Connecticut Attorney General's Office

Press Release

Attorney General's Statement On Proposal To Allow Municipalities To Ban Smoking In Public Places

February 4, 2002

"The rallyimg cry for this home rule measure is: Free our towns and cities. Free our municipalities to protect their citizens from second-hand smoke, a proven killer. We are the only New England state that preempts municipal authority to ban smoking, and this preemption statute is virtually unprecedented in Connecticut, one of only four on the books today. This session will be different from others in the past, when we have lost this battle, because there is unparalleled outrage among Connecticut citizens that we are virtually dead last in fighting tobacco."

"This powerful public health measure is cost free -- no budget impact -- in an election year when legislators will be rightly held accountable. Legislators cannot go home empty handed on the tobacco issue in this session."

Back to the Attorney General's Home Page
Back to the Press Releases Page
E-Mail Attorney General Richard Blumenthal


10/24/2002
Connecticut Attorney General’s Office

Press Release

Blumenthal Testifies On Several Anti-Tobacco Bills

March 5, 2002

Attorney General Richard Blumenthal today urged the legislature’s Public Health Committee to pass a series of anti-tobacco bills designed to reduce second-hand smoke and require more of the tobacco settlement fund be used for tobacco control programs.

Blumenthal urged the committee to vote in favor of legislation that would require ten percent of the tobacco settlement funds to be used specifically for tobacco control and cessation programs. Currently, Connecticut ranks 45th out of 50 states in spending of tobacco settlement funds on prevention and cessation programs.

As of January 2003, Connecticut will have received approximately $534,600,000 in tobacco settlement funds. The 2002-03 budget approved by the Legislature and signed by the Governor provides a total of $575,000 per year for tobacco prevention, a reduction from $1 million in 2001 and $4 million in 2000.

"Each year the tobacco industry spends more than $8 billion nationally on promotions and advertising. The proof of this marketing works, children smoke the most heavily advertised brands. Funding for prevention and education programs is absolutely necessary to fight the tobacco industry advertising and to address the significant, growing problem of teen smoking," said Blumenthal. "In addition to prevention and education, we must adequately fund cessation. Often people cannot afford high quality cessation programs, which can cost $350 to $450. Helping smokers quit not only saves lives, it saves dollars. Expenditures on tobacco related diseases are estimated at $1.8 billion, every year. Helping people quit will yield significant savings on health care costs in the future."

Blumenthal also urged legislators to stop the Governor’s proposed raid on the Tobacco and Health Trust Fund.

“The trust fund was established as a sacrosanct and ironclad source of funds -- especially in a period of economic downturn -- to provide at least minimal support for anti-tobacco and health care initiatives. This proposal makes a mockery of that promise,” Blumenthal said. “It breaks that commitment at the first sign of fiscal trouble, even before the Rainy Day Fund is tapped. Ironically, the Rainy Day Fund was designated specifically to compensate for diminishing revenues.


10/24/2002
during tough financial times, so that funds, like the Tobacco and Health Trust Fund, need not be raided."

Blumenthal also spoke in favor of two companion bills, which, if enacted, would reduce second-hand smoke in public places. The first would establish a statewide ban on smoking in restaurants, modeled after similar bans in California and Vermont.

"Second-hand smoke is a convicted killer - proven to cause all the same lethal diseases as smoking itself does directly. Nationally, it kills an estimated 53,000 non-smokers each year from diseases related to second-hand smoke. It is a proven source of asthma, lung disease, and other severe health problems from countless Connecticut citizens, most particularly our children," said Blumenthal. "The danger of second-hand smoke has been well and long recognized by the General Assembly, which has prohibited smoking in health care institutions, state-owned or leased buildings, food stores, and schools. Yet, we continue to allow people to be exposed to the cancer-causing second-hand smoke in many other places open to the public, such as restaurants. This legislation would benefit restaurant workers as well as patrons. Now that the majority of Connecticut workplaces are smoke-free, don't restaurant workers deserve the same protection?"

The second would enable municipalities to adopt bans on smoking in restaurants or other public places. Currently, Connecticut is the only state in New England that preempts municipalities from adopting their own tobacco and smoking regulations, and this preemption is one of only four that Connecticut places on municipalities.

"Our state is the only one in New England that has stopped municipalities from taking effective action against second-hand smoke. This preemption is indeed extraordinary in our statutes - one of only four such instances of state law supplanting local prerogative," Blumenthal testified. "Returning this critical home rule authority to municipalities would not require them to adopt a ban on smoking in restaurants or other public places. It would simply enable and empower them to do so."

Michigan PTA Asks Legislators To Return To Communities
The Right to Protect Children From Tobacco

The Michigan PTA and noted attorney and former tobacco industry lobbyist Victor Crawford have joined forces to ask Michigan legislators to repeal special interest tobacco industry legislation that prevents local communities from regulating the sale of tobacco. Crawford, subject of a CBS 60 Minutes report, and now a national advocate for children’s right to be tobacco-free, collaborated with the Michigan PTA to videotape a statement exposing the tobacco industry’s interest in undermining Michigan communities’ ability to keep addictive tobacco products out of the hands of children.

The Michigan PTA has distributed this tape to every Michigan legislator as part of an appeal to reverse the actions of a few key legislative leaders, who crafted a deal with tobacco-trade lobbyists to include “local preemption” as part of the 1994 Tobacco Tax Act. Michigan PTA has asked all legislators to support repeal of this special interest legislation by voting for either HB 4366 (sponsored by Rep. Frank Fitzgerald) or SB 145 (sponsored by Sen. Joe Conroy). Either bill if passed by both chambers without amendment would repeal local preemption. The Michigan PTA has also requested legislators to oppose other weak industry-sponsored legislation, including SB 442.

In his taped statement, Crawford, who is dying of tobacco-caused cancer, explains the tobacco industry’s nationwide strategy of using preemption to prohibit local ordinances which are typically successful in curtailting illegal tobacco sales to young people. Crawford has stated, “In spite of its words to the contrary, the tobacco industry continues to do everything in its power to continue the trend of teenage addiction to nicotine.” Crawford also points out another industry strategy - promoting legislation that weakens already inadequate laws, this under the guise of “dealing responsibly” with the problem of illegal sales to youth. S.B. 442 does just that.

“The National PTA and Michigan PTA believe it is of utmost importance that we prevent children from becoming addicted to nicotine,” said Grace Preston, President of the
Michigan PTA. Preston continued, "The responsibility for a child's use of tobacco lies not only with the parent, but with the businesses who sell and encourage the use of tobacco."

According to David Gross, Executive Director of the Michigan PTA, "In the past local ordinances have proven the most effective means to keep tobacco out of the hands of children. Current state law is virtually never enforced, and now local communities are forbidden to enact effective regulations." Gross stated, "Effective local regulations include retail licenses to sell tobacco, graduated noncriminal penalties ending with suspension of the license for repeated sales, requiring that I.D.s be checked, eliminating vending machines and self-serve displays, and banning free samples of tobacco products."

Preston said, "We must act now to protect our children from these deadly products. The Michigan PTA asks legislators to appeal to their leadership for an opportunity to vote for either SB 145 or HB 4366 without weakening amendments. We also ask that legislators reject all industry-backed, weak legislation such as SB 442." Preston continued, "I am sure that if given an opportunity, the vast majority of legislators will stand up for children against special-interest, tobacco-trade lobbyists. Anything less is blatant disregard for the wishes of Michigan parents and the health of their children."