# Sixty-fifth Legislative Assembly of North Dakota
# In Regular Session Commencing Tuesday, January 3, 2017

SENATE BILL NO. 2024
(Appropriations Committee)

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.

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| President of the Senate | Speaker of the House |
| Secretary of the Senate | Chief Clerk of the House |

This certifies that the within bill originated in the Senate of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2024 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 36 Nays 10 Absent 1

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| President of the Senate | Secretary of the Senate |

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 63 Nays 29 Absent 2

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| Speaker of the House | Chief Clerk of the House |

Received by the Governor at _____M. on _____, 2017.

Approved at _____M. on _____, 2017.

Governor

Filed in this office this _____day of _____, 2017,

at _____ o'clock _____M.

Secretary of State