

#### **142A.4 Commission duties.**

The commission shall do all of the following:

1. Develop and implement the comprehensive tobacco use prevention and control initiative as provided in this chapter.
2. Provide a forum for the discussion, development, and recommendation of public policy alternatives in the field of tobacco use prevention and control.
3. Develop an educational component of the initiative. Educational efforts provided through the school system shall be developed in conjunction with the department of education.
4. Develop a plan for implementation of the initiative in accordance with the purpose and intent specified in section 142A.1.
5. Provide for technical assistance, training, and other support under the initiative.
6. Take actions to develop and implement a statewide system for the initiative programs that are delivered through community partnerships.
7. Manage and coordinate the provision of funding and other moneys available to the initiative by combining all or portions of appropriations or other revenues as authorized by law.
8. Assist with the linkage of the initiative with child welfare and juvenile justice decategorization projects, education programming, community empowerment areas, and other programs and services directed to youth at the state and community level.
9. Coordinate and respond to any requests from a community partnership relating to any of the following:
  - a. Removal of barriers to community partnership efforts.
  - b. Pooling and redirecting of existing federal, state, or other public or private funds available for purposes that are consistent with the initiative.
  - c. Seeking of federal waivers to assist community partnership efforts.

In coordinating and responding to the requests, the commission shall work with state agencies, the governor, and the general assembly as necessary to address requests deemed appropriate by the commission.

10. Adopt rules pursuant to chapter 17A as necessary for the designation, governance, and oversight of the initiative and the implementation of this chapter. The commission shall provide for community partnership and youth program input in the rules adoption process. The rules shall include but are not limited to all of the following:
  - a. Performance indicators for initiative programs, community partnerships, and the services provided under the auspices of community partnerships. The performance indicators shall be developed with input from communities.
  - b. Minimum standards to further the provision of equal access to services.
11. Monitor and evaluate the effectiveness of performance measures utilized under the initiative.

12. Submit a report to the governor and the general assembly on a periodic basis, during the initial year of operation, and on an annual basis thereafter, regarding the initiative, including demonstrated progress based on performance indicators. The commission shall report more frequently if requested by the joint appropriations subcommittee that makes recommendations concerning the commission's budget. Beginning July 1, 2005, the commission shall also perform a comprehensive review of the initiative and shall submit a report of its findings to the governor and the general assembly on or before December 15, 2005.

13. Represented by the chairperson of the commission, annually appear before the joint appropriations subcommittee that makes recommendations concerning the commission's budget to report on budget expenditures and division operations relative to the prior fiscal year and the current fiscal year.

14. Approve contracts entered into with the alcoholic beverages division of the department of commerce, to provide for enforcement of tobacco laws and regulations.

15. Advise the director in evaluating potential candidates for the position of administrator, consult with the director in the hiring of the administrator, and review and advise the director on the performance of the administrator in the discharge of the administrator's duties.

16. Prioritize funding needs and the allocation of moneys appropriated and other resources available for the programs and activities of the initiative.

17. Ensure that sufficient resources are available to promote and ensure retailer compliance with tobacco laws and ordinances relating to minors and ensure that compliance with 42 U.S.C. § 300X-26 is prioritized when allocating funds under this chapter.

18. Review fiscal needs of the initiative and make recommendations to the director in the development of budget requests.

19. Solicit and accept any gift of money or property, including any grant of money, services, or property from the federal government, the state, a political subdivision, or a private source that is consistent with the goals of the initiative. The commission shall adopt rules prohibiting the acceptance of gifts from a manufacturer of tobacco products.

20. Advise and make recommendations to the governor, the general assembly, the director, and the administrator, relative to tobacco use, treatment, intervention, prevention, control, and education programs in the state.

21. Evaluate the work of the division and the department relating to the initiative. For this purpose, the commission shall have access to any relevant department records and documents, and other information reasonably obtainable by the department.

22. Develop the structure for the statewide youth summit to be held annually.

23. Approve the content of any materials distributed by the youth program pursuant to section 142A.9, prior to distribution of the materials.

2000 Acts, ch 1192, §4, 17; 2004 Acts, ch 1176, §7; 2005 Acts, ch 179, §57