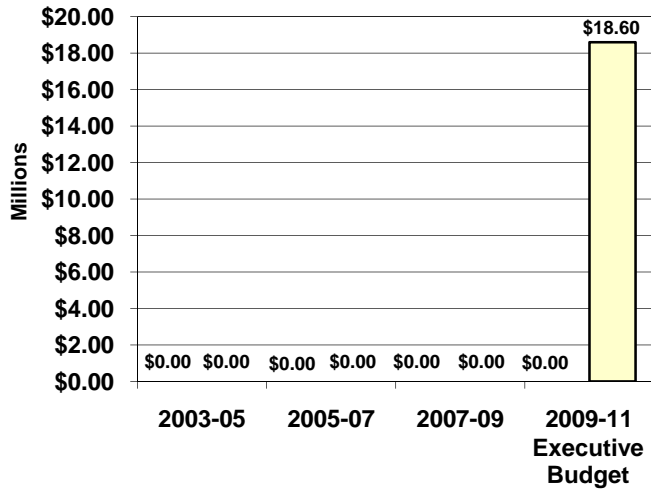


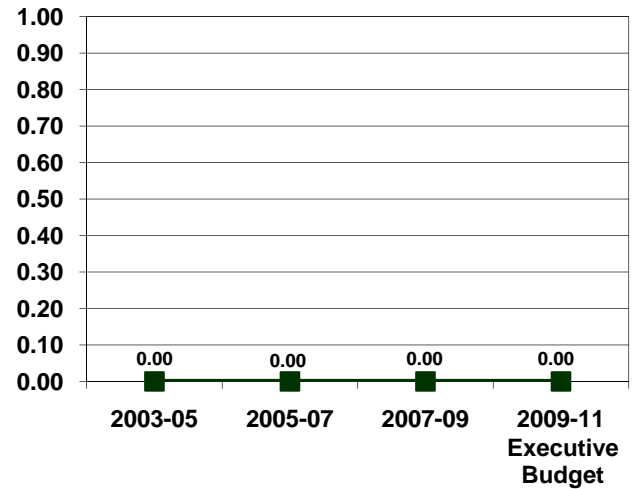
**Department 305 - Tobacco Prevention and Control Committee
 Senate Bill No. 2063**

	FTE Positions	General Fund	Other Funds	Total
2009-11 Executive Budget	0.00	\$0	\$18,600,000	\$18,600,000
2007-09 Legislative Appropriations	0.00	0	0	0
Increase (Decrease)	0.00	\$0	\$18,600,000	\$18,600,000

Agency Funding



FTE Positions



■ General Fund □ Other Funds

First House Action

Attached is a summary of first house changes.

Executive Budget Highlights

The following is an analysis of the tobacco prevention and control trust fund for the 2007-09 and 2009-11 bienniums reflecting the 2009-11 biennium executive budget recommendation:

	2007-09 Biennium		2009-11 Biennium	
Beginning balance		\$0 ¹		\$13,797,729
Add estimated revenues				
Tobacco settlement revenues collected to date	\$0		\$0	
Projected tobacco settlement revenues	13,797,729 ¹		27,595,458 ¹	
Total estimated revenues		13,797,729		27,595,458
Total available		\$13,797,729		\$41,393,187
Less estimated expenditures and transfers				
Appropriated expenditures	\$0 ²		\$18,600,000 ²	
Total estimated expenditures and transfers		0		18,600,000
Estimated ending balance		\$13,797,729		\$22,793,187

¹Revenue - In the November 2008 general election voters approved initiated measure No. 3 that amends North Dakota Century Code (NDCC) Section 54-27-25 to create a tobacco prevention and control trust fund to receive tobacco settlement funds under subsection IX(c)(2) of the Master Settlement Agreement, which began in April 2008 and continues through 2017. The strategic contribution amount received under subsection IX(c)(2) of the Master Settlement Agreement consists of a base amount to which the Master Settlement Agreement provides adjustments. Remaining strategic contribution payments have been estimated based on the amount received in 2008 of \$13,797,729.

The measure provides that interest earned on the balance in this fund be deposited in the fund, and if in any biennium the tobacco prevention and control trust fund does not have adequate funding for the comprehensive plan, money may be transferred from the water development trust fund to the tobacco prevention and control trust fund in an amount determined necessary by the executive committee to adequately provide for the comprehensive plan.

²Because the tobacco prevention and control trust fund was established in December 2008, no expenditures or transfers were appropriated from the fund for the 2007-09 biennium. Section 1 of Senate Bill No. 2063 (2009) appropriates \$18,600,000 from the tobacco prevention and control trust fund for the purpose of providing a level of funding that will meet the annual level recommended by the Centers for Disease Control and Prevention for North Dakota as published in its *Best Practices for Comprehensive Tobacco Control*.

Senate Action

The following is an analysis of the tobacco prevention and control trust fund for the 2007-09 and 2009-11 bienniums reflecting Senate action:

	2007-09 Biennium		2009-11 Biennium	
Beginning balance		\$0 ¹		\$13,735,326
Add estimated revenues				
Tobacco settlement revenues collected to date	\$0		\$0	
Projected tobacco settlement revenues	13,797,729 ¹		27,595,458 ¹	
Total estimated revenues		13,797,729		27,595,458
Total available		\$13,797,729		\$41,330,784
Less estimated expenditures and transfers				
Appropriated expenditures	\$62,403 ²		\$12,882,000 ²	
Total estimated expenditures and transfers		0		12,882,000
Estimated ending balance		\$13,735,326		\$28,448,784

¹Revenue - In the November 2008 general election voters approved initiated measure No. 3 that amends NDCC Section 54-27-25 to create a tobacco prevention and control trust fund to receive tobacco settlement funds under subsection IX(c)(2) of the Master Settlement Agreement, which began in April 2008 and continues through 2017. The strategic contribution amount received under subsection IX(c)(2) of the Master Settlement Agreement consists of a base amount to which the Master Settlement Agreement provides adjustments. Remaining strategic contribution payments have been estimated based on the amount received in 2008 of \$13,797,729.

The measure provides that interest earned on the balance in this fund be deposited in the fund, and if in any biennium the tobacco prevention and control trust fund does not have adequate funding for the comprehensive plan, money may be transferred from the water development trust fund to the tobacco prevention and control trust fund in an amount determined necessary by the executive committee to adequately provide for the comprehensive plan.

²Because the tobacco prevention and control trust fund was established in December 2008, the executive recommendation did not include expenditures or transfers for the 2007-09 biennium. The Senate, in Section 2 of Senate Bill No. 2063 (2009), provided \$62,403 from the tobacco prevention and control trust fund to defray the expenses of the Comprehensive Tobacco Control Advisory Committee, for the period beginning January 1, 2009, and ending July 1, 2009. Section 1 of the bill was amended by the Senate to provide \$12,882,000 from the tobacco prevention and control trust fund for the purpose of providing a level of funding that will meet the annual level recommended by the Centers for Disease Control and Prevention for North Dakota as published in its *Best Practices for Comprehensive Tobacco Control*, for the period beginning July 1, 2009, and ending June 30, 2011. The Senate also authorized 4 FTE positions in Section 1 of the bill.

Continuing Appropriations

No continuing appropriations for this agency.

Major Related Legislation

No major legislation is currently under consideration affecting this agency.

ATTACH:1