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Resolution  
to  
Remove Enabling Legislation for Smoking from the Michigan Public Health Code

**Whereas**, involuntary exposure to secondhand tobacco smoke is a serious public health hazard that is preventable by adopting regulatory policies; and

**Whereas**, Section 12905 of the Michigan Public Health Code, 1978 PA 368 preempts local communities from enacting ordinances to protect themselves from a Group A Carcinogen as declared by the Environmental Protection Agency, National Institutes of Health and US Center for Disease Control and Prevention; and

**Whereas**, a repeal of any section of the Michigan Public Health Code must be accompanied by an amendment to MCL 89.1115 (2) of the Michigan Food Law, 2000 PA 92; and

**Whereas**, the protection from secondhand smoke provided to customers and employees of retail food establishments by MCL 289.6127 of the Michigan Food Law, 2000 PA 92 should be extended to the employees and customers of all food establishments;

**Therefore Be It Resolved;** the undersigned organization will only support changes to the Michigan Food Law if the changes include an amendment to remove the sections noted above that enable the legal continuation of this hazardous environmental exposure.

Adopted by the Michigan Association for Local Public Health Board of Directors April 9, 2007