

STATELINE

THE TOBACCO INSTITUTE
STATE ACTIVITIES DIVISION

April 26, 1990

TAXES

- Vermont Senate amended 4-cent cigarette tax hike into larger revenue package on 4/20...House refused to concur with changes in H900...referred bill to conference. Legislature plans to adjourn by 4/28. All New Hampshire attempts to impose tax on tobacco products other than cigarettes failed...language for tax "proportional" to cigarette excise was stripped from two bills in conference cmte...issue was referred to interim study.
- Florida House killed H3175, Governor's bill to hike cigarette tax by 19 cents, on 4/19...but on 4/25, House Finance Cmte reported new tax bill...unnumbered measure includes 11-cent cigarette tax increase to fund indigent care...adds 20-percent OTP tax to current 25-percent excise. Bill also raises tax on promissory notes, increases utility tax and extends it to cable television services.
- New Louisiana tobacco tax bills: H944 would hike cigarette tax by 10 cents per pack...H945 would raise cigar taxes to 28-percent of price...H946 would impose new 28-percent tax on smokeless tobacco products...H948 would impose 28-percent rate for all tobacco products other than cigarettes...all were referred to House Ways & Means Cmte.
- Michigan bill to double current 25-cent cigarette excise has been formally introduced as H5682...new revenues would be divided among education and substance abuse programs.
- During Missouri House second reading of drug program bill, H1143, amendment was offered to replace funding from 1-percent sales tax hike with new 10-percent taxes on alcohol and tobacco product sales. House rejected amendment, however...placed bill on final reading calendar...H1143 includes ban on sale of cigarette rolling papers unless retailer also sells loose tobacco.
- Alabama adjourned 4/23 without action on tobacco tax "levelization" measure...H993 would have hiked state cigarette excise by 6.5 cents per pack...would have repealed local cigarette and OTP tax authority.
- Texas special session on education finance has zeroed in on half-percent sales tax hike...Governor Clements says he'd veto any tax increase.

INITIATIVES & REFERENDA

- Ruling from Colorado Administrative Law Judge is to be issued by 4/27...may revise decision by Secretary of State that petitions to put tobacco tax on November ballot were short by 385 signatures.
- Cuyahoga County, OH, voters go to polls 5/8 to determine whether county will impose 4.5-cent cigarette tax and taxes on alcoholic beverages...revenues would fund construction of major league sports stadium.

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SMOKING RESTRICTIONS

- . Missouri House gave third reading passage to broad restriction bill last week...H1055 would require at least 30-percent nonsmoking in workplaces, public areas...restaurants would set aside nonsmoking seating to meet demand. Earlier, House had rejected amendments to ban employment discrimination and to preempt local ordinances.
- . Rhode Island H9172 would add auditoriums, airports and other transportation terminals to current public smoking law...has been reported from House Health Cmte for floor action. Illinois House Executive Cmte will hear H1823 on 5/2...is carryover smoking restriction bill...could be used as vehicle to remove local preemption provision adopted in 1989.
- . Louisiana House Health & Welfare Cmte is hearing government workplace bill today... H217 would require both smoking and nonsmoking areas to be designated. Florida House Health & Rehabilitative Services Cmte hears H1799 today...would toughen current smoking law to require at least 50-percent nonsmoking in workplaces, restaurants.
- . North Dakota Governor Sinner announced plan last week to phase in total smoking ban in all state government buildings...would include legislative buildings and offices.

SAMPLING/ADVERTISING/SALES RESTRICTIONS

- . Illinois outdoor advertising ban was solidly rejected in House Executive Cmte 4/25...H3116 would have banned outdoor ads for tobacco products or alcoholic beverages...was nixed by 15-3 vote. Cmte will hear another ad restriction bill on 5/2...H4097 would ban alcohol and tobacco billboards within 1000 feet of schools. Up that day in Senate Executive Cmte is S1572, to prohibit minors from purchasing tobacco products.
- . California Assembly Governmental Organization Cmte OK'd bill to regulate sampling of all tobacco products on 4/26...A3967 would also preempt local sampling ordinances...now goes to Ways & Means Cmte. At same hearing, Governmental Organization Cmte rejected A4256, to raise outdoor advertising permit fees and create new anti-tobacco information campaign...also defeated bill to restrict location of vending machines, A4016.
- . Two New York bills would require public transit systems to maximize non-fare revenues, including income from commercial advertising...S7957 and A10983 would withhold state aid if systems discriminate against legal products and services in ad contracts. Washington, DC, Metropolitan Area Transit Authority rejected proposal to ban tobacco and alcohol ads in new 5-year contract...agreed to keep current policy limiting any one category of advertising to 30-percent of total revenues.
- . Alaska Senate Finance Cmte resumes consideration of carryover H141 today...would require special license for tobacco retailers. Bill to limit sampling of tobacco products, H466, is pending in Senate Judiciary Cmte.

EMPLOYMENT DISCRIMINATION

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- . New York Assembly Labor Cmte reported A10727 favorably this week...bill to protect workers from discrimination based on outside activities goes to Assembly Codes Cmte.
- . Alabama smoking bills died with adjournment...H327 and S432 also would have banned job discrimination based on smoking...had been reported to floor, but were not considered.

THE LOCAL LOOK

- Michigan. Marquette County Board of Health adopted measure limiting cigarette vending, requiring tobacco retailer's license...County Commissioners endorsed ordinance...effective 10/1, machines may be located in workplaces not open to public, in places where minors are prohibited, in bars if operated through control device. East Lansing Human Relations Commission will hold public hearing 5/2 on proposal to require that vending machines be inaccessible to minors...would also prohibit sampling of free tobacco products.
- MidAmerica. Monroe County, IN, Commissioners have agreed to draft an ordinance requiring smoking policies in restaurants, other public places...local Board of Health has pushed for stringent restrictions. Lenexa, KS, City Council gave final approval to broad smoking ordinance...public restrictions take effect 5/19...workplace limits on 8/19.
- New York. Buffalo City Council agreed not to pursue ordinance to ban all tobacco advertising...adopted resolution asking for voluntary elimination of tobacco and alcohol billboards within 1000 feet of schools, churches and community centers. Council is now considering limits on cigarette vending machines and licensing for tobacco retailers. New York City Health and Youth Services Cmtes hold joint hearing 5/3 on vending restriction measure...three sampling ban ordinances...resolution urging halt to distribution of sample tobacco products and promotional items through toll-free phone numbers.
- Virginia. Richmond City Council agreed this week to eliminate proposed 20-cent cigarette tax from new budget package...will take formal action on tax 5/2. Nearby, Petersburg Council voted to reduce 20-cent tax proposed for school funding to 10 cents per pack...will hold public hearing 5/3, final vote 5/10.
- South. Tuscaloosa, AL, Council rejected calls for broad smoking bans...adopted limits in city government buildings...will ban smoking in elevators, buses, service lines.

STATE SIDEBARS

- California Assembly Health Cmte reconsidered earlier rejection of death certificate bill...on 4/24, favorably reported A4211 to Assembly Ways & Means Cmte. Bill for new study of indoor air quality, A3152, was reported same day from Assembly Environmental Safety & Toxic Materials Cmte.
- No action at Massachusetts Joint Natural Resources Cmte hearing on Prop 65-type bill, H4618, last week. Also, no action yet on packaging legislation, H4002, submitted through initiative campaign...if legislature does not pass measure acceptable to proponents by 5/2, they may gather additional signatures to put restrictions on November ballot.
- Ins and Outs. Alabama adjourned 1990 session on 4/23...Minnesota finished 4/25...Maine closed shop last week. Kansas is back for clean-up session...other states finishing work this week and next: Hawaii...New Hampshire...Vermont. Texas special session on education finance must adjourn by 5/1. Montana special session has been called for 5/21.

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1990 STATE LEGISLATIVE SESSIONS
April 26, 1990

IN	STATE	REGULAR SESSION	CO TO '90	SPECIAL SESSIONS
	ALABAMA	1/9 - 4/23		
X	ALASKA	1/8 - (5/9)	CO	
X/S	ARIZONA	1/8 - (5/25)		1/10-(?) on revenue, runs concurrently
	ARKANSAS	No regular session in 1990		
X	CALIFORNIA	1/3 - (11/30)	CO	
X	COLORADO	1/10 - (5/9)		
X	CONNECTICUT	2/7 - (5/9)		
R	DELAWARE	1/9 - (6/30)	CO	
X	FLORIDA	4/3 - (6/1)		
	GEORGIA	1/8 - 3/9	CO	
X	HAWAII	1/17 - (4/30)	CO	
	IDAHO	1/8 - 3/30		
X	ILLINOIS	1/10 - (6/30)	CO	
	INDIANA	1/3 - 3/13		
	IOWA	1/8 - 4/8	CO	
X	KANSAS	1/8 - (4/27)	CO	
	KENTUCKY	1/2 - 4/13		
X	LOUISIANA	4/16 - (7/7)		
	MAINE	1/3 - 4/19	CO	
	MARYLAND	1/10 - 4/9		
X	MASSACHUSETTS	1/3 - (1/2/91)		
X	MICHIGAN	1/10 - (12/28)	CO	
	MINNESOTA	2/12 - 4/25	CO	
	MISSISSIPPI	1/2 - 4/6		6/18-(?) on education finance
X	MISSOURI	1/3 - (5/30)		
	MONTANA	No regular session in 1990		5/21-(5/25) on revenue, prisons
	NEBRASKA	1/3 - 4/9	CO	
	NEVADA	No regular session in 1990		
X	NEW HAMPSHIRE	1/3 - (5/3)	CO	
X	NEW JERSEY	1/9 - (12/31)	*	
	NEW MEXICO	1/16 - 2/15		3/16-3/20 on revenue
X	NEW YORK	1/3 - (12/31)	CO	
	NORTH CAROLINA	5/21 - (7/13)	CO	3/6
	NORTH DAKOTA	No regular session in 1990		
R	OHIO	1/2 - (12/31)	CO	
X/R	OKLAHOMA	2/5 - (5/25)	CO	1/3-recessed 2/14-(?); convened 8/89
	OREGON	No regular session in 1990		
X	PENNSYLVANIA	1/2 - (11/30)	CO	
X	RHODE ISLAND	1/2 - (5/11)	CO	
X	SOUTH CAROLINA	1/9 - (6/7)	CO	
	SOUTH DAKOTA	1/9 - 3/12		
	TENNESSEE	1/9 - 4/12	CO	
S	TEXAS	No regular session in 1990		2/27-3/28; 4/2-(5/1) on education finance
	UTAH	1/8 - 2/21		
X	VERMONT	1/3 - (4/28)	CO	
	VIRGINIA	1/10 - 3/10	*	4/18-Veto day
	WASHINGTON	1/8 - 3/8	CO	3/9-4/2; possible September-local govt aid
	WEST VIRGINIA	1/10 - 3/10		3/11-3/14 on budget
	WISCONSIN	1/23 - 3/22	CO	5/15-16-Veto/budget session
	WYOMING	2/19 - 3/16		

CO - Bills carried over from 1989 session to 1990 consideration.

* - New Jersey & Virginia bills may carry over from 1990 to 1991 sessions.

X - In regular session S - In special session R - In recess

Adjournment dates in parentheses are approximate.

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