
SUBSTITUTE SENATE JOINT MEMORIAL 8023

State of Washington

55th Legislature

1998 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Deccio, Wojahn, Benton, Fairley, Wood, Thibaudeau, Franklin, Winsley, Prentice, Oke, Hale, Schow, Morton, Spanel, Roach, Brown, McAuliffe, Bauer, Snyder, B. Sheldon, Jacobsen, T. Sheldon, Rasmussen, Goings, Haugen, Fraser, Kohl, Hargrove, Heavey, Kline and Patterson)

Read first time . Referred to Committee on .

1 TO THE HONORABLE WILLIAM J. CLINTON, PRESIDENT OF THE UNITED
2 STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE
3 OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF
4 THE UNITED STATES, IN CONGRESS ASSEMBLED:

5 We, your Memorialists, the Senate and House of Representatives of
6 the State of Washington, in legislative session assembled, respectfully
7 represent and petition as follows:

8 WHEREAS, The state of Washington and other states have initiated
9 litigation against the tobacco industry seeking injunctive relief along
10 with the recovery of penalties and damages for the alleged illegal
11 conduct of the industry. Claims include the recovery of damages for
12 violation of consumer protection and antitrust laws, for common law
13 conspiracy, and for expenditure of public funds for health care
14 services; and

15 WHEREAS, The tobacco industry has agreed to a proposed global
16 settlement of the states' litigation which includes the recovery by
17 states of substantial damages. The proposed settlement has been
18 referred to Congress for implementation; and

19 WHEREAS, Since the states have initiated litigation and settlement
20 of legal claims for violation of a number of state laws, they should
21 recover their full measure of damages without any offset, conditions,

1 or restrictions by the federal government. In addition, the federal
2 Department of Health and Human Services does not and should not have a
3 claim to any portion of the funds received by the states as damages,
4 based on receipt by the states of federal funds for medicaid costs;

5 NOW, THEREFORE, Your Memorialists respectfully pray that Congress
6 enact legislation which would specify that no portion of the funds
7 received by the states as part of the global settlement or any other
8 resolution of tobacco litigation be withheld, offset, or restricted by
9 the federal government, the Department of Health and Human Services, or
10 any other federal agency.

11 BE IT RESOLVED, That copies of this Memorial be immediately
12 transmitted to the Honorable William J. Clinton, President of the
13 United States, the President of the United States Senate, the Speaker
14 of the House of Representatives, and each member of Congress from the
15 State of Washington.

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