

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

467C0756

HOUSE CONCURRENT RESOLUTION NO. 1007

Introduced by: Representatives Patterson, Diedrich (Larry), Diedrich (Elmer), Fischer-Clemens, Hagen, Lucas, Nachtigal, Peterson, Wilson, Windhorst, and Wudel and Senators Flowers, Moore, and Munson (David)

1 A CONCURRENT RESOLUTION, Requesting federal legislation that prohibits the federal
2 government from recouping any of the state tobacco settlement funds.

3 WHEREAS, South Dakota and forty-five other states settled their litigation against the
4 tobacco industry on November 23, 1998; and

5 WHEREAS, states are presently in the midst of finalizing the settlement, carrying out the
6 terms of the settlement agreement, and making initial fiscal determinations about how to most
7 responsibly expend settlement funds; and

8 WHEREAS, the federal government has declined to bring its own lawsuit against the tobacco
9 industry yet has notified states of its intention to recoup the federal match from funds states
10 received through suits brought against tobacco manufacturers; and

11 WHEREAS, states, without the help of the federal government, have provided all of the
12 leadership, taken all of the risks, and consumed significant resources in resolving these tobacco
13 related suits:

14 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Seventy-
15 fourth Legislature of the State of South Dakota, the Senate concurring therein, that the United

1 States Congress is urged to enact and the President is encouraged to sign legislation that
2 explicitly prohibits the federal government from seizing or recouping any state tobacco
3 settlement funds.