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CHAMBER ACTION

Senate

House

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Floor: 1/AD/2R
4/16/2008 12:15 PM

1 Senator Peaden moved the following **amendment**:

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3 **Senate Amendment (with title amendment)**

4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Paragraph (i) of subsection (3) and subsection
7 (6) of section 381.84, Florida Statutes, are amended to read:

8 381.84 Comprehensive Statewide Tobacco Education and Use
9 Prevention Program.--

10 (3) PROGRAM COMPONENTS AND REQUIREMENTS.--The department
11 shall conduct a comprehensive, statewide tobacco education and
12 use prevention program consistent with the recommendations for
13 effective program components contained in the 1999 Best Practices
14 for Comprehensive Tobacco Control Programs of the CDC, as amended
15 by the CDC. The program shall include the following components,
16 each of which shall focus on educating people, particularly youth



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17 and their parents, about the health hazards of tobacco and
18 discouraging the use of tobacco:

19 (i) AHEC smoking-cessation initiative.--~~For the 2007-2008~~
20 ~~and 2008-2009 fiscal years only,~~ The AHEC network shall expand
21 the AHEC smoking-cessation initiative to each county within the
22 state and perform other activities as determined by the
23 department.

24 (6) CONTRACT REQUIREMENTS.--Contracts or grants for the
25 program components or subcomponents described in paragraphs
26 (3) (a)-(f) shall be awarded by the State Surgeon General, after
27 consultation with the council, on the basis of merit, as
28 determined by an open, competitive, peer-reviewed process that
29 ensures objectivity, consistency, and high quality. The
30 department shall award such grants or contracts no later than
31 October 1 for each fiscal year. A recipient of a contract or
32 grant for the program component described in paragraph (3) (c) is
33 not eligible for a contract or grant award for any other program
34 component described in subsection (3) in the same state fiscal
35 year. A school or college of medicine that is represented on the
36 council is not eligible to receive a contract or grant under this
37 section. ~~For the 2007-2008 and 2008-2009 fiscal years only,~~ The
38 department shall award a contract or grant in the amount of \$11
39 ~~\$10~~ million to the AHEC network for the purpose of developing the
40 components described in paragraph (3) (i). ~~The AHEC network may~~
41 ~~apply for a competitive contract or grant after the 2008-2009~~
42 ~~fiscal year.~~

43 (a) In order to ensure that all proposals for funding are
44 appropriate and are evaluated fairly on the basis of merit, the
45 State Surgeon General, in consultation with the council, shall
46 appoint a peer review panel of independent, qualified experts in



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47 | the field of tobacco control to review the content of each
48 | proposal and establish its priority score. The priority scores
49 | shall be forwarded to the council and must be considered in
50 | determining which proposals will be recommended for funding.

51 | (b) The council and the peer review panel shall establish
52 | and follow rigorous guidelines for ethical conduct and adhere to
53 | a strict policy with regard to conflicts of interest. A member of
54 | the council or panel may not participate in any discussion or
55 | decision with respect to a research proposal by any firm, entity,
56 | or agency with which the member is associated as a member of the
57 | governing body or as an employee or with which the member has
58 | entered into a contractual arrangement. Meetings of the council
59 | and the peer review panels are subject to chapter 119, s.
60 | 286.011, and s. 24, Art. I of the State Constitution.

61 | (c) In each contract or grant agreement, the department
62 | shall limit the use of food and promotional items to no more than
63 | 2.5 percent of the total amount of the contract or grant and
64 | limit overhead or indirect costs to no more than 7.5 percent of
65 | the total amount of the contract or grant. The department, in
66 | consultation with the Department of Financial Services, shall
67 | publish guidelines for appropriate food and promotional items.

68 | (d) In each advertising contract, the department shall
69 | limit the total of production fees, buyer commissions, and
70 | related costs to no more than 10 percent of the total contract
71 | amount.

72 | (e) Notwithstanding the competitive process for contracts
73 | prescribed in this subsection, each county health department is
74 | eligible for core funding, on a per capita basis, to implement
75 | tobacco education and use prevention activities within that
76 | county.



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77 Section 2. This act shall take effect July 1, 2008.

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79 ===== T I T L E A M E N D M E N T =====

80 And the title is amended as follows:

81 Delete everything before the enacting clause
82 and insert:

83 A bill to be entitled

84 An act relating to the Comprehensive Statewide Tobacco
85 Education and Use Prevention Program; amending s. 381.84,
86 F.S.; deleting a provision limiting to specified fiscal
87 years the applicability of requirements that the area
88 health education center network expand the AHEC smoking-
89 cessation initiative to each county within the state and
90 perform certain other activities; deleting a provision
91 limiting to specified fiscal years the applicability of a
92 requirement that the Department of Health award a contract
93 or grant to the AHEC network for certain purposes;
94 revising the annual appropriation for the AHEC network;
95 deleting a provision authorizing the network to apply for
96 a competitive contract or grant after a specified fiscal
97 year; providing an effective date.