

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2004

That the House recede from its amendments as printed on pages 1357 and 1358 of the Senate Journal and pages 1393-1395 of the House Journal and that Reengrossed Senate Bill No. 2004 be amended as follows:

Page 1, line 2, after "health" insert "and the comprehensive tobacco control advisory committee; to provide for a transfer" and remove "and"

Page 1, line 3, after "intent" insert "; to provide for a report to the legislative council; to provide for retroactive application; and to declare an emergency"

Page 2, after line 14, insert:

"SECTION 4. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the tobacco prevention and control trust fund, not otherwise appropriated, to the comprehensive tobacco control advisory committee for the purpose of defraying the expenses of the committee, for the biennium beginning July 1, 2009, and ending June 30, 2011, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Comprehensive tobacco control	\$0	\$12,882,000	\$12,882,000
Total special funds	\$0	\$12,882,000	\$12,882,000
Full-time equivalent positions	0.00	4.00	4.00

SECTION 5. APPROPRIATION. There is appropriated out of any moneys in the tobacco prevention and control trust fund, not otherwise appropriated, the sum of \$62,403, or so much of the sum as may be necessary, to the comprehensive tobacco control advisory committee for the purpose of defraying the expenses of the committee; developing, implementing, and administering the comprehensive tobacco control and prevention plan; and contracting with a consultant to facilitate the development of the comprehensive plan, for the period beginning with January 1, 2009, and ending July 1, 2009.

SECTION 6. COMMUNITY HEALTH TRUST FUND - TRANSFER. The office of management and budget shall transfer the sum of \$4,100,000 from the tobacco prevention and control trust fund to the community health trust fund, for the biennium beginning July 1, 2009, and ending June 30, 2011."

Page 3, after line 3, insert:

"SECTION 11. LEGISLATIVE INTENT - REPORT TO LEGISLATIVE COUNCIL. It is the intent of the sixty-first legislative assembly that any act of the comprehensive tobacco prevention and control executive committee or its employees is an act of the state of North Dakota functioning in its sovereign and governmental capacity. As a state entity the committee is subject to accountability requirements, including laws relating to state audits, fiscal management, records retention, and procurement. Employees of the committee are part of the state classified system.

Before September 1, 2010, the comprehensive tobacco prevention and control executive committee shall report to the legislative council on implementation of the comprehensive plan and outcomes achieved.

SECTION 12. RETROACTIVE APPLICATION. Section 5 of this Act is retroactive to January 1, 2009.

SECTION 13. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds sections providing an appropriation for the Comprehensive Tobacco Prevention and Control Advisory Committee, a transfer from the tobacco prevention and control trust fund to the community health trust fund, a report to the Legislative Council, and a retroactive application for expenses incurred by the committee from January 1, 2009, to July 1, 2009.