
ENGROSSED 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 health in youth.

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

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

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

32 The department shall report back to the legislature by December 1,
33 1999, on the initial phase of the tobacco control plan with projected
34 expenditures through June 30, 2001. The department shall report back
35 to the legislature on September 30, 2000, with the long-range plan for
36 tobacco prevention and cessation in Washington state.

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

1 There is hereby created the tobacco prevention and control advisory
2 board to advise and assist the secretary of the department of health in
3 developing, selecting, and evaluating strategies for the tobacco
4 prevention and control efforts that are administered by the tobacco
5 prevention and control program. The board shall consist of eighteen
6 members designated or appointed as provided in this section.

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

8 (2) Two members of the senate, designated by the president of the
9 senate.

10 (3) Two members of the house of representatives, designated by the
11 speaker of the house of representatives.

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

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

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

20 (6) Three representatives of nongovernmental voluntary tobacco
21 control organizations, appointed by the governor. The initial term of
22 appointment for two members is two years and for the remaining member,
23 three years.

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

26 (8) Two members of the local public health community, appointed by
27 the secretary of the department of health. The initial term of
28 appointment for one member is two years and for the second member,
29 three years.

30 (9) The secretary of the department of health or the secretary's
31 designee.

32 (10) The superintendent of public instruction or the
33 superintendent's designee.

34 Any appointed member of the board remains a board member until his
35 or her successor is appointed. Appointed members of the board may be
36 reappointed for additional terms. Appointments for vacancies are made
37 for the unexpired term, in the same manner as the original appointment.
38 After the term of initial appointment, the term of appointed members of

1 the board is three years. Any appointed member of the board may be
2 removed for cause by the authority appointing that member.

3 The attorney general or the attorney general's designee shall serve
4 as chair of the board for an initial two-year term. Thereafter, the
5 board shall select a chair from among its members. The board shall
6 adopt procedures for conducting its affairs and accomplishing its
7 duties. Necessary administrative support for the board shall be
8 provided by the department of health.

9 Members of the board who are state officers or employees shall
10 serve without additional compensation or reimbursement for expenses.
11 Such members shall be compensated and reimbursed for expenses by their
12 employer and according to their regular position or employment.
13 Members of the board who are not state officers or employees shall be
14 reimbursed for expenses as provided in RCW 43.03.220.

15 NEW SECTION. **Sec. 3.** If any provision of this act or its
16 application to any person or circumstance is held invalid, the
17 remainder of the act or the application of the provision to other
18 persons or circumstances is not affected.

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