

**1997-53**

**CLINTON COUNTY**

**RESOLUTION IN OPPOSITION TO THE MICHIGAN STATE LEGISLATURE'S  
PREEMPTION OF LOCAL ORDINANCES ON THE SALE AND LICENSURE OF  
TOBACCO PRODUCTS**

**WHEREAS**, the detrimental health effects of cigarette smoking have been well documented by a variety of credible and recognized scientific and medical bodies including the Surgeon General, the Food and Drug Administration, the National Institutes of Health, the Environmental Protection Agency, the Institute of Medicine, the U.S. Centers for Disease Control and Prevention, and the World Health Organization, and

**WHEREAS**, cigarettes contain nicotine, an addictive substance, and

**WHEREAS**, at least 1000,000 Michigan children, under the age of 18 years, begin smoking every year, and

**WHEREAS**, Michigan's Youth Tobacco Act of 1988 was passed precisely to limit children's access to cigarettes and reduce their chances of becoming addicted, and

**WHEREAS**, the Youth Tobacco Act of 1988 provided no monetary appropriation for enforcement and is thus rarely, or never, enforced, and

**WHEREAS**, the Constitution of the State of Michigan, Article VII, Sections 22 and 34, confer upon local governmental entities the right to pass ordinances which they deem to be in their and their residents' best interests, and

**WHEREAS**, in accordance with the Constitution of the State of Michigan, local governmental entities have found it necessary to pass local ordinances more stringent than the Youth Tobacco Act to further reduce children's access to tobacco in their communities, and

**WHEREAS**, the school finance reform package passed in December 1993 by the Michigan State Legislature prohibits local governmental entities from passing any additional local ordinances restricting tobacco use by children in their communities which are more restrictive than current state law, be it therefore

**RESOLVED**, that the County of Clinton affirms that it is opposed to the principle and practice of local preemption of tobacco-control ordinances, and be it further

**RESOLVED**, that the County of Clinton affirms that it is opposed to the preemption of Clinton County's ability to pass local ordinances restricting children's access to tobacco in Clinton County, and be it further

**RESOLVED**, that the County of Clinton seeks a repeal of local tobacco preemption by the Michigan State Legislature through all legitimate public and political channels.

STATE OF MICHIGAN  
COUNTY OF CLINTON

I, DIANE ZUKER, Clerk of the County of Clinton do hereby certify that the foregoing resolution was duly adopted by the Clinton County Board of Commissioners at the regular meeting held September 30, 1997 and is on file in the records of this office.

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Diane Zuker, Clinton County Clerk