

**SENATE BILL NO. 2297**

Introduced by

Senators Fischer, Dever, J. Lee

Representatives Delmore, Hawken, Price

1 A BILL for an Act to amend and reenact sections 23-38-01 and 23-38-02 of the North Dakota  
2 Century Code, relating to the community health grant program; and to provide for an  
3 appropriation.

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

5 **SECTION 1. AMENDMENT.** Section 23-38-01 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **23-38-01. Community health grant program.**

- 8 1. The state department of health shall establish a community health grant program.  
9 The primary purpose of the program is to prevent or reduce tobacco usage in the  
10 state by strengthening community-based public health programs and by providing  
11 assistance to public health units and communities throughout the state. The  
12 program must build on and may not duplicate existing programs. Grants awarded  
13 under the program must be awarded on a noncompetitive basis using the  
14 per capita formula provided for in this subsection. The program must, to the extent  
15 funding is available, follow guidelines concerning tobacco prevention programs  
16 recommended by the centers for disease control and prevention. Entities awarded  
17 grants under the program may contract with or award grants to private providers  
18 that conduct tobacco cessation programs. Not more than five percent of the  
19 community health grant program funds may be expended for surveillance and  
20 evaluation activities. Funds appropriated for the program must be allocated as  
21 follows:
- 22 a. Forty percent of all funds appropriated for the program must be granted to a  
23 public health unit or to cooperating public health units that have an agreement  
24 with school boards concerning preventive health programs to be funded. The

- 1 program must be developed with student participation and must include a plan  
2 to reduce student tobacco use.
- 3 b. Forty percent of all funds appropriated for the program must be granted to a  
4 public health unit or to cooperating public health units that have established a  
5 unitwide plan, developed in cooperation with local elected officials in the unit's  
6 jurisdiction, concerning the preventive health programs to be funded. The  
7 plan must address programs to reduce tobacco use by the residents living in  
8 the counties serviced by the units; however, the plan may include other  
9 chronic disease programs. ~~In addition to any grants received under this  
10 subdivision, each county with a population of less than ten thousand must  
11 receive five thousand dollars per biennium to be used to implement the  
12 county's programs.~~
- 13 c. Twenty percent of all funds appropriated for the program must be granted to  
14 public health units to supplement existing state aid from other sources. Each  
15 unit must receive one percent of the amount allocated under this subdivision  
16 for each county within the unit and the remaining amount must be distributed  
17 to each unit on a per capita basis.
- 18 2. The state department of health, in establishing the community health grant  
19 program, shall build upon the state's existing tobacco control grant program  
20 activities and shall follow the centers for disease control and prevention's best  
21 practices for comprehensive tobacco control programs. The department shall  
22 encourage applicants to monitor program accountability with respect to  
23 tobacco-related behaviors, attitudes, and health outcomes and to include in their  
24 plans:
- 25 a. Community programs that:
- 26 (1) Engage youth in the development and implementation of interventions;  
27 (2) Develop partnerships with local organizations;  
28 (3) Conduct educational programs at local levels;  
29 (4) Promote government and voluntary health policies, such as clean  
30 indoor air, youth access, and treatment coverage;  
31 (5) Restrict minors' access to tobacco; and

- 1 (6) Deter smoking in public places.
- 2 b. Promotion of school programs by partnering with public health organizations,
- 3 school boards, education associations, and other organizations in each
- 4 county to provide school programs that promote:
- 5 (1) Tobacco-free policies;
- 6 (2) Evidence-based curricula;
- 7 (3) Teacher training;
- 8 (4) Parental involvement; and
- 9 (5) Cessation services for students and staff.

10 **SECTION 2. AMENDMENT.** Section 23-38-02 of the North Dakota Century Code is  
11 amended and reenacted as follows:

12 **23-38-02. Community health grant program advisory committee - Duties of state**  
13 **health officer.**

- 14 1. The state health officer shall establish a community health grant program advisory  
15 committee and shall appoint, after consulting with the governor, appropriate  
16 members to advise the state department of health in the development of a  
17 community health grant program. The state health officer, who ~~shall be~~ is the  
18 chairman of the committee, shall appoint to the committee the state tobacco control  
19 administrator; one high school student; one student of a postsecondary institution  
20 in the state; one representative of a nongovernmental tobacco control organization;  
21 and one law enforcement officer. In addition to the members appointed by the  
22 state health officer, the committee must include:
  - 23 a. One individual appointed by the North Dakota Indian affairs commission;
  - 24 b. One individual appointed by the North Dakota public health association;
  - 25 c. The superintendent of public instruction or the superintendent's designee;
  - 26 d. An academic researcher with expertise in tobacco control and health  
27 promotion intervention, appointed by the dean of the university of North  
28 Dakota school of medicine and health sciences; and
  - 29 e. One physician appointed by the North Dakota medical association.
- 30 2. Members of the committee who are not state employees or officers are entitled to  
31 be compensated at a rate of sixty-two dollars and fifty cents per day and are

1 entitled to mileage and expenses as provided by law for state officers and  
2 employees. A state employee who is a member of the committee must receive  
3 that employee's regular salary and is entitled to mileage and expenses, to be paid  
4 by the employing agency.

5 3. The state department of health, with the committee's involvement, shall provide  
6 assistance to:

- 7 a. Evaluate programs;
- 8 b. Promote media advocacy by working with statewide media associations;
- 9 c. Implement smoke-free policies by involving antitobacco groups in promoting  
10 the need for smoke-free public buildings;
- 11 d. Work to reduce minors' access to tobacco in all communities;
- 12 e. Facilitate the coordination of program components with the local level;
- 13 f. Involve state agencies, law enforcement, and local government in the  
14 administration and management of the program; and
- 15 g. Assist the state in screening and implementing the grants.

16 4. The state health officer shall monitor the implementation of the community health  
17 grant program. ~~The state health officer shall provide reports to the legislative  
18 council regarding the implementation of the program not later than December 31,  
19 2001, and November 1, 2002. Upon request, the state health officer shall provide  
20 assistance to any interim legislative committee that may study the implementation  
21 of the community health grant program and shall recommend any legislation that  
22 the community health grant program advisory committee considers appropriate to  
23 improve the community health grant program.~~

24 **SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the  
25 community health trust fund, not otherwise appropriated, the sum of \$100,000, or so much of  
26 the sum as may be necessary, to the state department of health for the purpose of funding the  
27 community health grant program advisory committee, for the biennium beginning July 1, 2003,  
28 and ending June 30, 2005.

29 **SECTION 4. APPROPRIATION.** There is appropriated out of any moneys in the  
30 community health trust fund, not otherwise appropriated, the sum of \$500,000, or so much of  
31 the sum as may be necessary, to the state department of health for the purpose of funding

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- 1 grants to cities and counties with a one dollar local match for every three dollars of state funds
- 2 for city and county employee tobacco education and cessation programs and for the purpose of
- 3 funding state employee tobacco education and cessation programs, for the biennium beginning
- 4 July 1, 2003, and ending June 30, 2005.