

**FIRST ENGROSSMENT**

Fifty-sixth  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE CONCURRENT  
RESOLUTION NO. 4012**

Introduced by

Senators Mutzenberger, DeMers, T. Mathern

1 A concurrent resolution to create and enact a new section to article X of the Constitution of  
2 North Dakota, relating to the creation of a health care programs trust fund.

**STATEMENT OF INTENT**

4 This amendment would create a health care programs trust fund.

**5 BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF  
6 REPRESENTATIVES CONCURRING THEREIN:**

7 That the following proposed new section to article X of the Constitution of North Dakota  
8 is agreed to and must be submitted to the qualified electors of North Dakota at the general  
9 election to be held in 2000, in accordance with section 16 of article IV of the Constitution of  
10 North Dakota.

**11 SECTION 1.** A new section to article X of the Constitution of North Dakota is created  
12 and enacted as follows:

13 Ninety percent of the funds received from the tobacco settlement dollars obtained by  
14 the state under sections IX (Payments) and XI (Calculation and Disbursement of Payments) of  
15 the master settlement agreement and consent agreement adopted by the district court in its  
16 judgement entered in State of North Dakota, ex rel. Heidi Heitkamp v. Philip Morris Inc., (East  
17 Central Dist. Ct., December 28, 1998), must be deposited in the health care programs trust  
18 fund in the state treasury. The legislative assembly may appropriate earnings from funds  
19 deposited in the trust fund for programs that address enforcement of the terms of the master  
20 settlement agreement and consent agreement and health care needs in the state with an  
21 emphasis on prevention and health promotion programs as provided by law.