

SENATE BILL REPORT

ESB 6356

AS PASSED SENATE, FEBRUARY 11, 1994

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

SPONSORS: Senator Quigley

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

Majority Report: Do pass as amended.

Signed by Senators Talmadge, Chairman; Wojahn, Vice Chairman; Erwin, Franklin, Fraser, Hargrove, McAuliffe, McDonald, Moyer, Niemi, Prentice, Quigley, L. Smith and Winsley.

Staff: Richard Rodger (786-7461)

Hearing Dates: February 3, 1994; February 4, 1994

HOUSE COMMITTEE ON HEALTH CARE

BACKGROUND:

The 1993 Legislature regulated the sale of tobacco products through the use of vending machines. Tobacco vending machines are prohibited unless they are located in premises from which minors are prohibited, or in industrial work sites where minors are not employed. In either case, the vending machine cannot be located within ten feet from an entrance or exit of the premise.

It has been suggested that the ten foot rule has created a hardship on some businesses.

SUMMARY:

A tobacco vending machine may be located within ten feet of an entrance or exit under the following conditions: (1) if the machine is visible from outside the premises, the employees who exercise control over it can see the machine at all times; and (2) it is physically impractical to locate the machine more than ten feet from the entrance or exit.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

This bill will help small taverns and lounges lacking enough space to meet the requirements of the 10 foot rule for placement of vending machines.

TESTIMONY AGAINST:

This section should be repealed and the criteria for placement of vending machines should be established by administrative rule.

TESTIFIED: Sue Mercer, D.O., physician; Dennis Biggs, M.D., Tobacco Free Washington (pro); O.K. Johnson, WA Amusement Operators Assn.; David Brenna, DSHS/DASA (con); Jo Wadsworth, DOH (con); Gary McClenaghan, WA State Licensed Beverage Assn. (pro)

HOUSE AMENDMENT(S):

The Liquor Control Board shall adopt rules that allow an exception to the 10 foot rule.