

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
7044 HOUSE LABOR & COMMERCE



Alaska State Legislature

Please enter into the record my testimony to the

^{HOUSE}
LABOR & COMMERCE

committee name

committee on HB 84 - BAN ON SALE IN VENDING
bill/subject MACHINE

dated 2-28-91

I urge passage of this bill as a youth-health measure.

- ① As a parent of 3 school-aged children, I would be infuriated if alcohol products were sold through vending machines.

Tobacco is more addictive than alcohol and the sale of tobacco in vending machines is equally as infuriating.

- ② Almost every young person who uses alcohol or other drugs began their addictive behavior by smoking Cigarettes.

- *③ The vending machine industry needs to realize that occupations change as civilization progresses. We have very few people who make their living shoeing horses these days. Typewriter manufacturers have declined as computer sales have increased. Tobacco sales thru vending machines are no longer acceptable in our society which is enlightened about the risks of tobacco to health.

Signed: Kate Berntson (~~Kathleen A. Berntson~~)

Testifier

Representing (Optional)

1260 Sayles Street, Ketchikan 99901

Address

907. 225. 2944

Phone No.



PROGRAM SUMMARY:

A Tobacco Product Retailing Program for Retail/Vending Industries

Objectives

- To continue to discourage those who are underage from purchasing tobacco products.
- To reaffirm that the tobacco industry does not want young people to use tobacco products -- and continues to take affirmative steps to reinforce this position.

Background

In the face of growing concerns about smoking by those who are underage, the tobacco industry is calling upon the retailers and vending machine operators who sell tobacco products to visibly demonstrate adherence to both state laws and our own conviction that the use of tobacco products is an adult decision.

The issue of smoking by those who are underage is attracting increased attention around the country. In some localities, "sting" operations designed to trap retailers selling tobacco products to those who are underage have been staged. Violators are being prosecuted. The penalties, which vary among localities, may include stiff fines and jail terms. Those who have a retail tobacco license may face the loss of that license.

This program is designed to assist the retailing and vending machine industries, and to enlist their support and cooperation in discouraging the sale of tobacco products to those who are underage.

Participants

The primary audiences for this tobacco retailing program include:

- Convenience stores
- Grocery stores
- Drug stores
- Discount stores
- Small independent businesses (e.g., "mom and pop stores")
- Gas stations
- Vending machine industry
- Other retail outlets (e.g., truck stops, etc.)

Messages

This program is designed to convey several messages, including:

- Smoking is an adult custom based on informed choice.

(over please)



Employee Acknowledgement

I have read the "It's the Law" brochure and understand the requirements mandated by state law with respect to the prohibition of the sale of cigarettes and other tobacco products to anyone under the age of 18.

(Employee)

(Date)



**IT'S THE
LAW**

**WE DO NOT SELL
TOBACCO PRODUCTS
TO PERSONS UNDER 18**

W
A
S
E
L
L
I
N
G
T
O
M
I
N
O
R
S

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**



PROGRAM SUMMARY:

A Tobacco Product Retailing Program for Retail/Vending Industries

Objectives

- To continue to discourage those who are underage from purchasing tobacco products.
- To reaffirm that the tobacco industry does not want young people to use tobacco products -- and continues to take affirmative steps to reinforce this position.

Background

In the face of growing concerns about smoking by those who are underage, the tobacco industry is calling upon the retailers and vending machine operators who sell tobacco products to visibly demonstrate adherence to both state laws and our own conviction that the use of tobacco products is an adult decision.

The issue of smoking by those who are underage is attracting increased attention around the country. In some localities, "sting" operations designed to trap retailers selling tobacco products to those who are underage have been staged. Violators are being prosecuted. The penalties, which vary among localities, may include stiff fines and jail terms. Those who have a retail tobacco license may face the loss of that license.

This program is designed to assist the retailing and vending machine industries, and to enlist their support and cooperation in discouraging the sale of tobacco products to those who are underage.

Participants

The primary audiences for this tobacco retailing program include:

- Convenience stores
- Grocery stores
- Drug stores
- Discount stores
- Small independent businesses (e.g., "mom and pop stores")
- Gas stations
- Vending machine industry
- Other retail outlets (e.g., truck stops, etc.)

Messages

This program is designed to convey several messages, including:

- Smoking is an adult custom based on informed choice.

(over please)

- It is against the law in most states to sell tobacco products to those who are underage. Due to growing anti-tobacco activities and the focus on sales to youth, the law can and should be enforced. Retailers are therefore urged to participate in the program.
- Publicly participating in a program such as this can enhance and improve the retailer's image in the community, and help ensure that store owners and employees comply with the law.
- Non-compliance by retailers and the vending machine industry with current laws could lead to tighter restrictions on tobacco sales, including outright bans.

Theme

The theme of the campaign, which will be incorporated into all program materials, is as follows:

**IT'S THE LAW;
WE DO NOT SELL TOBACCO PRODUCTS
TO PERSONS UNDER 18**

(OR 19, IF THE STATE LAW DESIGNATES 19 AS THE MINIMUM AGE)

Program Materials

We have designed a package of print and display materials for use by the tobacco product retailer. Materials include:

- A state specific brochure describing the program and applicable laws. The brochure, in addition to detailing minimum age laws for a state and penalties for violation, provides tips to the retailer and the employee on verification of age, acceptable forms of identification, and how to deal with a customer who becomes upset when asked for identification.
- A tip sheet on how to verify age, for display at the cash register as a reminder when employees prepare to ring up a sale.
- Store front and window display signs and point-of-purchase materials, all bearing the program theme: "It's the law: We do not sell tobacco products to persons under 18." These colorful blue, orange and white signs and decals will assist store owners in reminding employees and customers of the state law and their compliance with it.
- Lapel buttons, also using the blue-orange-white colors and the program theme, for store employees to wear while on duty.
- Employee Acknowledgement Form.

Materials are available only in states whose minimum age for purchase of cigarettes is 18 or 19.

Distribution

Distribution will be through the membership of the co-sponsoring organizations. The Tobacco Institute will provide promotional kits in numbers requested by the sponsoring organization. All program materials will be provided at no cost to the co-sponsoring organization and its members.



Employee Acknowledgement

I have read the "It's the Law" brochure and understand the requirements mandated by state law with respect to the prohibition of the sale of cigarettes and other tobacco products to anyone under the age of 18.


(Employee)

(Date)

**IT'S THE
LAW**

**WE DO NOT SELL
TOBACCO PRODUCTS
TO PERSONS UNDER 18**

W
A
S
F
E
L
C
O
U
N
T
Y



Smoking is an adult activity. That's why laws have been passed to keep tobacco products out of the hands of those who are underage. As an owner, manager or employee, your responsibility is clear:

**Don't sell tobacco products
to anyone under 18.**

How can you help keep tobacco products out of the hands of those who are underage, and ensure that you are obeying the law? If you suspect that a potential tobacco customer may be underage, you should ask for the required picture identification which proves he or she is at least 18 years old. If the person does not have the proper identification, and you cannot be sure of his or her age, it is your responsibility to refuse that sale – politely, but firmly.

In Washington, any person who "shall sell or give or permit to be sold or given to any person under the age of eighteen years any cigar, cigarette, cigarette paper or wrapper, or tobacco in any form," shall be guilty of a gross misdemeanor (§26.28.080 (4)), and be subject to penalties of up to one year imprisonment and/or up to \$5,000 in fines.

The issue of smoking by those who are underage is gaining increased attention around the country. In some localities, "sting" operations designed to trap retailers selling tobacco products to those who are underage have been staged. Violators *are* being prosecuted.

You could be the object of one of these stings, and if you are caught, ignorance of the law won't help. The penalties, which vary among state and local jurisdictions, may include stiff fines and jail terms. Those who have a license to sell tobacco products may face the loss of that license.

By refusing illegal purchases of tobacco products to those who are underage, you demonstrate responsibility to your community and fulfill your obligation to uphold the law.

How to Check a Person's I.D.

You should make the following determinations before accepting an I.D. as genuine:

- Check the birth year to make sure it has not been altered in any way (erased, typed over, smudged, or cut out and replaced, etc.).
- Compare the photo on the license to the person. There should be a reasonable match.
- Make sure physical characteristics such as eye color, height and weight on the I.D. match those of the customer.

If, for any reason, the identification is not satisfactory, do not make the sale. However, even if you believe the I.D. is false, you must return it to the customer. Only a law enforcement officer can take it away from the person.

If the Customer Gets Upset

If the customer argues with you when you ask for an I.D., explain to him or her that it is your company's policy to ask for an I.D. when the customer appears to be close to the minimum age for purchasing tobacco products. If the customer remains upset or becomes uncooperative, offer to let him or her talk to your store manager or supervisor as soon as possible.

Remain calm and polite. However, do not let yourself be forced into making a sale if you are not completely satisfied that the customer meets the minimum age requirements. Remember that your company, your store's license and your job are at risk.

If a customer cannot or will not provide proper identification once you have asked for it, **DO NOT MAKE THE SALE** under any circumstances.

Point-of-Purchase Signs and Buttons

To help you remind your employees and customers about the law, we have created a set of decals and buttons for display in your retail outlet. Display these signs where they can be clearly seen:

- on the front door, or in the windows, so customers are aware of the law from the moment they enter the store;

- on the tobacco product display case;
- on the counter, for prominent display to customers and employees;
- on the cash register as a reminder to employees at all times; and
- as buttons, on employees' jackets, as a reminder to customers.

If you sell tobacco products through vending machines on your premises you also can use these signs/decals. Placing them on the front of the vending machine will serve as a reminder to customers. You should keep the machines in an area under supervision by store personnel.

Some localities have specific requirements for posting notices of prohibition of sales to anyone underage. Check with your city clerk's office to determine if signs are required by law. Display the required signs appropriately. Always keep additional signs on hand. In places where signs are required by law, you could be subject to a penalty for failure to post the required notice.

Whether or not you already have signs in place, The Tobacco Institute and state cosponsors urge you to display the materials provided. If you need additional copies you can obtain them free of charge by writing to:

The Tobacco Institute
P.O. Box 41169
Washington, DC 20018

We hope you will participate in the program, both to ensure compliance with the law, and to send a positive message to your community. It's simple . . .

IT'S THE LAW
YOU MUST BE 18 TO BUY TOBACCO
PRODUCTS



A Campaign for You

The Tobacco Institute has developed a program to inform the retail community about minimum age laws for the purchase of tobacco products, to help you uphold the law in your establishment, and to help raise awareness of your commitment among your customers. The following guidelines and accompanying materials should help you reinforce the simple message that your store does not sell tobacco products to anyone underage. We encourage you to use them.

Verifying a Customer's Age

When in doubt, check I.D. Your store should have a firm policy on procedures for checking customer I.D. When someone asks to buy tobacco products, if there is any doubt about whether he or she is at least 18, ask for proof of age. Simply assuming that the person is of legal age could get you into trouble. Breaking the law could cost you a hefty fine, a jail term, or the loss of your license.

All identification must include a picture and date of birth. Under Washington state law, acceptable forms of I.D. are as follows:

- Driver's license, instruction permit, or identification card of any state or Canadian province, or "Identocard" issued by the Washington State Department of Licensing
- U.S. passport
- U.S. active duty military identification
- Merchant Marine identification card issued by the U.S. Coast Guard
- Liquor control authority card of identification of any state, or Canadian province

Notes from parents or guardians are not acceptable as a means of exempting anyone under 18 from the law. Unless you are certain that the customer is of legal age, do not sell that person tobacco products.

STATE ORDERING FORM:

Order form for materials

to be used in the state of _____

(For additional states use separate order form or copy)

For additional copies of "It's the Law" materials, please print your name and address below and return to us.

<u>Quantity</u>	<u>Materials</u>
_____	Decals/Signs intended for use on windows, doors, cash registers and vending machines. Sizes available:
_____	5 1/2"x7 1/2"
_____	2"x11"
_____	3"x4"
_____	Lapel Button: size, 2"x3"
_____	Information Brochure
_____	Order Forms
_____	Employee Acknowledgement Forms

PLEASE PRINT CLEARLY:

Store name: _____

Manager's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: (include area code) (____) _____

IT'S THE LAW: Verifying a Customer's Age

Check I.D.: All identification must include a picture and date of birth. Under Washington state law, acceptable forms of I.D. are:

- Driver's license, instruction permit, or identification card of any state or Canadian province, or "identocard" issued by the Washington State Department of Licensing
- U.S. passport
- U.S. active duty military identification
- Merchant Marine identification card issued by the U.S. Coast Guard
- Liquor control authority card of identification of any state or Canadian province

Notes from parents or guardians are not acceptable as a means of exempting anyone under 18 from the law. Unless you are certain that the customer is of legal age, do not sell that person tobacco products.

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

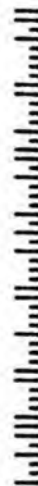


BUSINESS REPLY MAIL

FIRST-CLASS MAIL PERMIT NO. 18136 WASHINGTON, D.C.

POSTAGE WILL BE PAID BY ADDRESSEE

The Tobacco Institute
P.O. Box 41169
Washington, DC 20077-5296



IT'S THE LAW: Verifying a Customer's Age

How to Check a Person's I.D.

- Check the birth year to make sure it has not been altered in any way.
- Compare the photo on the license to the customer. There should be a reasonable match.
- Make sure physical characteristics such as eye color, height and weight in the I.D. match those of the customer.

If for any reason the identification is not satisfactory, do not make the sale. If the customer becomes upset, explain that it is the store's policy to ask for an I.D. if a customer appears to be close to the minimum age for purchasing tobacco products. If the customer remains upset, offer to let him or her talk to your store manager or supervisor.

Cosponsoring Organizations

**The Tobacco Institute
P.O. Box 41169
Washington, DC 20018**





NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL

FIRST-CLASS MAIL PERMIT NO. 18138 WASHINGTON, D.C.

POSTAGE WILL BE PAID BY ADDRESSEE



The Tobacco Institute
P.O. Box 41169
Washington, DC 20077-5296



STATE ORDERING FORM:
Order form for materials

to be used in the state of _____

(For additional states use separate order form or copy)

For additional copies of "It's the Law" materials, please print your name and address below and return to us.

<u>Quantity</u>	<u>Materials</u>
_____	Decals/Signs intended for use on windows, doors, cash registers and vending machines. Sizes available:
_____	5 1/2"x7 1/2"
_____	2"x11"
_____	3"x4"
_____	Lapel Button: size, 2"x3"
_____	Information Brochure
_____	Order Forms
_____	Employee Acknowledgement Forms

PLEASE PRINT CLEARLY:

Store name: _____

Manager's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: (include area code) (____) _____

**IT'S THE
LAW**

**WE DO NOT SELL
TOBACCO PRODUCTS
TO PERSONS UNDER 19**

© 1998

**IT'S THE
LAW**

**IT'S THE
LAW**

The Tobacco Institute

1875 I Street, Northwest

Washington, DC 20006

(800) 424-9876

FOR RELEASE:
December 11, 1990
9:00 a.m.

CONTACT:
TI Media Relations
202/457-9387

**MAJOR NEW INITIATIVES TO DISCOURAGE
YOUTH SMOKING ANNOUNCED**

Efforts focus on access, marketing and education

WASHINGTON, D.C. -- A broad-based series of new initiatives to discourage youth smoking and address recent concerns about cigarette marketing were announced today by The Tobacco Institute. The five new initiatives that expand and reaffirm the industry's longstanding commitment and positive actions against youth smoking are:

- o A national program to help retailers observe and enforce state laws prohibiting tobacco sales to youth. The store signage and education campaign's theme is "It's the Law."
- o Industry support for passage of new state laws setting a minimum age of 18 for cigarette sales in those states without a minimum age law or one lower than 18.
- o Industry support for new state laws requiring supervision of cigarette vending machines located in places frequented by minors.
- o Sharp new limitations on the distribution of product samples and premiums, requirements that billboard advertisements for cigarettes be located away from areas near schools and playgrounds, and other strong new industry guidelines that supplement current industry codes.
- o Direct assistance to parents to help them assist their children in resisting peer pressure to smoke with new, tobacco-specific educational materials to be promoted through a multi-million dollar advertising campaign.

NEWS RELEASE

"Reducing youth smoking cannot be accomplished by a single action. That's why the tobacco industry is tackling this problem on many fronts," said Brennan Dawson, Vice President of The Tobacco Institute. "Since it is widely recognized that young people smoke primarily because of peer pressure, we are addressing this directly with a major program to assist parents in reducing that peer pressure. At the same time, we are setting into motion measures to help curb youth access to cigarettes through aggressive work with the retail community and by supporting new state laws," she added.

"We also were determined to address substantively concerns about cigarette marketing. And so we reviewed our practices to find what more we could do. While the controversy will surely remain and some will continue to seek censorship, we are taking further steps to address concerns," Dawson said.

A National Program for Retailers:

The Tobacco Institute program for the retail industry is designed to encourage strict adherence to state laws prohibiting the sale of cigarettes to minors. With the active involvement of retail organizations throughout the country, The Institute will further spread the word that tobacco products, in accordance with most state laws, should only be sold to those 18 years of age or older.

The theme of the campaign -- **IT'S THE LAW: WE DO NOT SELL TOBACCO PRODUCTS TO PERSONS UNDER 18** -- is incorporated into all program point-of-purchase materials, including signs, decals, stickers and lapel buttons. In three states, the materials will indicate that the law sets 19 as the minimum age for the sale of cigarettes.

The program materials also include tips for retail employees on complying with the laws. Materials will be made available free of charge to retail outlets and will be promoted through advertisements in national and state retail publications.

New State Laws:

The tobacco industry supports passage of legislation establishing 18 as the minimum age for sale of cigarettes in those eleven states and the District of Columbia that have no age limit or one lower than 18. Thirty-nine states currently have legislation setting a minimum age of 18 or 19 for the sale of cigarettes.

The industry also will support state legislation to require supervision of cigarette vending machines located in places frequented by minors. While cigarette vending machines are not a popular source for cigarette purchases by young people, the industry will support legislation prohibiting unsupervised machines in places frequented by minors.

Additional Youth Guidelines:

New youth guidelines supplement those already adhered to by the industry. In the past, the tobacco industry's efforts have included an offer to Congress -- made in 1969 and subsequently passed into law -- voluntarily to remove cigarette advertising from radio and television. Additionally, for example, the manufacturers do not advertise in publications directed primarily to persons under 21.

New guidelines include restrictions on product sampling. Cigarette product samples will not be distributed in or on public streets, sidewalks or parks, except in places that are open only to persons to whom cigarettes lawfully may be sold. Cigarette samples will be distributed in such places only to persons 21 or older. No mail distribution of cigarette product samples will be made without a written, signed certification that the addressee is 21 or older, a smoker and wishes to receive a product sample.

The new guidelines also require cigarette advertising on billboards to be no less than 500 feet from any elementary, junior or senior high school or any children's playground.

The distribution of nontobacco premium items bearing cigarette brand names, logos, etc., also will be limited. Mail distribution of premium items will require a written, signed certification that the addressee is 21 or older, a smoker and wishes to receive the premium. Other distribution of nontobacco premium items will only take place to persons 21 or older, or with the purchase of a package or carton of cigarettes. Clothing bearing cigarette brand names, logos, etc., will be in adult sizes only. Paid product placements in movies have been formally eliminated.

Materials to Assist Families:

In a widely promoted program, the industry will provide direct assistance to parents to help their children resist peer pressure to smoke. The third in a series, "Tobacco: Helping Youth Say No" specifically addresses the problems children and parents face on the issue of youth smoking. The booklet is an extension of the industry's popular Responsible Living Program, whose materials have already been distributed to more than 700,000 families.

The availability of the free materials will be promoted through a multi-million dollar advertising campaign in major publications, including Family Circle, Parade, Ebony, People, TV Guide, and others.

#

The Tobacco Institute

1875 I Street, Northwest
Washington, DC 20006
(800) 424-9876

... ON YOUTH SMOKING

TOBACCO INDUSTRY INITIATIVES

The tobacco industry has long taken the position that smoking is an adult practice to be considered solely by mature, informed persons. For this reason, the industry has taken strict measures to address youth smoking. For example:

- o The tobacco industry ended advertising and promotion in school and college publications and on campuses in 1963.
- o In 1964, the industry adopted a code prohibiting advertising and promotion in publications directed primarily to persons under 21. The code also forbids the use of endorsements by noted sports figures and other celebrities with appeal to youth in advertising. It also requires that any models in ads must be, and appear to be, at least 25 years old.
- o The tobacco industry offered voluntarily to end commercials on radio and television in 1969. Cigarette ads left the air in early 1971 as a result of Congressional action passed the industry's offer into law.
- o A code of cigarette sampling practices was adopted in 1981. The cigarette industry's code of sampling practices is brief and to the point. People who engage in sampling are instructed to refuse to give a sample to anyone whom they know to be under 21 years of age or who, without reasonable identification to the contrary, appears to be less than 21 years of age.

No sampling activity is done in any public place within two blocks of youth activity centers such as playgrounds or schools. If an adult declines or refuses to accept a sample pack, he or she will not be urged to accept it. All of the independent sampling firms sign a contract which sets forth standards that are at least as strict as the ones in this code. All of the sampling personnel must be advised, orally and in writing, of the sampling rules. All of the sampling activities are monitored to ensure compliance with the code. Any individual who violates the articles of the sampling code is subject to disciplinary action.

- o In 1982, on the industry's behalf, The Tobacco Institute conducted a nationwide advertising campaign which reached 110 million Americans with the message, "Do tobacco companies want kids to smoke? No. As a matter of policy. No. As a matter of practice. No. As a matter of fact. No."

Youth Smoking Initiatives

page 2

- o In 1984, The Institute launched its "Responsible Living" program, offering a free parental guidebook, "Helping Youth Decide." Another booklet, "Helping Youth Say No," followed. Both provide guidance on family communication to enable parents to help youngsters develop decision-making skills needed to deal wisely with everyday choices and with lifestyle decisions such as smoking.
- o The Institute expanded the "Responsible Living" program in 1986 by providing unrestricted grants to fund Community Alliance Programs (CAPs) at the rate of ten a year. Towns and cities throughout the U.S. were invited to apply for the grants, which provide the impetus for a broad community-based effort to improve parent-youth interaction, using "Helping Youth Decide" and "Helping Youth Say No" booklets.

More than 700,000 booklets have been distributed nationwide, and demand continues to be high among parents and community organizations.

The most recent Surgeon General's Report states that the prevalence of daily smoking among high school seniors dropped from 29% to 20% between 1976 and 1983, fluctuating between 18% and 19% ever since.

Daily smoking among black high school seniors fell from 26% in 1976 to 8% in 1987. Among white high school seniors, smoking declined from 29% to 20% during the same period.

... ON YOUTH SMOKING

TOBACCO ADVERTISING ... AND WHY KIDS SMOKE

As anti-smoking advocates themselves have long acknowledged, and experience from around the world has confirmed, cigarette advertising has no significant effect on the prevalence of smoking by young people and banning cigarette advertising will not directly reduce youth smoking.

A number of experts have explained in Congressional testimony that the purpose and function of advertising for any "mature" product like cigarettes is not to stimulate overall demand for the product category, but to (1) increase the market share of a particular brand at the expense of competing brands and (2) retain brand loyalty against other brands.

- o The President's Council of Economic Advisors said that tobacco product advertising "mainly shifts consumers among brands."
- o A study by researchers for the World Health Organization reported "no systematic differences" between the smoking behavior of young people in countries where tobacco advertising is completely banned and in countries where it is not.
 - In Finland, where tobacco product advertising has been banned completely since 1978, University of Helsinki researchers discovered that smoking among minors, which had been declining sharply before the ban was imposed, increased after the imposition of the ban -- especially among teenage girls.
 - In Sweden, where tobacco product advertising on billboards and in most other media was banned in 1979, smoking is on the rise among teenagers and their use of smokeless tobacco has nearly quadrupled since 1976.
- o Even Surgeon General C. Everett Koop, in his 25th anniversary report on smoking, acknowledged there was no proven link between smoking and advertising.

The Surgeon General stated that there is "no scientifically rigorous study available to the public that provides a definitive answer to the basic question of whether advertising and promotion increase the level of tobacco consumption."

The principal factors that impact youth smoking are peer pressure and parental/sibling influence.

Advertising and Youth
page 2

- o In 1987, The President's Council of Economic Advisors made that point clear in its Annual Report to the President: "Studies of why people start smoking identify the influences of parents, siblings and friends as the most important factors."
- o The director of the National Institute of Child Health and Human Development told Congress in 1983 that, "The most forceful determinants of smoking [by young people] are parents, peers and older siblings."

For years, vigorous efforts have been made by the tobacco industry, government and other public and private organizations to discourage youth smoking. The 1989 Surgeon General's report states that the prevalence of daily smoking among high school seniors dropped from 29% to 20% between 1976 and 1983, and has fluctuated between 18% and 19% ever since.

- o The U.S. Surgeon General has frequently noted the close association between underage smoking and peer pressure. In 1987, for example, he said, "A variety of psychological influences may interact to influence some children to begin smoking."

Yet foes of the tobacco industry -- to support their calls for a ban on advertising -- charge that tobacco advertising "causes" young people to start smoking. Prominent marketing experts are quick to dispute that claim.

- o Dr. Scott Ward, professor of marketing at the Wharton School of Business, told Congress recently, "The available evidence indicates that advertising is among the least influential factors involved in youth smoking."
- o In 1989, Jean Boddewyn, professor of marketing at Baruch College (City University of New York), edited an international survey on juvenile smoking conducted by The Children's Research Unit in London, England. He concluded, "[The study] provides strong evidence that advertising plays a minuscule role in the initiation of smoking by the young...family and peer influences appear to be the determining factors in juvenile smoking initiation."
- o Former Federal Trade Commission Chairman Michael Pertschuk--who as head of The Advocacy Institute is one of America's most prominent anti-smoking activists -- said in 1983, "No one really pretends that advertising is a major determinant of smoking in this country or any other."

... ON YOUTH SMOKING

REDUCING ACCESS

Health and Human Services Secretary Louis Sullivan has proposed measures whereby states would take new legislative action on proposals such as licensing tobacco retailers and banning vending machines.

Such measures are misdirected. The National Automatic Merchandising Association, the national trade association of the vending industry, indicates that nearly 80 percent of all cigarette vending machines are located where persons under the age of 18 are not allowed access or rarely frequent.

- o Almost a third of all cigarette vending machines are located in bars and cocktail lounges. Nearly 40 percent are found in industrial plants and offices, and almost 8 percent are found in hotels, motels and other generally adult settings. Thus, a ban on cigarette vending machines would primarily remove adult -- not youth -- access.

Those few vending machines that are located in places where youth may frequent should be supervised. The tobacco industry will support legislation in the states to accomplish this goal. This action -- not a ban on vending machines in workplaces or bars -- will help reduce youth access.

Licensing of tobacco retailers is also suggested as a regulatory approach to reducing purchase of cigarettes by young people. However, the logic used -- that tobacco should be sold in the same restrictive manner as alcohol -- also argues against this as an effective solution.

- o A 1989 Health and Human Services report tells us that "despite the fact that it is illegal for virtually all high school students and most college students to purchase alcoholic beverages, experience with alcohol is almost universal among them and active use is widespread." The report indicates that two of every three high school seniors report alcohol use in the last month.

Right now, it is illegal for cigarettes to be sold to minors in almost every state in the country. Laws are already in place. Enforcement of these laws is the best way to keep adult products, like cigarettes, from being sold to young people.

In the past -- and for the future -- the tobacco industry has maintained responsible positions on the issue of smoking by young people. The longstanding policy of cigarette manufacturers is that the choice to smoke or not to smoke is to be made by informed adults.

The Tobacco Institute

1875 I Street, Northwest
Washington, DC 20006
(800) 424-9876

... ON YOUTH SMOKING

TOBACCO INDUSTRY GUIDELINES

Long holding the view that smoking is for adults who choose to smoke -- and an activity that should not be engaged in by youth -- the tobacco industry has taken measures to address public concerns about youth smoking. For example, cigarette manufacturers:

- o do not advertise in publications directed primarily to persons under 21;
- o do not use models in cigarette advertisements who are, or appear to be, under 25;
- o do not distribute cigarette samples to persons under age 21; and
- o do not distribute cigarette samples within two blocks of any centers of youth activity, such as playgrounds and schools.

NEW, ADDITIONAL INDUSTRY GUIDELINES FOR YOUTH

To supplement these steps, the industry will:

- o not advertise cigarettes on billboards within 500 feet of schools and playgrounds;
- o conduct no mail distribution of cigarette product samples without written, signed certification that the addressee is 21 or older, a smoker and wishes to receive a product sample;
- o not distribute cigarette product samples in or on public streets, sidewalks or parks, except in places that are open only to persons to whom cigarettes lawfully may be sold. Samples will be distributed in such places only to persons 21 or older;
- o not distribute cigarette samples in direct response to requests by telephone;
- o conduct no mail distribution of nontobacco premium items bearing cigarette brand names, logos, etc., without written, signed certification that the addressee is 21 or older, a smoker and wishes to receive the premium;
- o conduct no other distribution of nontobacco premium items bearing the cigarette brand names, logos, etc., except with the purchase of a package or carton of cigarettes or to persons 21 or older;
- o distribute clothing bearing cigarette brand names, logos, etc., in adult sizes only; and
- o not engage in paid movie product or cigarette advertising placements.

The Tobacco Institute

1875 I Street, Northwest
Washington, DC 20006
(800) 424-9876

MINIMUM AGE LAWS FOR SALE OF CIGARETTES

<u>State</u>	<u>Minimum Age</u>	<u>State</u>	<u>Minimum Age</u>
Alabama	19 years	Missouri	local option
Alaska	19	Montana	none
Arizona	18	Nebraska	18
Arkansas	18	Nevada	18
California	18	New Hampshire	18
Colorado	18	New Jersey	18
Connecticut	18	New Mexico	none
Delaware	17	New York	18
District of Columbia	16	North Carolina	17
Florida	18	North Dakota	18
Georgia	17	Ohio	18
Hawaii	18	Oklahoma	18
Idaho	18	Oregon	18
Illinois	18	Pennsylvania	18
Indiana	18	Rhode Island	18
Iowa	18	South Carolina	18
Kansas	18	South Dakota	18
Kentucky	16	Tennessee	18
Louisiana	none	Texas	18
Maine	18	Utah	19
Maryland	18	Vermont	17
Massachusetts	18	Virginia	16
Michigan	18	Washington	18
Minnesota	18	West Virginia	18
Mississippi	18	Wisconsin	18
		Wyoming	none

**LAUNCH ADVERTISING FOR
TOBACCO INDUSTRY YOUTH INITIATIVES**

USA Today

Newsweek

Time

People

Washington Post

Roll Call

Governing

State Legislator

Total Circulation: 13,382,000

What's The Tobacco Industry Doing To Discourage Youth Smoking?



A Lot.

In fact, the tobacco industry has long taken positive steps supporting our commitment that young people shouldn't smoke. Now we are dedicated to an even more aggressive program.

The industry is launching an additional series of broad based initiatives designed to make it even more difficult for young people to obtain cigarettes and to address concerns about cigarette marketing. These initiatives will:

- support state laws that would prohibit the sale of cigarettes to those under the age of 18.
- support state legislation to require supervision of vending machines in locations frequented by minors.
- require cigarette ads on billboards to be at least 50 feet from any elementary, junior or senior high school or children's playground, and

- sharply limit the distribution of product samples and premiums.

We will work with retailers across the country for strict enforcement of state

laws prohibiting the sale of cigarettes to minors. We will work to have you see this sign whenever cigarettes are sold.

And for families, we are making available a new booklet, "Tobacco: Helping Youth Say No," that is specifically aimed at helping parents help their children resist peer pressure to smoke. The booklet will be advertised and promoted nationally.

By working to restrict access and assisting families, the tobacco industry is confident that American youth will find that smoking is NOT a part of growing up.



**TOBACCO INSTITUTE**

1051 Union St., Washington, DC 20006

1990 & 1991 ADVERTISING FOR

"IT'S THE LAW"

Convenience Store News

Progressive Grocer

US Distribution Journal

State Retail Trade Publications

IT'S THE LAW

WE DO NOT SELL TOBACCO PRODUCTS TO PERSONS UNDER 18

CCU 846

The tobacco industry is committed to seeing this sign prominently displayed throughout the nation wherever cigarettes are sold.

Why? Very simply, we do not want our products in the hands of young people. We never have. We never will.

Using storefront, window and point-of-purchase displays, this sign will help you demonstrate that you observe state laws prohibiting tobacco sales to minors. Label buttons

and tips to help store employees verify age and deal with customers are also available for your use.

Working with national, state and local retail groups, the tobacco industry's goal is to have this signage displayed wherever cigarettes are sold. To learn more about "It's the Law," return the coupon today. We'll send you the material you need to get this program in your store.



TOBACCO INSTITUTE
P.O. Box 41169, Washington, DC 20018

The Tobacco Institute
P.O. Box 41169
Washington, DC 20018

**PLEASE SEND ME MORE INFORMATION
ON THE "IT'S THE LAW" PROGRAM**

Please Print
NAME _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

**1990 & 1991 ADVERTISING PLACEMENTS FOR
"TOBACCO: HELPING YOUTH SAY NO"**

Family Circle

Better Homes & Gardens

Ebony

People

TV Guide

Ladies Home Journal

McCalls

Parade

USA Weekend

Total Circulation anticipated for 1990/1991: 198,200,000

SMOKING SHOULD NOT BE A PART OF GROWING UP

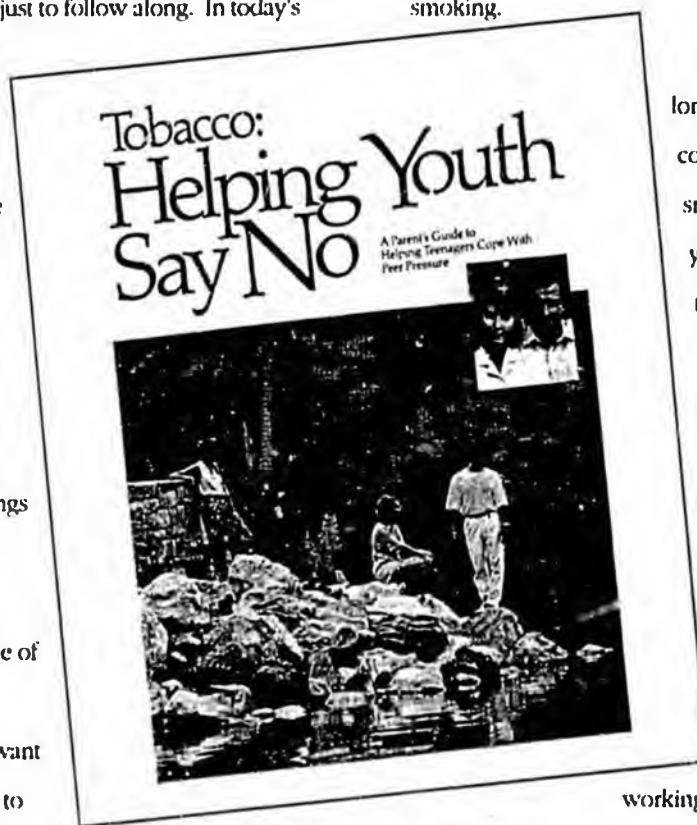
One of the most trying aspects of being a parent is encouraging your child to make the right choices—not just to follow along. In today's

complex society, growing up involves more pressures and choices than ever before. Studies show that young people do things because their friends do. Smoking is one of those things.


We don't want young people to smoke.

That's why we are offering a booklet aimed at helping parents meet the challenge of providing their children with the tools to resist peer pressure. The booklet, "Tobacco: Helping Youth Say No," is

the third in a series designed to keep parents and children communicating about important issues like smoking.



To continue its longstanding commitment that smoking is not for young people, the tobacco industry also has strengthened its marketing code and is supporting state legislation to make it tougher for young people to buy cigarettes. We are also

working with retailers for strict compliance with state laws prohibiting sales of cigarettes to minors. Look for  displayed wherever cigarettes are sold.

And, for your free copy of "Tobacco: Helping Youth Say No," return the coupon today.



TOBACCO INSTITUTE

P.O. Box 41130, Washington, DC 20018

The Tobacco Institute
P.O. Box 41130
Washington, DC 20018

PLEASE SEND ME MY FREE COPY OF "TOBACCO: HELPING YOUTH SAY NO."

Please Print
NAME _____

ADDRESS _____

CITY _____

STATE _____ ZIP _____

01

Tobacco: Helping Youth Say No

A Parent's Guide to
Helping Teenagers Cope With
Peer Pressure



The Tobacco Institute wishes to thank the following individuals for their guidance in producing this publication.

Sandee Boese. Ms. Boese is a former chairwoman of the California State Board of Education and serves as publisher of *Classroom Connections, Inc.*, a one topic text-magazine for teenagers that covers current issues.

Jose Cardenas. Mr. Cardenas is executive director of the Intercultural Development Research Association, San Antonio, Texas, and is well-respected nationally in educational circles, particularly in issues promoting improved education for Hispanic youth.

Rosemary Clarke. Ms. Clarke is a member of the Pahrump, Nevada (a suburb of Las Vegas), School Board. She is a past president of the National Association of State Boards of Education.

Jolly Ann Davidson. Ms. Davidson is co-chair of the board of trustees for Iowa's First in the Nation in Education Foundation and a past president of the National Association of State Boards of Education. Ms. Davidson has toured the country to promote the previous booklets in the Responsible Living Program—"Helping Youth Decide" and "Helping Youth Say No."

The Rev. Michael Duda. The Rev. Duda is an ordained Presbyterian minister from the Boston area whose ministry is with foster children. He serves on the Rockport, Massachusetts, School Board.

Clifford Freeman, Esq. Mr. Freeman is a past president of the Oregon State Board of Education and the National Association of State Boards of Education. He recently served on the Oregon governor's task force addressing juvenile justice issues. He now serves on an advisory board of the Northwest Laboratory, a federally funded program dealing with children's problems.

Alan Irgang. In 1986, Mr. Irgang was named Outstanding High School Principal in Brooklyn, New York, capping a career in the New York City school system that began with teaching in 1956. Mr. Irgang currently serves as executive director of the well-respected New York City Job and Career Center, a public-private partnership that helps teenagers become productive adults.

Brenda Richards. Ms. Richards is principal of Shaed Elementary School in Washington, D.C., which serves youngsters in one of the city's most challenging neighborhoods. The nature of the student body demands that Ms. Richards and her staff extend the school day and school week to enrich the education program, supervise children and assist parents.

Mark Wagner. Mr. Wagner is project director of the North Dakota Prevention Resource Center, an organization that distributes, free of charge, materials to help parents with parenting problems. In that capacity, Mr. Wagner routinely reviews materials designed for parents and children.

Carolyn Warner. Ms. Warner served as Arizona's elected state superintendent of schools from 1974 through 1986. In that position she gained national recognition for reforms that led to increased fiscal and academic accountability. She has written extensively on education policy-making and currently is a member of the National Commission on the Public Service (the "Volcker Commission").

Introduction

Raising a family is one of life's greatest challenges — and one of its greatest rewards. But today, it may be more difficult than ever because family structures are different. There has been a dramatic increase in single-parent families, new families created by remarriage and families with both parents who work outside the home.

As a result, many parents have less time to spend with their children. Young people are on their own more often than in the past and are trusted with greater responsibilities. So establishing open lines of communication early on is critical. If your children can talk to you, no matter how personal the subject, then you can help guide them in making good decisions.

In addition to your influence, another major factor affecting the decision-making process is the presence of peer pressure. Peer pressure can affect anyone, no matter what the age. But it is an especially powerful influence on children, who do not have the maturity or experience to make responsible decisions on their own — including those decisions that may be criticized by their friends. Peer pressure also has an impact on children at a far earlier age than ever before. Building strong family relationships will help your children handle peer pressure and make responsible decisions.

Not smoking is one such responsible decision for children. More than likely, your children will be tempted by their friends to smoke. And although they receive lots of information to the contrary from their teachers, coaches, doctors, clergy, community organizations and television, these sources do not and should not replace the influence you have as a parent. This is why you, as the person they depend upon the most, should use this information as a guide to help you help your children refrain from smoking.

"Tobacco: Helping Youth Say No" is the third in a series of booklets designed to increase communication between parents and children and to raise levels of mutual respect and trust. In the following pages, you will find some suggestions for talking with your children to discourage tobacco use. Part 1 of this booklet discusses the role of peer pressure and its effect on children as they learn how to make responsible decisions. Part 2 is aimed at helping you as parents prepare for a discussion on one decision-making challenge your children may face: saying no to tobacco. Part 3 offers practical exercises that will help open the lines of communication between you and your children.

Part 1 Growing Up

Whenever we struggle through a particularly rough period in our adult lives, it's rather tempting to wonder, "Wouldn't it be nice to be 16 again, or even 12?" And why not? Adolescents seem to have it fairly easy—school, friends, parties, sports, video games, movies—despite some homework, chores and maybe a part-time job or “unwelcome” music lessons after school.

But growing up is not always easy. Teenagers, especially, may have a rough time as they struggle to become adults.



The pressure upon children to fit in, to succeed academically, socially or in sports, is enormous. Something as simple as wearing the "wrong" clothes can be a traumatic experience.

Growing up today is also different from the way it was just 10 or 20 years ago because society

has changed. Children are involved in adult activities at a far earlier age than ever before. For example, sexual activity and pregnancy rates among teens and pre-teens have escalated.



The Role of Peer Pressure

Is peer pressure the reason children are experimenting with adult activities? Often. Most people, and especially children, want to belong to a group, to be accepted by those around them. Some peer pressure can be good: the competition to get good grades or to make the football team or to get a part in the school play. But it can also be bad.

Peer pressure has an enormous influence over your children, and the temptation to experiment and to be one of the group sometimes becomes too strong to resist. It's when peer pressure encourages negative behavior that parents should become concerned.

As parents, you do your best to teach your children the difference between right and wrong. But it's a tough job made tougher when you find yourself in the frustrating situation of having to say, "Do as I say, not as I do."

The fact is, by definition children cannot, and should not, do many of the things adults choose to do. Most parents work hard to be a positive role model for their youngsters. All you can do is your best. But, for example, whether or not you choose to drink or smoke, it is still your responsibility to discourage your children from drinking and smoking, until they are mature enough to make those adult decisions.

Other members of the family also influence children. Pre-teens frequently want to imitate their teenage brothers or sisters. We've all heard, "If Jeff's doing it, why can't I?" Children like to act older than they are.

Society also plays a role, sometimes forcing young people to grow up before they should. In single-parent families, for example, the oldest child may take on the role of a parent. As a result, this child may feel that he or she has also "earned" the right to take part in adult activities.



A child's natural development is part of the equation, too. Younger children usually accept their parents' beliefs. But as they grow older, they often find themselves questioning those same beliefs. In their desire to be independent, they try to balance their parents' teachings with their friends' opinions and their own beliefs. They are searching for their own identity as well as their independence, which is fine. You want them to become self-reliant. But they still need guidance, patience and understanding.

Although adolescent rebellion is common, it is also true that, as parents, you have more influence on your children's behavior than you may feel at times. The amount of your influence can be increased by the trust, support and understanding you have within your family. By communicating and being involved and interested in your youngsters' activities, you help to build their self-confidence — the strongest antidote for peer pressure.

Strong Parents = Strong Children

Communication between parents and their children is vital to creating a loving and trusting relationship. As a parent you need to listen, empathize and be involved. As your child grows, so will outside influences. But your guidance will remain the most important influence of all in helping your children to become self-sufficient and responsible.

Showing an interest in your children's activities and helping them set realistic goals are part of the process of preparing them for adulthood. When your child announces an intention to try out for the track team, you can help by discussing the time and dedication needed for training and competition – and also the rewards. If your child wins a spot on the team, show your support by attending the track meets whenever possible. Regardless of how well your child does, your love and encouragement will help him or her stick

with the decision and, in turn, boost your child's self-confidence.

However, a loving relationship can be threatened if a parent is too critical. Instead of attacking your child, attack the problem at hand. If your son is caught skipping school, don't simply shout or resort to name calling. Try to find the reason for his actions – perhaps he's having trouble with classes or his friends dared him to do it. Find out what the real problem is so you can work toward solving it.

Another way to raise strong and independent children is to encourage responsibility and problem-solving at an early age. Even five- and six-year-olds can learn to pick up their toys, especially if they realize what the consequences are – no television or bedtime story – if they don't. The more practice children have making decisions during the early years, the greater their decision-making skills will be later in life.



Steps to a Responsible Decision

Making good decisions isn't easy. Since you can't be with your children at all times, nor do they always want you around, you must lay the groundwork on which they can form their own values and make their own judgments. They need your guidance in learning the decision-making process.

One way to help your children learn good decision-making skills is to let them express their own ideas and feelings at a very young age. It's



important for them to know you're interested in what they think. In addition, you may want to use the following steps the next time you talk about a tough decision with your child:

-
1. *Discuss the problem.* What is it you need to do or decide? What do you know about this issue?

 2. *Gather more information.* What do you know from other experiences that would help? What do you need to know more about before making the decision?

 3. *List the alternatives.* What are all the possible choices? Are there others you've forgotten?

 4. *Examine the consequences.* What will be the results, good and bad, of each alternative? What are the consequences, in the short and long run, of each? How do you feel about each choice today? How do you think you will feel next week? Next year?

 5. *Consider feelings and values.* How do you feel about each alternative? Each consequence? How does each fit with your values, your family's values and community expectations?

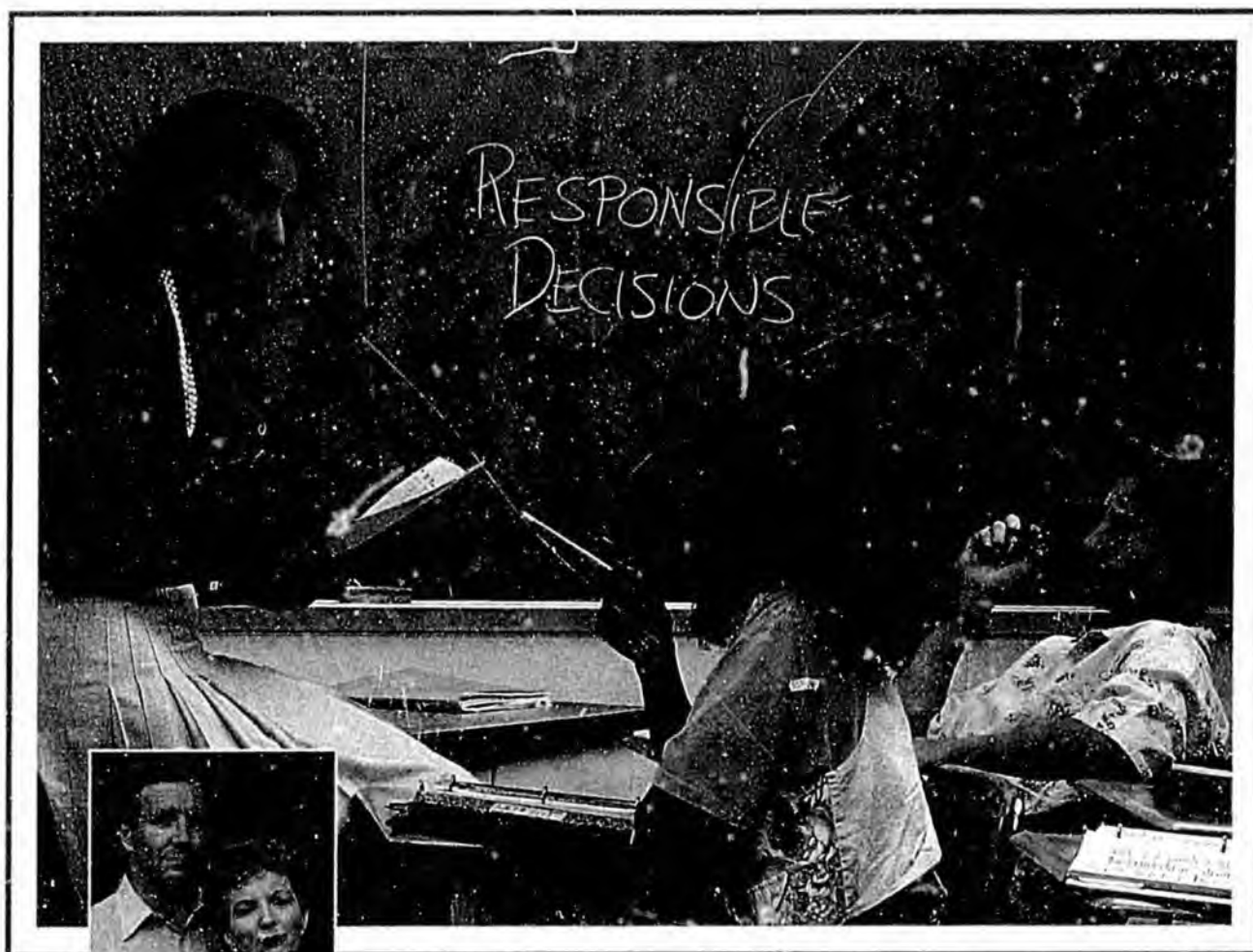
 6. *Choose the best possible course of action.*
-

Try going through the steps together. Your children need to know that what they have to say is important to you. Encourage them to ask questions.

Of course, the ability to make sound decisions does not happen overnight. We all have difficulty making the right choice, at times. But helping your children consider the consequences of each alternative may reduce some of the confusion. This will enable them to see each situation clearly enough to make the best decision possible.

Part 2A Responsible Decision About Youth Smoking--- Don't

Life is full of activities in which young people should not take part. Smoking is one of them. Smoking is not a choice for children because they do not have the maturity needed to make judgments that weigh all considerations. But explaining that to your children can be difficult.



Talk to your children about smoking *before* they consider it. Simply telling your children not to smoke because "I said so" is unlikely to deter them. In fact, it might do just the opposite. What child is not tempted to try what is forbidden?

Your children should be involved in the decision not to smoke. That's why it's important to start the education process early. As most parents know, children are naturally curious and tend to ask lots of questions. Some of these questions come up because of something that happens at

school. Many schools now have anti-smoking educational programs, even at the elementary level. So it's quite possible your child will follow up a class discussion about smoking with questions at home.

Your children's questions about cigarettes are a natural starting point for a frank discussion about smoking. And even if your children don't raise the subject themselves, experts agree: Parents should.

Children Shouldn't Smoke

Research on youth smoking tells us that children are heavily influenced by parents, friends and family members. Peer pressure, in fact, is the single most important motivating factor outside the family.

Children often choose to smoke with friends as a way of fitting in. Even teenagers with good judgment would sometimes rather defy Mom and Dad than reject their friends' pressure to smoke. But smart youngsters who have discussed this issue with their parents ahead of time know smoking isn't the way to fit in.

What do you say about tobacco use? When you discuss why your children should not smoke, it will be helpful to discuss how hard it may be to not do what their friends may be doing. Let your children know that you realize it's tough not to go along with the crowd. But remind them that it can be "cool" to set the trend instead of just doing what others are doing.

Young people are aware of the claims that smoking presents risks to one's health. As the Surgeon General has stated, "By the time they reach seventh grade, the vast majority of children believe smoking is dangerous to one's health." However, young people are not experienced enough to use the information available to formulate their own decisions. That's why decisions regarding smoking and other adult activities, such as drinking and sexual activity, should be made as an adult.

Your children also should know it's illegal to sell tobacco products to minors — and in some places illegal for minors to buy tobacco products — even though tobacco products are legal for adults. Almost every state and even some localities have set age limits for the sale of tobacco products. Know the laws in your state. Although the minimum age laws differ slightly, most states have declared it unlawful for retailers to sell cigarettes or other tobacco products to anyone under the age of 18.



Not only do penalties exist for the retailer who sells tobacco products to minors, but in some states, the young person caught buying cigarettes is also punished by fines and/or community service. Remind your children that they could land themselves in trouble or get someone else in trouble if they try to buy tobacco products.

The following sample conversation may be helpful in explaining why your children shouldn't smoke.

Daughter (age 10): We had a special teacher come to class today to talk about smoking. She told us that we shouldn't smoke and that smoking is bad for you. But I see people smoking all the time, Dad. Why do they do it?

Father: Your teacher is right when she says you shouldn't smoke. Some adults may choose to smoke but there are many activities in which young people shouldn't participate. Your friends may be smoking because they think it's cool for kids to smoke, but it's not. Children shouldn't

smoke. That's why it's against the law to sell you cigarettes—you're not old enough to buy them.

Son (age 16): C'mon, Dad, give me a break! Lots of kids smoke at school. It's no big deal. Besides, I'm 16 and can drive a car. So why can't I smoke if I want to?

Father: It is a big deal. Just because other kids smoke at school doesn't mean you have to. Hey, if other kids asked you to cheat on an exam, would you do it? We both know you're smarter than that.

Son: Yeah, I'm smart, but I'll look like a nerd if I don't smoke cigarettes with them.

Father: I know it's not easy being teased at school, but you don't have to follow their lead. Most kids *don't* smoke. Why don't you be the leader and encourage your friends not to smoke?



Helping Youth Say No

Encourage your children to discuss their reasons for smoking, or why they are thinking about it. This will better enable you to respond to their needs and concerns. In your discussions, try to avoid correcting, criticizing or commanding. A warm and trusting environment fosters an open dialogue for examining the complex issues surrounding tobacco use.

As parents, you need to help your children practice saying no to smoking, and to other inappropriate activities. Although young people are more likely to express their individuality if there's little risk of embarrassment, they need to understand the importance of standing up to the rest of the crowd.

Naturally, no matter what their age, children often rebel against the thought of too much parental control. But once they realize how much they are being affected by peer pressure, they may not like the idea of being controlled by their friends, either.

How to say no is an important lesson for your children. It's not always easy for children to say no on their own, so why not tell your children to use you as an excuse? For example, "A cigarette? No thanks, my parents would ground me for a month if they caught me smoking."

Or suggest using humor to help ease a tense situation. "I wouldn't see the car keys till I'm 35! Smoking's not worth that!"

It's also a good idea to advise your children to be prepared for problems that may arise. Encourage them to picture in their minds a situ-



ation they may face during or after school. Then ask them to picture how they would deal with that situation. This will better equip your children to deal with difficult situations.

You can also help your children say no to smoking by sharing experiences. You may have a story from your childhood that's appropriate. Perhaps you were once faced with being laughed at if you didn't smoke with the rest of the crowd. Your child can benefit from the knowledge that he or she isn't the only one who has had to face this type of situation.

When You Have To Say No

After you have talked about why children shouldn't smoke, a pre-teen child is more likely to accept your decision on smoking as their own. However, teenagers may believe they are still capable of making their own choice, so sometimes you must step in and lay down some rules. Setting limits is part of being a parent.

Once you've made your viewpoint known on the issue, be firm, fair and especially consistent with the rules you set forth. Encourage your children to use your rules as an excuse not to go along with the rest of the crowd. It helps to lift some of the pressure off their shoulders.

Although they may not show it at the time, children are grateful for parental guidance when it helps them with a problem they're not sure how to solve. When parents use a firm, but caring tone, younger children are more willing to accept their parents' decisions, and older children recognize it as an expression of their parents' love and respect.

Working together, parents can help their children decide not to smoke.

If you would like additional information and guidance to help your children handle other difficult decisions, please write for your copies of "Helping Youth Decide" and "Helping Youth

Say No: A Parent's Guide to Helping Teenagers Cope With Peer Pressure."



Part 3 Toward Better Communication

This booklet has set the stage for a frank discussion between you and your children about smoking. But before you begin talking about this tough topic, you need to make sure the lines of communication are wide open. You and your children can start by completing the questionnaires and conducting a “role reversal” exercise.

Youth Questionnaire

Taking an inventory of your children's feelings about you, and their perceptions of your relationship, will help develop a better rapport. If the lines are already open, the following exercises may help you make that exchange even better.

The questionnaires in the back of this booklet should be separated and answered by each of you independently. For the best results, do not

discuss the questions or look at each other's answers until both of you are finished.

Once the questionnaires are completed, discuss each answer with your children. You will gain a better understanding of how effective the lines of communication are in your family, and where they can be improved. By knowing where the lines of communication are strong, you can build on these strengths. And by recognizing where there are weaknesses, you can work with your children to eliminate them



Changing Places

You've probably heard the expression about putting yourself "in someone else's shoes" to understand a certain situation. It might be helpful to assume the role of your child, while your child pretends to be the parent. This exercise, called "role reversal," helps build a better understanding of each other's feelings, and helps teach you and your child the art of effective listening.

The following are several stories that need to be finished. Each of you should take a turn to finish acting out the situation.

Remember: You are to play the part of the child. Your teenager is to play the part of the parent. Don't make light of this game; play it seriously for the best results. And follow these basic guidelines:

- 1) *Be direct and honest*
- 2) *Don't dwell on past mistakes*
- 3) *Be respectful of each other*



Story # 1: Monday is "skip day"—an unofficial holiday for students at Tom's high school. Tom is thinking about taking the day off—all of his friends are—but he knows that his parents would not approve, and, if they found out, would probably ground him. He calls his friend Steve and...

Story # 2: Susan has a good friend named Beth. One day, Beth pulls her aside in the locker room and tells Susan that she took some cigarettes from her older sister and that she wants to smoke them after school. Beth asks Susan to join her. After school, Susan meets Beth and tells Beth...

Story # 3: Martha is at a party with about 20 other friends. Everyone is having fun, dancing, talking, listening to music. Peter pulls out a pack of cigarettes and begins passing them out to people in the room. He turns to Martha to offer her one and she...

Story # 4: Dennis' parents were out of town one weekend. Dennis, who is 17, and his older brother, Greg, who is 22, decide to have some friends over to watch a basketball game on television. Greg's friends arrive with an ice chest full of beer. They begin offering the beer to Dennis and his high school friends and...



Questionnaires

Parent Questionnaire

1) When my (son) (daughter) is upset about something, (he) (she) usually:

- a. does not share (his) (her) feelings with me.
- b. tells me about it.

2) I spend about _____ a week talking with my (son) (daughter). I think we:

- a. should spend more time talking.
- b. spend enough time talking.

3) When my (son) (daughter) is upset about something, I usually: (check the one that comes the closest)

- a. assume that the problem isn't all that serious.
- b. take the time to listen.
- c. recognize that there is a problem and I am often correct about what it is.
- d. become deeply involved – giving freely of my experience and advice.

4) List your (son's) (daughter's) five close friends in order of importance.

5) In the past few weeks, the one thing that bothered my (son) (daughter) the most was:

6) In the past few weeks, the one thing that bothered my (son) (daughter) about *our relationship* was:

7) Whenever I say I am proud of my (son) (daughter), it is usually because (he) (she):

8) When I get mad at (him) (her), it is usually because (he) (she):

9) The biggest decision my (son) (daughter) has ever made on (his) (her) own was:

10) The toughest decision (he) (she) ever made with my help was:

Youth Questionnaire

1) When I am upset about something, I usually:

- a. keep it to myself and don't tell anyone about how I am feeling.
- b. tell my (mother) (father) about it.
- c. tell my best friend about it.

2) I spend about _____ a week talking with my (mother) (father). I think we:

- a. should spend more time talking.
- b. spend enough time talking.

3) When something is upsetting me, my (mother) (father) usually: (check the one that comes the closest)

- a. acts like my problems aren't all that serious.
- b. stops whatever (she) (he) is doing to listen to me.
- c. figures it out before I say anything.
- d. starts lecturing me.

4) List your five closest friends in order of importance. Write the one word that describes why you like them next to their name, like: John – friendly.

5) In the past few weeks, the one thing that bothered me the most was:

6) In the past few weeks, the one thing that bothered me the most about my (mother) (father) was:

7) Whenever my (mother) (father) says (she) (he) is proud of me, it is usually because I:

8) When my (mother) (father) gets mad at me, it is usually because I:

9) The biggest decision I have ever made on my own is:

10) The toughest decision I ever made with the help of my parents was:

FORUM

War on drugs must include battle against tobacco

By REP. KAY BROWN

Any meaningful discussion about the threat of drugs should start with the one drug that is clearly the most serious threat to our youth — tobacco.

While a great deal of media and popular press attention is focused on the so-called "hard" drugs like cocaine and crack, tobacco is clearly and without serious question the most substantial drug threat when measured objectively:

- 390,000 Americans die each year of diseases caused by cigarettes — approximately one person each minute, 44 people every hour, 1,068 each day.

- Tobacco causes more premature death than AIDS, use of heroin, cocaine and alcohol, fire, automobile accidents, homicides and suicides combined — more Americans die each year from smoking related illness than died in all of World War II.

- Smoking by pregnant women has been linked to

- fetal and infant mortality. Low birth weight (associated with mental retardation and other developmental and health problems) has been conclusively linked to the number of cigarettes smoked during pregnancy.

- While respecting the rights of informed adults to make choices about their personal lives, we must also work to prevent young children from falling victim to tobacco addiction, illness and death.

Tobacco Products and Minors

Tobacco (nicotine) is highly addictive. In fact, studies document that the success rate for quitting smoking is lower than the success rate of programs to stop using heroin. Phillip Morris is far more of a threat to children in this country than Manuel Noriega ever was, even on his best day.

Hooking kids on tobacco is big business. Sixty percent of current smokers started by age 14; 90 percent



Danny Daines photo

Rep. Kay Brown

by age 19. The tobacco industry makes \$250 million a year from the direct sales of cigarettes to children.

We must increase efforts to prevent youth from being seduced by subtle and sophisticated advertising campaigns.

Young, impressionable

adolescents are precisely the market segment most easily influenced by advertising. Each child who becomes addicted to cigarettes as a minor is, in effect, an "investment" for the tobacco industry that will pay dividends (tobacco purchases) into the future.

While strongly supporting the right of adults to make informed choices on their own, we must prevent profiteering premised on the addiction of children to substances that will injure and kill them. An estimated 1 billion packs of cigarettes are sold to children in this country each year, and trials observing minors attempting to purchase cigarettes have found that minors are able to illegally purchase tobacco products more than 70 percent of the time.

Tougher Laws Needed to Protect Children

Last session the state legislature took steps to curtail the illegal sales of tobacco to children. HB 141 established a requirement that busi-

nesses selling tobacco products obtain a specific "license endorsement." The state Department of Commerce and Economic Development can suspend the license endorsement for illegal sales to minors.

We hear a lot about the "war on drugs." Yet, there are roughly 170 tobacco-related deaths for every one attributed to cocaine. Tobacco-related illness and death costs the nation about \$52 billion annually.

Still, in the face of incontrovertible evidence that tobacco is the most deadly of all drugs, our society has a generally passive attitude toward the enforcement of tobacco laws. It is grossly inconsistent to largely ignore illegal tobacco sales that result in the addiction, disability and eventual death of children while trying to maintain support for the "war on drugs."

And it sends the wrong message to children. The failure to aggressively en-

force tobacco laws undermines the credibility of all efforts to combat drug abuse.

While the tobacco industry recently pledged to do a better job educating children about the dangers of tobacco products, it is clearly not enough. The tobacco industry's very economic existence is based on recruiting future smokers. The industry cannot be trusted with the task of self-regulation.

Stronger prevention and law enforcement efforts are needed. Prevention and enforcement efforts to curb illegal tobacco sales to minors not only will help reduce the nation's leading cause of preventable death, it will also, perhaps most importantly, send a consistent message to minors about the "war on drugs" and the dangers of drug abuse.

□ Rep. Kay Brown is a state legislator representing downtown Anchorage.

Study attributes 400,000 deaths to past smoking

By ROBERT BYRD
The Associated Press

ATLANTA — More Americans are quitting smoking, and more are dying — now more than 400,000 a year — as the habits of the 1950s and '60s take an increasing toll, federal health officials said Thursday.

The national Centers for Disease Control reported that 434,175 Americans died from smoking in 1988, up 11 percent from the 390,000 deaths attributed to smoking in a 1985 study.

Those numbers reflect a steady, deadly trend, CDC researchers said. Back in 1965, the calculated toll from smoking deaths was 188,000.

"The problem is, we are now paying for what happened 20, 30 years ago, when large numbers of people smoked in large amounts," said Dr. William Roper, director of the Atlanta-based CDC.

"Even though the percentage of Americans now smoking is lower than in the past, the burden of the past practice is coming clear."

That burden includes more than 100,000 annual deaths from lung cancer, the leading cause of smoking-related deaths, Roper noted. The CDC reported 111,985 smoking-related lung cancer deaths for 1988, up from 106,000 in 1985 and 38,100 in 1965.

"It takes 10, 20 years for the cancer caused by smoking to result," he said.

Smoking also resulted in 48,896 other cancer deaths,

such as mouth cancers and pancreatic cancer, in 1988; 201,002 deaths from cardiovascular diseases such as heart disease and arterial disease; and 82,857 deaths from respiratory diseases such as bronchitis and emphysema, among other causes.

The CDC also said 3,825 Americans' died from lung cancer caused by others' smoking, or passive smoke. But the CDC's statistical formulas do not yet include passive smoking deaths from heart diseases, which a recent study estimated at 37,000 a year.

Roper said health officials hope the increasing death toll from smoking will turn around, given recent trends toward stopping smoking.

CDC researchers estimate that about 29 percent of Americans smoke, down from 30 percent in 1985 and 40 percent in 1964, the year of the landmark surgeon general's warning against smoking.

"We've seen a reduction in smoking percentages for several years now, and I hope that by the year 2000 ... we're going to begin to see a decline in actual numbers of smoking-attributable illnesses and deaths," Roper said.

"But that's heavily dependent on behavior patterns right now, and we're anxious to get the message especially to young people, young women, who tend to be the largest percentage smokers."

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

FORUM

War on drugs must include battle against tobacco

By REP. KAY BROWN

Any meaningful discussion about the threat of drugs should start with the one drug that is clearly the most serious threat to our youth — tobacco.

While a great deal of media and popular press attention is focused on the so-called "hard" drugs like cocaine and crack, tobacco is clearly and without serious question the most substantial drug threat when measured objectively:

- 390,000 Americans die each year of diseases caused by cigarettes — approximately one person each minute, 44 people every hour, 1,068 each day.

- Tobacco causes more premature death than AIDS, use of heroin, cocaine and alcohol, fire, automobile accidents, homicides and suicides combined — more Americans die each year from smoking-related illness than died in all of World War II.

- Smoking by pregnant women has been linked to

fetal and infant mortality. Low birth weight (associated with mental retardation and other developmental and health problems) has been conclusively linked to the number of cigarettes smoked during pregnancy.

While respecting the rights of informed adults to make choices about their personal lives, we must also work to prevent young children from falling victim to tobacco addiction, illness and death.

Tobacco Products and Minors

Tobacco (nicotine) is highly addictive. In fact, studies document that the success rate for quitting smoking is lower than the success rate of programs to stop using heroin. Phillip Morris is far more of a threat to children in this country than Manuel Noriega ever was, even on his best day.

Hooking kids on tobacco is big business. Sixty percent of current smokers started by age 14; 90 percent



Danny Danvers photo

Rep. Kay Brown

by age 19. The tobacco industry makes \$250 million a year from the direct sales of cigarettes to children.

We must increase efforts to prevent youth from being seduced by subtle and sophisticated advertising campaigns.

Young, impressionable

adolescents are precisely the market segment most easily influenced by advertising. Each child who becomes addicted to cigarettes as a minor is, in effect, an "investment" for the tobacco industry that will pay dividends (tobacco purchases) into the future.

While strongly supporting the right of adults to make informed choices on their own, we must prevent profiteering premised on the addiction of children to substances that will injure and kill them. An estimated 1 billion packs of cigarettes are sold to children in this country each year, and trials observing minors attempting to purchase cigarettes have found that minors are able to illegally purchase tobacco products more than 70 percent of the time.

Tougher Laws Needed to Protect Children

Last session the state legislature took steps to curtail the illegal sales of tobacco to children. HB 141 established a requirement that busi-

nesses selling tobacco products obtain a specific "license endorsement." The state Department of Commerce and Economic Development can suspend the license endorsement for illegal sales to minors.

We hear a lot about the "war on drugs." Yet, there are roughly 170 tobacco related deaths for every one attributed to cocaine. Tobacco-related illness and death costs the nation about \$52 billion annually.

Still, in the face of incontrovertible evidence that tobacco is the most deadly of all drugs, our society has a generally passive attitude toward the enforcement of tobacco laws. It is grossly inconsistent to largely ignore illegal tobacco sales that result in the addiction, disability and eventual death of children while trying to maintain support for the "war on drugs."

And it sends the wrong message to children. The failure to aggressively en-

force tobacco laws undermines the credibility of all efforts to combat drug abuse.

While the tobacco industry recently pledged to do a better job educating children about the dangers of tobacco products, it is clearly not enough. The tobacco industry's very economic existence is based on recruiting future smokers. The industry cannot be trusted with the task of self-regulation.

Stronger prevention and law enforcement efforts are needed. Prevention and enforcement efforts to curb illegal tobacco sales to minors not only will help reduce the nation's leading cause of preventable death, it will also, perhaps most importantly, send a consistent message to minors about the "war on drugs" and the dangers of drug abuse.

(*) Rep. Kay Brown is a state legislator representing downtown Anchorage.



Smokefree Educational Services
Incorporated

375 South End Avenue, Suite 32F
New York, NY 10280

Joseph W. Cherner, President
Phone: (212) 912-0960
Fax: (212) 488-8911

**CIGARETTE VENDING MACHINES SELL CIGARETTES
TO CHILDREN, 11-15 YEARS OLD, 100% OF THE TIME**

Six children, ages 11-15, were able to buy cigarettes from 35 of 35 cigarette vending machines tested in Manhattan, Brooklyn, Queens, Staten Island, and the Bronx.

Over 25% of these vending machines were located in bars. Eleven and twelve year olds had no more difficulty buying cigarettes from vending machines in bars than they had buying cigarettes from vending machines in restaurants, pizza parlors, or video arcades. In all instances, the barman and/or patrons watched but did not intervene.

The 35 cigarette vending machines were located in the following establishments:

Restaurants	11	Hotel	1
Bars	8	Video Arcade	1
Pizza Parlors	5	Ice Cream Parlor	1
Supermarkets	4	Other	2
Bowling Alleys	2	Total	35

In one case, a restaurant employee ran after an 11 year old to tell him that he forgot his change. In another case, a gas station attendant told an 11 year old that they did not have a cigarette vending machine, but would have one next week. In almost all cases, adults watched but did not care.

No other dangerous product or drug, addictive product or drug, or cancer-causing product or drug is sold through vending machines. No other product or drug which is illegal to sell to children is sold through vending machines. Dangerous, addictive, cancer-causing drugs should not be sold like candy and soda pop. Cigarettes should not be sold in vending machines.

Study attributes 400,000 deaths to past smoking

By ROBERT BYRD
The Associated Press

ATLANTA — More Americans are quitting smoking, and more are dying — now more than 400,000 a year — as the habits of the 1950s and '60s take an increasing toll, federal health officials said Thursday.

The national Centers for Disease Control reported that 434,175 Americans died from smoking in 1988, up 11 percent from the 390,000 deaths attributed to smoking in a 1985 study.

Those numbers reflect a steady, deadly trend, CDC researchers said. Back in 1965, the calculated toll from smoking deaths was 188,000.

"The problem is, we are now paying for what happened 20, 30 years ago, when large numbers of people smoked in large amounts," said Dr. William Roper, director of the Atlanta-based CDC.

"Even though the percentage of Americans now smoking is lower than in the past, the burden of the past practice is coming clear."

That burden includes more than 100,000 annual deaths from lung cancer, the leading cause of smoking-related deaths, Roper noted. The CDC reported 111,985 smoking-related lung cancer deaths for 1988, up from 106,000 in 1985 and 38,100 in 1965.

"It takes 10, 20 years for the cancer caused by smoking to result," he said.

Smoking also resulted in 48,896 other cancer deaths,

such as mouth cancers and pancreatic cancer, in 1988; 201,002 deaths from cardiovascular diseases such as heart disease and arterial disease; and 82,857 deaths from respiratory diseases such as bronchitis and emphysema, among other causes.

The CDC also said 3,825 Americans' died from lung cancer caused by others' smoking, or passive smoke. But the CDC's statistical formulas do not yet include passive smoking deaths from heart diseases, which a recent study estimated at 37,000 a year.

Roper said health officials hope the increasing death toll from smoking will turn around, given recent trends toward stopping smoking.

CDC researchers estimate that about 29 percent of Americans smoke, down from 30 percent in 1985 and 40 percent in 1964, the year of the landmark surgeon general's warning against smoking.


"We've seen a reduction in smoking percentages for several years now, and I hope that by the year 2000 ... we're going to begin to see a decline in actual numbers of smoking-attributable illnesses and deaths," Roper said.

"But that's heavily dependent on behavior patterns right now, and we're anxious to get the message especially to young people, young women, who tend to be the largest percentage smokers."

Anchorage Daily News

Gerald E. Grilly
Publisher

Howard Weaver
Managing Editor



Michael Carey, Editorial Page Editor

Katherine Fanning, Editor and Publisher 1971 to 1983
Lawrence Fanning, Editor and Publisher 1967 to 1971

Founded in 1948 by Norman C. Brown

Smoking's ills

Tobacco is taking a huge financial toll

There's more to the cost of smoking than the price of a pack of cigarettes. A new government study reports that while less than one-third of the American population is still smoking, smokers cost the nation more than \$52 billion a year.



Predictably, most of the costs are for health care. The cancers and respiratory ills linked to smoking are among the costliest diseases known. On top of the price tag documented in the Department of Health and Human Services study, treating smoking's victims also has a more subtle effect: It monopolizes health-care professionals' time and equipment.

One of the worst aspects of the cost of smoking is that non-smokers bear such a huge part of it. Smokers' illnesses boost health-care costs and insurance for everybody, smoker and non-smoker. And illnesses resulting from second-hand smoke have been well-documented.

The Health and Human Services study noted that the \$52 billion averages out to \$221 per capita, every dime of which, when borne by a non-smoker, is unfair and unjustified. Ideally, the new study — added to the weight of dozens of others on the societal damage of tobacco — will help forge a change in cigarette advertising. Regretably, it probably won't. Cigarette manufacturers, in fact, have initiated a series of new ad campaigns, which try to lure specific groups — women, minorities and young people — into the smoking fold.

Anti-smoking efforts have picked up in recent years. And the new study demonstrates that these campaigns are justified. The cost of smoking has reached intolerable levels and must be curbed.

H

B

8

9

FISCAL NOTE

Revision Date: 4/5/91
Title: Food/Housing at Remote Construction Sites

Department Affected: DOT&PF
BRU: Statewide Engineering & Operations Standards
Component: Eng. & Oper. Standards
Component Serial Number: 547

Sponsor: House Transportation
Requestor:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY92	FY93	FY94	FY95	FY96	FY97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	3.0	0	0	0	0	0
CONTRACTUAL	15.0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	18.0	0	0	0	0	0

CAPITAL	400.0	400.0	400.0	400.0	400.0	400.0
----------------	--------------	--------------	--------------	--------------	--------------	--------------

REVENUE	0	0	0	0	0	0
----------------	----------	----------	----------	----------	----------	----------

FUNDING: (Thousands of Dollars)

GENERAL FUNDS	418.0	400.0	400.0	400.0	400.0	400.0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	0	0	0	0	0	0

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None.

ANALYSIS: (Attach a separate page if necessary)

See Attachment.

Prepared by: Jeffery C. Ottesen, Director

Phone: 465-2951

Division: Engineering and Operations Standards

Date: April 26, 1991

Approved by Commissioner: 
Frank G. Turpin

Phone: 465-3900

Agency: Department of Transportation and Public Facilities

Date: April 26, 1991

Distribution By Preparer: Legislative Finance, Legislative Sponsor, Requestor, CMFB, Impacted Agency(ies).

BILL NO: CSHB 89

TITLE: Food/Housing at Remote Construction Sites

DATE: April 26, 1991

While we are neutral toward the bill, we must point out the opportunity costs. Camps will in essence add to a contractor's overhead thus raising the cost of remote projects. As we operate with a fixed amount of federal money for airport and highway improvements, we will lose some purchasing power. On state-funded projects, remote projects will also require an incrementally larger appropriation. Estimates of these costs are found in our Fiscal Note.

Finally, we would like to offer a nominal amendment. The Association of General Contractors has requested that it be made explicit that when a camp is required, the state take steps to provide the site and secure necessary permits. It has always been our intent that we do so, because it removes the possibility of "sweetheart" deals regarding a site and prevents undue delays while the contractor seeks permits; we endorse a statutory requirement. Recommended is the following:

Section 1, paragraph (d) Unless a state construction contract is exempt under (b) or (c) of this section, the specifications for the contract must contain a provision setting out the requirement for providing food and housing at remote construction sites and the optional provisions for transportation services. When this provision is required the contract must include a designated site and relevant permits for the placement of contractor furnished housing.

ANALYSIS (cont. from page 1):

Regulations

There will be approximately \$18.0 in one-time administrative costs in FY 1992 due to the costs of implement regulations; these funds will be used for legal support, advertising, public hearings and travel to public hearings. Of this amount, \$15.0 is for contractual items (legal costs \$12.0, transcriptions \$2.0, advertising \$1.0) and \$3.0 is for travel and per diem to meetings.

Operating Costs

Administrative costs of establishing new contract specifications and having them reviewed by the Attorney General's office, regional staff and federal agencies will be borne by existing operating budgets.

Opportunity Costs: Federal-Aid Capital Programs

While not a new cost requiring an appropriation the bill has the effect of raising costs on certain federal-aid highway and aviation projects and thereby reducing buying power. This cost is essentially an opportunity cost to the program. It is estimated at \$2.0 to 3.0 million annually and will result in the delay of some projects as the schedule for highway and airport improvements will stretch out accordingly. It does appear as a cost on the fiscal note.

Capital Costs: General Funded Capital Programs

For the GF capital budget, we assumed that, on average, about \$4 million dollars of general funded construction would be defined as "remote" each year, and that the cost of a camp would contribute about 10% additional expense to these projects. This amount would vary with the size of the state's capital budget and the portion of the budget that is allocated to remote projects.

HOUSE BILL 89
by
REPRESENTATIVE RICHARD FOSTER

* I introduced this bill, after discussions with some construction union representatives, in order to resolve the problems the state's remote construction projects have incurred. The problems simply put are the unhealthy living conditions for the construction workers on those projects.

* It was brought to my attention that workers on many of the projects we are building around the state have terrible living conditions. It was reported to me that many of these living situations have been the sites of unsanitary conditions that have resulted in sickness for workers and environmental damage.

* As I understand it, the state used to allow for the costs of providing camps for workers on these projects until it became an item of a bidding war between union and non-union contractors. The end result was the lowering of living standards for innocent employees on both sides. In essence, the state realized a cost savings at the expense of the workers.

* DOTPF is probably tired of hearing the complaints of the construction unions regarding the living conditions their members have had to endure over the years. I want to make it clear that DOTPF is not to blame in this situation. It's DOTPF's job to ensure quality as well as a smooth flow of productivity. I also understand that DOTPF eventually tried to correct the problem by establishing campgrounds for the construction workers, but I feel that this is not adequate to ensure people don't have to live in tents where the weather can make things almost as miserable as not having outhouses and other facilities.

* I am glad that labor, DOTPF, and the AGC have been able to settle on a compromise on this issue. I would like to commend them for working together to take care of the people who essentially are our employees. They work for a private contractor,

but we create the jobs. I don't think the state intended to have workers living in the squalor that has been reported to me.

* Another positive effect this bill will provide is a vehicle for local hire. Obviously it's in the state's best interest as well as the contractors' to hire people from the area where the project is being built. The more people a contractor hires locally, the less people the contractor will be forced to feed and house.

* I would also like to point out that a simple solution such as per diem will not address the problem properly. I'm sure some workers would rather have the extra cash a per diem allowance would bring them, but the unsanitary and unhealthy living conditions would still exist.

* The technical details of the bill will be covered by DOTPF and the labor groups who have worked so long and hard on this bill.



Department of Transportation
and Public Facilities

POSITION PAPER

BILL NO: CSHB 89

APPROVED: 

TITLE: Food/Housing at
Remote Construction Sites

DATE: April 26, 1991

This bill represents a compromise between the department and labor unions regarding a statutory provision for camps on remote construction projects. While we are not enthusiastic about this bill, neither do we oppose it. Our position is neutral.

As background, camps were at one time required thru negotiated labor agreements. With the rise of non-union contractors, the cost of camps made union contractors less competitive, and in order to ensure union contractors could secure projects this provision was eliminated by negotiations. At remote projects unsanitary living conditions occurred as employees camped wherever they could find a site, without regard for trash disposal and basic sanitary requirements. In 1990, in response to the problem, the department adopted a contractual requirement for a contractor furnished campground at remote projects. Under this arrangement, the employee must provide the tent or camper and cook his/her own meals; the contractor provides, free of charge, a full-service camp site complete with power, water and a central lavatory, shower and laundry facility.

While we believe that mandatory campgrounds are a cost effective solution, union representatives have continued to stress their preference for contractor furnished housing and meals. Aside from the policy question of whether camps or campgrounds are appropriate, the original version of the bill was unworkable for practical reasons.

The sponsor substitute has effectively addressed the impracticalities. The requirement for camps will not apply to small or short duration projects. There is also a clear point of decision before the project is let, making it clear to all bidders as to what is required contractually. Finally, a contractor may weigh the cost of a camp against the cost of compensated transportation time in order to make the most economical decision.

For Further Information contact Katy McHugh at 465-3900.

HOUSE BILL 89

Testimony by

Don Rouleau, Business Agent

for

Alaska District Council of Laborers

* Camps were always included in the construction of the state's remote construction projects until it was discovered by a few non-union outside contractors that they could underbid Alaskan union contractors on jobs by deleting the costs of providing food and housing for their workers.

* Unfortunately, for construction workers non-union and union alike, the union contractors demanded that the contractual provisions be removed from the construction labor agreements. The unions reluctantly agreed. The contractors were then put on an even footing with the outside non-union contractors.

* The result has been a continual degradation of living conditions where there are no facilities within a reasonable distance to the jobsites. Union and non-union workers alike have been living in tents, visqueene lean-tos, the back seats of cars, and some have even built their own teepees. The lucky individuals who can afford a camper or motorhome have been fortunate enough to live off the ground and are staying dry.

* Unsanitary conditions have been the normal living environment for quite a few. Those who have campers have dug shallow holes and put their sewer hoses into barrels with holes punched into them to leach out both their grey and sewer water. Sometimes they let their sewer drain onto the ground or just drive down the road and put the hose into the ditch to empty it. Those less fortunate individuals who live in their cars and tents have been using any place that's convenient to relieve themselves.

" Imagine yourself working 12 hours a day to come home to a tent that has no facilities nearby. You've been working seven 12's for weeks and you haven't had a shower for almost as many. You then pull out the cookstove and warm up some soup and try to make a sandwich for something to eat before you fall asleep in the same clothes you woke up in that morning. You then wake up early around 4 am to make something for breakfast and something to take to the jobsite for lunch. Now imagine this in the rain, or the snow that sometimes falls in the latter part of the construction season.

- * How long would you last under those conditions?
- * If you had to work to support your family and you couldn't leave the job for fear of losing your home to the bank because you couldn't make your payments, you would have to stick it out even if it meant getting sick and living in misery.
- * One of the big problems we've found is that the average construction worker can't afford to buy a camper to stay dry and warm. That worker finds a big flaw in the system because he can't afford not to work. If he refuses the job that is offered to him that day, he doesn't know if he'll get another that season. The poorer workers are discriminated against because of their financial status.
- * Some people have claimed that this bill will work against local hire because it will be easier for outside workers to come up and be fed and housed by the contractor. The exact opposite is true - the more people a contractor hires near the actual jobsite, the less he will have to provide food and housing for.
- * Furthermore, contractors who come up from outside and successfully bid on a job tell a lot of their people to get up to Alaska early and they often drive up in their campers ready to go to work. The the leave with out spending much of their money inside Alaska.

* The draft CS you have before you is the result of a few years of negotiations with DOTPF and the AGC. I hope you will find it in your hearts to alleviate the deplorable working conditions remote construction workers have to live with at the job site.

HB

99

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. HB 99

Revision Date: _____ Department Affected: OFFICE OF THE GOVERNOR
 Title: EQUAL PAY FOR WORK OF COMPARABLE WORTH BRU: HUMAN RIGHTS COMMISSION
 Component: HUMAN RIGHTS COMMISSION
 Sponsor: REPRESENTATIVE DONLEY
 Requestor: HOUSE LABOR & COMMERCE COMPONENT SERIAL NO.

0	0	0	1
---	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	110.6	304.1	304.1	304.1	304.1	304.1
TRAVEL	10.8	16.2	13.6	13.6	13.6	13.6
CONTRACTUAL	7.2	83.0	153.2	153.2	153.2	153.2
SUPPLIES	1.8	4.6	4.6	4.6	4.6	4.6
EQUIPMENT	13.1	14.8	-	-	-	-
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	143.5	422.7	475.5	475.5	475.5	475.5

CAPITAL	-	-	-	-	-	-
---------	---	---	---	---	---	---

REVENUE	-	-	-	-	-	-
---------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND	143.5	422.7	475.5	475.5	475.5	475.5
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	143.5	422.7	475.5	475.5	475.5	475.5

POSITIONS:

FULL-TIME	*1.5	4	4	4	4	4
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

* 2 positions start 10/1/92

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

PLEASE SEE ATTACHED ONE-PAGE ANALYSIS

Prepared By: PAULA M. HALEY, EXECUTIVE DIRECTOR Phone: 276-7474
 Division: HUMAN RIGHTS COMMISSION Date: February 19, 1991
 Approved by Commissioner: D. Max Hodel, Chief of Staff
 Agency: Office of the Governor Date: 2/21/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).