

Senate Amendment 5413

Amendment Text

PAG LIN

1 1 Amend [Senate File 2449](#) as follows:
1 2 #1. Page 1, by striking line 13, and inserting the
1 3 following: "youth to make healthy choices. The
1 4 initiative shall allow extensive".
1 5 #2. Page 1, line 17, by striking the words "evolve
1 6 to create" and inserting the following: "foster".
1 7 #3. Page 1, line 20, by striking the word "norms,"
1 8 and inserting the following: "norms".
1 9 #4. Page 1, by striking line 22, and inserting the
1 10 following: "less accessible to youth. The intent of
1 11 the general assembly shall be".
1 12 #5. Page 1, by striking lines 31 and 32.
1 13 #6. Page 2, by striking lines 7 and 8.
1 14 #7. Page 2, by striking line 12.
1 15 #8. Page 2, by striking lines 15 and 16.
1 16 #9. Page 3, by striking lines 9 through 14, and
1 17 inserting the following:
1 18 "a. Three members who are active with nonprofit
1 19 health organizations that emphasize tobacco use
1 20 prevention or who are active as health services
1 21 providers, at the local level.
1 22 b. One member who is a retailer."
1 23 #10. Page 3, line 15, by striking the letter "d"
1 24 and inserting the following: "c".
1 25 #11. Page 3, by striking line 19, and inserting
1 26 the following:
1 27 "The".
1 28 #12. Page 3, line 22, by striking the word
1 29 "section" and inserting the following: "sections".
1 30 #13. Page 3, line 22, by inserting after the
1 31 figure "69.19." the following: "At least one member
1 32 appointed under this subsection shall be a member of a
1 33 racial minority."
1 34 #14. Page 3, line 24, by striking the word "five"
1 35 and inserting the following: "three".
1 36 #15. Page 3, by striking lines 27 through 29, and
1 37 inserting the following: "youth membership
1 38 appointments are not subject to section 69.16 or
1 39 69.16A. However, the selection process shall provide
1 40 for diversity among the members and at least one of
1 41 the youth members shall be a female. These members
1 42 shall also serve three-year staggered terms."
1 43 #16. By striking page 3, line 34, through page 4,
1 44 line 4, and inserting the following: "political
1 45 party. The majority leader of the senate and the
1 46 minority leader of the senate shall each appoint one
1 47 of the senate members. The majority leader of the
1 48 house and the minority leader of the house of
1 49 representatives shall each appoint one of the house
1 50 members."
2 1 #17. Page 4, by inserting after line 16, the
2 2 following:
2 3 "e. The alcoholic beverages division of the
2 4 department of commerce."
2 5 #18. Page 4, line 25, by striking the word "shall"
2 6 and inserting the following: "may".
2 7 #19. Page 5, line 20, by striking the word

2 8 "evolution" and inserting the following:
2 9 "implementation".
2 10 #20. Page 5, line 23, by inserting after the word
2 11 "Provide" the following: "for".
2 12 #21. Page 6, line 35, by inserting after the word
2 13 "budget." the following: "Beginning July 1, 2005, the
2 14 commission shall also perform a comprehensive review
2 15 of the initiative and shall submit a report of its
2 16 findings to the governor and the general assembly on
2 17 or before December 15, 2005."
2 18 #22. Page 7, by striking lines 24 through 26, and
2 19 inserting the following: "initiative. The commission
2 20 shall adopt rules prohibiting the acceptance of gifts
2 21 from a manufacturer of tobacco products."
2 22 #23. Page 8, line 10, by inserting after the word
2 23 "division." the following: "The division
2 24 administrator shall report to and shall serve at the
2 25 pleasure of the director."
2 26 #24. Page 8, line 12, by striking the word
2 27 "enforcement" and inserting the following: "control".
2 28 #25. Page 8, by striking lines 19 through 22, and
2 29 inserting the following: "of tobacco laws and
2 30 regulations. Such contracts shall require that
2 31 enforcement efforts include training of local
2 32 authorities who issue retailer permits and education
2 33 of retailers."
2 34 #26. Page 8, line 26, inserting after the word
2 35 "tobacco" the following: "use".
2 36 #27. Page 8, line 34, by striking the word
2 37 "enforcement" and inserting the following: "control".
2 38 #28. Page 9, line 16, by striking the words "women
2 39 who" and inserting the following: "women."
2 40 #29. Page 9, by striking lines 17 and 18.
2 41 #30. Page 9, line 27, by striking the word
2 42 "activities," and inserting the following:
2 43 "activities;".
2 44 #31. Page 9, line 29, by striking the word
2 45 "substances," and inserting the following:
2 46 "substances;".
2 47 #32. Page 9, line 31, by striking the word "shall"
2 48 and inserting the following: "may".
2 49 #33. Page 9, line 33, by inserting after the word
2 50 "unhealthy" the following: "youth".
3 1 #34. Page 10, by striking lines 11 through 14, and
3 2 inserting the following:
3 3 "5. Procurement of goods and services necessary to
3 4 implement the initiative is subject to approval of the
3 5 commission. Notwithstanding chapter 18 or any other
3 6 provision of law to the contrary, such procurement may
3 7 be accomplished by the commission under its own
3 8 competitive bidding process which shall provide for
3 9 consideration of such factors as price, bidder
3 10 competence, and expediency in procurement."
3 11 #35. Page 10, line 27, by striking the word
3 12 "initiative" and inserting the following: "statewide
3 13 initiative".
3 14 #36. Page 10, line 28, by inserting after the word
3 15 "Ongoing" the following: "statewide".
3 16 #37. Page 10, by striking lines 31 through 33, and
3 17 inserting the following: "strategy. The initial
3 18 baseline used to measure the effectiveness of the
3 19 initiative shall be developed using existing,
3 20 available indicators. Following".
3 21 #38. Page 11, by striking lines 2 through 12, and
3 22 inserting the following: "accurately provide for
3 23 measurement of such effectiveness. Primary emphasis
3 24 in data assessment shall be on data relating to

3 25 tobacco usage and may include data demonstrating the
3 26 prevalence of tobacco use among youth and pregnant
3 27 women, and the prevalence of the use of alcohol and
3 28 other substances among youth. Sources of data
3 29 considered shall include but are not limited to the
3 30 centers for disease control and prevention of the
3 31 United States department of health and human services
3 32 and the Iowa youth tobacco survey, and may include the
3 33 Iowa youth risk survey conducted by the department or
3 34 the youth risk behavior survey."

3 35 #39. Page 11, by inserting before line 13, the
3 36 following:

3 37 "e. A tobacco use prevention and control education
3 38 program.

3 39 f. An enforcement program."

3 40 #40. Page 11, line 24, by inserting after the word
3 41 "involvement." the following: "The community
3 42 partnership or its designee shall act as the fiscal
3 43 agent for moneys administered by the community
3 44 partnership."

3 45 #41. Page 11, line 27, by striking the words "or
3 46 community empowerment area" and inserting the
3 47 following: "economic development enterprise zone that
3 48 meets the requirements of an urban or rural enterprise
3 49 community under Title XIII of the federal Omnibus
3 50 Budget Reconciliation Act of 1993, or community
4 1 empowerment area".

4 2 #42. Page 12, by inserting after line 6 the
4 3 following:

4 4 "e. Evaluation of the program."

4 5 #43. Page 12, lines 28 and 29, by striking the
4 6 words "In addition, the state" and inserting the
4 7 following: "State".

4 8 #44. Page 12, by striking lines 32 through 34 and
4 9 inserting the following: "communications program;
4 10 education efforts; and other aspects of the initiative
4 11 including evaluation, collaboration, and enforcement."

4 12 #45. Page 13, line 18, by striking the figure
4 13 "2005" and inserting the following: "2010".

4 14 #46. Page 13, line 24, by striking the word
4 15 "Three" and inserting the following: "Two".

4 16 #47. Page 13, line 25, by striking the word
4 17 "Three" and inserting the following: "Two".

4 18 #48. Page 13, line 26, by striking the word "Four"
4 19 and inserting the following: "Three".

4 20 #49. Page 13, line 29, by striking the words "Two
4 21 members" and inserting the following: "One member".

4 22 #50. Page 13, line 30, by striking the words "Two
4 23 members" and inserting the following: "One member".

4 24 #51. By striking page 13, line 34, through page
4 25 14, line 4, and inserting the following: "members
4 26 shall be made by the governor. The legislative
4 27 council may compile a list of individuals based on
4 28 recommendations received from members of the general
4 29 assembly, following public input, and submit the list
4 30 to the governor to assist efforts in identifying
4 31 qualified and capable candidates for initial
4 32 appointments."

4 33 #52. Page 14, line 10, by striking the word
4 34 "beverage" and inserting the following: "beverages".

4 35 #53. Page 14, by inserting after line 16, the
4 36 following:

4 37 "Sec. ____ ADMINISTRATOR INITIAL HIRING. The
4 38 provisions of section 142A.4 relating to the
4 39 commission providing advice and consultation with
4 40 regard to the hiring of the administrator do not apply
4 41 to the initial hiring of an administrator if the

4 42 commission is not operational at the time that a
4 43 potential candidate for the position of administrator
4 44 is formally offered the administrator position.
4 45 However, under such circumstances, the director shall
4 46 consult with the ex officio members of the commission,
4 47 if appointed at the time such a formal offer is
4 48 extended."

4 49 #54. By renumbering, relettering, or redesignating
4 50 and correcting internal references as necessary.

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5 4 COMMITTEE ON HUMAN RESOURCES,

5 5 NANCY BOETTGER, Chairperson

5 6 SF 2449.202 78

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