

Introduced by

Appropriations Committee

1 A BILL ~~for an Act to provide an appropriation for defraying the expenses of the comprehensive~~  
2 ~~tobacco control advisory committee.~~ for an Act to amend and reenact subsection 2 of section  
3 23-12-10.4, subsection 2 of section 54-27-25, and subsection 1 of section 54-59-22.1 of the  
4 North Dakota Century Code, relating to smoking prohibited signage, the tobacco settlement  
5 trust fund, and required use of centralized desktop support services; to repeal chapter 23-42 of  
6 the North Dakota Century Code, relating to the tobacco prevention and control program; to  
7 provide an effective date; and to declare an emergency.

8 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

9 ~~— **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds~~  
10 ~~as may be necessary, are appropriated out of any moneys in the tobacco prevention and control~~  
11 ~~trust fund, not otherwise appropriated, to the comprehensive tobacco control advisory~~  
12 ~~committee for the purpose of defraying the expenses of the committee, for the biennium~~  
13 ~~beginning July 1, 2017, and ending June 30, 2019, as follows:~~

	Adjustments or		
	Base Level	Enhancements	Appropriation
<del>Comprehensive tobacco control</del>	<del>\$16,548,039</del>	<del>\$0</del>	<del>\$16,548,039</del>
<del>Total special funds</del>	<del>\$16,548,039</del>	<del>\$0</del>	<del>\$16,548,039</del>
<del>Full-time equivalent positions</del>	<del>8.00</del>	<del>0.00</del>	<del>8.00</del>

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

- 21 2. The owner, operator, manager, or other person in control of a public place or place of  
22 employment where smoking is prohibited by this chapter may request from the  
23 ~~executive committee of the tobacco prevention and control advisory committee~~ state

1 department of health the signs necessary to comply with the signage requirements of  
2 subsection 1.

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

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

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

- 20 1. The following state agencies shall obtain centralized desktop support services from  
21 the information technology department:
- 22 a. Office of administrative hearings.
  - 23 b. Office of the governor.
  - 24 c. Commission on legal counsel for indigents.
  - 25 d. Public employees retirement system.
  - 26 e. North Dakota university system office.
  - 27 f. Department of career and technical education.
  - 28 g. Department of financial institutions.
  - 29 h. Department of veterans' affairs.
  - 30 i. Aeronautics commission.
  - 31 j. ~~Tobacco prevention and control executive committee.~~

- 1 ~~k.~~ Council on the arts.
- 2 ~~l.k.~~ Agriculture commissioner.
- 3 ~~m.l.~~ Department of labor and human rights.
- 4 ~~n.m.~~ Indian affairs commission.
- 5 ~~o.n.~~ Protection and advocacy project.
- 6 ~~p.o.~~ Secretary of state.
- 7 ~~q.p.~~ State treasurer.
- 8 ~~r.q.~~ State auditor.
- 9 ~~s.r.~~ Securities department.

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

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

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