

HOUSE BILL NO. 1436

Introduced by

Representatives Boucher, Aarsvold, Kerzman, Rose, Sveen

Senator Wardner

1 A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota
2 Century Code, relating to the establishment of the North Dakota health and education trust; and
3 to provide for a continuing appropriation.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 23-01 of the North Dakota Century Code is
6 created and enacted as follows:

7 **North Dakota health and education trust fund - Continuing appropriation.** The
8 North Dakota health and education trust fund is created as a special fund in the state treasury.
9 The state department of health shall administer the fund. The funds received by the state from
10 the tobacco litigation settlement agreement entered as a result of litigation against tobacco
11 industry companies and related entities must be allocated as follows:

- 12 1. During the first biennium in which the tobacco settlement payments are made:
 - 13 a. Eighty percent of the tobacco settlement payments must be invested in the
14 North Dakota health and education trust fund; and
 - 15 b. Twenty percent of the tobacco settlement payments is appropriated on a
16 continuing basis to the state department of health for health and education
17 programs.
- 18 2. Funds received during the second biennium in which the tobacco settlement
19 payments are made:
 - 20 a. Ninety percent of the tobacco settlement payments must be invested in the
21 North Dakota health and education trust fund;
 - 22 b. Ten percent of the tobacco settlement payments is appropriated on a
23 continuing basis to the state department of health for health and education
24 programs; and

- 1 c. The interest payments received on the previous years' investments are
2 appropriated on a continuing basis to the state department of health for health
3 and education programs.
- 4 3. During the third, fourth, and fifth bienniums in which the tobacco settlement
5 payments are made:
 - 6 a. One hundred percent of the tobacco settlement payments must be invested in
7 the North Dakota health and education trust fund; and
 - 8 b. The interest payments received on the previous years' investments are
9 appropriated on a continuing basis to the state department of health for health
10 and education programs.
- 11 4. During the sixth biennium in which tobacco settlement payments are made:
 - 12 a. One hundred percent of the tobacco settlement payments must be invested in
13 the North Dakota health and education trust fund;
 - 14 b. Ninety percent of the interest received on the previous years' investments is
15 appropriated on a continuing basis to the state department of health for health
16 and education programs; and
 - 17 c. Ten percent of the interest received on the previous years' investments must
18 be reinvested in the North Dakota health and education trust fund.
- 19 5. During the seventh and remaining bienniums in which the tobacco settlement
20 payments are made:
 - 21 a. One hundred percent of the tobacco settlement payments must be invested in
22 the North Dakota health and education trust fund;
 - 23 b. Eighty percent of the interest received on the previous years' investments is
24 appropriated on a continuing basis to the state department of health for health
25 and education programs; and
 - 26 c. Twenty percent of the interest received on the previous years' investments
27 must be reinvested in the North Dakota health and education trust fund.
- 28 6. During any biennium in which tobacco settlement payments are not made:
 - 29 a. Eighty percent of the money received from interest on the investments in the
30 North Dakota health and education trust fund is appropriated on a continuing

- 1 basis to the state department of health for health and education programs;
2 and
3 b. Twenty percent of the money received from interest on the investments in the
4 North Dakota health and education trust fund must be reinvested in the North
5 Dakota health and education trust fund.