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Sixty-first
Legislative Assembly **SENATE CONCURRENT RESOLUTION NO. 4038**
of North Dakota

Introduced by

Senators Andrist, Grindberg, Kilzer, Triplett

Representatives Monson, Rust

(Approved by the Delayed Bills Committee)

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 public health investment trust fund.

3 **STATEMENT OF INTENT**

4 This measure provides for the creation of a public health investment trust fund that is to be used

5 for the funding of tobacco prevention and cessation efforts and other public health programs.

6 **BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF**

7 **REPRESENTATIVES CONCURRING THEREIN:**

8 That the following proposed new section to article X of the Constitution of North Dakota

9 is agreed to and must be submitted to the qualified electors of North Dakota at the next

10 statewide election, in accordance with section 16 of article IV of the Constitution of North

11 Dakota.

12 **SECTION 1.** A new section to article X of the Constitution of North Dakota is created

13 and enacted as follows:

14 The public health investment trust fund is created in the state treasury. The fund

15 consists of the tobacco settlement dollars obtained by the state under section IX(c)(2) of the

16 agreement adopted by the east central judicial district court in its judgment entered

17 December 28, 1998 [Civil No. 98-3778]. Earnings on the fund must be credited to the fund and

18 deposited in the fund. The legislative assembly shall appropriate the earnings on the fund for

19 distribution to public health units for the purpose of providing funds for tobacco prevention and

20 cessation efforts and other public health programs, including immunization programs, cancer

21 screening and prevention, diabetes screening and control, and aging services. The principal of

22 the public health investment trust fund may not be expended before January 1, 2020, and then

23 only for public health programs and only upon a two-thirds vote of the members elected to each

24 house of the legislative assembly.