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SENATE FILE 2128  
BY DVORSKY, BLACK, BOLKCOM, CONNOLLY,  
DEARDEN, DELUHERY, FINK, FLYNN,  
FRAISE, GRONSTAL, HARPER, JUDGE,  
KIBBIE, McCOY, SHEARER, SOUKUP,  
and SZYMONIAK

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to and making appropriations from the tobacco  
2 settlement fund to the Iowa department of public health for  
3 the development of an environmental epidemiology program, and  
4 providing an effective date and providing for retroactive  
5 applicability.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2128  
APPROPRIATIONS

1 Section 1. TOBACCO SETTLEMENT FUND -- APPROPRIATION TO THE  
2 IOWA DEPARTMENT OF PUBLIC HEALTH. There is appropriated from  
3 the tobacco settlement fund created in section 12.65 to the  
4 Iowa department of public health for the fiscal year beginning  
5 July 1, 2000, and ending June 30, 2001, the following amount,  
6 or so much thereof as is necessary, to be used for the purpose  
7 designated:

8 For the development of an environmental epidemiology  
9 program to increase the state's capacity to assess and respond  
10 to environmental health issues:

11 ..... \$ 503,457

12 Sec. 2. Section 12.65, Code 1999, is amended to read as  
13 follows:

14 12.65 TOBACCO SETTLEMENT FUND.

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

28 2. On June 30, 2001, the balance remaining in the tobacco  
29 settlement fund shall be transferred to the general fund of  
30 the state. Beginning July 1, 2001, the tobacco settlement  
31 fund shall be considered part of the general fund of the  
32 state. However, the state portion of the moneys received  
33 shall only be appropriated for health care-related programs.

34 Sec. 3. EFFECTIVE DATE. The section in this Act amending  
35 section 12.65, being deemed of immediate importance, takes

1 effect upon enactment and is retroactively applicable to July  
2 1, 1999.

3 EXPLANATION

4 This bill relates to the tobacco settlement fund, makes an  
5 appropriation from the fund to the Iowa department of public  
6 health, and provides conforming provisions relating to the  
7 expenditure of the funds.

8 The bill appropriates \$503,457 to the Iowa department of  
9 public health for the development of an environmental  
10 epidemiology program to increase the state capacity to assess  
11 and respond to environmental health issues.

12 The bill also amends codified provisions relating to the  
13 tobacco settlement fund and to the provisions of the bill.

14 The bill amends Code section 12.65, the tobacco settlement  
15 fund, to provide that moneys deposited in the fund shall be  
16 used only as provided in appropriations from the fund and for  
17 health care-related programs. The amendment to the section  
18 also provides that litigation costs, which are to be paid  
19 prior to deposit of moneys in the fund, are to be submitted to  
20 and approved by the executive council, which as provided in  
21 Code section 7D.1 includes the governor, secretary of state,  
22 auditor of state, treasurer of state, and the secretary of  
23 agriculture. The bill also amends Code section 12.65 to  
24 provide that the balance remaining in the tobacco settlement  
25 fund shall be transferred to the general fund of the state.  
26 Additionally, beginning July 1, 2001, the tobacco settlement  
27 fund is to be considered part of the general fund of the  
28 state. However, the state portion of the tobacco settlement  
29 funds are to continue to only be appropriated for health care-  
30 related programs. Code section 12.65 as amended in the bill  
31 is effective upon enactment and is retroactively applicable to  
32 July 1, 1999.

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