

# Tobacco control plan gets funding

## Action comes at end of 79th day of session

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By: [Janell Cole](#), INFORUM

BISMARCK – The Legislature was near final adjournment late Monday night after the Senate proposed a solution to the tobacco program stalemate that had kept the session in limbo and the House followed.

The Senate unanimously passed the funding for the second time in three months just before 10:30 p.m. and the House followed about 90 minutes later on an 86-7 vote.

Voters passed Measure 3 in November, setting up a program to discourage tobacco use.

It required the Legislature to appropriate the funds from money that the state gets from the national tobacco settlement

The Senate approved a bill in February for the money but the House refused and killed the bill in April.

After weeks of steadfast refusal, House Republicans late Monday night decided they would have to agree to fund the tobacco program.

“It may be time to give it up and pass it,” Rep. Jon Nelson, R-Rugby, told the caucus at a late night meeting.

Senate Majority Leader Bob Stenehjem, R-Bismarck, came up with the new funding plan Monday evening after several hours of meeting with former attorney general Heidi Heitkamp and other sponsors of Measure 3.

House Majority Leader Al Carlson, R-Fargo, urged his caucus to vote yes.

The action came at the end of the 79th day and had threatened to send the already record-breaking session into an unprecedented 80th day.

House members hiccupped earlier in the day when they killed the next two years of funding for the attorney general because they didn't want to give him a raise of almost 50 percent two years from now. House members complained that if they sent the bill back to talks with senators, it would become even worse.

“Their version is many millions of dollars and many more FTEs (full time employees),” said Rep. Blaire Thoreson, R-Fargo.

A plan to revive the attorney general’s bill had not materialized by late evening.

“We can’t just sit on it, we have to pass it,” House Majority Leader Al Carlson told Republican House members at an evening caucus.

The Legislature has no choice but to pass funding for offices that are in the constitution, such as the attorney general and other elected officials.

Both chambers passing funding bills for the adjutant general, the Agriculture Department, the State Fair, the Public Service Commission, the Human Services Department, and money for state hospitals and clinics to convert their records to digital form.

One the bills lawmakers approved would fund the state Water Commission budget, which contains \$75 million for a Fargo flood-control project.