Resolution 12-10

Proposed No. 12-10.1

A RESOLUTION calling on the Washington state Legislature to restore local control of retail tobacco sales and promotion.

WHEREAS, tobacco use is the most preventable cause of premature death, disability and disease in the United States, and

WHEREAS, annually, an estimated four hundred forty-three thousand people nationwide, seven thousand six hundred people in Washington state and one thousand eight hundred people in King County die prematurely from smoking or exposure to secondhand smoke, and

WHEREAS, Washington's Youth Access Law preempts local governments from adopting or enforcing regulations related to retail tobacco sales and promotion, and

WHEREAS, local governments have the right and responsibility to adopt laws that protect the health and safety of their citizens, and

WHEREAS, the needs of a specific community may be different from those of the state as a whole. Local policymakers live in the communities in which they serve, so they can be more responsive to public sentiment, and

WHEREAS, since implementation of the state's comprehensive Tobacco Prevention and Control Program, youth cigarette smoking declined dramatically from
1999 to 2004. In recent years, reductions in smoking rates have stalled despite media campaigns and price increases, and

WHEREAS, the Washington state Legislature eliminated all funding for the state's comprehensive Tobacco Prevention and Control Program, effective July 2011. As a result of this dramatic funding cut, the state no longer funds anti-tobacco media campaigns or local tobacco prevention and cessation programs in schools or through local governments and community organizations. The power to create tobacco prevention policy at the local level has the potential to reduce the risk that smoking rates increase as they have in other states after comprehensive programs disappear, and

WHEREAS, rates of youth smoking in Washington state are unacceptably high: about thirteen percent of 10th graders smoke cigarettes and fifty children start smoking every day, and

WHEREAS, tobacco companies spend an estimated $122.5 million each year to market products in Washington state and have recently introduced tobacco products that appeal to children because of their fruit and candy flavoring and colorful packaging, and

WHEREAS, more than fifteen thousand King County middle and high school students, including one in four 12th graders, used cigarettes or other tobacco products in the past month, and

WHEREAS, the tobacco epidemic in Washington state has different characteristics in different locations. A one-size-fits-all approach may not work in all cases, so communities need the ability to adopt approaches that work for their populations, and
WHEREAS, state laws that preempt local regulation of tobacco sales prevent local governments from enacting local laws that are tailored to meet the needs of their communities and have a devastating effect on tobacco control efforts and on the public health of the state's residents and workers, and

WHEREAS, Congress has recognized the vital role that states and localities play in restricting youth access to tobacco products, and in June 2009 enacted legislation expressly permitting states and localities to regulate cigarette advertising and promotions, and

WHEREAS, the U.S. Department of Health and Human Services made the elimination of state laws that preempt stronger tobacco control laws a national goal in Healthy People 2020, and

WHEREAS, national organizations, such as American Cancer Society, American Heart Association, American Lung Association, American Public Health Association, Americans for Non-Smoker's Rights, Campaign for Tobacco Free Kids, Centers for Disease Control and Prevention, National Association of County and City Health Officials and National Association of Local Boards of Health, oppose state preemption of local tobacco control laws;

NOW, THEREFORE, BE IT RESOLVED that the Board of Health of King County:

A. The Board of Health calls upon the Washington state Legislature to repeal preemption in the state's youth access to tobacco law, chapter 70.155 RCW, and restore the right of local governments to enact and enforce tobacco-related laws.
B. The Board of Health of King County strongly encourages other local boards of health in Washington to adopt similar resolutions.

Resolution 12-10 was introduced on and passed by the Board of Health on 9/20/2012, by the following vote:

Yes: 12 - Ms. Cooke, Mr. Conlin, Ms. Patterson, Ms. Lambert, Mr. Licata, Ms. Clark, Dr. Nicola, Dr. Danielson and Mr. McDermott
No: 0
Excused: 1 - Ms. Frisinger

BOARD OF HEALTH
KING COUNTY, WASHINGTON

[Signature]
Joe McDermott, Chair

ATTEST:

Anne Noris, Clerk of the Board

Attachments: None