

FIRST REGULAR SESSION

HOUSE BILL NO. 943

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES KREIDER, HANAWAY, FOLEY, REINHART, CHAMPION,
MONACO, NAEGER, GRAHAM, OVERSCHMIDT, FRASER (Co-sponsors), MARSH, VOGEL,
DEMPSEY, HARTZLER, ROBIRDS, SCOTT, SKAGGS, HOSMER, SHELTON, OSTMANN, BYRD,
WRIGHT, HOLAND, BEARDEN, FARES, TREADWAY, WILLIAMS, LONG, MYERS, MOORE,
PORTWOOD, BURCHAM, WAGNER, FARNEN, WARD, BARRY, HAMPTON, BLAND, O'CONNOR,
BONNER, BRITT, LUETKENHAUS, CARNAHAN, FRANKLIN, SMITH, JOLLY, SHOEMYER,
KELLY (36), LIESE, GASKILL, MILLER, CRUMP, GRATZ, SEIGFREID, RELFORD,
RICHARDSON AND GEORGE.

Read 1st time March 8, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1992L.04I

AN ACT

To amend chapter 196, RSMo, by adding thereto one new section relating to the tobacco settlement, with a referendum clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 196, RSMo, is amended by adding thereto one new section, to be
2 known as section 196.1014, to read as follows:

**196.1014. The first one hundred twenty-five million dollars of any moneys received
2 by the state as a result of the tobacco settlement agreement shall be deposited in an
3 endowment fund to be known as the "Fund for Missouri's Future" and shall not be subject
4 to appropriation without a two-thirds vote of the members elected to each house of the
5 general assembly. The state treasurer shall invest moneys in the fund for Missouri's future
6 in the same manner as surplus state funds are invested pursuant to section 30.260, RSMo.
7 All earnings resulting from the investment of the moneys in the fund for Missouri's future
8 shall be credited to such fund until the corpus of the trust reaches one billion dollars. Any
9 tobacco settlement payments received by the state after the initial one hundred twenty-five
10 million dollars is deposited in the fund for Missouri's future and any earnings resulting
11 from the investment of the moneys in the fund after the corpus of the trust reaches one
12 billion dollars shall be deposited into a special trust fund to be known as the "Health Care
13 Trust Fund" and shall be subject to appropriation for smoking prevention and cessation,
14 early childhood care and education, prescription drug coverage and health care, and life**

15 **sciences and medical research as provided by law. Any moneys received by the state as a**
16 **result of the tobacco settlement agreement shall not be classified as "total state revenues"**
17 **as defined in sections 17 and 18 of article X of the Missouri Constitution and the**
18 **expenditure of such moneys shall not be an "expense of state government" pursuant to**
19 **section 20 of article X of the Missouri Constitution.**

Section B. Section A of this act is hereby submitted to the qualified voters of this state
2 for approval or rejection at a special election which is hereby ordered and which shall be held
3 and conducted on the Tuesday immediately following the first Monday in November, 2001,
4 pursuant to the laws and constitutional provisions of this state applicable to general elections and
5 the submission of referendum measures by initiative petition, and it shall become effective when
6 approved by a majority of the votes cast thereon at such election and not otherwise.

Section C. The official summary statement for the proposed referendum measure in
2 section A of this act shall read as follows:

3 "Authorizes deposit of tobacco settlement moneys into funds for use in smoking
4 prevention and health care which would not be subject to the constitutional limit on state
5 spending. Defeat of the referendum measure would not create the funds and the moneys shall
6 be credited to general revenue for appropriation by the general assembly."