

STATELINE

THE TOBACCO INSTITUTE
STATE ACTIVITIES DIVISION

July 7, 1994

HEADLINES

- Conference cmte report on budget bill in Massachusetts passed House and Senate on 7/1... goes to Governor Weld for action...budget bill includes authority for Attorney General to sue cigarette manufacturers for reimbursement of Medicaid expenditures on "smoking-related" diseases.
- Lawsuit was filed in Florida against similar law by Associated Industries of Florida, Publix Supermarkets, National Association of Convenience Stores and Philip Morris...S2110 removes defenses for entities sued by state for recovery of Medicaid expenditures...causation may be proven by statistical analysis.
- Before New York lawmakers recessed 7/1, A7139-E was passed and sent to Governor Cuomo...bill would prohibit smoking in facilities for children, including detention centers, day care centers, group homes, public institutions, and school grounds...would allow designated smoking areas for faculty during non-school hours...would prohibit sale of cigarettes outside of original manufacturer's packaging.
- Rhode Island Senate passed bill authorizing East Greenwich to prohibit smoking in city-owned buildings...H9559 was sent to Governor Sundlun for action on 7/5.

TAXES

- Last week, US House Ways & Means Cmte reported its version of health care reform with phased-in 45-cent cigarette tax hike and proportional increases for OTP. Cmte defeated amendments by Rep. Andrews (D-TX) to change tobacco tax increase to \$1.25, and amendment by Rep. Bunning (R-KY) to strike tobacco tax increase altogether. US Senate Finance Cmte reduced tobacco tax increase in Chairman Moynihan's health care bill from \$1.76 to \$1.00 per pack...Cmte reported its version of S1757 on 7/2. Leadership in both houses are now crafting bills for floor consideration.
- Another entry in US health care reform sweepstakes: HR4632 by Florida Rep. Peterson would provide long-term care insurance...includes three-step 24-cent cigarette tax hike.

INITIATIVE & REFERENDA

- Last week, proponents for Arizona tobacco tax initiative reportedly submitted 203,000 signatures for verification...need less than 106,000 valid signatures to qualify for November ballot. Initiative would hike cigarette tax by 40 cents per pack, and increase OTP tax by equivalent...would earmark revenues for public education on tobacco, research and prevention of tobacco use, indigent care.

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TI1683-0389

SMOKING RESTRICTIONS

- . US Senate Labor & Human Resources Cmte reported S1513, education improvement bill, to floor last week...includes language calling for programs against tobacco use by both students and teachers...is similar to HR6, passed by House in March.
- . California Senate passed A13 on 6/30...referred to Assembly Labor & Employment Cmte...as last amended in Senate, would restrict smoking in workplaces to separate rooms equipped with ventilation systems that meet certain standards...exempts restaurants and bars...would preempt local smoking restrictions in workplaces, but not in exempted areas.
- . Dept of Licensing & Regulation in Maryland is now expected to publish final workplace smoking regulations on 7/22...not 7/8, as previously reported.
- . Santa Barbara County, CA Board of Supervisors held 7/5 public hearing on broad-based smoking ban and self-service display ban...next public hearing scheduled for 8/12. City Council in Hanford, CA gave first reading approval to broad-based smoking ban on 7/5...rejected compromise ordinance...final reading 8/2. Puyallup, WA Council OK'd restaurant smoking ban on second of three readings...final vote 8/1.
- . Board of Health and Board of Commissioners in Cochise County, AZ held joint meeting on 7/5...heard report on smoking in restaurants and minors' access to tobacco products...recommendations on smoking include complete ban. At 7/5 meeting, Sparks, NV City Council rejected proposal to place advisory question on smoking in restaurants on 11/94 ballot...state law preempts local ordinances. During 7/5 work session, Plano, TX Council OK'd proposal to phase-in restaurant smoking ban...would require reasonable accommodation in workplaces...9/20 public hearing has been scheduled.
- . Knox County, OH Board of Health amended broad-based smoking ban on 6/29 to exempt restaurants seating 30 or fewer persons...defeated amendment to allow smoking in restaurants in separately-ventilated areas. Health Board in New Philadelphia, OH has scheduled 7/13 public hearing to discuss smoking issue.

SAMPLING/ADVERTISING/SALES RESTRICTIONS

- . Rhode Island Senate Health, Education & Welfare Cmte tabled ADAMHA bill on 6/30...H8666 would preempt local limitations for two years on sale, distribution, use and promotion of tobacco products...adjournment is scheduled today.
- . Dept of Human Resources in Oregon has scheduled hearing for 7/20 on proposed rules to comply with ADAMHA law adopted by legislature last year...proposal outlines requirements for reporting and random inspections.
- . Locally in Minnesota...Eden Prairie City Council adopted tobacco ad ban similar to Preston's on 6/28...effective 7/4, ordinance prohibits all point-of-sale advertising or promotion of tobacco products inside or outside of retail establishments...allows two "tombstone" ads no larger than 8-1/2 x 14 inches. Brooklyn Park Council will meet on 7/26 to discuss similar proposal...also includes tobacco billboards. Also considering similar bans are Bloomington, Brooklyn Center, Edina, and Pine Island...no dates for actual consideration have been set.

SIDEBARS

- . US House Ways & Means' Subcmte on Trade is considering draft legislation to implement the Uruguay Round of GATT...on 6/29, the subcmte adopted amendment authorizing the President to hike tariffs on tobacco imports by up to 350-percent without congressional OK... also would repeal domestic content requirements.
- . Stymied in attempt to add tobacco provisions to product liability reform bill, US Senators Lautenberg and Harkin introduced S2245, to provide for federal lawsuits against tobacco manufacturers to recover Medicaid and Medicare costs "attributable to tobacco related illnesses and diseases." S2245 was referred to Senate Finance Cmte.
- . US Senate Appropriations Cmte's version of agriculture spending bill, HR4554, deletes House provisions that would prohibit use of funds for research in production, processing, or marketing of tobacco and tobacco products.
- . Introduced just before recess, US HR4698 would repeal tobacco price support program... would deny deductibility of tobacco advertising expenses...would create anti-drug and anti-tobacco programs...was filed by Arizona Rep. English.
- . New Jersey SCR77 would ask Congress to require warning labels on cigarette packages that explain "the addictive nature of smoking"...resolution was referred to Senate Health & Human Services Cmte.
- . Ins & Outs...Legislators adjourned in Delaware on 6/30, and are expected to adjourn in Rhode Island today. North Carolina lawmakers remain in session...were scheduled to complete work on 7/1. Special session in North Dakota adjourned 7/1. Special session in Virginia on federal retiree tax refunds began yesterday...expected to adjourn today. Several states recessed this past weekend until after elections in November...Massachusetts, New York, and Pennsylvania.

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1994 STATE LEGISLATIVE SESSIONS

July 7, 1994

IN	STATE	REGULAR SESSION	CO 93-94	SPECIAL SESSIONS/NOTES
	ALABAMA	1/11 - 4/25		Spec session-educ July, 4/26-5/5
	ALASKA	1/10 - 5/10	CO	Spec session 5/10-5/16
	ARIZONA	1/10 - 4/17		Spec session-children 6/15-6/17
	ARKANSAS	No regular session		Spec session-crime 8/15, educ 2/28-3/2
X	CALIFORNIA	1/3 - (8/31)	CO	
	COLORADO	1/12 - 5/11		
	CONNECTICUT	2/9 - 5/4		Veto session 6/20; Spec Session-gen 5/6-5/25
	DELAWARE	1/11 - 6/30	CO	
	FLORIDA	2/8 - 4/15		Spec session-hlth care 6/7-6/9, Sept.
	GEORGIA	1/10 - 3/16	CO	
	HAWAII	1/19 - 5/2	CO	
	IDAHO	1/10 - 4/1		
X	ILLINOIS	1/12 - (7/15)	CO	
	INDIANA	1/5 - 3/4		
	IOWA	1/10 - 5/11	CO	
	KANSAS	1/10 - 5/23	CO	Veto session 4/27-5/3
	KENTUCKY	1/4 - 4/15		Spec session-budget 6/6-6/22
	LOUISIANA	4/25 - 5/25		Spec-gen 6/6-28, 4/17-22, 2/21-25
	MAINE	1/5 - 4/14	CO	
	MARYLAND	1/12 - 4/11		
R	MASSACHUSETTS	1/5 - (1/3/95)		Recess 7/1-11/1
R	MICHIGAN	1/12 - (12/30)	CO	Recess 6/22-9/13
	MINNESOTA	2/22 - 5/7	CO	
	MISSISSIPPI	1/4 - 4/12		Spec session-prisons 8/15
	MISSOURI	1/5 - 5/13		
	MONTANA	No regular session		
	NEBRASKA	1/5 - 4/15	CO	
	NEVADA	No regular session		
	NEW HAMPSHIRE	1/5 - 6/23	CO	Veto session 6/22
X	NEW JERSEY	1/11 - (1/13/96)	*	
	NEW MEXICO	1/18 - 2/17		
R	NEW YORK	1/5 - (1/4/95)	CO	Recess 7/3-12/1; Spec session-crime 1/17
X	NORTH CAROLINA	5/24 - (7/15)	CO	Spec session-crime 2/8-3/26
	NORTH DAKOTA	No regular session		Spec session-taxes 6/29-7/1
X	OHIO	1/5 - (12/31)	CO	
	OKLAHOMA	2/7 - 5/27	CO	Spec session-workers' comp 10/3
	OREGON	No regular session		
R	PENNSYLVANIA	1/4 - (11/30)	CO	Recess 6/29-9/1
X	RHODE ISLAND	1/4 - (7/7)	CO	
	SOUTH CAROLINA	1/11 - 6/2	CO	
	SOUTH DAKOTA	1/11 - 2/24		Spec session-lottery/budget 7/11
	TENNESSEE	1/11 - 4/21	CO	
	TEXAS	No regular session		
	UTAH	1/17 - 3/2		
	VERMONT	1/4 - 6/12	CO	
S	VIRGINIA	1/12 - 3/12	*	Spec sess-retirees 7/6-7/6, pblic safety 9/19, 5/11
	WASHINGTON	1/10 - 3/10	CO	Spec session 3/10-3/15
	WEST VIRGINIA	1/12 - 3/12	CO	Spec session 3/14-3/20
	WISCONSIN	1/3 - 3/25	CO	Spec sess 6/7-6/10; Veto session 5/17-19
	WYOMING	2/21 - 3/17		

CO - Bills may carry over from 1993 session to 1994 consideration.

* - New Jersey & Virginia bills may carry over from 1994 to 1995 session.

Adjournment dates are approximate.

X - In regular session

S - In special session

R - In recess

V - In veto session

TI1683-0392