

**RESOLUTION R-98-21**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE REPEAL OF PREEMPTION OF LOCAL REGULATION OF TOBACCO USE.**

**WHEREAS**, according to the American Heart Association, cigarette smoking kills more Americans each year than alcohol, cocaine, heroin, murder, car accidents and AIDS combined; and

**WHEREAS**, according to the American Heart Association, 31,204 people from Florida die of tobacco caused diseases each year; and

**WHEREAS**, according to the American Heart Association, second-hand smoke inhaled by non-smokers can cause serious health problems, especially among children; and

**WHEREAS**, rates of smoking among children in Florida are increasing, according to the Centers for Disease Control and Prevention; and

**WHEREAS**, according to the American Heart Association, every 30 seconds a child in Florida smokes for the first time, and one-third of these new smokers will eventually die of tobacco-related diseases; and

**WHEREAS**, according to the American Heart Association, the tobacco industry has as its chief legislative strategy the removal of local authority to regulate tobacco; and

**WHEREAS**, the Board of County Commissioners of Manatee County believe citizens in local communities want the power to protect themselves from second-hand smoke and protect children from tobacco; and

**WHEREAS**, the Manatee County Board of County Commissioners is seriously concerned about the health hazards of smoking and the use of tobacco by children; and

**WHEREAS**, the current laws of the State of Florida, including The Florida Clean Indoor Air Act, preempt local regulation of tobacco use; and

**WHEREAS**, the Manatee County Board of County Commissioners believes that rights should be vested in local communities to enact and enforce stronger tobacco-related ordinances if they choose to do so.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY**, as follows:

1. The Manatee County Board of County Commissioners exhort the Florida Legislature to enact legislation to repeal the preemption language in the Florida Clean Indoor Air Act. The legislation we support would allow the Florida Clean Indoor Air Act to serve as the minimum standard and return rights to local communities to further enact and enforce stronger tobacco-related ordinances if they choose to do so.

2. The Manatee County Board of County Commissioners hereby encourages other counties, cities and towns in Florida to adopt similar resolutions.

3. The Clerk of the Circuit Court is hereby directed to distribute copies of this Resolution to the Governor and the Lieutenant Governor of Florida, to all members of the 1998 Legislature, and to the Florida Department of Health.

**ADOPTED** with a quorum present and voting this the 20th day of January, 1998.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: *Theresa M. Pless*

Chairman

ATTEST: R. B. SHORE  
Clerk of the Circuit Court

By: *Susan B. Romaine* *SR.*