

Fifty-eighth
Legislative Assembly
of North Dakota

SENATE BILL NO.

Introduced by

Senator Fischer

Representative Price

1 A BILL for an Act to amend and reenact section 54-27-25 of the North Dakota Century Code,
2 relating to the use of funds in the community health trust fund; and to provide an appropriation.

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

4 **SECTION 1. AMENDMENT.** Section 54-27-25 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-27-25. Tobacco settlement trust fund - Interest on fund - Uses.** There is created
7 in the state treasury a tobacco settlement trust fund. The fund consists of the tobacco
8 settlement dollars obtained by the state under sections IX (payments) and XI (calculation and
9 disbursement of payments) of the master settlement agreement and consent agreement
10 adopted by the east central judicial district court in its judgment entered December 28, 1998
11 [Civil No. 98-3778]. All moneys received by the state pursuant to the judgment and all moneys
12 received by the state for enforcement of the judgment must be deposited in the fund. Interest
13 earned on the fund must be credited to the fund and deposited in the fund. The principal and
14 interest of the fund must be allocated as follows:

15 1. Transfers to a community health trust fund to be administered by the state
16 department of health. ~~The state department of health may use funds as~~
17 ~~appropriated for community based public health programs and other public health~~
18 ~~programs, including programs with emphasis on preventing or reducing tobacco~~
19 ~~usage in this state.~~ Transfers under this subsection must equal ten percent of total
20 annual transfers from the tobacco settlement trust fund. Of the funds appropriated
21 to the state department of health from the community health trust fund:

22 a. The first one million dollars must be used by the department for public health
23 emergencies and to provide funding for the grant programs established under

- 1 this subsection, if necessary, based upon the anticipated timing of transfers to
2 be received from the tobacco settlement trust fund.
- 3 b. One million dollars must be used to provide state aid to local public health
4 units.
- 5 c. Two million dollars must be used to fund a healthy schools grant program that
6 provides grants to schools for preventative health programs.
- 7 d. Two million dollars must be used to fund a healthy communities grant
8 program. The eligibility criteria for the program must include a one hundred
9 percent matching funds requirement and must provide that grant eligibility is
10 based upon a community's effectiveness in enforcing state and local tobacco
11 seller and use laws and ordinances.
- 12 e. Seven hundred fifty thousand dollars must be used to fund a statewide
13 tobacco counter marketing media program.
- 14 f. Two hundred fifty thousand dollars must be used to provide antitobacco
15 materials and resources to the public.
- 16 2. Transfers to the common schools trust fund to become a part of the principal of
17 that fund. Transfers under this subsection must equal forty-five percent of total
18 annual transfers from the tobacco settlement trust fund.
- 19 3. Transfers to the water development trust fund to be used to address the long-term
20 water development and management needs of the state. Transfers under this
21 subsection must equal forty-five percent of the total annual transfers from the
22 tobacco settlement trust fund.
- 23 Transfers to the funds under this section must be made within thirty days of receipt by the
24 tobacco settlement trust fund.