

## Forum editorial: ND voters were clear on tobacco measure

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The latest scheme to upend the results of Measure 3, the tobacco control measure, comes from one of the most respected members of the Legislature, Sen. John Andrist, R-Crosby. We say "scheme" because his thinly disguised "compromise" resolution would have the same effect as attempts in the House to toss out the results of November's election in which the "yes" vote prevailed on the measure.

The measure as approved establishes a committee to fund tobacco cessation programs by reallocating tobacco settlement dollars, which in the past have been siphoned off for nontobacco programs such as water projects and education. Even with the measure's reallocation, those nontobacco programs still receive plenty of money.

Voters knew precisely what they were doing last November. The measure was debated vigorously by both sides. Details and impacts were fully aired. For a few ideologically handicapped lawmakers to characterize the voters as uninformed – which is implied by legislative maneuvers – is insulting and demonstrably wrong.

Andrist proposes a new measure – a revote – because he apparently believes North Dakotans better understand Measure 3 and want another crack at it. Sounds noble, but it's a backdoor approach to suspending Measure 3, which is already being implemented in accordance with the results of the November vote.

The legislators lined up against North Dakota voters include Rep. Jon O. Nelson, R-Rugby, who thinks he's getting traction with the argument that North Dakotans don't want another layer of bureaucracy, which, he says, is what the Measure 3 committee would be. Another insult.

A separate, reliably funded tobacco cessation program is exactly what the voters mandated. It's not a rap on the state Health Department's tobacco programs. Rather, it's an accurate perception that a stingy Legislature has short-changed the department's tobacco programs. The department does what it can with what it has. The voters, however, said do more with more funds and do it without having to go hat-in-hand to lawmakers. In effect, the voters spanked the Legislature.

Andrist might be trying to find a way to get the tobacco debate off the Legislature's very full plate. But a provision of his proposed measure would starve tobacco programs: a trust fund, but only the interest generated could be used for tobacco cessation efforts. It looks like a ploy to keep tobacco settlement money firmly in the Legislature's grasp. Voters knew their minds in November 2008. They won't be fooled by legislative shenanigans in April 2009.