



General Assembly

February Session, 2008

Bill No. 5020

LCO No. 676

*00676 _____ *

Referred to Committee on Appropriations

Introduced by:

REP. CAFERO, 142nd Dist.

SEN. MCKINNEY, 28th Dist.

**AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET
RECOMMENDATIONS REGARDING THE TOBACCO AND HEALTH
TRUST FUND.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4-28f of the 2008 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective July 1, 2008*):

4 (a) There is created a Tobacco and Health Trust Fund which shall be
5 a separate nonlapsing fund. The purpose of the trust fund shall be to
6 create a continuing significant source of funds to (1) support and
7 encourage development of programs to reduce tobacco abuse through
8 prevention, education and cessation programs, (2) support and
9 encourage development of programs to reduce substance abuse, and
10 (3) develop and implement programs to meet the unmet physical and
11 mental health needs in the state.

12 (b) The trust fund may accept transfers from the Tobacco Settlement
13 Fund and may apply for and accept gifts, grants or donations from

14 public or private sources to enable the trust fund to carry out its
15 objectives.

16 (c) The trust fund shall be administered by a board of trustees,
17 except that the board shall suspend its operations from July 1, 2003, to
18 June 30, 2005, inclusive. The board shall consist of seventeen trustees.
19 The appointment of the initial trustees shall be as follows: (1) The
20 Governor shall appoint four trustees, one of whom shall serve for a
21 term of one year from July 1, 2000, two of whom shall serve for a term
22 of two years from July 1, 2000, and one of whom shall serve for a term
23 of three years from July 1, 2000; (2) the speaker of the House of
24 Representatives and the president pro tempore of the Senate each shall
25 appoint two trustees, one of whom shall serve for a term of two years
26 from July 1, 2000, and one of whom shall serve for a term of three years
27 from July 1, 2000; (3) the majority leader of the House of
28 Representatives and the majority leader of the Senate each shall
29 appoint two trustees, one of whom shall serve for a term of one year
30 from July 1, 2000, and one of whom shall serve for a term of three years
31 from July 1, 2000; (4) the minority leader of the House of
32 Representatives and the minority leader of the Senate each shall
33 appoint two trustees, one of whom shall serve for a term of one year
34 from July 1, 2000, and one of whom shall serve for a term of two years
35 from July 1, 2000; and (5) the Secretary of the Office of Policy and
36 Management, or the secretary's designee, shall serve as an ex-officio
37 voting member. Following the expiration of such initial terms,
38 subsequent trustees shall serve for a term of three years. The period of
39 suspension of the board's operations from July 1, 2003, to June 30, 2005,
40 inclusive, shall not be included in the term of any trustee serving on
41 July 1, 2003. The trustees shall serve without compensation except for
42 reimbursement for necessary expenses incurred in performing their
43 duties. The board of trustees shall establish rules of procedure for the
44 conduct of its business which shall include, but not be limited to,
45 criteria, processes and procedures to be used in selecting programs to
46 receive money from the trust fund. The trust fund shall be within the
47 Office of Policy and Management for administrative purposes only.

48 The board of trustees shall meet not less than biannually, except
49 during the fiscal years ending June 30, 2004, and June 30, 2005, and, not
50 later than January first of each year, except during the fiscal years
51 ending June 30, 2004, and June 30, 2005, shall submit a report of its
52 activities and accomplishments to the joint standing committees of the
53 General Assembly having cognizance of matters relating to public
54 health and appropriations and the budgets of state agencies, in
55 accordance with section 11-4a. [Such report shall be approved by each
56 trustee.]

57 (d) (1) During the period commencing July 1, 2000, and ending June
58 30, 2003, the board of trustees, by majority vote, may recommend
59 authorization of disbursement from the trust fund for the purposes
60 described in subsection (a) of this section and section 19a-6c of the 2008
61 supplement to the general statutes, provided the board may not
62 recommend authorization of disbursement of more than fifty per cent
63 of net earnings from the principal of the trust fund for such purposes.
64 For the fiscal year commencing July 1, 2005, and each fiscal year
65 thereafter, the board may recommend authorization of the net earnings
66 from the principal of the trust fund for such purposes. For the fiscal
67 year ending June 30, 2009, and each fiscal year thereafter, the board
68 may recommend authorization of disbursement for such purposes of
69 (A) up to one-half of the annual disbursement from the Tobacco
70 Settlement Fund to the Tobacco and Health Trust Fund from the
71 previous fiscal year, pursuant to section 4-28e, and (B) the net earnings
72 from the principal of the trust fund from the previous fiscal year. The
73 board's recommendations shall give [(A)] (i) priority to programs that
74 address tobacco and substance abuse and serve minors, pregnant
75 women and parents of young children, and [(B)] (ii) consideration to
76 the availability of private matching funds. Recommended
77 disbursements from the trust fund shall be in addition to any resources
78 that would otherwise be appropriated by the state for such purposes
79 and programs.

80 (2) Except during the fiscal years ending June 30, 2004, and June 30,

81 2005, the board of trustees shall submit such recommendations for the
82 authorization of disbursement from the trust fund to the joint standing
83 committees of the General Assembly having cognizance of matters
84 relating to public health and appropriations and the budgets of state
85 agencies. Not later than thirty days after receipt of such
86 recommendations, said committees shall advise the board of their
87 approval, modifications, if any, or rejection of the board's
88 recommendations. If said joint standing committees do not concur, the
89 speaker of the House of Representatives, the president pro tempore of
90 the Senate, the majority leader of the House of Representatives, the
91 majority leader of the Senate, the minority leader of the House of
92 Representatives and the minority leader of the Senate each shall
93 appoint one member from each of said joint standing committees to
94 serve as a committee on conference. The committee on conference shall
95 submit its report to both committees, which shall vote to accept or
96 reject the report. The report of the committee on conference may not be
97 amended. If a joint standing committee rejects the report of the
98 committee on conference, the board's recommendations shall be
99 deemed approved. If the joint standing committees accept the report of
100 the committee on conference, the joint standing committee having
101 cognizance of matters relating to appropriations and the budgets of
102 state agencies shall advise the board of said joint standing committees'
103 approval or modifications, if any, of the board's recommended
104 disbursement. If said joint standing committees do not act within thirty
105 days after receipt of the board's recommendations for the
106 authorization of disbursement, such recommendations shall be
107 deemed approved. Disbursement from the trust fund shall be in
108 accordance with the board's recommendations as approved or
109 modified by said joint standing committees.

110 (3) After such recommendations for the authorization of
111 disbursement have been approved or modified pursuant to
112 subdivision (2) of this subsection, any modification in the amount of an
113 authorized disbursement in excess of fifty thousand dollars or ten per
114 cent of the authorized amount, whichever is less, shall be submitted to

115 said joint standing committees and approved, modified or rejected in
116 accordance with the procedure set forth in subdivision (2) of this
117 subsection. Notification of all disbursements from the trust fund made
118 pursuant to this section shall be sent to the joint standing committees
119 of the General Assembly having cognizance of matters relating to
120 public health and appropriations and the budgets of state agencies,
121 through the Office of Fiscal Analysis.

122 (4) The board of trustees shall, not later than February first of each
123 year, except during the fiscal years ending June 30, 2004, and June 30,
124 2005, submit a report to the General Assembly, in accordance with the
125 provisions of section 11-4a, that includes all disbursements and other
126 expenditures from the trust fund and an evaluation of the performance
127 and impact of each program receiving funds from the trust fund. Such
128 report shall also include the criteria and application process used to
129 select programs to receive such funds.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2008</i>	4-28f

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]