - H1870, requires a cigarette manufacturer that is not a participant in the master settlement agreement among cigarette manufacturers and various states (including

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Indiana) to make payments into an escrow account. Was sent to the Governor for signature.

### **Iowa \*** **\$1,703,839,985.56**

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**Iowa** - S482, a bill to enact the model statute as delineated in the MSA with tobacco manufacturers. The bill was sent to the Governor on 4/29 and awaiting signature.

**Iowa** - HCR4, which calls for Congress to allow the states to keep all of the tobacco settlement money.

**Iowa** - SCR11, which calls for Congress to allow the states to keep all of the tobacco settlement money.

**Iowa** - (1997) SF542, creates a tobacco settlement fund in the office of the treasurer of state. After payment of litigation costs, the state portion of any moneys paid to the state by tobacco companies in settlement of the state's lawsuit for recovery of public expenditures associated with tobacco use shall be deposited in the tobacco settlement fund. Moneys deposited in the fund shall be used only as provided in appropriations from the fund to the department of human services for the medical assistance program and to the Iowa department of public health for programs to reduce smoking by teenage youth. For purposes of this section, "litigation costs" are those costs itemized by the attorney general and submitted to and approved by the general assembly. The bill passed in 1997.

### **Kansas \*** **\$1,633,317,646.19**

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**Kansas** - (1999) H2568 enacts the model statute as delineated in the MSA with tobacco manufacturers. Signed by the Governor on 5/6/99.

**Kansas** - S339 enacts the model statute as delineated in the MSA with tobacco manufacturers.

### **Kentucky \*** **\$3,450,438,586.10**

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**Kentucky** - (1999) SR18 resolve that the General Assembly be given authority to disbursement of funding under any secondary agreement for addressing the economics concerns of tobacco farmers and communities, and that KY. House and Sen. be apart of the negotiating team. This resolution passed on 1/7/99.

**Kentucky** - (1998) S247, establishes a "Tobacco Settlement Agreement Fund" to be credited any funds assigned to the state from the tobacco settlement agreement or related

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federal legislation. The funds are to be appropriated by the General Assembly. The funds highest priority for distributing the fund shall be for tobacco farmers and tobacco-impacted communities, and health related areas. On 4/14/98, the bill was signed by the Governor.

### **Louisiana \***

**\$4,418,657,915.22**

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**Louisiana** - H74, which creates the Tobacco Settlement Trust Fund and provides for the disposition of MSA payments.

**Louisiana** - H362, a constitutional amendment to create the Tobacco Settlement Trust Fund and the Louisiana Smoke-Free Fund.

**Louisiana** - H387, a constitutional amendment to provide for the disposition of MSA payments in a special treasury fund.

**Louisiana** - H388, a constitutional amendment to provide for the deposit of MSA payments in the Tobacco Settlement Fun.

**Louisiana** - H638, a constitutional amendment to dedicate a portion of the state's MSA payments to the Louisiana Health Trust Fund.

**Louisiana** - H640, a constitutional amendment to create the Tobacco Settlement Trust Fund and the Louisiana Fund.

**Louisiana** - H646, a constitutional amendment to dedicate MSA payments to the Quality of Life Enhancement Fund.

**Louisiana** - H928, the MSA model bill pertaining to non-participating manufacturers.

**Louisiana** - H1007, the MSA model bill pertaining to non-participating manufacturers.

**Louisiana** - H1741, which dedicates tobacco settlement proceeds to the Tobacco Settlement Trust Fund and the Louisiana Smoke-Free Health Fund.

**Louisiana** - H1745, which dedicates tobacco settlement proceeds to the Quality of Life Enhancement Fund.

**Louisiana** - H1765, which dedicates a portion of tobacco settlement funds to the Louisiana Firefighters' Heart, Lung and Cancer Fund.

**Louisiana** - H1819, which dedicates tobacco settlement proceeds to the Quality of Life Enhancement Fund.

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**Louisiana** - H1862, which dedicates tobacco settlement proceeds to the Louisiana Endowment for Academic Development Fund and the Tobacco Settlement Fund.

**Louisiana** - H2107, a bill that dedicates a portion of tobacco settlement proceeds to the War Veterans Home Fund for construction of war veterans homes.

**Louisiana** - HCR101, a concurrent resolution requesting the federal government not to attempt to recover any of the tobacco settlement money granted to the state of Louisiana.

**Louisiana** - S224, a constitutional amendment to establish permanent trust funds for each public school system out of MSA payments and to provide for the disbursement of a portion of the investment income.

**Louisiana** - S240, a constitutional amendment to create the Tobacco Settlement Trust Fund and the Louisiana Tobacco Health, Smoking Prevention, Research and Education Fund.

**Louisiana** - S285, a constitutional amendment to create a permanent trust from the MSA payments and use one-half of the trust earnings for higher education programs and one-half for local school system capital needs and teacher salary supplements.

**Louisiana** - S293, a constitutional amendment to create the Tobacco Settlement Trust Fund and the Louisiana Fund.

**Louisiana** - S374, which provides for the funding of primary health care clinics in rural parishes of the state from MSA payments.

**Louisiana** - S711, which provides for the use of earnings from dedicated tobacco settlement funds by school systems.

**Louisiana** - S821, which establishes the Louisiana Tobacco Settlement Special Fund.

**Louisiana** - S907, which establishes a revolving loan fund for local government capital outlay projects from a portion of the tobacco settlement.

**Louisiana** - SCR59, a concurrent resolution memorializing the U.S. Congress to prohibit any and all activities, including excise taxes on tobacco products and recoveries of costs for smoking-related illnesses, that would result in reducing the amount of funds available to the states from the MSA and requesting Congress to enact legislation to guarantee that all monies from the tobacco settlement be paid, in full, to the states.

**Louisiana** - SCR85, which requests the Department of Health and Hospitals to provide additional personnel in the Medicaid program to care for disabled adults using MSA funds.

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**Louisiana** - (1998) S78, designates the Secretary of the Department of Health and Hospitals to act as the state's agent in administering federal funds for the Children's Health Insurance Program. It was amended on the House floor to provide that up to \$10 million per year of funds received by the state from any national tobacco settlement shall be credited to help pay for the program. The Senate concurred with House amendments by a unanimous vote on 4/15/98 and the bill was sent to the governor for his consideration. This was signed by the Governor on 6/24/98.

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**Maine \*** **\$1,507,301,275.81**

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**Maine** - LD943, to enact the model statute as delineated in the MSA with tobacco manufacturers.

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**Maryland \*** **\$4,428,657,383.58**

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**Maryland** - S334, Legislation was introduced to establish a Tobacco Restitution Fund; the Treasurer shall invest and reinvest fund holding in the same manner as other state funds.

**Maryland** - S394, Legislation was introduced to establish a Maryland Tobacco Control Foundation; specifying the purposes, powers and duties of the foundation in implementing a statewide tobacco control program.

**Maryland** - S639, Legislation was introduced to be dedicated for cancer research and treatment by the Greenebaum Cancer Center. \$10,000,000 from funds that the State receives annually from MSA.

**Maryland** - (1999) H671, a "model statute" of the MSA regarding non-participating manufacturers. Passed the House and Senate, then was signed by the Governor.

**Maryland** - (1999) S305, Introduce model statute provided by the Master Settlement Agreement assigned to Judicial proceedings. Passed the Legislature and was signed by the Governor.

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**Massachusetts \*** **\$7,913,114,212.77**

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**Massachusetts** - H1945, requires that 20% of all monies received from the tobacco settlement shall be earmarked to the Massachusetts Tobacco Control Program of the Massachusetts Department of Public Health with the remaining 80% earmarked to the Children's and Seniors' Health Care Assistance Fund.

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**Massachusetts** - H3855, using tobacco settlement funds for non-profit organizations conducting abstinence education programs.

**Massachusetts** - H4369, requires 40% of any payment to the Commonwealth from the tobacco settlement be deposited in a city and town Tobacco Settlement Health Block Grant Fund to support regional and local based new public health activities and will be administered by the Department of Public Health.

**Massachusetts** - Senate No. 82, requires tobacco product manufactures that are not part of the tobacco settlement agreement to place money into an escrow fund to guarantee compensation for future claims.

**Massachusetts** - Senate No.493, restricts the expenditure of monies from the tobacco settlement to improving public health programs and to combat the use of tobacco.

**Massachusetts** - Senate No. 1522, provides a tax rebate for the cost of attempting to quit the use of tobacco products.

**Massachusetts** - Senate No. 1635, provides for the return to the taxpayers of the proceeds from the nationwide tobacco settlement.

**Massachusetts** - Senate No. 1712, establishes a special commission to investigate and plan for the appropriate expenditure of any and all proceeds from judgements or settlements regarding the adverse effects of tobacco use.

### **Michigan \***

**\$8,526,278,033.60**

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**Michigan** - H14, urges Congress to enact legislation to prohibit the federal government from claiming any of the funds from the settlement of the tobacco lawsuit brought by the states.

**Michigan** - H4134, provides process for appropriations of money from settlement of tobacco lawsuit or any lawsuit settlement entered into by the attorney general and requires funds be deposited in a restricted fund.

**Michigan** - S6,urges the President and Congress to prohibit any agency of the federal government from recouping any of the tobacco settlement funds due the states.

### **Minnesota**

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**Minnesota** - HF2, introduced provisions that lower the MNCare Health Provider Tax, also called the sick tax, and replacing that revenue with a portion dedicated from the tobacco settlement fund.

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**Minnesota** -- HF35, addresses the same issues as HF2, though this measure totally repeals the MNCare Provider Tax and transfers all of the tobacco settlement money to the health care access fund.

**Minnesota** - S757, memorializing Congress to enact legislation to prohibit federal recoupment of the state tobacco settlement recoveries.

## Mississippi

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**Mississippi** -- (1999) H519, creates the "Mississippi Health Care Trust Fund" for the purpose of improving the health and health care of the citizens and residents of the state. Was signed by the Governor.

**Mississippi** -- (1999) HCR 31, creates a special Trust Fund in the State Treasury into which shall be deposited all monies received by the state from a tobacco settlement. The purpose for expenditure is not restricted. Approved by the House.

## Missouri \*

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**\$4,456,3688,286.30**

**Missouri** -- H430, which establishes the tobacco settlement trust fund in the State Treasury.

**Missouri** - H648 to establish the Tobacco Settlement Trust Fund.

**Missouri** - H814, establishes the "model statute" regarding non-participating manufacturers. Was sent to the Governor for signature.

**Missouri** - H828 designates tobacco settlement money for smoking cessation programs.

**Missouri** - HCR 15 to require the state to retain all tobacco settlement money, blocking Federal intervention.

**Missouri** - HCR24, which requires the federal government to return upon receipt any tobacco funds recouped by the State.

**Missouri** - HJR17 to include any tobacco settlement funds in total state revenues.

**Missouri** -- S157, introduces The Model Statute that is intended to neutralize any cost disadvantages that the participating manufactures experience in the state by requiring non-participating manufacturers to deposit monies into an escrow account, based on sales of units in the state. The funds can be withdrawn either due to judgments on released

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claims, overpayment of funds, or after 25 years have expired, in which case they revert to the manufacturers who deposited the funds.

**Missouri** -- S223, establishes the "Tobacco Settlement Fund Commission." Which will be responsible for developing strategies regarding the utilization of the tobacco settlement funds.

**Missouri** -- S288, which creates the Missouri Settlement Trust Fund for deposit of tobacco settlement proceeds.

**Missouri** - S417, establishes a "model statute" regarding non-participating manufacturers.

**Missouri** -- SJR9, authorizes a vote of the people on how the tobacco settlement funds should be disbursed.

**Missouri** - SJR19, establishes the "Tobacco Settlement Trust Fund."

**Missouri** -- SJR21, which directs money received by the state from any tobacco settlement to be used for health care is pending on the Senate Informal Calendar. Bills on the Informal Calendar may come up for floor debate at any time.

## Montana \*

**\$832,182,430.63**

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**Montana** -- LC0062, establishes "Children's Health Fund" to be funded by tobacco settlement proceeds.

**Montana** -- LC523, would create the "Child Trust Fund" to be funded by tobacco litigation settlement proceeds.

**Montana** -- LC636, would expand the Health Care Trust with tobacco settlement proceeds.

**Montana** -- H226, An act directing \$100 million of the state's tobacco settlement proceeds to the department of commerce. The funds will be used to develop a interpretive center and dinosaur museum at Fort Peck.

**Montana** - H372 provides funds from the tobacco settlement to the Department of Public Health and Human Services for grant awards and payments to county health departments, urban Indian health care providers, and Tribal health departments for health care-related programs.

**Montana** - H536 appropriates \$2 million in MSA funds for the next biennium to the Montana Comprehensive Health Association, was sent to the Governor for signature.

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**Montana** - H613 appropriates \$1 million a year from Tobacco Settlement funds for the Walker's Voice against tobacco state demonstration project education curriculum and media program against youth tobacco use to be administered by the Department of Public Health and Human Services.

**Montana** - S81, would establish children's health insurance program with MSA funds, was sent to the Governor for signature.

**Montana** -- S323, establishing a health care trust with tobacco settlement proceeds.

**Montana** - S489, to use tobacco settlement funds for prevention and children's health care.

**Montana** - (1999) S359 "Model Statute", requires non-participating manufactures to place money into an escrow fund. The amount of payment is determined by the units sold in the state of Montana. Passed the Legislature and was signed by the Governor.

**Montana** - (1999) S417 "Model Statute", requires non-participating manufactures to place money into an escrow fund. The amount of payment is determined by the units sold in the state of Montana. Passed the Legislature and was signed by the Governor.

**Montana** - (1999) SJR12, urges Congress not to claim state tobacco settlement proceeds. This was signed by the Governor on 3/26..

### **Nebraska \***

**\$1,165,683,457.48**

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**Nebraska** - (1999) L574 "Model Statute", requires non-participating manufactures to place money into an escrow fund. The amount of payment is determined by the units sold in the state of Nebraska. Was signed by the Governor on 4/28.

**Nebraska** - (1998) L1070, creates the Nebraska Health Infrastructure Trust Fund to provide for the disbursement of revenue received from a settlement or judgement awarded to the state as a result of tobacco-related litigation for compensation for the costs of treating smoking-related illnesses. Provides for the disbursement of funds to children's health insurance and government nursing facilities. Passed in the 1998 session.

### **Nevada \***

**\$1,194,976,854.76**

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**Nevada** - A263, which creates a trust fund to receive MSA payments.

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**Nevada** - A652, allocates MSA funds to a trust fund for health programs and a NV scholarship trust fund, and establishes a legislative committee on expenditures relating to MSA funds.

**Nevada** - A667, the MSA model bill pertaining to non-participating manufacturers.

**Nevada** - AJR9, which urges Congress to prohibit federal recoupment of money recovered by state from the tobacco settlement.

**Nevada** - S496, which creates the millennium scholarship trust to be funded by MSA payments.

### **New Hampshire \***

**\$1,304,689,150.27**

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**New Hampshire** - H455, mandates all funds received as a result of the settlement of any tobacco related lawsuit be used to supplement existing state aid to education.

**New Hampshire** - H475, mandates that 5% of all funds received annually as a result of the settlement of any tobacco related lawsuit appropriated to the emergency shelter and homeless coordination commission.

**New Hampshire** - H618, establishes a smoking cessation voucher program to be administered by the Department of Health and funded by MSA proceeds.

**New Hampshire** - HCR12, urges the United States Congress to enact legislation which prohibits the federal government from recouping state tobacco settlement funds.

**New Hampshire** - LSR 0339, to designate all proceeds from any tobacco lawsuit settlement to which the state becomes a signatory to be used exclusively to supplement state aid to public education.

**New Hampshire** - LSR 0716, uses a portion of tobacco settlement moneys to fund the activities of the emergency shelter and homeless commission.

**New Hampshire** - S168 This bill adopts a model statute, which requires tobacco product manufacturers who determine not to enter into the MSA to pay certain sums to the state to be placed into a qualified escrow fund.

**New Hampshire** - S206, establishes the Tobacco Use Prevention Fund into which 25% of tobacco settlement funds shall be deposited to be used by the Department of Health and Human Services for tobacco prevention activities.

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**New Hampshire** - SR 2, urging the President and Congress to prohibit the federal government from recouping the state tobacco settlement recoveries.

**New Hampshire** - (1998) S497, relative to disbursement of tobacco-related funds. Any tobacco-related funds, including funds from settlements and grants, received by the state shall be subject to the same department and agency planning requirements as federal block grants under this subdivision. No tobacco-related funds shall be expended until specifically appropriated by the legislature. This section does not apply to tobacco-related funds raised by the state. It was signed by the Governor on 6/26/98 and became effective on 8/25/98.

**New Hampshire** - (1998) H1295, establishes a procedure for disbursement of a settlement by a recipient of state medical assistance from a liable third party. It was signed into law by the Governor on 6/26/98 and will become effective on 1/1/99.

### **New Jersey \***

**\$7,576,167,918.47**

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**New Jersey** - A2836 introduction of legislation which would designate the use of tobacco settlement monies for specific purposes. 50% shall be appropriated to the Health Care Subsidy Fund. 25% shall be appropriated to NJ Commission on Cancer Research. 15% shall be appropriated to Health Care Trust Fund. The remaining 10% will go to the Department of Health and Senior Services.

**New Jersey** - A2929, legislation relating to MSA "Model Statute" regarding non-participating manufacturers.

**New Jersey** - ACR166, Memorialize US Congress and President to enact legislation to prevent federal recoupment of tobacco settlement monies received by states.

**New Jersey** - S1666, a bill introduced to establish the NJ Tobacco Settlement Trust Fund in the State Treasury, establishes a perpetual income account, and dedicates certain monies for State Government appropriation and State debt reduction.

**New Jersey** - S1713, legislation relating to MSA "Model Statute" regarding non-participating manufacturers.

**New Jersey** - SCR107, Memorialize US Congress and President to enact legislation to prevent federal recoupment of tobacco settlement monies received by states.

### **New Mexico \***

**\$1,168,438,809.05**

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**New Mexico** - H525 creates permanent fund with 90% of income going to health-related programs and services and 10% for smoking cessation and prevention programs and services.

**New Mexico** - S427 creates a permanent fund from which income can be spent by legislature on public school capital outlay.

**New Mexico** - S533 allocating 35% of settlement moneys to a permanent fund and 65% to a health care fund.

**New Mexico** - (1999) H501 creates a permanent account from MSA funds which can be spent by the legislature for public school extracurricular and after school programs, health care prevention or treatment, and higher education research on smoking impact. This was sent to the Governor and signed on 4/6/99.

**New Mexico** - (1999) H611 has manufacturers who are not a participating MSA party, pay into a qualified escrow fund on a per unit sold basis. Fund will then be used to pay released claims and released parties. This passed both Houses and was sent to the Governor and signed on 4/6.

### **New York \***

**\$25,003,202,243.12**

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**New York** - S1217, seeks to establish the New York State tobacco settlement debt reduction fund; provides that the funds would consist of all monies obtained by the state from tobacco settlements negotiated with the tobacco industry or federal government; requires all such monies to be used for the sole purpose of reducing the general obligation indebtedness of the state.

**New York** - S4846, requires tobacco product manufacturers to either participate in the Master Settlement Agreement, or annually deposit certain amounts of moneys into a escrow fund; such deposits into a escrow fund shall be based upon the number of cigarettes sold in the state during a calendar year; establishes civil penalties for violations thereof.

**New York** - S5078, establishes the "New York State 21st Century Trust" to maintain the moneys received by the state from the tobacco manufacturers' settlement agreement.

### **North Carolina \***

**\$4,459,381,898.24**

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**North Carolina** - H35 approves the creation of a nonprofit corporation by the Attorney General for the purpose of receipt and distribution of 50 percent of funds received by MSA.

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**North Carolina** – H73 exempts tobacco farmers, workers, allotment holders and others from income tax on compensation paid to them for harm done as a result of tobacco litigation, legislation, or reduced tobacco purchases.

**North Carolina** – H74 approves the creation of a nonprofit corporation as established by the Consent Degree.

**North Carolina** - H360 creates The Tobacco Settlement Corporation for distributing 50% of the settlement funds. The bill would provide direct and indirect financial assistance, to the extent the law allows, to tobacco growers, allotment holders, and tobacco manufacturing workers.

**North Carolina** - H602 creates the Tobacco Growers and Allotment Holders Commission and provides for payment to growers and allotment holders.

**North Carolina** - H621 provides for the distribution of tobacco litigation master settlement agreement funds for the year 1998 and thereafter. The bill would front load funds to farmers and allotment holders.

**North Carolina** - H1122 creates a tobacco reserve fund for tobacco product manufacturers not participating in the Master Settlement Agreement.

**North Carolina** – S6 approves the creation of the nonprofit corporation established pursuant to court order for the purposes of receipt and distribution of fifty percent of the funds received by the state.

**North Carolina** - S794 exempts payments under Phase I and Phase II of the Tobacco Settlement from execution except for debt incurred for farming operations in 1999 and 2000.

**North Carolina** - S915 Establishes an escrow fund to receive payments from cigarette manufacturers and resellers that do not participate in the master settlement agreement.

**North Carolina** - S969 would establish the North Carolina Health and Wellness Trust Fund for the purpose of receipt and distribution of 25% of the tobacco settlement funds.

**North Carolina** – (1998) S1366, establishes a settlement reserve fund and requires the Attorney General to report state settlements and court orders, was engrossed in House Budget. Funds go into the General Fund and can be expended only by appropriation of the General Assembly. House Budget now goes to Conference Committee. The bill Passed and put into law.

**North Carolina** – (1998) H1248, protects N.C. citizens from losses due to federal tobacco legislation or litigation. This legislation provides that funds received due to settlement and related congressional legislation shall be put into a "Settlement Reserve

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Fund" and monies from that fund shall be spent pursuant to appropriation by the General Assembly. Also stated is the intent of the General Assembly to enact tax relief when necessary to protect tobacco farmers from financial hardship resulting from future acts of Congress. The bill was ratified on 10/15/98 by the General Assembly. The bill was signed by the Governor on 10/21/98.

### **North Dakota \***

**\$717,089,369.09**

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**North Dakota** - H1475, introduced 1/22, requires all funds received by the state from the tobacco settlement to be deposited in a permanent trust fund. Transfers would be allowed for the health education trust fund, common schools trust fund and the resources trust fund.

**North Dakota** - H1154, setting up a tobacco settlement trust, was introduced 1/22.

**North Dakota** - HCR 3042, a constitutional amendment directing that funds received from the tobacco settlement be directed into certain state programs, was introduced on 2/1. These programs include public health, common schools trust fund and property tax rebates.

**North Dakota** - SCR4008, urging Congress and the President to recognize state interests and enact legislation prohibiting the Federal Department of Health & Human Services from recouping tobacco settlement funds as third-party recoveries under Medicaid law.

**North Dakota** -- SCR4013, amending the constitution to require all tobacco settlement funds to be deposited in a health care trust fund, was introduced on 1/18/99.

**North Dakota** - (1999) H1153, requires that any manufacturer selling tobacco products in the state to become a participating manufacturer of the master settlement agreement and place into escrow specified amounts from 1999 to 2007 and beyond. The bill then stipulates the circumstances that such funds can be released from escrow. The measure details action the state may bring for failure to comply. The bill passed the Legislature and sent to the Governor and signed on 4/7/99.

### **Ohio \***

**\$9,869,422,448.51**

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**Ohio** - H239, establishes the tobacco Settlement Task Force and terminates the provisions of the act three years after its effective date.

### **Oklahoma \***

**\$2,029,985,863.29**

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**Oklahoma** – H1036, would allocate all monies received by the State, from a settlement with tobacco companies to the Teachers' Retirement System of Oklahoma.

**Oklahoma** – H1040 and 1002, create the "Tobacco Settlement Endowment Trust Fund." This authorizes the payment of attorneys fees under certain circumstances, and establishes a board of trustees who will provide for the management of monies.

**Oklahoma** - H1164 to provide that monies received from the tobacco settlement be allocated to the State Treasurer.

**Oklahoma** -- H1601 "Model Statute", requires non-participating manufactures to place money into an escrow fund. The amount of payment is determined by the units sold in the state of Oklahoma. The House passed this bill with two significant amendments: (1) gray market language and (2) a provision that retailers must put tobacco products behind counters 40" off the floor.

**Oklahoma** -- H1603, would require monies from the tobacco settlement be allocated to the OK Turnpike Authority.

### **Oregon \***

**\$2,248,476,833.11**

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**Oregon** - H2007, which requires moneys received from the MSA to be placed in the Health Security Fund, and limits the use of funds to health programs.

**Oregon** - H3149, which requires a specified percentage of MSA funds be allocated to the Elderly and Disabled Mobility Fund for mobility-impaired persons.

**Oregon** - H3204, which authorizes reimbursement for successfully completed smoking cessation programs from MSA funds.

**Oregon** - H3380, which establishes the OR Health Plan Stabilization Fund and allocates moneys received under the MSA.

**Oregon** - HJM9, which urges Congress and the President to prohibit federal recoupment of state tobacco settlement recoveries.

**Oregon** - HJR55, which proposes an amendment to the OR Constitution to establish the State Stabilization Fund, and establishes revenue sources for the fund including tobacco settlement moneys.

**Oregon** - S792, the MSA model bill pertaining to non-participating manufacturers.

### **Pennsylvania \***

**\$11,259,169,603.46**

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**Pennsylvania** - H445, a "model statute" of the MSA regarding non-participating manufacturers.

**Pennsylvania** - H1326, introduced providing for the disposition and appropriation of monies from the MSA Agreement.

**Pennsylvania** - (12/1998) SR252, would urge the Governor to create a commission to administer funds received from the tobacco litigation settlement for the purpose of establishing public health initiatives to prevent youth access to tobacco products.

### **Rhode Island \***

**\$1,408,469,747.28**

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**Rhode Island** - H5046, mandates that at least \$10,000,000 of state funds shall be distributed to cities and towns for local road maintenance to be funded by annual appropriations from any state surplus, the amount received by the state pursuant to the Master Settlement Agreement or any source as may be determined by the General Assembly.

**Rhode Island** - H5091, creates the Rhode Island 21st Century Health Care Fund of which all annual payments by the Master Settlement Agreement will be deposited, was introduced on 1/13/99. The moneys are to be utilized to improve and promote the health of the citizens of the state.

**Rhode Island** - H5903, requires 2% of the tobacco settlement to be appropriated to the development of the tobacco prevention and cessation programs.

**Rhode Island** - H5977, requires all funds received by the state from the tobacco settlement shall be remitted to the general treasurer and deposited into a custodial account to be invested in the same manner the state presently invests state funds.

**Rhode Island** - H6014, requires manufacturers of tobacco products that have not entered into the MSA as a participating manufacturer deposit funds into a qualified escrow account. This bill was drafted exactly as written in Schedule "T" in the MSA.

**Rhode Island** - S0002, would establish the Rhode Island 21st Century Health Care Fund requiring an annual plan and budget for the distribution of the Tobacco Settlement Fund and require the investment of a percentage of the moneys by the State Investment Commission.

**Rhode Island** - S167, requiring the Governor, beginning with the fiscal year ending 6/30/00, to submit as a separate article to the budget estimates of receipts during the fiscal year from the Master Settlement Agreement.

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**Rhode Island** - S254, a Joint Resolution which creates a special Legislative Commission to study the feasibility of using the tobacco settlement proceeds to pay down state debt, creates a nine member special legislative commission whose purpose it shall be to study whether the state should use the proceeds from the MSA to pay down the state debt and who shall report back to the legislature no later than 2/2/00 and whose life shall expire on 4/2/00.

**Rhode Island** - S284, a joint resolution creating a special legislative commission of nine members to study the feasibility of using the Tobacco Settlement proceeds to pay down the state debt and who shall report back to the legislature no later than 2/2/00 and whose life shall expire on 4/2/00.

**Rhode Island** - S358, establishes the Rhode Island 21st Century Health Care Fund requiring an annual plan and budget for the distribution of the Tobacco Settlement Fund and require the investment of a percentage of the monies by the State Investment Commission.

**Rhode Island** - S382, requiring the Governor, beginning with the fiscal year ending 6/30/00, to submit as a separate article to the budget estimates of receipts during the fiscal year from the Master Settlement Agreement.

**Rhode Island** - S668, requires manufacturers of tobacco products that have not entered into the MSA as a participating manufacturer deposit funds into a qualified escrow account. This bill was drafted exactly as written in Schedule "T" in the MSA.

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**South Carolina** \* **\$2,304,693,119.82**

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**South Carolina** - H3262 would require that at least one-third of funds received in any fiscal year from the national tobacco settlement be used to provide aid and other assistance to communities dependent on tobacco farming in the manor the General Assembly shall provide.

**South Carolina** - H3789 creates the Tobacco Escrow Fund Act to provide a source of recovery from tobacco manufactures that are not a part of the Master Settlement Agreement.

**South Carolina** - H3952 establishes the South Carolina Tobacco Community Development Board, and to provide for its membership, powers, and duties relating to the allocation of private trust funds among tobacco growers and tobacco quota holders. To exempt the Board from prohibition against legislative members serving on state boards and commissions to include the Tobacco Community Development Board.

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**South Carolina** - HJ3775 memorializes Congress to prohibit federal recoupment of state tobacco settlement funds.

**South Carolina** - S309 creation of a special family farm relief fund from a portion of South Carolina's settlement proceeds derived from the tobacco litigation settlement.

**South Carolina** - S656 A concurrent resolution memorializing the Congress of the United States and the Honorable William J. Clinton, President of the United States, to prohibit federal recoupment of state tobacco settlement recoveries.

**South Carolina** - S659 creates the Tobacco Escrow Fund Act to provide a source of recovery from tobacco manufactures that are not a part of the Master Settlement Agreement.

**South Carolina** - S714 establishes the Tobacco Indemnification and Community Revitalization Commission and Fund to provide for distribution of monies received by the Master Settlement Agreement.

**South Carolina** - S739 establishes the South Carolina Tobacco Community Development Board, and to provide for its membership, powers, and duties relating to the allocation of private trust funds among tobacco growers and tobacco quota holders. To exempt the Board from prohibition against legislative members serving on state boards and commissions to include the Tobacco Community Development Board.

**South Carolina** - SJ656 memorializes Congress to prohibit federal recoupment of state tobacco settlement funds.

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**South Dakota \*** **\$683,650,008.54**

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**South Dakota** - (1999) S28, enacts the settlement model statute whereby any tobacco product manufacturer which sells product in this state shall either become a party to the settlement agreement or shall put funds into an escrow account calculated based on sales, in order to not have a short term cost. Was signed by the Governor on 3/16/99.

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**Tennessee \*** **\$4,782,168,127.09**

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**Tennessee** - H446, establishes the Tennessee Tobacco Trust Fund Act which specifies that all proceeds from the MSA be placed into such fund and that no expenditures be made from the principal of the fund. Allows General Assembly to appropriate any interest or income generated from the invested principal.

**Tennessee** - H480, which provides for establishment of Tennessee Millennium Trust Fund Act to act as a depository for funds received from the MSA.

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**Tennessee** - H488, requires controller to annually audit and evaluate use of funds received from MSA.

**Tennessee** - H801, provides \$1 million per year of tobacco settlement funds for cancer research.

**Tennessee** - H803, provides \$1 million per year of tobacco settlement funds go to a scholarship fund for active tobacco growers and family members.

**Tennessee** - H1311, a "model statute" of the MSA regarding non-participating manufacturers.

**Tennessee** - H1486, entitled the "Tennessee Tobacco Indemnification and Community Revitalization Fund" awards at least 50% of proceeds from phase 1 of the MSA funds to be put into the indemnification fund. Suggested use of proceeds include, compensating tobacco farmers for decline or elimination of tobacco quota.

**Tennessee** - S393, establishes the Tennessee Tobacco Trust Fund Act which specifies that all proceeds from the MSA be placed into such fund and that no expenditures be made from the principal of the fund. Allows General Assembly to appropriate any interest or income generated from the invested principal.

**Tennessee** - S552, requires controller to annually audit and evaluate use of funds received from MSA.

**Tennessee** - S1499, provides \$1 million per year of tobacco settlement funds go to a scholarship fund for active tobacco growers and family members.

**Tennessee** - S1500, provides \$1 million per year of tobacco settlement funds for cancer research.

**Tennessee** - S1544, a "model statute" of the MSA regarding non-participating manufacturers.

**Tennessee** - S1709, entitled the "Tennessee Tobacco Indemnification and Community Revitalization Fund" awards at least 50% of proceeds from phase 1 of the MSA funds to be put into the indemnification fund. Suggested use of proceeds include, compensating tobacco farmers for decline or elimination of tobacco quota.

## Texas

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**Texas** - H1161, a bill relating to the tobacco settlement permanent trust account and to the duties of the state comptroller and the state health department with respect thereto.

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**Texas** - H1518, creating the instructional facilities allotment account to be funded with proceeds of the tobacco settlement.

**Texas** - H1676, which creates a permanent fund to receive tobacco settlement payments for tobacco education and enforcement.

**Texas** - H1945, which creates permanent dedicated funds from the tobacco settlement for public health purposes conducted by institutions of higher education.

**Texas** - S1695, creating the Texas Vital Infrastructure Program and providing for the issuance of bonds backed by proceeds of the tobacco settlement.

**Texas** - (1999) HCR9, a resolution urging Congress not to make claims against the proceeds of the Texas tobacco settlement. The bill passed both the House and Senate then was signed by the Governor on 3/26/99.

### Utah \*

**\$871,616,513.42**

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**Utah** - (1999) H132 implements model settlement language. Passed both respective houses and was signed by the Governor on 3/23/99.

**Utah** - (1999) H375 is the model MSA bill pertaining to non-participating manufacturers. Was signed by the Governor on 3/22/99.

**Utah** - (1999) SCR2 reaffirms the right of states to determine disposition of settlement proceeds and urges federal government not to interfere. Passed both respective houses and was signed by the Governor on 2/24/99.

**Utah** - (1999) S173 creates a restricted account into which tobacco settlement proceeds are to be deposited when received. The funds are to be used only after legislative appropriation from account. Passed both respective houses and signed by the Governor on 3/17/99.

### Vermont \*

**\$805,588,329.25**

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**Vermont** - (1999) H130, the FY 99 supplemental budget includes: Section 103 that establishes the tobacco litigation settlement trust fund whereby moneys paid by the industry starting next year will be deposited; and Section 105 sets up the health care cost inflation commission made up of three House members, three Senate members and three appointees of the Governor. The bill passed the House and Senate was signed by the Governor on 3/31/99..

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**Vermont** - H310, establishes the tobacco litigation settlement fund in which all settlement funds will be deposited to support health and litigation programs.

**Vermont** - H554, creates the fiscal year 2000 general fund budget.

**Vermont** - JRH17, requesting Congress to give the states flexibility in how the tobacco settlement funds are spent in regard to the multi-state tobacco liability settlement. Already passed the House and currently in the Senate.

### **Virginia \***

**\$4,006,037,550.26**

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**Virginia** - (1999) H2635 relates to the use of funds received by the Commonwealth as a participant of the MSA and establishes the Tobacco Indemnification and Community Revitalization Commission and Fund. 10% of the Fund to discouraging, eliminating or preventing the use of tobacco products by minors. Passed both respective houses and now goes to the Governor and was signed into law.

**Virginia** - (1999) S1165 relates to the use of funds received by the Commonwealth as a participant of the MSA and establishes the Tobacco Indemnification and Community Revitalization Commission and Fund. 10% of the Fund to discouraging, eliminating or preventing the use of tobacco products by minors. Passed both respective houses and now goes to the Governor and was signed into law.

**Virginia** - (1999) S1318, requires non-participating manufactures to place money into an escrow fund. The amount of payment is determined by the units sold in the Commonwealth of Virginia. Passed both respective houses and was signed by the Governor on 3/28/99.

**Virginia** -- (1999) H2608, requires non-participating manufactures to place money into an escrow fund. The amount of payment is determined by the units sold in the Commonwealth of Virginia. Passed both respective houses and signed by the Governor on 3/28/99.

**Virginia** - (1999) HJR581 memorializing Congress to prevent the seizure of state tobacco settlement funds.

**Virginia** - (1998) HJR 145, supports the Attorney General and Dept. of Agriculture to develop a plan to protect VA tobacco growers to be incorporating into national settlement. On 2/17/98, the resolution passed the house. Then on 3/10/98, it passed the Senate. The House concurred on 3/13/98 and the resolution was adopted. In VA, this does not go to the Governor.

### **Washington \***

**\$4,022,716,266.79**

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**Washington** - S5426 provides for a reduction of the state property tax equivalent to funds received as a result of the MSA.

**Washington** - S5485 "Model Statute", requires non-participating manufactures to place money into an escrow fund. The amount of payment is determined by the units sold in the state of Washington. Passed the legislature and has been sent to the Governor.

**Washington** - (1999) HJM4003 requests amending the Medicaid statute to prohibit the federal government from recouping the states MSA funds. It was unanimously approved by the House and the Senate on 1/18.

### **West Virginia \***

**\$1,736,741,427.33**

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**West Virginia** - (1999) S372 Model Tobacco Settlement Bill was passed 3/13 and signed by the Governor on 3/25/99.

### **Wisconsin \***

**\$4,059,511,421.32**

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**Wisconsin** - S45, the Governor's Budget Bill, proposes spending \$5 million of the state's \$338 million from the tobacco settlement on tobacco cessation programs. The Governor also proposed spending \$35 million to help pay for his "Badger-Care" health plan for the working poor and \$11 million for a health care program for senior citizens.

**Wisconsin** - S122, a "model statute" of the MSA regarding non-participating manufacturers.

**Wisconsin** - Draft LRB1759, requests Congress to enact legislation specifying that no portion of the state attorney general tobacco settlement be withheld, offset or claimed by the federal government.

**Wisconsin** - AJR 15, requesting Congress to enact legislation specifying that no portion of the tobacco settlement money received by states be withheld, offset or claimed by the Federal Government.

**Wisconsin** - (1998) Waukesha County -- The Board of Supervisors is considering resolution, 153 R-007, asking the state to consider compensating the County for any tobacco-related costs it has incurred, should the state reach a settlement with the industry.

**Wisconsin** - (1998) During the November, Wisconsin County Association convention, a resolution relating to tobacco was approved. Resolution #9, asks the state of Wisconsin

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to compensate counties for tobacco-related medical costs should a state settlement be reached with the tobacco industry.

**Wyoming \*** **\$486,553,976.10**

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**Wyoming** - (1999) H123 would establish a trust fund to receive funds resulting from the tobacco settlement. Sign by the Governor on 3/3/99.

**Puerto Rico \*** **\$2,196,791,813.07**

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**Puerto Rico** - PS1482, provides that 35% of the settlement money be reserved for developing municipal programs and this money to be distributed proportionally to Puerto Rico's 78 municipalities, was referred to the Senate Government & Federal Affairs Committee and the Municipal Affairs Committee.

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