

Whereas, the Consent Decree and Final Judgment directs the Attorney General to create a nonprofit corporation for purposes of receipt and distribution of fifty percent of the funds allocated to North Carolina; and

Whereas, the Consent Decree and Final Judgment provides that, as a condition precedent to the operation of the nonprofit corporation, the creation of the corporation must be approved by the North Carolina General Assembly not later than March 15, 1999, and must be approved by the Court; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. The creation of the nonprofit corporation pursuant to subparagraph VI.A.1 of the Consent Decree and Final Judgment entered in the action of 98 CVS 14377 on December 21, 1998, is hereby approved for the purposes and on the terms and conditions set forth in subparagraph VI.A.1 of the Consent Decree and Final Judgment.

Section 2. Chapter 55A of the General Statutes is amended by adding a new section to read:

"§ 55A-3-07. Certain corporations subject to Public Records Act and Open Meetings

Law.

Any corporation organized under this Chapter under the terms of any consent decree and final judgment in any civil action calling on a state officer to create the corporation, for the purposes of receipt and distribution of funds allocated to the State of North Carolina to provide economic impact assistance on account of one industry, is subject to the Public Records Act (Chapter 132 of the General Statutes) and the Open Meetings Law (Article 33C of Chapter 143 of the General Statutes)."

Section 3. In making appointments to the corporation approved under Section 1 of this act, the appointing State officers shall:

(1) Appoint persons who are knowledgeable of the dynamics of rural and/or urban economies of tobacco dependent regions; and

(2) Ensure geographic representation of major tobacco dependent regions.

Section 4.(a) There is hereby appropriated from the Settlement Fund from receipts of the State under State of North Carolina v. Philip Morris Incorporated, Et Al., 98 CVS 14377, to the corporation created under the settlement of that case, the following percentages of the total receipts (over and above the fifty percent (50%) of total receipts already allocated to that corporation under the agreement):

Year Available for Appropriation	Percentage
1998	30%
1999	30%
2000	30%
2001	25%
2002	20%
2003	15%
2004	10%
2005	5%

Section 4.(b) The appropriations made to the corporation under subsection (a) of this section are contingent on the corporation agreeing to use a portion of its total

1 funds over those eight years as follows (with each total being a minimum in that
 2 category):

3 Category	4 Amount in Millions	5 Purpose
6 7 8	Department of Agriculture Revolving Loan Fund for Tobacco Farmers and Tobacco Dependent Businesses	\$50 Emergency
9 10 11	Department of Agriculture support for farm products including funding for the operation of co-ops	\$25 Marketing
12 13 14	Community College System and Employment Security Commission	\$75 Financial assistance and retraining for displaced tobacco workers
15 16 17	University of North Carolina Board of Governors	\$50 Research on alternative crops and/or supplemental farm income
18 19 20 21 22	Department of Commerce \$300	Industrial or other job recruitment into tobacco dependent regions.

23 Section 5. This act is effective when it becomes law.