

# Senate Amendment 5132

## Amendment Text

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1 1 Amend [Senate Concurrent Resolution 105](#) as follows:  
1 2 #1. By striking page 1, line 16, through page 4,  
1 3 line 20, and inserting the following:  
1 4 "WHEREAS, the tobacco industry produces products  
1 5 that annually kill over 400,000 persons in the United  
1 6 States and, despite substantial, ongoing and  
1 7 successful local, state and national public health  
1 8 efforts, tobacco products remain the principal  
1 9 avoidable cause of death in the United States; and  
1 10 WHEREAS, Iowa should lead the nation in enacting  
1 11 strong and effective measures to provide freedom from  
1 12 environmental tobacco smoke, curb youth access to  
1 13 tobacco products, and otherwise protect citizens'  
1 14 health from harm caused by tobacco products; and  
1 15 WHEREAS, the tobacco industry has lied to the  
1 16 public and policy makers about the information the  
1 17 industry possesses, quashed relevant scientific data  
1 18 about the damaging health effects of tobacco, and  
1 19 improperly utilized industry attorneys to claim such  
1 20 information as privileged; and  
1 21 WHEREAS, for decades, the tobacco industry has  
1 22 targeted industry advertising and promotional  
1 23 campaigns toward minors, despite the fact that it is  
1 24 illegal in Iowa and every other state in the nation to  
1 25 sell tobacco products to minors; and  
1 26 WHEREAS, mounting medical assistance claims  
1 27 attributable to tobacco-related illnesses prompted 40  
1 28 states, including Iowa, to seek legal recovery from  
1 29 the tobacco industry; and  
1 30 WHEREAS, to consolidate legal efforts, the  
1 31 attorneys general who represent the plaintiff states  
1 32 entered into negotiations with the defendant cigarette  
1 33 manufacturers in an effort to reach a unified  
1 34 settlement to compensate states for medical assistance  
1 35 costs, and on June 20, 1997, the major cigarette  
1 36 manufacturers and some state attorneys general  
1 37 announced that they had reached a settlement that  
1 38 would require congressional approval; and  
1 39 WHEREAS, the state of Iowa currently has a lawsuit  
1 40 pending against the tobacco companies which would be  
1 41 preempted by the proposed settlement; and  
1 42 WHEREAS, the proposed settlement would provide  
1 43 compensation to the states and would provide for  
1 44 promulgation of regulations to be enforced by the  
1 45 federal food and drug administration, in cooperation  
1 46 with state action; and  
1 47 WHEREAS, the most significant and effective  
1 48 deterrent to tobacco industry misconduct is to hold  
1 49 tobacco companies fully accountable for the injury,  
1 50 misery, and death caused by use of industry products;  
2 1 NOW THEREFORE,  
2 2 BE IT RESOLVED BY THE SENATE, THE HOUSE OF  
2 3 REPRESENTATIVES CONCURRING, That the president of the  
2 4 United States and the Congress of the United States  
2 5 are urged to accept national tobacco control  
2 6 legislation that would protect Iowa's ability to  
2 7 protect the public health from tobacco products,

2 8 including legislation that protects Iowa youth; and  
2 9 BE IT FURTHER RESOLVED, That in order to evaluate  
2 10 the effectiveness of any tobacco control measures, all  
2 11 documents that bear on public health or tobacco  
2 12 industry misconduct, including those claimed to be  
2 13 privileged, shall be disclosed, including information  
2 14 regarding nicotine and additives, environmental  
2 15 tobacco smoke, fire-safe cigarettes, and public  
2 16 relations and marketing campaigns; and

2 17 BE IT FURTHER RESOLVED, That to reduce the harm  
2 18 from tobacco, tobacco control legislation shall  
2 19 include full federal food and drug administration and  
2 20 state authority to regulate tobacco products without  
2 21 any procedural hurdles or substantive burdens,  
2 22 incentives to reduce tobacco use by minors, penalties  
2 23 against the industry if reduced youth smoking targets  
2 24 are not met, a ban on advertising aimed at children,  
2 25 antitobacco educational campaigns, tough restrictions  
2 26 on youth access to tobacco products, a nationwide  
2 27 tobacco cessation effort, efforts to reduce tobacco  
2 28 use internationally, and funds for enforcement; and".

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2 32 [JOHNIE HAMMOND](#)

2 33 [SCR 105.501](#) 77

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