

## HOUSE BILL NO. 756

INTRODUCED BY KAUFMANN, BIXBY, BLACK, COHENOUR, CYR, GALLIK, JENT, KITZENBERG, SMITH

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING FUNDS FROM THE TOBACCO SETTLEMENT PROCEEDS STATE SPECIAL REVENUE ACCOUNT ESTABLISHED BY INITIATIVE MEASURE NO. 146 FOR IMPLEMENTING THE STATEWIDE TOBACCO DISEASE PREVENTION PROGRAM; PROVIDING MATCHING FUNDS FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM AND THE COMPREHENSIVE HEALTH ASSOCIATION; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, the health of Montanans is harmed by tobacco use; and

WHEREAS, tobacco use is the largest cause of preventable death in Montana; and

WHEREAS, the cost to the taxpayers and the State of Montana for providing health care to those harmed by tobacco is large; and

WHEREAS, comprehensive tobacco disease prevention programs are proved to save lives and money by preventing tobacco use and helping users quit tobacco use; and

WHEREAS, Montana receives annual payments from tobacco companies that can be used for comprehensive prevention purposes; and

WHEREAS, 65% of Montana voters in the November 2002 general election voted for dedicating an amount equal to 32% of the state's tobacco settlement proceeds for a comprehensive tobacco disease prevention program designed to prevent children from starting tobacco use and to help adults quit tobacco use AND AN AMOUNT EQUAL TO 17% OF THE STATE'S TOBACCO SETTLEMENT PROCEEDS FOR MATCHING FUNDS FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM AND THE COMPREHENSIVE HEALTH ASSOCIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Appropriation. (1) The following amounts are appropriated for the 2004-05 biennium to the department of public health and human services from the tobacco settlement proceeds account in the state special revenue fund, as provided for in 17-6-606(2), for implementation of a comprehensive tobacco disease prevention program that includes community-based and Indian community programs, statewide training and technical assistance, school-based programs, cessation programs, public education and awareness programs, programs for special-emphasis populations, monitoring and evaluation, administration, planning, and

management in accordance with the best practice standards of the centers for disease control and prevention:

FY 2004	\$9,031,360
FY 2005	9,257,600

(2) Except as provided in 17-6-606(4), any amount of funds not expended in fiscal year 2004 may be expended in fiscal year 2005.

(3) THE FOLLOWING AMOUNTS ARE APPROPRIATED FOR THE 2004-05 BIENNIUM TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FROM THE TOBACCO SETTLEMENT PROCEEDS ACCOUNT IN THE STATE SPECIAL REVENUE FUND, AS PROVIDED FOR IN 17-6-606(3)(A), FOR MATCHING FUNDS FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM:

<u>FY 2004</u>	<u>\$3,797,910</u>
<u>FY 2005</u>	<u>3,918,100</u>

(4) THE FOLLOWING AMOUNTS ARE APPROPRIATED FOR THE 2004-05 BIENNIUM TO THE STATE AUDITOR FROM THE TOBACCO SETTLEMENT PROCEEDS ACCOUNT IN THE STATE SPECIAL REVENUE FUND, AS PROVIDED FOR IN 17-6-606(3)(B), FOR THE COMPREHENSIVE HEALTH ASSOCIATION:

<u>FY 2004</u>	<u>\$1,000,000</u>
<u>FY 2005</u>	<u>1,000,000.</u>

NEW SECTION. Section 2. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell band of Chippewa.

NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2003.

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