

# CAMPAIGN CHRONICLES

No. 15 Spring 2005

Produced by

**The CENTER** FOR TOBACCO POLICY & ORGANIZING

A NEWSLETTER FOR COMMUNITIES  
WORKING ON TOBACCO CONTROL POLICIES

 **AMERICAN LUNG ASSOCIATION.**  
of California  
[www.californialung.org/thecenter](http://www.californialung.org/thecenter)

## CAPITOL ACTION DAY

**Y**ou're invited to a Capital Action Day! This year, the American Lung Association of California's Center for Tobacco Policy & Organizing together with the California Department of Health Services, Tobacco Control Section (TCS) will host the first annual Legislative Tobacco Information & Education Day.

This is a wonderful opportunity to educate lawmakers about the importance of your local tobacco control program and the tobacco control issues impacting your (and their) community. While we have had many successes in tobacco control, legislators need to hear from you that there are many challenges still remaining.

The Priority Populations have held successful legislative visits in Sacramento for many years. This is the first time that this opportunity is opened up to all Prop 99 funded groups. These visits are an important first step for you in building a strong, ongoing relationship with your elected state officials. In addition, there will be both beginners and advanced training sessions on educating elected officials, a skill that can be used back home with city council members and county supervisors.

The Center staff will be scheduling meetings with your legislator. All you need to do is show up! We hope that either you or representatives from your local area projects can join us for this powerful day of visits!

The Capitol Action events begin the afternoon of April 18<sup>th</sup> at the Sheraton Grand in Sacramento and legislative meetings are scheduled for April 19<sup>th</sup>. You can still register at [www.cce.csus.edu/conferences](http://www.cce.csus.edu/conferences).

## Los Angeles Conference on Smoke-Free Choice in Multi-Unit Housing

*By Jack Nicholl, Campaign Consultant*

**T**he nation's first conference on smoke-free choice in multi-unit housing will convene at the Davidson Conference Center, University of Southern California (3415 S. Figueroa St., LA) on April 14 at 9:30 AM.

The conference is aimed at answering the questions and concerns of city council members, city managers, city attorneys, housing department staff, lenders, insurance agents, affordable and market rate multi-unit housing developers and others about smoke free housing. The conference sponsors have brought together speakers from the housing industry who have experience answering legal, financial and

■ See Housing, page 2

### Center Changes

Sadly, The Center must say goodbye to two of our staff members, Project Director, Brian Peterson, and Policy Coordinator, Julie Bradley-Hart. Brian has become Editor-in-chief of Videomaker Magazine. Julie and her husband have moved to Washington State to be closer to their families. The Center wishes them all the best. In the meantime the Center is still hard at work and you can contact Vanessa Marvin at (916) 442-4299 or [vmarvin@alac.org](mailto:vmarvin@alac.org).

### Legislative Update

*By Julie Bradley-Hart, Policy Coordinator*

Another legislative session is underway and a number of tobacco related bills have been introduced. Brief summaries of some bills of interest to the tobacco control community are provided below.

**AB 17 (Koretz, D - West Hollywood) Smoke-free State Beaches:** AB17 would prohibit smoking on all coastal beaches owned, operated or under the jurisdiction of the state. Violators would

be guilty of an infraction and fined one hundred dollars.

**AB 178 (Koretz, D - West Hollywood) Fire-Safe Cigarettes:** would prohibit the sale, manufacture or distribution of cigarettes in the state that are not fire-safe. Manufacturers would be required to certify that their ciga-

■ See Leg, page 2

## ■ **Housing**, from page 1

operational questions about making apartments smoke free.

Additional information and registration materials can be found by calling (818)363-4220 or at [smokefreeapartments@pacificnet.net](mailto:smokefreeapartments@pacificnet.net).

Hotels and motels have been providing separate smoking and non-smoking accommodations for years with great success. The percentage of non-smoking guest rooms is 65% at US hotels and motels driven by patron demand. Yet despite the preference of 80% of non-tobacco using tenants in California for a totally smoke free building to live in, surveys indicate that residents are reluctant to ask for a non-smoking section since it is not required by policy or law. Many people believe there is a constitutional right to smoke. THERE ISN'T.

This conference will begin to dismantle the wall of resistance, misunderstanding and ignorance about the feasibility and desirability of providing a new amenity in multi-unit housing—a choice for smoke free living.

---

## ■ **Leg**, from page 1

rettes self-extinguish at least 75 percent of the time when tested in accordance can Society of Testing and Materials. The state of New York has a similar law currently in effect.

### **AB 616 (Vargas, D – San Diego)**

**Smoke-free Entryways:** would prohibit smoking in courtyards and patio areas of state, county, city and Community College, California State University, and University of California campus buildings.

### **AB 1612 (Pavley, D – Agoura Hills)**

#### **Cigarette Litter Mitigation Fee:**

would require cigarette manufacturers to pay a fee to offset the costs to state and local governments associated with cigarette litter clean-up and the mitigation of cigarette related pollution as well as costs associated with source reduction measures such as cessation services, public education, outreach, media advertising, and community intervention programs. The amount of the fee is not established in the bill; however, the fee may not exceed the cost of the mitigation. (See related bill SB 942).

### **SB 400 (Kuehl, D – Santa Monica)**

**Tobacco Retail License:** would strengthen the sales to minors provisions of the California Cigarette and Tobacco Products Licensing Act of 2003 (AB 71). Under the current licensing law retailers are only penalized for violating the STAKE Act or PC 308 when the sales to minors rate, as determined by the California Department of Health Services youth purchase survey, is 13 percent or greater. Under SB 400 the 13 percent trigger would be eliminated and the penalty structure would increase as follows:

- From a warning letter and training for a first conviction to a 30-day suspension for the first conviction.
- From fines for the 2<sup>nd</sup> and 3<sup>rd</sup> conviction within 12 months to a 90-day suspension for the 2<sup>nd</sup> violation within 5 years and a 120-day suspension for the 3<sup>rd</sup> violation within 5 years.
- From a 90-day license suspension for the 4<sup>th</sup> through the 7<sup>th</sup> conviction within 12 months and license revocation upon the 8<sup>th</sup> violation within 24 months to a 365-day suspension for a 4<sup>th</sup> conviction within 5 years, and permanent revocation for a 5<sup>th</sup> violation within 5 years.

The bill would also require that state and local law enforcement agencies notify the Board of Equalization of any violation of the state license.

### **SB 564 (Torlakson, D – Antioch)**

**Tobacco Tax:** would impose an additional 50-cent tax on packs of cigarettes sold in California. The revenue collected would be used for research, prevention and treatment of several pediatric diseases, and for various children's health programs. The bill would include a backfill for Proposition 99 and the Breast Cancer Fund.

### **SB 576 (Ortiz, D – Sacramento)**

**Cessation:** Health Insurance Coverage: would require that all health insurance and health care service plans that provide outpatient prescription drug benefits must also provide tobacco cessation services.

### **SB 942 (Chesbro, D – Arcata)**

**Litter Mitigation fee:** would require cigarette manufacturers to pay a fee to offset the costs to state and local governments associated with cigarette litter clean-up and the mitigation of cigarette related pollution as well as costs associated with source reduction measures such as cessation services, public education, outreach, media advertising, and community intervention programs. The amount of the fee is not established in the bill; however, the fee may not exceed the cost of the mitigation. (See related bill AB 1612).

More information about current bills can be found at [www.californialung.org/thecenter](http://www.californialung.org/thecenter).

Contact us: **THE CENTER FOR TOBACCO POLICY & ORGANIZING**  
phone (916)442-4299 - email [thecenter@californialung.org](mailto:thecenter@californialung.org) - web [www.californialung.org/thecenter](http://www.californialung.org/thecenter)  
921 11th Street, Suite 700, Sacramento, CA 95814-2821

