

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 402

AMENDMENT NO. A2
(to be filled in by
Principal Clerk)

S402-AMM-26 [v.1]

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Comm. Sub. [YES]
Amends Title [NO]
Second Edition

Date _____, 2013

Senator McKissick

1 moves to amend the bill on page 5, line 38, by deleting "(217,100,000)" and "(553,100,000)"
2 and by substituting "(96,801,304)" and "(432,801,304)" respectively;

3
4 and on page 5, line 39, by deleting "137,500,000" in both places and substituting "17,201,304"
5 in both places;

6
7 and on page 11, line 40, through page 13, line 21, by deleting the lines and substituting the
8 following:

9 **"MSA PAYMENTS**

10 **SECTION 6.4.(a)** Section 6 of S.L. 1999-2, as amended by Section 6.11(d) of
11 Session Law 2011-145 and Section 7(b) of Session Law 2011-391, reads as rewritten:

12 **"SECTION 6.(a)** Except as provided in subsection (b) of this section, it is the intent of the
13 General Assembly that the funds under the Master Settlement Agreement, which is
14 incorporated into the Consent Decree, be allocated as follows:

15 (1) Fifty percent (50%) to the nonprofit corporation as provided by the Consent
16 Decree.

17 (2) Fifty percent (50%) shall be allocated as follows:
18 a. ~~Debt service as authorized by the State Capital Facilities Act of 2004,~~
19 ~~Part 1 of S.L. 2004 179 and S.L. 2004 124. As soon as practicable~~
20 ~~after the beginning of each fiscal year, the State Treasurer shall~~
21 ~~estimate and transfer to Budget Code 69430 the amount of debt~~
22 ~~service anticipated to be paid during the fiscal year for special~~
23 ~~indebtedness authorized by the State Capital Facilities Act of 2004.~~

24 b. For the 2013-2014 fiscal year and the 2014-2015 fiscal year, the sum
25 of ten million dollars (\$10,000,000) is credited to Budget Code
26 69430 and shall be transferred to the University Cancer Research
27 Fund in accordance with G.S. 116-29.1. For subsequent fiscal years,
28 ~~The~~ the ~~sum of eight million dollars (\$8,000,000) is credited to~~
29 ~~Budget Code 69430 and shall be transferred to the University Cancer~~
30 ~~Research Fund in accordance with G.S. 116-29.1.~~



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- 1 b1. A minimum of forty-one million five hundred forty-eight thousand
 2 six hundred ninety-six dollars (\$41,548,696) shall be credited to the
 3 Department of Commerce for rural economic development purposes.
 4 b2. The remainder shall be credited for General Fund availability.
 5 ~~e.~~ ~~The balance remaining to be credited to the State General Fund to be~~
 6 ~~used for the following purposes:~~
 7 ~~1.~~ ~~The benefit of tobacco producers, tobacco allotment holders,~~
 8 ~~and persons engaged in tobacco-related businesses. To carry~~
 9 ~~out this purpose, funds may provide direct and indirect~~
 10 ~~financial assistance, to the extent allowed by law, to (i)~~
 11 ~~indemnify tobacco producers, allotment holders, and persons~~
 12 ~~engaged in tobacco-related businesses from the adverse~~
 13 ~~economic effects of the Master Settlement Agreement, (ii)~~
 14 ~~compensate tobacco producers and allotment holders for the~~
 15 ~~economic loss resulting from lost quota, and (iii) revitalize~~
 16 ~~tobacco-dependent communities.~~
 17 ~~2.~~ ~~The benefit of health to fund programs and initiatives that~~
 18 ~~include research, education, prevention, and treatment of~~
 19 ~~health problems in North Carolina and to increase the~~
 20 ~~capacity of communities to respond to the public's health~~
 21 ~~needs through programs such as Health Choice and the State's~~
 22 ~~Medicaid program.~~

23 (b) Any monies paid into the North Carolina State Specific Account from the Disputed
 24 Payments Account on account of the Non-Participating Manufacturers that would have been
 25 transferred to The Golden L.E.A.F. (Long-Term Economic Advancement Foundation), Inc., or
 26 to the trust funds established in accordance with subdivision (a)(2) of this section shall be
 27 deposited in the Settlement Reserve Fund and transferred to nontax Budget Code 19878."

28 **SECTION 6.4.(b)** There is appropriated from the Settlement Reserve Fund to the
 29 University Cancer Research Fund the sum of ten million dollars (\$10,000,000) for the
 30 2013-2014 fiscal year and the sum of ten million dollars (\$10,000,000) for the 2014-2015 fiscal
 31 year."

32
 33 and on page 247, lines 28 and 29, by inserting the following:

34 **"MSA APPROPS/RURAL ECONOMIC DEVELOPMENT PROJECTS**

35 **SECTION 15.10A.** There is appropriated from the Settlement Reserve Fund to the
 36 Department of Commerce the sum of forty-one million five hundred forty-eight thousand six
 37 hundred ninety-six dollars (\$41,548,696) in recurring funds for the 2013-2014 and the
 38 2014-2015 fiscal year to provide grants-in-aid according to the following schedule:

	2013-2014	2014-2015
39		
40		
41		
42 Biofuels Center	\$4,303,035	\$4,303,035
43		

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1	Community Development Initiative	\$3,806,180	\$3,806,180
2			
3	Institute of Minority Economic Development	\$2,046,080	\$2,046,080
4			
5	Land Loss Prevention Project	\$575,050	\$575,050
6			
7	NC Association of Community Development		
8	Corporations CDCs	\$797,102	\$797,102
9			
10	NC Farm Bureau – Ag in the Classroom	\$21,175	\$21,175
11			
12	NC Indian Economic Development Initiative	\$86,004	\$86,004
13			
14	Regional Economic Development Commissions	\$2,151,517	\$2,151,517
15			
16	The Support Center	\$2,543,021	\$2,543,021
17			
18	Biotechnology Center	\$8,600,338	\$8,600,338
19			
20	Rural Economic Development Center	\$16,619,194	\$16,619,194";

and on page 101, by inserting the following between lines 36 and 37:

"FULLY FUND CANCER RESEARCH CENTER

SECTION 9.8 Notwithstanding G.S. 116-29.1(b), funds in the amount of fifty million dollars (\$50,000,000) are provided in this act for the University Cancer Research Fund for each year for the 2013-2015 fiscal biennium as follows:

- (1) Ten million dollars (\$10,000,000) is appropriated for the each year of the fiscal biennium from the Settlement Reserve Fund in subsection 6.4(b) of this section.
- (2) The funds remitted to the University Cancer Research Fund by the Secretary of Revenue from the tax on tobacco products other than cigarettes pursuant to G.S. 105-113.40A are appropriated for this purpose in accordance with G.S. 116-29.1(b)(2).
- (3) Sixteen million dollars (\$16,000,000) is appropriated for each year of the fiscal biennium from the General Fund in Section 2.1 of this act.

For subsequent fiscal years, funds shall be appropriated for the University Cancer Research Fund in accordance with G.S. 116-29.1(b)."

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SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
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