

# HOUSE BILL REPORT

## ESB 6356

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As Reported By House Committee On:  
Health Care

**Title:** An act relating to cigarette machine locations.

**Brief Description:** Providing an exception to the requirement that cigarette machines be located fully within premises from which minors are prohibited.

**Sponsors:** Senator Quigley.

**Brief History:**

Reported by House Committee on:  
Health Care, February 22, 1994, DPA.

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** Do pass as amended. Signed by 15 members: Representatives Dellwo, Chair; L. Johnson, Vice Chair; Dyer, Ranking Minority Member; Ballasiotes, Assistant Ranking Minority Member; Backlund; Conway; Cooke; Flemming; R. Johnson; Lemmon; Lisk; Mastin; Morris; Thibaudeau and Veloria.

**Staff:** Bill Hagens (786-7131).

**Background:** Present law [RCW 70.55.030--HB 2071 (1993)] makes it illegal to sell or permit to be sold any tobacco product through vending machines unless the device is located within premises from which minors are prohibited or in industrial worksites where minors are not employed and not less than 10 feet from all entrance or exit ways.

Proponents of this measure say that this requirement is not working in certain small establishments.

**Summary of Amended Bill:** The state liquor board is required to adopt rules that allow an exception to the requirement that a device be located not less than 10 feet from all entrance or exit ways to and from a premise if it is architecturally impractical for the device to be located not less than 10 feet from all entrance and exit ways.

**Amended Bill Compared to Engrossed Bill:** The provision granting an exemption if the device is fully visible at all times to the employee or employees within the premises who

exercise control over the device is deleted. The provision stating that no application to the liquor board is necessary for this exemption is deleted.

**Fiscal Note:** Not requested.

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

**Testimony For:** Greater flexibility is needed in small establishments.

**Testimony Against:** Exemptions should not be made because it would be the thin edge in relaxing laws that are aimed at limiting minors' access to tobacco.

**Witnesses:** Jo Wadsworth, Department of Health; and Carter Mitchell, Liquor Control Board.