

cc: BC  
WU

July 14, 1989

MEMORANDUM

TO: Paul J. Emrick  
FROM: John O'Connor  
RE: Region II/Pro-Active Legislative Proposed Introductions

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The following will delineate Region II efforts to introduce pro-active legislation. The introduction of the proposed measures will be done so when the specific legislative climate is opportune.

New Jersey

Taxation

- \* In the event that excise taxes on tobacco products become a fore gone conclusion, introduce legislation that would repeal the existing surtax and replace it with a sales tax.

Allies: wholesalers/distributors

Public Smoking

- \* Introduce legislation that would prevent all New Jersey employers from hiring or firing individuals because they smoke on or off the job.

Allies: New Jersey State Chamber of Commerce  
New Jersey AFL-CIO  
New Jersey National Federation of Independent Businesses

New York

Taxation

- \* Introduce legislation through the state legislature and New York City Council that would require mass transit authorities to maximize advertising revenues from all sources that are currently under their jurisdiction.

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Allies: advertising firms with New York State/New York City  
alcoholic beverages industry

- \* Introduce legislation that would repeal the cigarette excise tax for New York City.

Allies: wholesalers/distributors

#### Public Smoking

- \* Introduce legislation that would create a small business exemption to the New York State law. The law can be drafted to focus on that employers with 25 or less employees are exempt from the law, and/or, that retail establishments with less than 500 square feet of common area space open to the public are exempt.

Allies: National Federation of Businesses  
Business Council of New York State  
local chambers of commerce  
convenience stores  
New York State Retail Merchants Association

- \* Introduce legislation that would allow businesses with collective bargaining units to negotiate their own smoking policies.

Allies: New York State AFL-CIO  
local labor unions

- \* Introduce legislation in Assembly to be consistent with S.B.6133 which prevents all New York State employers from hiring or firing individuals because they smoke on or off the job.

Allies: Business Council of New York State  
New York State AFL-CIO  
National Federation of Businesses  
local chambers of commerce

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- \* Introduce legislation that would modify the state public smoking law that would focus on new or retrofitted buildings that meet specific criteria for ventilation within the ASHRAE standards.

Allies: New York State AFL-CIO  
Sheet Metal Workers Union

- \* Introduce legislation that modifies the state law regarding signage. Create a new sign stating smoking is welcomed. This can be done through legislation or rules and regulations.

Allies: National Federation of Businesses  
New York State Restaurant Association  
United Restaurant, Hotel, Tavern Association of New York State  
Business Council of New York State

Pennsylvania

Taxation

- \* Introduce legislation that would require mass transit authorities to maximize advertising revenues from all sources that are currently under their jurisdiction

Allies: advertising firms within Pennsylvania

note: This measure should only be introduced when it is determined that the Tilghman proposal is gaining momentum. The concern being that we would not want our proposed measure to be used as a vehicle for a floor amendment tax.

Public Smoking

- \* There should be no pro-active measure on this subject. Any proposed changes to SB26 could present a real threat to strengthen the Pennsylvania law.¶