

MAR 10 1999

STATE GOVERNMENT

HOUSE FILE

582

BY HANSEN and CHIDO

Passed House, Date _____ Passed Senate, Date _____
 Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
 Approved _____

A BILL FOR

1 An Act creating a cigarette and tobacco products control advisory
 2 commission within the Iowa department of public health.
 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HF 582

1 DIVISION IV

2 CIGARETTE AND TOBACCO PRODUCTS CONTROL ADVISORY COMMISSION
3 PREVENTION AND CONTROL PROGRAM4 Section 1. NEW SECTION. 453A.57 CIGARETTE AND TOBACCO
5 PRODUCTS CONTROL ADVISORY COMMISSION CREATED -- MEMBERSHIP.6 1. A cigarette and tobacco products control advisory
7 commission is created within the Iowa department of public
8 health. The purposes of the commission include recommending
9 the awarding of grants, coordinating statewide cigarette and
10 tobacco products control activities, and ongoing evaluation of
11 cigarette and tobacco product control efforts. The commission
12 shall be staffed by personnel assigned by the director of
13 public health.14 2. The commission membership shall include persons
15 appointed by the director of public health, not to exceed nine
16 members. Commission members shall be selected from
17 organizations that have as their primary purposes the
18 reduction of the human, social, or economic damage resulting
19 from the use of cigarettes and tobacco products and the
20 amelioration of the effects of and reduction of the incidence
21 of particular diseases or health conditions associated with
22 the use of cigarettes and tobacco products. In addition,
23 education, research, or health care personnel shall be
24 appointed as ex officio, nonvoting members at the discretion
25 of the director of public health. Membership selection is
26 subject to sections 69.16 and 69.16A. Commission members
27 shall receive per diem as provided in section 7E.6, subsection
28 1, paragraph "a", and expenses.29 Sec. 2. NEW SECTION. 453A.58 DUTIES OF THE COMMISSION --
30 COMPREHENSIVE CIGARETTE AND TOBACCO PRODUCTS CONTROL PROGRAM.31 The cigarette and tobacco products control advisory
32 commission shall do all of the following:33 1. Establish a comprehensive cigarette and tobacco
34 products control program by coordinating or sponsoring state
35 and local government and private programs and efforts

1 including but not limited to all of the following:

2 a. Broad-based, school-based programs and efforts to
3 foster resistance to the use of and addiction to ~~cigarettes~~
4 and tobacco products among persons under eighteen years of
5 age.

6 b. Efforts to provide use cessation information and
7 programs to persons under eighteen years of age.

8 c. Research efforts designed to determine effective means
9 of protecting persons under eighteen years of age against use
10 of and addiction to cigarettes and tobacco products and to
11 develop other important facets of cigarette and tobacco
12 products control.

13 d. Efforts to mobilize culturally, ethnically,
14 professionally, and geographically diverse local partnerships
15 to reduce the use of cigarettes and tobacco products.

16 e. Educational programs available to persons under
17 eighteen years of age, parents, retailers, business leaders,
18 law enforcement officials, community leaders, health care
19 providers, civic group members, school personnel, and members
20 of special populations which equip and motivate these persons
21 to promote changes to reduce the promotion, sale, and use of
22 cigarettes and tobacco products.

23 f. Efforts to link school-based efforts with local
24 community coalitions and statewide health promotion plans.

25 2. Initiate a program which includes evaluation surveys
26 and measurement of behavior, attitudes, and health outcomes
27 related to the use of cigarettes and tobacco products. The
28 program shall provide information such as the prevalence of
29 use among persons under eighteen years of age and adults, per
30 capita consumption, and exposure to environmental smoke. The
31 commission shall develop and compile all of the following:

32 a. Systems designed to ensure continuous monitoring of
33 performance objectives which may include surveying risk
34 behavior of persons under eighteen years of age, determining
35 factors of risk behavior, and pregnancy risk assessment.

1 b. Evaluation surveys designed to monitor intermediate
2 program objectives in all strategy areas. Data collection
3 methods shall complement monitoring systems and shall include
4 school-based surveys, school administrator surveys, teacher
5 surveys, opinion leader surveys, health care provider surveys,
6 local program monitoring surveys, state and local policy
7 tracking, monitoring of the activities of the cigarette and
8 tobacco products industry, and local media monitoring.

9 3. Plan a sustained educational campaign to inform
10 individuals about the full range of dangers associated with
11 use of cigarettes and tobacco products and to discourage such
12 use. The educational campaign plan shall strongly discourage
13 the use of cigarettes and tobacco products and shall be
14 integrated with school-based, clinical, and other community-
15 based programs designed to maximize the impact of the message.
16 Activities included in the educational program shall include
17 but are not limited to all of the following:

18 a. Special events and promotions to engage local media and
19 reinforce school and community programs.

20 b. Strategic media efforts that integrate local media
21 advocacy, advertising, and other efforts to reduce or replace
22 cigarette and tobacco products industry sponsorships and
23 promotions.

24 c. Use of statewide television, radio, print, and other
25 types of media.

26 4. Develop a program for the enforcement of laws and rules
27 that restrict access of persons under eighteen years of age to
28 cigarettes and tobacco products and which reduce exposure to
29 environmental smoke. Enforcement efforts shall include but
30 are not limited to all of the following:

31 a. Funding of local enforcement of cigarette-related and
32 tobacco-products-related laws, with emphasis on the use of
33 local or regional law enforcement officials dedicated
34 exclusively to such enforcement and control.

35 b. The establishment of a cigarette and tobacco products

1 control unit within the Iowa department of public health with
2 jurisdiction over coordination of local enforcement efforts
3 across the state as well as direct authority to investigate
4 and prosecute noncompliance as necessary to supplement local
5 efforts.

6 Sec. 3. NEW SECTION. 453A.59 FUNDING FOR COMMISSION AND
7 PROGRAMS.

8 The commission and programs established in sections 453A.57
9 and 453A.58 shall be funded by appropriations from the tobacco
10 settlement fund created pursuant to section 12.65.

11 Sec. 4. Section 12.65, Code 1999, is amended to read as
12 follows:

13 12.65 TOBACCO SETTLEMENT FUND.

14 A tobacco settlement fund is created in the office of the
15 treasurer of state. After payment of litigation costs, the
16 state portion of any moneys paid to the state by tobacco
17 companies in settlement of the state's lawsuit for recovery of
18 public expenditures associated with tobacco use shall be
19 deposited in the tobacco settlement fund. Moneys deposited in
20 the fund shall be used only as provided in appropriations from
21 the fund to-the-department-of-human-services-for-the-medical
22 assistance-program-and-to-the-Iowa-department-of-public-health
23 for-programs-to-reduce-smoking-by-teenage-youth. For purposes
24 of this section, "litigation costs" are those costs itemized
25 by the attorney general and submitted to and approved by the
26 general assembly.

27

EXPLANATION

28 This bill creates a cigarette and tobacco products control
29 advisory commission within the Iowa department of public
30 health. The members of the commission are to be appointed by
31 the director of public health and membership is not to exceed
32 nine members. The commission is charged with developing a
33 comprehensive program which includes coordination of programs
34 and efforts, the compiling and provision of information to the
35 public, conducting of research, and establishment of a

1 sustained educational campaign designed to discourage youth
2 smoking, to promote cessation efforts and to enhance the
3 understanding of the effects of smoking. The bill also
4 provides for development of enforcement programs including
5 funding of local or regional law enforcement activities. The
6 bill provides for appropriation of the moneys in the tobacco
7 settlement fund to carry out the provisions of the bill.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35