

Oklahoma Public Health Association

Resolution on Restoring Local Rights to Adopt Smoke-free Workplace Ordinances

WHEREAS, tobacco use is Oklahoma’s leading preventable cause of death and disease, killing more Oklahomans than alcohol, auto accidents, AIDS, suicides, murders and illegal drugs combined; (1) and

WHEREAS, smoking is a major contributor to Oklahoma’s top four causes of death – cardiovascular disease, cancer, stroke and chronic obstructive pulmonary disease; (2) and

WHEREAS, smoking costs Oklahomans an estimated \$2.9 billion in medical expenses and lost productivity each year; (3) and

WHEREAS, exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer; (4) and

WHEREAS, the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), the preeminent U.S. body on ventilation issues, has concluded that ventilation technology cannot be relied on to control health risks from secondhand smoke; (5) and

WHEREAS, nearly 500 U.S. cities – including over 30 cities in Texas – have adopted ordinances requiring smoke-free workplaces and more than 60 percent of the U.S. population, or nearly 195 million people, are now covered by smoke-free workplace laws or ordinances; (6) and

WHEREAS, tobacco industry leaders “have recognized that state laws which preempt local anti-tobacco ordinances are the most effective means to counter local challenges;” (7) and

WHEREAS, at the behest of tobacco lobbyists, a preemptive clause was enacted in 1987 that disallowed Oklahoma municipalities from adopting any ordinance on smoking in public places and workplaces more stringent than the minimum standards established in state law; (8) and

WHEREAS, Tennessee and Oklahoma are the only two states in the nation with comprehensive preemption of local action on tobacco issues; (9) and

WHEREAS, the Oklahoma Health Improvement Plan – developed by authorization of the Oklahoma State Legislature through Senate Joint Resolution 41 – recommends that Oklahoma must do much more in terms of policy efforts to reduce tobacco use in order to transform Oklahoma’s abysmal health status to that of a healthy state; (10) and

NOW THEREFORE BE IT RESOLVED: The Oklahoma Public Health Association strongly recommends that the Oklahoma State Legislature restore local rights to adopt smoke-free workplace ordinances, as permitted in all of Oklahoma’s neighboring states.

References:

1. "State-Specific Smoking-Attributable Mortality and Years of Potential Life Lost – United States, 2000-2004," (MMWR) 58(2), January 22, 2009. U.S. Centers for Disease Control and Prevention
2. Oklahoma State Plan for Tobacco Use Prevention and Cessation, Oklahoma State Department of Health, April 2009
3. CDC, Data Highlights 2006 [and underlying CDC data/estimates; CDC's STATE System average annual smoking attributable productivity losses from 1997-2001 (1999 estimates updated to 2004 dollars)]
4. U.S. Department of Health and Human Services. The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.
5. American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc. (ASHRAE) Position Document on Environmental Tobacco Smoke, approved by ASHRAE Board of Directors October 22, 2010 (accessed at www.ashrae.org 11/21/11)
6. American Nonsmokers' Rights Foundation, Ordinance Lists - as of October 7, 2011 (accessed at www.no-smoke.org 11/21/11)
7. Kurt Malmgren, internal communication from R.J. Reynolds Tobacco Company, Bates No.: 513331953, 1992
8. "1993 Evaluations – 1994 Recommendations," internal communication from The Tobacco Institute, 1993
9. CDC, State Tobacco Activities Tracking & Evaluation System; States Preemption Summary, updated December 31, 2009
10. Oklahoma Health Improvement Plan, A Comprehensive Plan to Improve the Health of All Oklahomans, 2010 – 2014