

IN THE CHANCERY COURT OF JACKSON COUNTY, MISSISSIPPI

IN RE: JIM HOOD, ATTORNEY GENERAL
EX REL. STATE OF MISSISSIPPI

NO. 94-1429

AFFIDAVIT OF FRANCES H. HEIDEL

I, Frances H. Heidel, hereby testify and affirm that the following statements are true and correct to the best of my knowledge and ability:

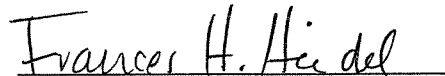
1. My name is Frances H. Heidel, and I am employed by the State of Mississippi as Administrative Assistant to William J. McCoy, the Speaker of the House of Representatives. My business address is Post Office Box 1018, Jackson, Mississippi 39215-1018. I am over the age of 21 years and am competent to make this affidavit. The information contained herein is based on my personal knowledge.

2. At the direction of Speaker McCoy, on February 9, 2005, I caused to be delivered a letter from Speaker McCoy to Representatives Cecil Brown, Johnny Stringer, and Percy Watson, appointing them to review the history and programs of the Partnership for a Healthy Mississippi, to assess its performance, and to make any recommendations they deem proper for the Legislature to consider during the 2006 Regular Session.

3. A true and accurate copy of the February 9, 2005, letter is attached to this affidavit.

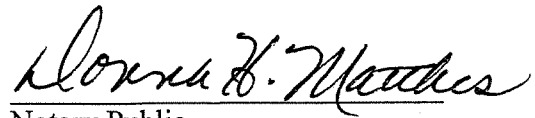
FURTHER THE AFFIANT SAYETH NOT.

Signed under penalty of perjury, this the 23rd day of May, 2005.



Frances H. Heidel

Sworn and subscribed before me, this the 23rd day of May, 2005.



Notary Public

My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 14, 2009
BONDED THRU STEGALL NOTARY SERVICE



STATE OF MISSISSIPPI
HOUSE OF REPRESENTATIVES
OFFICE OF THE SPEAKER

WILLIAM J. (BILLY) MCCOY
SPEAKER

February 9, 2005

POST OFFICE BOX 1018
JACKSON, MISSISSIPPI 39215-1018
TELEPHONE (601) 359-3300
FAX (601) 359-2969

Honorable Cecil Brown
Honorable Johnny Stringer
Honorable Percy Watson
State Capitol
Jackson, Mississippi

Dear Gentlemen:

I am writing you today about The Partnership for a Healthy Mississippi. Each of you plays an integral role in the development of our state budget--from both the funding and the spending aspects of the budget. I am very much interested in how The Partnership fits into our state's budget system, and in particular, whether the court-ordered dedication of state funds to The Partnership is the best choice we can make in the allocation of resources which may be available to our state.

As Speaker, I am appointing you as a group to review the history and programs of The Partnership between now and the beginning of the 2006 Regular Session. Your charge is to assess the performance of The Partnership and to make any recommendations that you deem proper for the Legislature to consider during that session. Toward this end, I want you to hold public hearings so that input can be gathered from our citizens and from organizations and national agencies. My goal is for you to assess the successes or shortcomings of The Partnership in a public forum, and allow the Legislature to make an informed decision about whether to enact legislation that would attempt to revise or nullify the court order that directs \$20 million from tobacco settlement payments each year to The Partnership.

As each of you know, I have been a strong supporter of The Partnership and the Mississippi Tobacco Prevention Program since its inception. The Partnership began as a pilot program funded with \$61.8 million from the state's 1997 settlement with tobacco companies that was approved by order of the Jackson County Chancery Court. By the end of 2000, empirical data reflected that there had been a significant decline in youth smoking and that this decline was attributed to the efforts of The Partnership and the Mississippi Tobacco Prevention Program. The legislative leadership at that time agreed with then-Attorney General Mike Moore that obtaining a court order to extend The Partnership would be better than having the Legislature create a similar agency to handle tobacco prevention duties. In December 2000, an order was

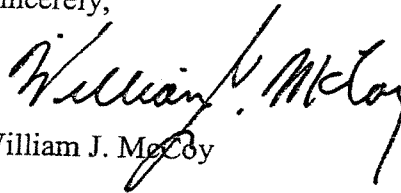
Honorable Cecil Brown
Honorable Johnny Stringer
Honorable Percy Watson
February 9, 2005
Page Two

entered in the same chancery court, which amended the original tobacco settlement agreement to direct the defendants to pay \$20 million annually to The Partnership.

Of the \$20 million that The Partnership receives each year under the settlement agreement, much of this amount assists in funding state budgetary items other than tobacco prevention and cessation programs. For instance, over \$7.5 million of that amount goes to state agencies, universities and other governmental agencies, an example of which is the \$2.5 million allocation to the school nurse program; \$1 million goes to fund 4-H programs; and \$5 million goes to local law enforcement.

My understanding is that the only way that the December 2000, court order can be modified is by further court action or by the enactment of legislation that would attempt to revise or nullify the court order. In conclusion, I am asking you to publicly evaluate The Partnership before the 2006 Regular Session and whether its use of the money allocated to it under the terms of the court order should be addressed by the Mississippi State Legislature in that session. Thank you.

Sincerely,



William J. McCoy

WJM/lh