

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

Page 1, line 2, after the semicolon insert "to provide an appropriation for defraying the expenses of the tobacco prevention and control executive committee;"

Page 1, line 8, replace "and" with "to provide for a report;" and after "study" insert "; to provide for retroactive application; and to declare an emergency"

Page 7, after line 19, insert:

**"SECTION 19. 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 tobacco prevention and control executive 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	\$16,392,495	\$16,392,495
Total special funds	\$0	\$16,392,495	\$16,392,495
Full-time equivalent positions	0.00	4.0	4.0

**SECTION 20. 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 tobacco prevention and control advisory committee for the purpose of defraying the expenses of the committee; developing, implementing, and administering the comprehensive tobacco prevention and control plan; and contracting with a consultant to facilitate the development of the comprehensive plan, for the period beginning January 1, 2009, and ending June 30, 2009.

**SECTION 21. LEGISLATIVE INTENT.** It is the intent of the sixty-first legislative assembly that any act of the 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.

**SECTION 22. REPORTS TO THE BUDGET SECTION.** The tobacco prevention and control executive committee shall report to the budget section quarterly on the implementation of the comprehensive tobacco prevention and control plan and outcomes achieved, for the biennium beginning July 1, 2009, and ending June 30, 2011.

**SECTION 23. RETROACTIVE APPLICATION.** Section 20 of this Act is retroactive to January 1, 2009.

**SECTION 24. EMERGENCY.** Sections 19, 20, 21, and 22 of this Act are declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment provides an appropriation to defray the expenses of the Tobacco Prevention and Control Executive Committee. The amendment provides \$16,395,495 from the tobacco prevention and control trust fund for the 2009-11 biennium and \$62,403 from the tobacco prevention and control trust fund, for the period from January 1, 2009, to June 30, 2009. The Tobacco Prevention and Control Executive Committee is also authorized 4 full-time equivalent positions. This amendment also provides for retroactive application for January 1, 2009, through June 30, 2009, funding and adds an emergency clause.