

PROPOSED AMENDMENTS TO SENATE BILL NO. 2024

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 2 of section 23-12-10.4, subsection 2 of section 54-27-25, and subsection 1 of section 54-59-22.1 of the North Dakota Century Code, relating to smoking prohibited signage, the tobacco settlement trust fund, and required use of centralized desktop support services; to repeal chapter 23-42 of the North Dakota Century Code, relating to the tobacco prevention and control program; to provide an effective date; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 23-12-10.4 of the North Dakota Century Code is amended and reenacted as follows:

2. The owner, operator, manager, or other person in control of a public place or place of employment where smoking is prohibited by this chapter may request from the ~~executive committee of the tobacco prevention and control advisory committee~~ state department of health the signs necessary to comply with the signage requirements of subsection 1.

SECTION 2. AMENDMENT. Subsection 2 of section 54-27-25 of the North Dakota Century Code is amended and reenacted as follows:

2. There is created in the state treasury a tobacco prevention and control trust fund. The fund consists of the tobacco settlement dollars obtained by the state under section IX(c)(2) of the agreement adopted by the east central judicial district court in its judgment entered December 28, 1998 [Civil No. 98-3778] in State of North Dakota, ex rel. Heidi Heitkamp v. Philip Morris, Inc. Interest earned on the fund must be credited to the fund and deposited in the fund. Moneys received into the fund are to be ~~administered by the executive committee for the purpose of creating and implementing the comprehensive plan. If in any biennium, the tobacco prevention and control trust fund does not have adequate dollars to fund a comprehensive plan, the treasurer shall transfer money from the water development trust fund to the tobacco prevention and control trust fund in an amount equal to the amount determined necessary by the executive committee to fund a comprehensive plan~~ used as appropriated by the legislative assembly.

SECTION 3. AMENDMENT. Subsection 1 of section 54-59-22.1 of the North Dakota Century Code is amended and reenacted as follows:

1. The following state agencies shall obtain centralized desktop support services from the information technology department:
 - a. Office of administrative hearings.
 - b. Office of the governor.

- c. Commission on legal counsel for indigents.
- d. Public employees retirement system.
- e. North Dakota university system office.
- f. Department of career and technical education.
- g. Department of financial institutions.
- h. Department of veterans' affairs.
- i. Aeronautics commission.
- ~~j. Tobacco prevention and control executive committee.~~
- ~~k. Council on the arts.~~
- ~~l.k. Agriculture commissioner.~~
- ~~m.l. Department of labor and human rights.~~
- ~~n.m. Indian affairs commission.~~
- ~~o.n. Protection and advocacy project.~~
- ~~p.o. Secretary of state.~~
- ~~q.p. State treasurer.~~
- ~~r.q. State auditor.~~
- ~~s.r. Securities department.~~

SECTION 4. REPEAL. Chapter 23-42 of the North Dakota Century Code is repealed.

SECTION 5. EFFECTIVE DATE. This Act becomes effective on July 1, 2017.

SECTION 6. EMERGENCY. This Act is declared to be an emergency measure."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2024 - Tobacco Prevention & Control Exec Comm - Senate Action

	Base Budget	Senate Changes	Senate Version
Comprehensive tobacco control	\$16,548,039	(\$16,548,039)	_____
Total all funds	\$16,548,039	(\$16,548,039)	\$0
Less estimated income	16,548,039	(16,548,039)	0
General fund	\$0	\$0	\$0
FTE	8.00	(8.00)	0.00

Department No. 305 - Tobacco Prevention & Control Exec Comm - Detail of Senate Changes

	Removes Funding for Comprehensive Tobacco Control ¹	Total Senate Changes
Comprehensive tobacco control	(\$16,548,039)	(\$16,548,039)
Total all funds	(\$16,548,039)	(\$16,548,039)
Less estimated income	(16,548,039)	(16,548,039)
General fund	\$0	\$0
FTE	(8.00)	(8.00)

¹ Funding for comprehensive tobacco control, including 8 FTE positions and related salaries and wages, is removed.

This amendment also:

- Removes the appropriation section of the bill.
- Adds a section to amend North Dakota Century Code Section 23-12-10.4(2) relating to the signage responsibility of proprietors to transfer the responsibility to provide compliant signage from the Executive Committee of the Tobacco Prevention and Control Advisory Committee to the State Department of Health.
- Adds a section to amend Section 54-27-25(2) relating to the tobacco settlement trust fund to remove the transfer from the water development trust fund to the tobacco prevention and control trust fund if there is not adequate funding for the comprehensive plan and to provide the money deposited in tobacco prevention and control trust fund are to be used for purposes appropriated.
- Adds a section to amend Section 54-59-22.1(1) of the North Dakota Century Code related to required use of centralized desktop support services to remove the reference to the Tobacco Prevention and Control Executive Committee.
- Adds a section to repeal Chapter 23-42 relating to the tobacco prevention and control program.
- Adds a section to provide for an effective date.
- Declares the bill to be an emergency measure.