
SUBSTITUTE SENATE BILL 5516

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau, Deccio, Eide, Goings, Winsley, McAuliffe, Kohl-Welles and Oke)

Read first time 02/19/1999.

1 AN ACT Relating to creation of the tobacco prevention and control
2 program; adding a new section to chapter 43.79 RCW; and adding a new
3 section to chapter 43.70 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.79 RCW
6 to read as follows:

7 (1) The tobacco prevention and control program is created within
8 the department of health and shall be administered in consultation with
9 the tobacco prevention and control advisory board created in section 2
10 of this act.

11 (2) The tobacco prevention and control program shall design and
12 implement public health projects relating to tobacco, including but not
13 limited to enforcing prohibitions on tobacco sales to minors,
14 countermarketing and advertising efforts relating to tobacco.

15 The department in consultation with the tobacco prevention and
16 control advisory board shall develop a sustainable, long-term,
17 comprehensive tobacco control program that integrates public education,
18 community-based programs, treatment of tobacco addiction, school-based

1 programs, and enforcement of laws prohibiting illegal sales of
2 cigarettes, with a mechanism for ongoing monitoring and evaluation.

3 The department shall develop an inventory of current state,
4 federally funded and other national programs which address substance
5 abuse in youth under age eighteen in school-based and community
6 programs, with the goal of designing a state-wide tobacco prevention
7 and control program that builds on and does not duplicate current
8 programs.

9 The department shall develop a plan that uses and enhances the
10 state's public health system, community programs, and community
11 coalitions along with schools, health care providers, and the private
12 sector to implement the state's tobacco control program. Funding for
13 school health services shall be included to address behavioral health
14 in youth.

15 The department shall review research into tobacco control programs
16 in other states and in the private sector which have had success rates
17 comparable to the smoking reduction goals developed by the department.
18 The department shall pursue information from the files of the tobacco
19 companies named in the master settlement.

20 The plan authorized under this section and section 2 of this act
21 shall include long-term outcome measures including but not limited to:
22 Reducing overall smoking prevalence; reducing cigarette smoking by
23 children and youth; increasing smoking cessation during pregnancy;
24 reducing smokeless tobacco by youth ages twelve through twenty-four;
25 establishing tobacco-free environments; and increasing the proportion
26 of smoke-free work sites. All outcome goals will be based on
27 nationally accepted outcome measures in order to compare Washington
28 state success rates with those of other states. The department shall
29 integrate ongoing evaluation and accountability measures into the plan.

30 The department shall plan for increasing access to smoking
31 cessation programs, especially for high risk populations including but
32 not limited to pregnant women and adolescents.

33 The department shall develop a plan for reducing access to tobacco
34 products. The department and the department of revenue shall consult
35 on ways to use funds to create economic incentives for Indian tribes to
36 reduce the sales of cigarettes from Indian reservations. The
37 department of revenue shall develop a plan in consultation with tribal
38 governments to develop compacts allowing for the collection of state

1 taxes on tribal cigarettes and for preventing the sale of cigarettes to
2 minors.

3 The department shall report back to the legislature by December 1,
4 1999, on the initial phase of the tobacco control plan with projected
5 expenditures through June 30, 2001. The department shall report back
6 to the legislature on September 30, 2000, with the long-range plan for
7 tobacco prevention and cessation in Washington state.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.70 RCW
9 to read as follows:

10 There is hereby created the tobacco prevention and control advisory
11 board to advise and assist the secretary of the department of health in
12 developing, selecting, and evaluating strategies for the tobacco
13 prevention and control efforts that are administered by the tobacco
14 prevention and control program. The board shall consist of eighteen
15 members designated or appointed as provided in this section.

16 (1) The attorney general or the attorney general's designee.

17 (2) Two members of the senate, designated by the president of the
18 senate.

19 (3) Two members of the house of representatives, designated by the
20 speaker of the house of representatives.

21 (4) One member of the governor's policy staff, designated by the
22 governor.

23 (5) Two members representing populations at risk for tobacco use,
24 appointed by the governor. The initial term of appointment for one
25 member is two years and for the other member, three years.

26 Two members representing youth under age eighteen, appointed by the
27 governor. The initial term of appointment for one member is two years
28 and for the other member, three years.

29 (6) Three representatives of nongovernmental voluntary tobacco
30 control organizations, appointed by the governor. The initial term of
31 appointment for two members is two years and for the remaining member,
32 three years.

33 (7) One tribal representative, appointed by the governor. The
34 initial term of appointment is two years.

35 (8) Two members of the local public health community, appointed by
36 the secretary of the department of health. The initial term of
37 appointment for one member is two years and for the second member,
38 three years.

1 (9) The secretary of the department of health or the secretary's
2 designee.

3 (10) The superintendent of public instruction or the
4 superintendent's designee.

5 Any appointed member of the board remains a board member until his
6 or her successor is appointed. Appointed members of the board may be
7 reappointed for additional terms. Appointments for vacancies are made
8 for the unexpired term, in the same manner as the original appointment.
9 After the term of initial appointment, the term of appointed members of
10 the board is three years. Any appointed member of the board may be
11 removed for cause by the authority appointing that member.

12 The attorney general or the attorney general's designee shall serve
13 as chair of the board for an initial two-year term. Thereafter, the
14 board shall select a chair from among its members. The board shall
15 adopt procedures for conducting its affairs and accomplishing its
16 duties. Necessary administrative support for the board shall be
17 provided by the department of health.

18 Members of the board who are state officers or employees shall
19 serve without additional compensation or reimbursement for expenses.
20 Such members shall be compensated and reimbursed for expenses by their
21 employer and according to their regular position or employment.
22 Members of the board who are not state officers or employees shall be
23 reimbursed for expenses as provided in RCW 43.03.220.

24 NEW SECTION. **Sec. 3.** If any provision of this act or its
25 application to any person or circumstance is held invalid, the
26 remainder of the act or the application of the provision to other
27 persons or circumstances is not affected.

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