

SENATE BILL REPORT

SB 6420

As Reported By Senate Committee On:
Health & Long-Term Care, February 2, 2000

Title: An act relating to regulation of tobacco products.

Brief Description: Allowing local regulation of indoor smoking.

Sponsors: Senators Spanel, Thibaudeau, Gardner and Kohl-Welles.

Brief History:

Committee Activity: Health & Long-Term Care: 1/27/2000, 2/2/2000 [DPS].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 6420 be substituted therefor, and the substitute bill do pass.

Signed by Senators Thibaudeau, Chair; Wojahn, Vice Chair; Costa and Franklin.

Staff: Jinnah Rose-McFadden (786-7444)

Background: The Clean Indoor Air Act regulates indoor smoking. Currently, provisions in the act allow restaurants and bars to provide smoking areas within their establishments.

Local health and fire departments are authorized to promulgate regulations that enforce the act. However, there is no explicit grant of authority to local entities to promulgate regulations that are more restrictive than those set forth in the act.

Summary of Substitute Bill: Cities, towns, and counties are granted authority to adopt ordinances that regulate indoor smoking in public places more restrictively than the Clean Indoor Air Act permits.

Substitute Bill Compared to Original Bill: The substitute bill clarifies that only local governments may adopt such ordinances.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is an issue of local control. Local municipalities and cities want the ability to strengthen indoor smoking regulations locally, including the ability to prohibit smoking in bars and restaurants.

This is a health and safety concern. By allowing a local government to regulate smoking within its jurisdiction, the local government is able to protect the health and safety concerns of local communities.

There are a number of new studies linking environmental tobacco smoke to SIDS, heart disease, and cancers. A recent study completed in California shows that approximately 1000 people die each year due to second hand smoke inhalation.

Three states have banned smoking in all public places, including restaurants and bars. In each of these states, there has been no negative economic impact on the tourism industry.

Testimony Against: This bill would allow local governments to prohibit smoking in restaurants and bars. The economic impact of a total smoking prohibition is of great significance to restaurant and bar owners.

This bill allows each city to adopt its own rules. This could create confusion for people who own restaurants in various locations. In addition, this bill seems unnecessary. Restaurants have taken the lead in self-regulating this issue. Over the past two years, smoke free establishments have increased by 10 percent.

Testified: PRO: Senator Spanel, prime sponsor; Representative Ruderman; Councilman Greg Nickels; Willa Fisher, Public Health; Paul Zemman, Seattle/King County Department of Public Health; Matthew Barry; Nick Frederici, Lung Association; CON: Bill Tacket; Michael Transue, Restaurant Association; Vito Chiechi, Recreational Gaming Association.