
MICHIGAN ASSIST PROJECT

ANNUAL ACTION PLAN

YEAR 2

Submitted to the National Cancer Institute

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National Objective A.2: By 1998, sites will substantially increase and strengthen public support for policies which a) mandate clean indoor air; b) restrict access to tobacco by minors; c) increase economic incentives and taxation to discourage the use of tobacco products; and d) restrict the advertising and promotion of tobacco.

State Objective A.2: By 1998, current (i.e., 1992) state and local tobacco laws will be strengthened and stricter laws will be enacted, including those which: a) mandate clean indoor air; b) prevent sale of tobacco to minors; c) increase economic incentives and taxation to discourage the use of tobacco products; and d) restrict the advertising and promotion of tobacco.

Project Title: Maintain and Strengthen Tobacco-Free Michigan Action Coalition's (TFMAC) Policy Advocacy Network

Progress: Since it was launched in 1990, TFMAC has become increasingly more successful in advocating for state tobacco laws. Part of this success is due to the coalition's ability to act in a timely and effective manner when bills are progressing through the state legislature. The advocacy framework and procedures that are the foundation of this project were used to bring about following state legislation during Year 1.

- ★ Tobacco-free public schools: All public K-12 school buildings are tobacco free at all times. Public schools grounds are tobacco free until 6 p.m.
- ★ Smoke-free day care homes: All licensed child day care homes (i.e., child care provided in private homes) are smokefree. Parents must be informed if smoking is permitted in the home after hours of operation. Before this legislation, only day care centers were smokefree.
- ★ Expansion of nonsmoking restaurant seating: Nonsmoking seating in restaurants was increased to 50 percent in restaurants seating 50 or more, and 25 percent nonsmoking seating in all other restaurants. Before this, restaurants seating 50 or more had to set aside 25 percent of the seats for nonsmoking. All other restaurants were exempt from the providing nonsmoking seating.
- ★ Restrictions on tobacco vending machines: Placement of tobacco vending machines is restricted to locations with a Class A liquor license. The vending machine must be within 20 feet of the bar and under adult supervision at all times.
- ★ Ban on the sale of single cigarettes: Legislation makes it illegal to sell cigarettes separate from the original package. Specialty cigarettes are exempt from this restriction.
- ★ Cigarette tax and tax on other tobacco products: Michigan passed legislation which increased the cigarette tax by 50¢. Michigan's cigarette tax is now the highest in the country at 75¢. For the first time in its history, Michigan instituted a tax (16 percent ad valorem) on other tobacco products.

Additionally, the network is used to educate legislators on bills that have not yet passed. Bills currently under consideration include:

- ★ A repeal of the preemption on local youth access ordinances.
- ★ A ban on tobacco billboard advertising.
- ★ Smoke-free shopping malls.
- ★ Expansion of Michigan's Clean Indoor Air Law.

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ASSIST Strategies Used:

- A.2.1 Provide appropriate support to TFMAC, the Michigan Coalition on Smoking or Health, and other organizations in their efforts to strengthen current tobacco laws and enact stricter laws.
- A.2.2 Educate state legislators about the need for and public support for stronger tobacco laws.

Project Annual Objectives:

1. Provide TFMAC members with at least three "updates" and five "action alerts" on legislative activity during the year.
2. Facilitate development of TFMAC legislative agenda for 1995-96 session of the Michigan Legislature.
3. Recruit organizations or groups that are not members of TFMAC to support specific tobacco-related legislation that is relevant to their mission.
4. Continue raising tobacco as an issue during the 1994 election campaign (begun Yr. 1).
5. Provide legislators with a TFMAC position statement and/or information packet on tobacco-related bills that are debated during the year.
6. Identify advocates in specific districts to contact key legislators on tobacco issues.

Project Description: TFMAC responds to legislative initiatives as they occur. TFMAC's policy advocacy efforts include mailing or faxing action alerts (Objective 1), providing regular legislative updates (Objective 1), identifying advocates to testify at hearings (Objective 6), and mobilizing constituent contact with legislators (Objectives 3 & 6).

TFMAC also is proactive in advancing the cause of tobacco control in Michigan. During the fall 1994 election campaign, TFMAC will encourage attention to tobacco issues at candidate forums and will disseminate information gathered through a survey of candidates' opinions on tobacco policy issues (Objective 4). This is part of the TFMAC's legislative agenda for the 1993-94 session. TFMAC's legislative agenda for the 1995-96 session will be developed during the second quarter of Year 2 (Objective 2). TFMAC will continue to develop and provide position statements or information packets (whichever is appropriate) to legislators on tobacco-related legislation (Objective 5).

Tobacco Use

Population: General Population; Youth

Committee: Michigan Coalition on Smoking or Health

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Worksite Channel

National Objective C.1: By 1998, increase to at least 75 percent the proportion of worksites with a formal smoking policy that prohibits or severely restricts smoking at the workplace.

State Objective C.1: By 1998, the number of Michigan worksites that adopt smoking bans or restrictions will be increased from the 1992 level.

Project Title: Promote and Protect Peoples Right to Clean Indoor Air: Enforce the Michigan Clean Indoor Air Act (MCIAA) and Expand the MCIAA to Private Workplaces

Progress: Presently, the MCIAA restricts smoking to designated areas of public workplaces and few nonpublic workplaces identified for regulation by this law. Although nonpublic employers are becoming aware of their responsibility to provide protection to their employees, many have not acted on that responsibility. Thus, the majority of nonpublic employees, in Michigan, conduct the tasks of their careers in smoking environments. A bill to strengthen the MCIAA and expand it to private workplaces was introduced April 1994. It is expected that the bill will still be under consideration during Year 2.

During Year 1, 20 complaints about compliance with the MCIAA were resolved. Legal interpretations of the MCIAA were provided to employers and attorneys representing Michigan businesses. Consultation on how to resolve ETS problems was provided to persons employed in worksites not covered by MCIAA.

During Year 1, 788 employers and employee groups (first time callers) received information regarding the health, economic and legal issues surrounding ETS. Technical assistance and model policies were provided to businesses interested in implementing stricter or total smoke-free policies.

During Year 1, a *Michigan Guide to Smoke-Free Restaurants* was produced. The limited printing of the first guide restricted distribution to a few locations throughout Michigan and to personal requests. The guide was revised and a larger number were printed. Distribution strategies were developed to accommodate the larger printing and to meet needs of the public. The guide will be distributed in many locations throughout Michigan during Year 2.

ASSIST Strategies Used:

- C.1.1. Promote and advocate to strengthen state and local laws that regulate smoking in the workplace.
- C.1.2. Provide technical assistance and materials to employers and employee representative groups on developing and implementing policies on smoking in the workplace.
- C.1.7. Resolve all complaints of worksites covered by the MCIAA in accordance with established administrative procedures and timelines. (This is a new strategy; see below)

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A.3.4 Educate the general public about how to exercise their right to clean indoor air.

ASSIST Strategies Modified or Eliminated:

C.1.5 *Advocate financial incentives for establishing smoke-free workplaces.* This strategy requires national rather than state intervention. Therefore, Strategy C.1.5 has been eliminated and Strategy C.1.7 is being introduced to better reflect state strategy.

Project Annual Objectives:

1. Develop advocacy materials for the MCIAA expansion bill that are appropriate to specific groups of potential advocates (e.g., health professionals, business owners, aggrieved employees).
2. At least quarterly, inform advocates of progress on MCIAA expansion bill and on the need for their involvement in the process.
3. If, the MCIAA bill does not pass before December 31, 1994, find a sponsor to reintroduce the bill in the 1995-96 session. (The current sponsor is retiring from the legislature.)
4. If bill is reintroduced during 1995-96 session, provide all newly-elected legislators with the MCIAA legislative packet developed during Year 1.
5. Document, educate and resolve all complaints regarding compliance with the MCIAA.
6. Document the number of persons (i.e., employers, employee groups, and individuals) provided with ETS information.
7. Document and provide technical assistance to worksites interested in implementing smoke-free policies.

Project Description: Advocacy activities to support passage of the MCIAA bill began during Year 1 and will continue during Year 2. These activities include mailing or faxing action alerts, providing legislative updates, identifying advocates to testify at hearings, and mobilizing constituent contact with legislators (Objectives 1 and 2). Individuals whose ability to work has been adversely affected by ETS will be recruited and trained as advocates for tougher clean indoor air legislation, especially in the private sector. These activities will continue and intensify as the MCIAA bill progresses through the legislative process.

If the expanded MCIAA does not pass during the current legislative session, TFMAC will identify another sponsor, and the bill will be reintroduced during the 1995-96 legislative session (Objective 3). All newly-elected legislators will receive a MCIAA legislative packet which was developed during Year 1 (Objective 4).

MDPH's Clean Indoor Air Act Enforcement staff (Tobacco Section staff) will continue to document, educate and resolve complaints regarding compliance with MCIAA (Objective 5).

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