NALBOH Resolution to Restore Local Control
January 2007

Whereas secondhand smoke causes premature death and disease in children and adults who do not smoke; and

Whereas the U.S. Public Health Service’s National Toxicology Program has listed secondhand smoke as a known carcinogen; and

Whereas children exposed to secondhand smoke have an increased risk for sudden infant death syndrome (SIDS), acute respiratory infections, ear problems, and more severe asthma; and

Whereas scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke; and

Whereas millions of Americans are still exposed to secondhand smoke despite substantial progress in tobacco control; and

Whereas the people in local communities have the right to protect themselves against the harmful effects of secondhand smoke; and

Whereas local governments throughout the country have successfully passed smokefree air laws to protect people against the harmful effects of secondhand smoke; and

Whereas the tobacco industry, in an effort to reverse such local legislation, developed its chief legislative strategy to remove local authority to regulate tobacco; and

Whereas preemptive state laws have a devastating effect on tobacco control efforts and on the public health of the states’ residents and workers; and

Whereas the majority of states do not preempt local smokefree air legislation; and

Whereas several states have successfully overturned preemption and restored local control to enact and enforce smokefree air laws; and

Whereas protecting people form the harmful effects of secondhand smoke is best accomplished by local communities working directly with the people most affected by smokefree air laws; and

Whereas local governments should not be deprived of the authority to protect people from the harmful effects of secondhand smoke; and

Therefore be it resolved that the National Association of Local Boards of Health urges local boards of health and state associations to support the repeal of any preemption of local smokefree air and other tobacco-related laws, and restore the right of local governments to enact and enforce smokefree air and other tobacco related laws.

Be it further resolved that the National Association of Local Boards of Health strongly encourages local boards of health to adopt similar resolutions.

Resources:

Americans for Nonsmokers’ Rights Protect Local Control website found at: http://www.protectlocalcontrol.org/