

# SENATE BILL REPORT

## ESSB 5516

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*As Passed Senate, March 5, 1999*

**Title:** An act relating to creation of the tobacco prevention and control program.

**Brief Description:** Creating the tobacco prevention and control program.

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

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 2/3/99, 2/17/99 [DPS].  
Passed Senate, 3/5/99, 45-0.

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** That Substitute Senate Bill No. 5516 be substituted therefor, and the substitute bill do pass.

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

**Staff:** Rhoda Jones (786-7198)

**Background:** Tobacco prevention and control programs administered by the Department of Health are directed at youth, and at building community coalitions at the local level to combat tobacco use. The department's Youth Tobacco Prevention Program receives funding from both state and federal sources. An account created by statute dedicates tobacco retail license fees to the program. Funding is distributed to the Liquor Control Board for enforcement of youth tobacco access laws, and the remainder is granted directly to local health jurisdictions to conduct prevention activities. The annual budget of the dedicated account is \$900,000.

Project ASSIST, which provides money for local tobacco prevention coalitions, is funded by the National Cancer Institute. Funding for the current year is \$1.368 million.

In November 1998, Washington State joined a national settlement of litigation against the major tobacco companies. The litigation sought reimbursement for state expenditures for tobacco-related illnesses, as well as damages for violation of state consumer protection and anti-trust laws. As part of the settlement, states will be receiving compensation from the participating tobacco companies. It is estimated that Washington State will receive \$4 billion over 25 years.

Unless otherwise directed by the Legislature, the moneys will be deposited in the state general fund. Expenditures from the general fund are subject to the state expenditure limit under Initiative 601.

The Attorney General and the Governor have proposed legislation that would set up a tobacco settlement account in the state treasury to receive funds from the settlement. The legislation authorizes funds from that account to be transferred only to the health services account and to a tobacco prevention and control account.

**Summary of Bill:** A Tobacco Prevention and Control Program is created within the Department of Health. The program is administered in consultation with a Tobacco Prevention and Control Advisory Board consisting of 18 members including: the Attorney General, two members from the House of Representatives and two members from Senate, one member from the Governor's policy staff, two members representing populations at risk for tobacco use, three members of a non-governmental tobacco control group, a tribal representative, two members under age 18, two members from the local public health community, one representative from the Department of Health and a designee from the Office of the Superintendent of Public Instruction.

The department must develop a sustainable, long-term, comprehensive tobacco control program that integrates public education, cessation, school and community programs, enforcement measures against illegal tobacco sales and a mechanism for on-going monitoring and evaluation.

The department must conduct an inventory of current programs, use the public health system, conduct research on programs elsewhere with high success rates and include long-term outcome measures.

The department must develop a plan to increase access to smoking cessation programs for high-risk groups, including pregnant women and adults.

The department must report back to the Legislature by December 1, 1999, on the initial phase of the plan with projected expenditures through June 30, 2001. A second report is due on September 30, 2000, with long range plan and expenditures for tobacco control.

The Tobacco Prevention and Control Advisory Board is directed to assist the secretary in developing, selecting and evaluating strategies for tobacco prevention and control efforts that are administered by the program.

The Attorney General or designee serves as chair of the board for the initial two-year term. Thereafter the board selects a chair from among its members.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The Tobacco Control Program authorized under this act is a unique opportunity to permanently reverse the tobacco culture in this state.

**Testimony Against:** None.

**Testified:** PRO (Original Bill): Mary Selecky, DOH; Christine Gregoire, AGO; Sue Crystal, OFM; Robert Jaffee, WSMA.