

May 4, 2009

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1015

In addition to the amendments adopted by the Senate as printed on pages ____ of the Senate Journal, Engrossed House Bill No. 1015 is further amended as follows:

Page 1, line 8, remove "and" and after "study" insert "; to provide an appropriation for the comprehensive tobacco prevention and control executive committee; to provide for a report to the legislative council; 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 comprehensive 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	\$12,882,000	\$12,882,000
Total special funds	\$0	\$12,882,000	\$12,882,000
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 comprehensive tobacco prevention and control executive 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 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. REPORT TO LEGISLATIVE COUNCIL. Before September 1, 2010, the tobacco prevention and control executive committee shall report to the legislative council on implementation of the comprehensive plan and outcomes achieved.

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

SECTION 24. EMERGENCY. Sections 20 and 23 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds the appropriation for the tobacco prevention and control executive committee for the 2009-11 biennium and as an emergency measure a retroactive appropriation for expenses incurred by the committee from January 1, 2009, through June 30, 2009. The amendment also provides for legislative intent with regard to the committee and a report to the Legislative Council.