

**1999 HOUSE HUMAN SERVICES**

**HCR 3032**

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3032

House Human Services Committee

Conference Committee

Hearing Date February 8, 1999

Tape Number	Side A	Side B	Meter #
1		X	18.1 - 44.5
Committee Clerk Signature <i>Susan Lindteigen</i>			

Minutes:

Rep. MERLE BOUCHER, District 9, testified (Testimony and Master Settlement Agreement Payments attached) this is a constitutional resolution that would call for this body to approve and place on the ballot in the June 2000 primary, the issue of the creation of what we would call a health and education trust fund. This stems from the Tobacco Settlement Payment dollars that we are anticipating receiving as a result of the Tobacco Settlement. I believe that with the coming of the tobacco settlement dollars, we know that there is a great deal of uncertainty at the present time in regards as to what kinds of attachments those dollars will come to the state of North Dakota and the other states. I know there is legislation that has been introduced in the Congress trying to say that this money will come to the states unencumbered and that the states will have the opportunity to utilize these moneys in full for whatever purposes their state legislatures choose to do so. We have been forewarned that it would perhaps be in the best

interest of the states if they would dedicate at least a minimum of 50% of those dollars to various health and health related issues. I look at this as windfall money; money that is not coming through ordinary budget or funding strengths. Consequently, I suggest the creation of a trust fund. I believe this is the wise and appropriate way to handle these kinds of dollars. When you look at the amounts of dollars and I believe its projected over a period of about 30 years, the state of North Dakota is in a position to receive upwards of over \$700 million. This presents a great temptation to spend it on immediate needs or on pet projects. This should be invested in a trust. A trust is allowed to grow from the interest earned from the trust investment. Then we in turn establish our priorities as to how we want to spend those income dollars amongst the various projects and programs that we have across the state of North Dakota. I believe that the dollars came from a health related issue. I believe that when the attorneys general across the United States led this initiative and this fight and won their cases in court, that it was stimulated and created out of feelings that tobacco and tobacco related addictions created very severe health problems amongst the populations across our various 50 states. Consequently, that was the thrust of this whole initiative. Therefore, when the monies come back, I feel, that we should put a priority on spending at least a portion of those dollars for health related issues. That's why I suggest the creation of a health and education trust. I also believe that when we talk about lifestyle because this is what we are dealing with when we deal with addictions, tobacco being amongst one of the many unfortunate addictions that we deal with in our society, that we do allocate a certain portion of that money for prevention and treatment programs to address the issue of tobacco and tobacco addiction. I also believe that the opportunity for this trust to grow to a very sizable amount of money. I have sponsored an additional piece of legislation that I

don't know the status of. It is in House Appropriations, HB 1436, a companion bill that creates a mechanism for the investment of the money. In the first biennium, we set aside 80% of the tobacco money in trust and 20% would go to needed issues for health tobacco prevention and tobacco related issues. The second biennium, 90% would be invested in the trust, 10% of the principal received would go out to various tobacco and health related initiatives along with the interest earned on the trust during that particular biennium. Starting with the third biennium, then we would invest 100% of the proceeds of the money coming in and the interest would be available to used for various initiatives, health and education. We get down in the later biennium's, then we would look at 100% of the proceeds going into investment, 90% of the interest used for initiatives related to health and education. Then we would start to put some of the interest back into the trust fund. I could perceive 25-30 years down the road, with the investment of principal or proceeds from the tobacco settlement payments plus the additional interest that we would invest in the trust, that we could see a trust fund perhaps reaching \$1 billion or more. If one considers 8-10% return on that investment so to speak, I could see this trust actually generating in interest revenues for the state of North Dakota somewhere in the vicinity of \$150-\$200 million per biennium. With that kind of money we could do a lot of work with prevention and education programs in the area of tobacco addiction. I realize too that a state like North Dakota that were not just going to blankly put money out into an area. That there would be an area of overkill, that we would be able to use significant amount of this money for other education and initiatives, as well. One thing I would like to remind you, that what you have in front of you in terms of the trust repayment schedule, is a 30 years schedule but actually the bill and decision that was handed out is in perpetuity which means as long as there tobacco



products, cigarettes being purchased in the United States, the money would flow to the states. I think that what we have here is an opportunity to be wise and prudent investors and handle the monies coming to the people of North Dakota in very appropriate and proper fashion.

Rep. BRUCE ECKRE asked which level of education are you talking about? Rep. MERLE

BOUCHER stated I would hope there would be a priority to start with where some of the money would be earmarked for prevention and treatment. I basically left it open-ended so its up to this body as how they would like to prioritize the education aspect.

Rep. WILLIAM DEVLIN asked don't we limit ourselves by creating just a health and education trust fund? Certainly there's a lot of other public needs out there, i.e., tax relief, highways. Rep.

MERLE BOUCHER stated I think the opportunity is health and education which would free up money for your roads and other infrastructure that is so important that there is such a demand on at the present. I view this that if we invest it appropriately and the significant amount of money comes in that it will take pressure off the general fund. What does property tax relief mean? I think that we can give people better property tax relief by using this money to take care of a lot of those programs that are really putting a drain on our general fund dollars now. Rep.

WILLIAM DEVLIN stated the point I was trying to make is people put many dollars into, for example, human services for tobacco related illnesses and went without paved roads, why just put it into education and health? Maybe those people would like to have that money back to do those roads now. I think we limit ourselves by only health and education. Rep. MERLE

BOUCHER stated obviously you and I will disagree on this issue. Rep. WILLIAM DEVLIN stated I don't know that I want to do this so quickly but I don't want to see us limit ourselves to just two areas when there is a lot of public good that could be done in a lot of other areas also.

We have two different debates here: whether we should establish a trust fund and what the trust fund dollars should be used for and how they should be used. That is important. Rep. MERLE BOUCHER stated I'm glad to hear that we agree on the issue of a trust. Rep. WILLIAM DEVLIN stated Rep. Boucher as you well know what I said is there is two different issues here. I didn't say that you and I certainly agreed on either one of them. I think there are two different deals here and I think this would limit us to just areas when there might be so many areas of need in North Dakota. I think that may be a little shortsighted, also. Rep. MERLE BOUCHER stated I don't disagree that there are so many areas of need in the state of North Dakota and anytime we can alleviate the general fund, either partially or in-full with investment on a new source of money, I feel its going to have benefit to all those other areas.

Rep. CLARA SUE PRICE asked do we have other permanent trust funds and were they established by a vote of the people? Rep. MERLE BOUCHER stated yes, we have many trust funds and the trust fund can be established statutorily and constitutionally. Rep. CLARA SUE PRICE asked is there a definition of health or education in HB 1436? Rep. MERLE BOUCHER stated I left that open. The priority will change and so I don't want to write law that will lock is into the long term.

Rep. PAT GALVIN stated I like your proposal. The only thing that worries me is would this actually take any pressure off anyplace because the two areas you're talking about have always seemed an insatiable black hole where it doesn't seem to matter how much money is in there. It always needs more. I doubt if there would be any money freed up for anybody else. Rep.

MERLE BOUCHER said that's typical of the whole spending process and government as a whole. I think it would free up money because without the trust we're still going to spend a lot

of money in those areas. The trust moneys would supplant that. We'd all like to hold the line on spending even us progressive conservatives, like myself. This would be a good source of revenue.

Rep. DALE HENEGAR stated this bill does seem appropriate. The philosophy of the trust fund is absolutely superb. Rep. MERLE BOUCHER stated I appreciate your comments. Trusts do outstanding things. A trust is the appropriate way to go with our tobacco settlement dollars.

OPPOSITION

None.

Hearing Closed.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3032

House Human Services Committee

Conference Committee

Hearing Date February 9, 1999

Tape Number	Side A	Side B	Meter #
1		X	24.0 - End
Committee Clerk Signature <i>Susann Lindteigen</i>			

Minutes:

Rep. CAROL NIEMEIER moved DO PASS

Rep. WANDA ROSE second the motion.

Committee Discussion.

Rep. TODD PORTER stated I don't like the concept of spending the principle.

Rep. CAROL NIEMEIER expressed that education and health are in a crisis. There are dramatic changes in schools.

Rep. WANDA ROSE discussed a survey where 70% said that it should go into health and education. We should give ND citizens a choice on how dollars will be used.

Rep. DALE HENEGAR stated he was in favor of the trust fund concept.

Rep. AMY KLINISKE stated there are eight or nine bills on how to spend this money. This is the only one that is constitutional and gives the people a vote.

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House Human Services Committee

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Rep. PAT GALVIN mentioned it gives access to the principle which is scary.

Rep. ROBIN WEISZ piggybacked Rep. Kliniske's comments. Things will change ten years down the road.

Rep. RALPH METCALF stated it's premature and won't be in two years. We'll have more information then.

Rep. CLARA SUE PRICE mentioned that Rep. Dorso and Senator Stenehjem lobbied Congress to give us the money last week. The President's budget wants to keep the money.

ROLL CALL VOTE #6: 4 yeas, 11 nays, 0 absent

Motion Failed.

Rep. WILLIAM DEVLIN moved DO NOT PASS.

Rep. BLAIR THORESON second the motion.

Further Committee Discussion.

ROLL CALL VOTE #7: 11 yeas, 4 nays, 0 absent

CARRIER: Rep. ROBIN WEISZ

Date: 2-9-99  
 Roll Call Vote #: 6

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 3032

House Human Services Committee

- Subcommittee on \_\_\_\_\_  
 or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Carol Niemeier Seconded By Wanda Rose

Representatives	Yes	No	Representatives	Yes	No
Clara Sue Price - Chairwoman		X	Bruce A. Eckre		X
Robin Weisz - Vice Chairman		X	Ralph Metcalf	X	
William R. Devlin		X	Carol A. Niemeier	X	
Pat Galvin		X	Wanda Rose	X	
Dale L. Henegar		X	Sally M. Sandvig	X	
Roxanne Jensen		X			
Amy N. Kliniske		X			
Chet Pollert		X			
Todd Porter		X			
Blair Thoreson		X			

Total Yes 4 No 11  
 Absent 0

*Failed*

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 2-9-99  
Roll Call Vote #: 7

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 3032

House Human Services Committee

Subcommittee on \_\_\_\_\_

or

Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Not Pass

Motion Made By Devlin Seconded By Thoreson

Representatives	Yes	No	Representatives	Yes	No
Clara Sue Price - Chairwoman	X		Bruce A. Eckre	X	
Robin Weisz - Vice Chairman	X		Ralph Metcalf		X
William R. Devlin	X		Carol A. Niemeier		X
Pat Galvin	X		Wanda Rose		X
Dale L. Henegar	X		Sally M. Sandvig		X
Roxanne Jensen	X				
Amy N. Kliniske	X				
Chet Pollert	X				
Todd Porter	X				
Blair Thoreson	X				

Total Yes 11 No 4  
Absent 0

Floor Assignment Robin Weisz

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)  
February 9, 1999 2:29 p.m.

Module No: HR-26-2364  
Carrier: Weisz  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HCR 3032: Human Services Committee (Rep. Price, Chairman) recommends DO NOT PASS (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HCR 3032 was placed on the Eleventh order on the calendar.**



1999 TESTIMONY

HCR 3032

TESTIMONY FOR  
HOUSE CONCURRENT RESOLUTION 3032  
Prepared by Representative Merle Boucher  
Monday - February 8, 1999

Chairman Price and members of the House Human Services Committee, I am Representative Merle Boucher, from District 9, which is Rolette County.

Though the situation is not totally resolved and it is not clear whether or not the proceeds will come without attachments, projected Tobacco Settlement payment amount to a very significant sum of dollars. These anticipated payments can be considered an extraordinary source of revenue and should be viewed as a budget windfall.

It is very important to treat the use of these windfall moneys wisely. If and when the payments start to come I fear there will be many suggestions concerning how that money should be spent. I am sure there will be a propensity to want to solve immediate issues and spend some, maybe significant amounts, of the money on politically popular expenditures.

I am hoping that we avoid those kind of temptations. These windfall dollars should be invested wisely. This is why this resolution has been introduced.

House Concurrent Resolution 3032 would create a health and education trust fund. Payments received from the Tobacco Settlement payments would be invested in a permanent health and education trust. The proposed new section to Article X of the Constitution of North Dakota would be submitted to the qualified electors of North Dakota at the primary election to be held in 2000. The resolution would allow the citizens of North Dakota to determine how they want the Tobacco Settlement payments invested.

Chairman Price and members of the House Human services Committee I ask that you support giving the citizens of North Dakota the opportunity to make this important decision. I urge you to support House Concurrent Resolution 3032 with your DUE PASS recommendation.

**MASTER SETTLEMENT AGREEMENT PAYMENTS THROUGH 2025**

Calendar Year	§ IX(b) Initial Payments	§ IX(c)(1) Annual Payments	§ IX(c)(1) Annual Payments less Previously Settled States Reduction	§ IX(c)(1) Strategic Contribution Fund Payments	§ VI(b) Base <sup>(f)</sup> Foundation Payments	§ VI(c) National Public Education Fund Payments	§ VIII(b) NAAG Administration Payments	§ VIII(c) AG Enforcement Fund
1998	\$2,400,000,000						\$150,000	
1999					\$25,000,000	\$250,000,000	\$150,000	\$50,000,000
2000	\$2,472,000,000	\$4,500,000,000	\$3,939,750,000		\$25,000,000	\$300,000,000	\$150,000	
2001	\$2,546,160,000	\$5,000,000,000	\$4,377,500,000		\$25,000,000	\$300,000,000	\$150,000	
2002	\$2,622,544,800	\$6,500,000,000	\$5,690,750,000		\$25,000,000	\$300,000,000	\$150,000	
2003	\$2,701,221,144	\$6,500,000,000	\$5,690,750,000		\$25,000,000	\$300,000,000	\$150,000	
2004		\$8,000,000,000	\$7,004,000,000		\$25,000,000		\$150,000	
2005		\$8,000,000,000	\$7,004,000,000		\$25,000,000		\$150,000	
2006		\$8,000,000,000	\$7,004,000,000		\$25,000,000		\$150,000	
2007		\$8,000,000,000	\$7,004,000,000		\$25,000,000		\$150,000	
2008		\$8,139,000,000	\$7,143,000,000	\$861,000,000	\$25,000,000			
2009		\$8,139,000,000	\$7,143,000,000	\$861,000,000				
2010		\$8,139,000,000	\$7,143,000,000	\$861,000,000				
2011		\$8,139,000,000	\$7,143,000,000	\$861,000,000				
2012		\$8,139,000,000	\$7,143,000,000	\$861,000,000				
2013		\$8,139,000,000	\$7,143,000,000	\$861,000,000				
2014		\$8,139,000,000	\$7,143,000,000	\$861,000,000				
2015		\$8,139,000,000	\$7,143,000,000	\$861,000,000				
2016		\$8,139,000,000	\$7,143,000,000	\$861,000,000				
2017		\$8,139,000,000	\$7,143,000,000	\$861,000,000				
2018		\$9,000,000,000	\$8,003,999,997					
2019		\$9,000,000,000	\$8,003,999,997					
2020		\$9,000,000,000	\$8,003,999,997					
2021		\$9,000,000,000	\$8,003,999,997					
2021		\$9,000,000,000	\$8,003,999,997					
2023		\$9,000,000,000	\$8,003,999,997					
2024		\$9,000,000,000	\$8,003,999,997					
2025		\$9,000,000,000	\$8,003,999,997					
<b>Total</b>	<b>\$12,741,925,944</b>	<b>\$207,890,000,000</b>	<b>\$183,176,749,975</b>	<b>\$8,610,000,000</b>	<b>\$250,000,000</b>	<b>\$1,450,000,000</b>	<b>\$1,500,000</b>	<b>\$50,000,000</b>
UST payments						\$95,750,000	\$250,000	\$4,000,000
<b>TOTAL</b>	<b>\$12,741,925,944</b>	<b>\$207,890,000,000</b>	<b>\$183,176,749,975</b>	<b>\$8,610,000,000</b>	<b>\$250,000,000</b>	<b>\$1,545,750,000</b>	<b>\$1,750,000</b>	<b>\$54,000,000</b>

Grand Total of Cigarette Agreement without PSS Reduction taken \$230,993,425,944  
 Grand Total of Cigarette Agreement with PSS Reduction taken \$206,280,175,919  
 Grand Total of Cigarette Agreement & UST Agreement without PSS Reduction \$231,093,425,944  
 Grand Total of Cigarette Agreement & UST Agreement with PSS Reduction \$206,380,175,919

## Tobacco Settlement Proposal Summary for Attorneys General

### Public Health Initiatives

#### *Prohibits Youth Targeting*

- Prohibits targeting youth in advertising, promotions, or marketing.
- Bans industry actions aimed at initiating, maintaining or increasing youth smoking.

#### *Bans Cartoon Characters*

- Bans use of cartoons in the advertising, promotion, packaging or labeling of tobacco products.

#### *Restricts Sponsorships By Brand Names*

- Limits tobacco companies to only one brand name sponsorship per year (after current contracts expire or after three years – whichever comes first).
- Prohibits brand name sponsorship of events with a significant youth audience.
- Prohibits sponsorship of team sports (football, basketball, baseball, hockey or soccer).
- Prohibits sponsorship of events where any of the paid participants or contestants are underage.
- Allows corporate sponsorship of athletic, musical, cultural, artistic or social events as long as the corporate name does not include the brand name of a domestic tobacco product.
- Bans tobacco brand names for stadiums and arenas.
- Limits outdoor advertising for sponsored events to the site of the event.

#### *Bans Outdoor Advertising*

- Bans all outdoor advertising, including: billboards, signs and placards in arenas, stadiums, shopping malls, and video game arcades.
- Limits advertising outside retail establishments to 14 square feet.
- Bans transit advertising of tobacco products.
- Tobacco billboards and transit ads must be removed within 150 days after the Master Settlement Agreement Execution Date.
- Allows states to substitute for the duration of billboard lease periods, alternative advertising which discourages youth smoking.
- Requires tobacco companies to designate a contact person to facilitate sign removal in each state.

### *Bans Placement of Tobacco Products*

- Bans payments to promote tobacco products in movies, television shows, theater productions or live performances, live or recorded music performances, videos and video games.

### *Bans Sale of Merchandise With Tobacco Brand Names*

- Beginning July 1, 1999, bans distribution and sale of apparel and merchandise with brand-name logos (caps, T-shirts, backpacks, etc.).

### *Bans Youth Access To Free Samples*

- After Master Settlement Agreement Execution Date, free samples cannot be distributed except in a facility or enclosed area where the operator ensures no underage person is present.

### *Bans Proof of Purchase Gifts*

- Bans gifts without proof of age (legible driver's license certified to be valid by the gift recipient). Effective one year after Master Settlement Agreement Execution Date.

### *Prohibits Third Parties From Using Tobacco Brand Names*

- Tobacco companies are prohibited from authorizing third parties to use or advertise brand names in any way prohibited by the agreement.
- Tobacco companies must designate a contact in each state who will respond to Attorney General complaints of prohibited third party activity.
- Exempts licensing agreements or contracts in existence as of July 1, 1998, although contracts cannot be extended beyond current terms.

### *Bans Non-Tobacco Brand Names*

- Bans future cigarette brands from being named after recognized non-tobacco brand or trade names (such as Harley Davidson, Yves Saint Laurent, Cartier) or nationally recognized sports teams, entertainment groups or individual celebrities.

### *Sets Minimum Pack Size At 20 Cigarettes*

- Limits minimum pack size to 20 cigarettes through December 31, 2001.
- Tobacco companies prohibited from opposing state legislation which bans the manufacture and sale of packs containing fewer than 20 cigarettes.

## **Changes The Corporate Culture**

### *Requires Corporate Commitments To Reduce Youth Access and Consumption*

- Beginning 180 days after the Master Settlement Agreement Execution Date, companies must:
- Develop and regularly communicate corporate principles that commit to complying with the Master Settlement Agreement and reducing youth smoking.

- Designate executive level manager to identify ways to reduce youth access and consumption of tobacco.
- Encourage employees to identify additional methods to reduce youth access and youth consumption.

### Disbands Tobacco Trade Associations

- Disbands the Council for Tobacco Research (CTR), the Tobacco Institute (TI), and the Council for Indoor Air Research (CIAR).
- Requires all records of these organizations that relate to any lawsuit to be preserved.

### *Provides Regulation and Oversight of Any New Trade Organizations*

- Requires any new trade association to adopt bylaws that provide:
- Officers of the association will be appointed by the board, be employees of the association and will not be employed by a member tobacco company;
- Legal counsel will be independent and not serve as counsel to member companies;
- Minutes of board of director meetings will be prepared and maintained for at least five years.
- Antitrust staff for any settling state may inspect and copy all non-privileged, non-work-product records and interview association directors, officer and employees.

### Restricts Industry Lobbying

#### *Stops Industry Assault On Tobacco Control Laws*

- After state specific finality, tobacco companies will be prohibited from opposing proposed state or local laws or administrative rules which are intended to limit youth access to and consumption of tobacco products.
- The industry must require its lobbyists to certify in writing they have reviewed and will fully comply with settlement terms including disclosure of financial contributions regarding lobbying activities and new corporate culture principles;
- In states without laws regarding financial disclosure of lobbying, requires disclosure of lobbying costs to the state Attorney General.
- Prohibits lobbyists from supporting or opposing state, federal, or local laws or actions without authorization of the companies.
- Prohibits the industry from lobbying for the diversion of settlement money to non-tobacco or non-health related uses or legislation which would eliminate or diminish state rights under the settlement.

#### *Protects State And Local Youth Access Laws*

- Prohibits new challenges by the industry against the enforceability or constitutionality of tobacco control laws, ordinances, and rules passed prior to June 1, 1998.

*Dismisses Lawsuits Against State Laws*

- Requires the industry to dismiss, without fees, all claims against participating states.

*No Criminal Immunity*

- Specifies that states expressly do not waive any right to pursue criminal prosecutions based on federal, state, or, local law.

**Opens Industry Records And Research**

*Opens Public Access To Tobacco Documents*

- Tobacco companies will release documents that are under protective orders in state lawsuits and have no privilege or trade-secret claim.
- Settling states may seek court-approved public release of any documents which have been subject to an order or ruling, prior to August 17, 1998, denying privilege, work-product or trade secret protection. The industry can contest the action.

*Creates User-Friendly Website For Industry Documents*

- Requires tobacco companies to maintain for ten years, at their expense, a Website which includes all documents produced in state and other smoking and health related lawsuits.
- Requires the industry to maintain the site in a user-friendly and searchable format (requires an index and other features to improve searchable access).
- Requires the industry to add, at its expense, all documents produced in future civil actions involving smoking and health cases.
- The industry will provide the National Association of Attorneys General with up to \$100,000 for a computer consultant to ensure that the industry's Website is truly usable.

*Stops Conspiracy To Hide Research Regarding Smoking and Health*

- Prohibits manufacturers from jointly contracting or conspiring to:
- Limit information about the health hazards from the use of their products;
- Limit or suppress research into smoking and health; or
- Limit or suppress research into the marketing or development of new products.
- Prohibits the industry from making any material misrepresentations regarding the health consequences of smoking.

**Creates A Foundation And \$1.45 Billion Public Education Fund**



*Creates A National Foundation to Reduce Teen Smoking and Substance Abuse*

- Requires the industry to pay \$250 million over the next ten (10) years to fund a charitable foundation which will support the study of programs to reduce teen smoking and substance abuse and the prevention of diseases associated with tobacco use.
- The NAAG Executive Committee will provide for creation of the foundation.
- The foundation will be governed by an eleven-member board of directors. NAAG, the National Governors' Association and the National Conference of State Legislatures each will appoint two board members and the six will select the final five members, four of whom must have expertise in public health, medicine and child psychology.
- The foundation will:
  - Carry out a nationwide, sustained advertising and education program to counter youth tobacco use and educate consumers about the cause and prevention of diseases associated with tobacco use.
  - Develop, disseminate and test the effectiveness of counter advertising campaigns.
  - Develop, disseminate and test the effectiveness of model classroom educational programs, including programs targeting at-risk populations.
  - Develop, disseminate and test the effectiveness of criteria for effective cessation programs.
  - Commission studies, fund research and publish reports on factors that influence youth smoking and substance abuse.
  - Develop targeted training and information programs for parents.
  - Maintain a library of foundation studies, reports and publications.
  - Track and monitor youth smoking and substance abuse with a focus on reasons for increases or failures to decrease tobacco and substance use rates.
  - The foundation is prohibited from engaging in political or lobbying activities.
  - Includes a severance clause for settling states which are prohibited by state law from entering into the foundation portion of the agreement.

*Creates A National Public Education Fund*

- Requires the industry to pay \$1.45 billion over the next five years for a National Public Education Fund.
- The agreement includes continued funding depending on the number of tobacco product manufacturers who have agreed to be bound by the Agreement..
- The fund is established to carry out a nationwide sustained advertising and education program to counter youth tobacco use and educate consumers about tobacco-related diseases.
- The fund may make grants to states and political subdivisions to carry out the fund's purposes.
- Industry payments to the foundation and education fund will be held in an escrow account until state-specific finality in at least one state.



- Outside contributions can be made to the foundation and specifically to the education fund.

## Enforcement

### *Provides Court Jurisdiction For Implementation and Enforcement*

- Settling states or tobacco companies may apply to the court to enforce the terms of the consent decree.
- A state is not required to give any prior notice before seeking an order to enforce a consent decree from the court – except that a 10-day notice is required if the claimed violation involves targeting youth or making material misrepresentations about tobacco products (unless the Attorney General determines there is a public health or safety concern requiring faster action, or the party has committed substantially similar violations previously).
- If the court finds the consent decree has been violated, the court may award any relief available under the consent decree or the law in that state.
- Settling states may also apply to the court to enforce or interpret the terms of the Agreement, although before applying to the court a party must give the other parties and NAAG 30-days notice (unless the Attorney General determines there is a public health or safety concern requiring faster action).
- If the court issues an enforcement order enforcing the agreement and a party violates that order, the court may order monetary, civil contempt or criminal sanctions to enforce compliance with the enforcement order.
- Allows settling state AGs access to company documents, records and personnel to enforce the agreement.

### *NAAG Provides Implementation And Enforcement Coordination*

- NAAG will:
- Receive \$150,000 per year until 2007 from the industry for oversight costs.
- Monitor potential conflicting court interpretations involving the settlement.
- Convene two meetings each year and one national conference every three years to evaluate the success of the settlement and coordinate AG efforts.
- Assist states with inspection and discovery activities which are conducted to enforce the settlement.

### *State Enforcement Fund Established*

- On March 31, 1999, the industry is directed to pay \$50 million which will be used to assist settling states in enforcing and implementing the agreement and to investigate and litigate potential violations of state tobacco laws.

## Financial Recovery

*States Will Recover Over \$206 Billion*

- Payments will be made to settling states and a national foundation, and for administration and enforcement purposes.
- Distributions directly to states will be made based on percentages agreed to by Attorneys General (Exhibit A).

*Up-front Payments Total \$12.742 Billion*

- Tobacco companies will make five (5) initial payments between 1998 and 2003. They will pay \$2.4 billion in 1998, \$2.472 billion on January 10, 2000, \$2.546 billion in 2001, \$2.623 billion in 2002, and \$2.701 billion in 2003.

*Annual Payments Begin April 15, 2000 and Total \$183.177 Billion Through 2025*

- If all states participate in the settlement, annual payments will “ramp-up” beginning with a \$4.5 billion payment on April 15, 2000. Ensuing April 15 payments will be at the following rates:
  - 2001: \$5 billion
  - 2002-2003: \$6.5 billion
  - 2004-2007: \$8 billion
  - 2008-2017: \$8.139 billion (plus \$861 million to the strategic fund)
  - 2018 on: \$9 billion
- These amounts (when under \$8 billion) will be reduced for percentages for previously settled states. (The \$183.177 billion total is the total through 2025 after the previously settled state reduction is taken.)

*Strategic Contribution Fund Payments of \$8.610 Billion*

- On April 15, 2008 and on April 15 each year through 2017, the companies will pay \$861 million into a strategic contribution fund.
- Money from the fund will be allocated to states based on a strategic contribution formula developed by Attorneys General no later than June, 1999. The allocation formula will reflect the contribution made by states toward resolution of the state lawsuits against tobacco companies (Exhibit U).

*Payments to the Foundation Totaling \$250 Million Over the Next 10 Years*

*Payments to the National Public Education Fund at Least Totaling \$1.45 Billion Between 2000 and 2003*

*One-Time Payment of \$50 Million into Attorney General Enforcement Fund in 1999*

*Payments of NAAG for Administrative Expenses Totaling \$1.5 Million Over the Next Ten (10) Years*

*Miscellaneous Payment Provisions*

- Payment calculations for the industry will be made by an independent auditor paid for by the industry and by a fund established in the agreement.
- The independent auditor will be selected by the NAAG executive committee and the companies.
- Payments made by tobacco companies (annual payments, strategic contribution fund) will be adjusted annually based on an inflation factor. (The annual CPI but not less than 3%.)
- The amount of the annual payments will be subject to “volume adjustments”. Tobacco company payments will rise if cigarette sales increase and fall if cigarette sales decrease.
- Annual payments also are subject to a Non-Settling States adjustment. If states do not participate in the settlement, the annual payments made by tobacco companies will be reduced by the settlement share amounts which have been allocated to those non-settling states.

#### *Federal Legislation Adjustment*

- If federal legislation requires participating tobacco companies to make payments to the federal government, and some portion of that money is sent to the settling states, those payments may be offset, dollar for dollar, from the annual payments, under certain enumerated circumstances.

#### *Non-Participating Manufacturers Adjustment*

- Settlement negotiations originated with the four major tobacco companies, but an early goal was to ensure industry-wide participation in the public health and other initiatives achieved in the agreement. To achieve that goal, attempts were made to involve additional companies in the negotiations and to develop provisions which would encourage all tobacco companies to follow terms of the settlement.
- States are encouraged to pass model statutes that effectively create a reserve fund for non-participating manufacturers to pay future claims. (Exhibit T)
- If the aggregate market share of all companies participating in the agreement decline by more than two percent because of their participation in the agreement, their annual payment is reduced by three percent for each percent lost over the two percent threshold. Only states that have not passed a model statute would have their annual payments reduced.
- States which pass the model statute would not have their annual payments reduced.
- If a state’s model statute is struck down by the court, a state’s annual payment would be reduced, by no more than 65 percent.

## Cost Recovery and Attorney Fees

### *States Recover Cost, Expenses and Market Rate For Attorney Fees*

- Tobacco companies will reimburse offices of state Attorneys General and other political subdivisions for all reasonable costs and expenses and in-house attorney fees (up to a total of \$150 million).

### *Industry Will Pay Outside Attorney Fees*

- Two payment methods are available – liquidated fee agreement and arbitration.
- Outside counsel can negotiate a liquidated fee agreement with the industry, and if accepted, would be paid from a \$1.25 billion pool of money from the tobacco industry over four years. If outside counsel accepts a liquidated fee, they must release the state from all claims for attorney fees.
- If outside counsel rejects the liquidated fee process or cannot agree to an offer, they can go through arbitration.
- A three-member arbitration panel will be established with two permanent members and a member from the state represented by the outside counsel.
- The industry will pay whatever arbiters award, but timing of the payment will be subject to a \$500-million-per-year cash flow cap.

## Miscellaneous Provisions

### *Release Provisions*

- If an Attorney General does not have the authority to release claims for political subdivisions or certain other entities and that political subdivision or entity proceeds with a lawsuit and wins a judgment or settlement (and the AG agrees to the settlement), the amount of that recovery will be taken out of the state's settlement share.

### *Court Approval of Settlements and Consent Decrees Required*

- By December 11, 1998, suing states must file a motion to approve the settlement.
- Non-filing states will have 30 days to file suit and a motion to approve the settlement agreement.

### *Most Favored Nation Provisions*

- If tobacco companies, before October 1, 2000, enter into an agreement with better overall terms, settling states will get the benefit of that agreement. (This does not apply to any agreement reached after the seating of a jury or commencement of trial.)
- If more favorable non-economic terms are offered in an agreement on or after October 1, 2000, settling states at their option may benefit.
- If a settling state enters into an agreement with a company not participating in this settlement and the terms are more favorable to the industry, settling companies can benefit, but only within that state.

### *Settlement Amendment Provisions*

- The settlement can be amended only if all affected states and all affected companies agree to the amendment.

### *Key Dates*

- There are three critical dates in the agreement: Master Settlement Execution Date, State Specific Finality date, and Final Approval date.
- **MSA Execution:** This is the starting date and it occurs when Attorneys General and the companies sign the Master Settlement Agreement. Various public health provisions are triggered by this date. If both sides sign, this date will be November 23, 1998.
- **State Specific Finality :** This date occurs when a state court approves the settlement and consent decree and appeal time has run, or, if there is an appeal, the appeal has been decided in favor of approval. This important date keys more public health initiatives and vests the state for financial recovery.
- **Final Approval:** This is the earlier of June 30, 2000 or the date when 80 percent of the settling states reach State Specific Finality and states with 80 percent of the financial allocation reach State Specific Finality. No money is disbursed to the states until Final Approval is reached.

### Annual Payments to Each State

Year	1988	1989	2000
Amount	\$2,400,080,000.00	\$0.00	\$6,411,750,000.00
Alabama	\$38,787,139.87	\$0.00	\$103,822,268.35
Alaska	\$8,194,049.54	\$0.00	\$21,890,915.46
Arizona	\$35,373,228.92	\$0.00	\$94,501,788.55
Arkansas	\$19,873,586.24	\$0.00	\$53,093,527.74
California	\$306,334,930.78	\$0.00	\$818,392,913.50
Colorado	\$32,900,874.16	\$0.00	\$87,896,207.30
Connecticut	\$44,556,896.25	\$0.00	\$119,038,533.13
Delaware	\$9,491,288.84	\$0.00	\$25,356,517.92
D.C.	\$14,570,838.84	\$0.00	\$38,926,906.65
Florida	\$0.00	\$0.00	\$0.00
Georgia	\$58,906,980.41	\$0.00	\$157,373,679.86
Hawaii	\$14,444,759.81	\$0.00	\$38,590,078.82
Idaho	\$8,718,317.14	\$0.00	\$23,291,529.13
Illinois	\$111,701,933.67	\$0.00	\$298,418,697.16
Indiana	\$48,955,278.39	\$0.00	\$130,787,085.94
Iowa	\$20,872,006.95	\$0.00	\$55,760,871.07
Kansas	\$20,008,109.85	\$0.00	\$53,452,915.44
Kentucky	\$42,267,806.11	\$0.00	\$112,921,085.75
Louisiana	\$54,128,474.21	\$0.00	\$144,607,601.88
Maine	\$18,464,411.55	\$0.00	\$49,328,829.47
Maryland	\$54,260,987.50	\$0.00	\$144,934,850.37
Mass.	\$96,935,496.43	\$0.00	\$258,969,237.19
Michigan	\$104,446,741.41	\$0.00	\$279,035,997.59
Minnesota	\$0.00	\$0.00	\$0.00
Mississippi	\$0.00	\$0.00	\$0.00
Missouri	\$54,690,425.53	\$0.00	\$145,841,733.70
Montana	\$10,194,218.72	\$0.00	\$27,234,492.45
Nebraska	\$14,279,599.86	\$0.00	\$38,148,843.51
Nevada	\$14,638,443.42	\$0.00	\$39,107,516.49
New Hampshire	\$15,982,416.92	\$0.00	\$42,698,025.70

**Annual Payments to Each State**

Year	1998	1999	2000
Amount	\$2,400,000,000.00	\$0.00	\$6,411,750,000.00
New Jersey	\$92,807,910.83	\$0.00	\$247,842,134.27
New Mexico	\$14,313,352.87	\$0.00	\$38,239,016.77
New York	\$306,288,745.07	\$0.00	\$818,268,525.50
North Carolina	\$55,974,840.09	\$0.00	\$149,540,283.73
North Dakota	\$8,784,930.84	\$0.00	\$23,467,889.12
Ohio	\$120,800,234.58	\$0.00	\$322,992,532.93
Oklahoma	\$24,867,287.65	\$0.00	\$66,434,513.15
Oregon	\$27,543,797.82	\$0.00	\$73,584,977.37
Penn.	\$137,924,610.41	\$0.00	\$368,474,217.00
Rhode Island	\$17,253,727.23	\$0.00	\$46,094,410.65
South Carolina	\$28,232,446.25	\$0.00	\$75,424,744.69
South Dakota	\$8,374,699.41	\$0.00	\$22,373,532.90
Tennessee	\$58,581,467.29	\$0.00	\$156,504,051.21
Texas	\$0.00	\$0.00	\$0.00
Utah	\$10,677,285.47	\$0.00	\$28,525,035.47
Vermont	\$9,868,441.49	\$0.00	\$26,364,158.22
Virginia	\$49,073,882.70	\$0.00	\$131,103,944.75
Washington	\$49,278,196.65	\$0.00	\$131,649,782.25
West Virginia	\$21,275,048.98	\$0.00	\$56,837,623.03
Wisconsin	\$49,728,936.59	\$0.00	\$132,853,962.15
Wyoming	\$5,960,276.82	\$0.00	\$15,923,252.04
American Samoa	\$365,208.62	\$0.00	\$975,677.65
N. Marianas	\$202,503.22	\$0.00	\$541,000.00
Guam	\$526,489.51	\$0.00	\$1,406,549.63
US Virgin Island	\$416,623.09	\$0.00	\$1,113,034.64
Puerto Rico	\$26,910,657.33	\$0.00	\$71,893,502.96
	<b>\$2,400,000,000.00</b>	<b>\$0.00</b>	<b>\$6,411,750,000.00</b>

Year - Amount	2001	2002	2003
	\$6,923,860,000.00	\$8,313,294,800.00	\$8,391,971,144.00
Alabama	\$111,895,403.67	\$134,353,720.06	\$135,625,232.71
Alaska	\$23,638,672.09	\$28,383,145.58	\$28,651,761.36
Arizona	\$102,046,748.48	\$122,528,359.76	\$123,687,958.17
Arkansas	\$57,332,480.87	\$68,839,575.47	\$69,491,067.60
California	\$883,732,877.84	\$1,061,105,244.62	\$1,071,147,458.11
Colorado	\$94,913,784.01	\$113,983,751.40	\$115,042,295.05
Connecticut	\$128,540,333.44	\$154,339,422.45	\$155,800,078.15
Delaware	\$27,380,966.02	\$32,876,548.30	\$33,187,689.27
D.C.	\$42,034,805.88	\$50,471,532.83	\$50,949,191.30
Florida	\$0.00	\$0.00	\$0.00
Georgia	\$169,938,293.33	\$204,046,289.14	\$205,977,366.58
Hawaii	\$41,671,085.70	\$50,034,811.08	\$50,508,336.45
Idaho	\$25,151,109.85	\$30,189,141.89	\$30,484,944.11
Illinois	\$322,244,254.19	\$388,921,293.46	\$390,583,085.03
Indiana	\$141,229,042.84	\$169,574,858.88	\$171,179,701.52
Iowa	\$60,212,783.18	\$72,297,977.85	\$72,982,200.02
Kansas	\$57,720,581.87	\$69,305,547.47	\$69,961,449.52
Kentucky	\$121,936,632.68	\$146,410,305.30	\$147,795,920.49
Louisiana	\$156,152,979.89	\$187,494,151.32	\$189,268,580.68
Maine	\$63,287,211.52	\$63,958,373.54	\$64,563,670.37
Maryland	\$156,506,355.69	\$187,918,452.52	\$189,696,897.43
Mass.	\$279,645,174.68	\$335,772,232.68	\$338,949,953.70
Michigan	\$301,314,052.34	\$361,790,230.09	\$365,214,183.32
Minnesota	\$0.00	\$0.00	\$0.00
Mississippi	\$0.00	\$0.00	\$0.00
Missouri	\$157,485,644.00	\$189,094,291.94	\$190,883,864.90
Montana	\$29,408,876.82	\$35,311,477.28	\$35,645,662.22
Nebraska	\$41,194,622.66	\$49,462,718.04	\$49,930,829.17
Nevada	\$42,229,835.47	\$50,705,706.47	\$51,185,581.14
New Hampshire	\$48,107,008.63	\$55,361,059.77	\$55,884,992.33



Year	2001	2002	2003
Amount	\$6,923,860,000.00	\$8,313,294,800.00	\$8,391,971,144.00
New Jersey	\$267,737,674.95	\$321,474,801.04	\$324,517,212.33
New Mexico	\$41,291,995.30	\$49,579,634.15	\$50,048,851.76
New York	\$883,599,638.62	\$1,060,945,263.21	\$1,070,985,962.65
North Carolina	\$161,479,483.90	\$193,889,727.95	\$195,724,684.52
North Dakota	\$25,341,550.30	\$30,427,805.29	\$30,716,771.56
Ohio	\$348,780,049.22	\$418,783,038.09	\$422,746,388.61
Oklahoma	\$71,738,602.00	\$86,137,122.12	\$86,952,316.82
Oregon	\$79,459,954.68	\$85,408,213.01	\$96,311,148.56
Penn.	\$397,892,961.71	\$477,753,311.05	\$482,274,729.42
Rhode Island	\$49,774,558.78	\$59,764,717.02	\$60,330,325.43
South Carolina	\$81,446,607.84	\$97,793,603.59	\$98,719,114.28
South Dakota	\$24,159,821.39	\$29,008,893.79	\$29,283,431.59
Tennessee	\$168,999,234.09	\$202,918,753.08	\$204,839,159.61
Texas	\$0.00	\$0.00	\$0.00
Utah	\$30,802,455.97	\$36,984,759.08	\$37,334,779.83
Vermont	\$28,469,055.67	\$34,183,026.39	\$34,506,531.76
Virginia	\$141,571,199.45	\$169,985,689.11	\$171,594,419.81
Washington	\$142,160,616.27	\$170,693,406.67	\$172,308,835.15
West Virginia	\$61,375,502.33	\$73,694,064.18	\$74,391,498.79
Wisconsin	\$143,460,937.12	\$172,254,712.48	\$173,884,917.03
Wyoming	\$17,194,554.25	\$20,645,640.96	\$20,841,029.62
American Samoa	\$1,053,575.12	\$1,265,036.21	\$1,277,008.41
N. Marianas	\$584,193.09	\$701,445.39	\$708,083.81
Guam	\$1,518,847.65	\$1,823,692.71	\$1,840,951.99
US Virgin Island	\$1,201,898.61	\$1,449,129.42	\$1,456,787.08
Puerto Rico	\$77,633,434.04	\$93,215,094.84	\$94,097,274.89
	<u>\$6,923,860,000.00</u>	<u>\$8,313,294,800.00</u>	<u>\$8,391,971,144.00</u>

Year	2004 to 2007	2008 to 2017
Amount	\$7,004,000,000.00	\$7,143,000,000.00
Alabama	\$113,193,803.17	\$115,440,225.02
Alaska	\$23,812,967.90	\$24,387,539.93
Arizona	\$103,230,867.24	\$105,279,566.63
Arkansas	\$57,997,749.17	\$59,148,761.04
California	\$893,987,439.65	\$911,729,337.72
Colorado	\$96,015,134.08	\$97,920,631.45
Connecticut	\$130,031,875.55	\$132,612,462.45
Delaware	\$27,698,686.24	\$28,248,388.89
D.C.	\$42,522,584.89	\$43,388,459.11
Florida	\$0.00	\$0.00
Georgia	\$171,910,204.50	\$175,321,900.45
Hawaii	\$42,154,624.04	\$42,991,216.38
Idaho	\$25,442,955.52	\$25,947,891.39
Illinois	\$325,983,476.42	\$332,452,860.08
Indiana	\$142,867,820.78	\$145,703,147.32
Iowa	\$60,911,473.61	\$62,120,310.68
Kansas	\$58,390,333.34	\$59,549,136.35
Kentucky	\$123,351,547.49	\$125,799,557.93
Louisiana	\$157,964,930.57	\$161,099,871.36
Maine	\$53,885,307.70	\$54,954,704.87
Maryland	\$158,322,406.83	\$161,464,442.03
Mass.	\$282,890,090.42	\$288,504,271.26
Michigan	\$304,810,407.01	\$310,859,614.11
Minnesota	\$0.00	\$0.00
Mississippi	\$0.00	\$0.00
Missouri	\$159,313,058.50	\$162,474,753.97
Montana	\$29,750,128.30	\$30,340,543.46
Nebraska	\$41,672,632.27	\$42,499,659.09
Nevada	\$42,719,857.37	\$43,567,667.21
New Hampshire	\$46,642,020.04	\$47,557,668.35

Year	2004 to 2007	2008 to 2017
Amount	\$7,004,000,000.00	\$7,143,000,000.00
New Jersey	\$270,844,419.77	\$276,219,544.60
New Mexico	\$41,771,134.78	\$42,800,116.47
New York	\$893,852,654.37	\$911,591,877.52
North Carolina	\$163,353,241.67	\$166,595,117.83
North Dakota	\$25,635,805.78	\$26,144,364.95
Ohio	\$352,827,184.57	\$359,829,323.15
Oklahoma	\$72,571,034.45	\$74,011,264.86
Oregon	\$80,381,983.32	\$81,977,228.27
Penn.	\$402,509,988.05	\$410,498,121.73
Rhode Island	\$50,352,127.30	\$51,351,405.67
South Carolina	\$82,391,688.98	\$84,026,818.16
South Dakota	\$24,440,164.46	\$24,925,199.13
Tennessee	\$170,960,248.71	\$174,353,092.02
Texas	\$0.00	\$0.00
Utah	\$31,159,878.10	\$31,778,270.89
Vermont	\$28,799,401.75	\$29,370,948.99
Virginia	\$143,213,947.68	\$146,056,143.38
Washington	\$143,810,203.90	\$146,664,232.79
West Virginia	\$62,087,684.60	\$63,319,864.52
Wisconsin	\$145,125,613.28	\$148,005,747.52
Wyoming	\$17,394,074.52	\$17,739,273.88
American Samoa	\$1,065,800.48	\$1,086,952.15
N. Marianas	\$590,971.89	\$602,700.20
Guam	\$1,536,471.89	\$1,566,964.41
US Virgin Island	\$1,216,845.06	\$1,239,974.49
Puerto Rico	\$78,534,268.30	\$80,092,843.87
	<u>\$7,004,000,000.00</u>	<u>\$7,143,000,000.00</u>

Year	2018 to 2025	Total
Amount	\$8,003,999,997.00	\$195,918,675,920.00
Alabama	\$129,355,111.40	\$3,166,302,118.81
Alaska	\$27,327,155.19	\$688,903,058.50
Arizona	\$117,969,711.74	\$2,887,614,909.02
Arkansas	\$66,278,410.08	\$1,622,336,125.69
California	\$1,021,626,993.76	\$25,008,972,510.74
Colorado	\$109,723,748.27	\$2,685,773,548.89
Connecticut	\$148,597,248.93	\$3,637,303,381.55
Delaware	\$31,653,381.58	\$774,798,676.89
D.C.	\$48,593,747.53	\$1,189,458,105.58
Florida	\$0.00	\$0.00
Georgia	\$196,454,779.60	\$4,808,740,688.60
Hawaii	\$48,173,273.94	\$1,179,165,923.07
Idaho	\$29,075,587.85	\$711,700,479.23
Illinois	\$372,525,948.64	\$9,118,539,559.10
Indiana	\$163,265,853.39	\$3,996,355,551.01
Iowa	\$69,608,143.15	\$1,703,839,985.56
Kansas	\$66,727,045.67	\$1,633,317,646.19
Kentucky	\$140,963,133.32	\$3,450,438,586.10
Louisiana	\$180,518,461.42	\$4,418,657,915.22
Maine	\$61,578,812.49	\$1,507,301,275.81
Maryland	\$180,926,976.56	\$4,428,657,383.58
Mass.	\$323,279,880.48	\$7,913,114,212.77
Michigan	\$348,329,882.46	\$8,526,278,033.60
Minnesota	\$0.00	\$0.00
Mississippi	\$0.00	\$0.00
Missouri	\$182,059,069.06	\$4,458,368,288.30
Montana	\$33,997,719.42	\$832,182,430.63
Nebraska	\$47,622,465.53	\$1,165,683,457.48
Nevada	\$48,819,208.77	\$1,194,976,854.76
New Hampshire	\$53,301,360.40	\$1,304,689,150.27

Year	2018 to 2025	Total
Amount	\$8,003,999,997.00	\$195,918,875,920.00
New Jersey	\$309,514,382.50	\$7,576,167,918.47
New Mexico	\$47,735,031.79	\$1,168,438,809.05
New York	\$1,021,472,964.43	\$25,003,202,243.12
North Carolina	\$186,676,091.64	\$4,569,381,898.24
North Dakota	\$29,295,743.66	\$717,089,369.09
Ohio	\$403,202,282.16	\$9,869,422,448.51
Oklahoma	\$82,932,404.27	\$2,029,985,862.29
Oregon	\$91,858,585.71	\$2,248,476,833.11
Penn.	\$459,978,575.54	\$11,259,189,603.46
Rhode Island	\$57,541,180.29	\$1,408,469,747.28
South Carolina	\$94,155,208.21	\$2,304,693,119.82
South Dakota	\$27,929,622.54	\$683,650,008.54
Tennessee	\$195,369,193.34	\$4,782,168,127.09
Texas	\$0.00	\$0.00
Utah	\$35,608,747.04	\$871,616,513.42
Vermont	\$32,911,252.38	\$805,588,329.25
Virginia	\$163,661,398.74	\$4,006,037,550.26
Washington	\$164,342,785.78	\$4,022,716,266.79
West Virginia	\$70,952,288.31	\$1,736,741,427.33
Wisconsin	\$165,846,003.46	\$4,059,511,421.32
Wyoming	\$19,877,523.19	\$486,553,976.10
American Samoa	\$1,217,970.74	\$29,812,995.31
N. Marianas	\$675,348.22	\$16,530,900.80
Guam	\$1,755,842.52	\$42,978,803.27
US Virgin Island	\$1,389,438.02	\$34,010,102.11
Puerto Rico	\$89,747,042.15	\$2,186,791,813.07
	<u>\$8,003,999,997.00</u>	<u>\$195,918,675,920.00</u>