

SENATE BILL REPORT

SB 6457

As Reported By Senate Committee On:
Health & Long-Term Care, January 31, 1996

Title: An act relating to regulation and control of tobacco products.

Brief Description: Providing for regulation and control of tobacco products.

Sponsors: Senators Quigley, McAuliffe, Moyer, Oke, Pelz, Long, Heavey and Kohl; by request of Governor Lowry.

Brief History:

Committee Activity: Health & Long-Term Care: 1/30/96, 1/31/96 [DPS].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 6457 be substituted therefor, and the substitute bill do pass.

Signed by Senators Quigley, Chair; Fairley, Franklin, Moyer and Thibaudeau.

Staff: Don Sloma (786-7319)

Background: The Journal of the American Medical Association reports that in 1990, 19 percent of all deaths or 400,000 deaths were attributable to use of tobacco products. Studies indicate that on average, tobacco use shortens life by 12 to 15 years from various lung diseases, cancer, cardiovascular illnesses, infant deaths and more.

At present, eight out of 10 smokers start before age 18. One third of them will die from tobacco related illnesses. Yet smoking by children is on the rise.

Despite young people's intentions to quit, (only one in 20 high school smokers said they would be smoking five years later), nearly three out of four were smoking seven to nine years later.

Under current law, youth under 18 may not purchase tobacco products. However, health advocates report that youth do obtain tobacco products via mail order purchases, tobacco samples, and through the illegal purchase of individual cigarettes, packs and more. Also, those who sell only chewing tobacco are not licensed by the state. Some speculate that this may be another source of tobacco access for minors.

Finally, health advocates believe that advertising is an important factor creating demand among youth for tobacco. If there is a public policy outlawing tobacco use by minors, they question whether the state should allow tobacco advertising in state financed schools or sports facilities where young people congregate.

Summary of Substitute Bill: Tobacco products regulated under state law are expanded to include chewing tobacco. Mail order sales of cigarettes and chewing tobacco are prohibited. The sale of cigarettes in packs of less than 20 is prohibited. The business of sampling cigarettes or tobacco products is prohibited.

Cigarette and tobacco product advertising on posters, billboards or other displays is prohibited in state owned or state funded locations.

Penalties for tobacco related infractions are modified to provide ranges where single penalties must be given now. Current penalties define the lower end of the ranges.

Substitute Bill Compared to Original Bill: A prohibition on mail order sales of all tobacco products contained in the original bill is narrowed in the substitute to include only cigarettes and chewing tobacco. The original bill's prohibition on all tobacco product advertising in state-owned or state-funded locations is narrowed. Several references to the authority of the Liquor Control Board to regulate and penalize are narrowed.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Tobacco use is the number one cause of death in the United States. Eight out of ten people who smoke started by age 18. We must take more aggressive steps to stop teen smoking.

Testimony Against: Current laws are adequate. Smoking is illegal for those under 18. These measures will limit the supply of tobacco to adults and harass store owners. They will not be effective.

Testified: Mary McKnew, Governor's office (pro); Dr. Stephen Albrecht, WA Academy of Family Physicians/WSMA (pro); Nick Federici, WSNA (pro); Dr. Mimi Fields, DOH (pro); Ken Stark, DASA/DSHS (pro); Gary Gilbert, Mr. Raeburn, LCB (pro); Stu Halsan, Smokeless Tobacco Council (con); Mickey Beadle, Western Auto Racing Assn/Evergreen Speedway (con); Tom Glithero, Evergreen Speedway (con); Tim Delaney (pro); Joe Daniels Direct Marketing Assn. (con); Willa Fisher, WA State Assn. of Local Public Health Officials (pro); Dr. M. Ward Hinds (pro); Carl Nelson, WSMA (pro); Rochelle Hughes, American Heart/Lung Assn. (pro); David Allen, Dave Harrelson, American Cancer Society (pro); Jeff Cox, WA Retail Assn. (con); T.K. Beutler, WA Assn. of Neighborhood Stores (con); Bill Fritz, Tobacco Institute (con); Bill Van Horn, FANS (pro).