

Action **TAN** Request

cc: Mr. Ave
Mr. Stevens

Tobacco Action Network, 1875 Eye Street, N.W., Washington, D.C. 20006 800-424-9876

MEMORANDUM

Rec'd 3.11.86

TO: State Activities Policy Committee
FROM: Roger L. Mozingo *RM*
RE: Rhode Island Smoking Restriction Action Request
DATE: March 10, 1986

*OK to Mr. Buckley
by letter dated
3/12/86
pd*

BACKGROUND/LEGISLATIVE HISTORY

H 5076 Substitute A, "A Joint Resolution Creating a Special Legislative Committee to Research, Study, and Evaluate the Effect and Impact of the Use of Tobacco Upon Rhode Islanders," (Exhibit A) is currently being considered by a "Study Commission" created by the 1985 legislature. Four other pieces of smoking restriction legislation (Exhibits B1 - B5) are also being considered by the House Health, Education and Welfare Committee (Exhibit C) of the Rhode Island legislature. The bills are likely to be considered by the House (Exhibit D) and Senate (Exhibit E).

The Tobacco Institute and its wholesaler allies are prepared to present testimony in opposition to the legislation. Some representatives of the Institute's allies have been named as members of the Commission. Members of the state's labor and business communities will file in opposition and actively lobby against the Commission's recommended legislation when it is filed. It is likely that the House Health Committee will hold the legislation for review. Our intent is to keep the legislation in committee. If the legislation moves out of committee and through the House, is likely to be reviewed by the Senate Health, Education and Welfare Committee (Exhibit F) before going to the Senate floor.

In the past, the legislature has enacted restrictions on smoking in restaurants and has considered similar workplace restrictions. During the 1984 session, a bill requiring restaurants to post signs regarding nonsmoking areas was passed; similar workplace legislation was considered and rejected.

In the 1985 session a workplace bill was considered and rejected in favor of a study of the "effects of tobacco on Rhode Island." TI was invited to participate in the Commission, but declined on advice of Covington & Burling.

PLAN OF ACTION

Direct Lobbying

Legislative counsel will continue to meet with members of the House Health Committee and with legislative leaders in both parties in both houses.

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Legislative Support

Efforts have already been implemented to develop the support of various organizations. Members of this coalition include the various wholesalers in the state, the Rhode Island Hospitality Association, the Rhode Island State Chamber of Commerce, and the Rhode Island State Council AFL-CIO. Each of these organizations has agreed to lobby and mobilize its members in opposition to the legislation. However, they have little enthusiasm for the effort. If the legislation proceeds beyond the House Health Committee, an advertising program, public relations campaign, voter survey, and economic survey are being considered for implementation.

ACTION REQUESTED

At this time, we request permission to ask member company TAN volunteers to participate in the following activities as needed by the movement of the legislation:

1. Write immediately to the Chairman of the House Health Committee. Attached is the letter to TAN volunteers (Exhibit G) and a list of suggested points that the volunteers can make in their correspondence (Exhibit H).
2. Write immediately to the Speaker of the House and the Senate Majority Leader.

If the legislation proceeds beyond the House Health Committee, volunteers may be asked to:

3. Write to members of the Rhode Island House of Representatives. The letter requesting this action would be similar to that in Number One above; and the suggested points would be altered to respond to the legislative concerns of the members addressed.
4. Participate in a telephone bank effort. This activity will take place after normal business hours.
5. Participate with industry allies in a "letter-to-the-editor" campaign in selected media markets.
6. Participate in "meet your legislator" programs in selected areas.
7. Participate in a flyer distribution program to retail outlets throughout the state. A copy of the specific language will be provided to you prior to the implementation of this program.

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8. Participate in a petition drive. A copy of the specific language will be provided to you prior to the implementation of this program.
9. If the bill is taken up by other committees of the legislature, participate in a letter-writing effort aimed at that specific committee. The committees in question may be the Senate Health, Education and Welfare, House Labor (Exhibit I), and Senate Labor (Exhibit J) Committees.
10. Engage in similar activities with members of the Rhode Island Senate should the measure pass the House.

The above activities will be implemented as necessary, based on movement of the legislation and the guidance of local counsel. Approval for these activities is requested now to eliminate delays during the session.

We also request that you assist our local legislative effort by contacting your subsidiaries, suppliers, and advertisers within Rhode Island to secure their early opposition to the legislation. Please provide Tobacco Institute Regional Vice President Dennis M. Dyer with a list of your contacts. The efforts of these people would be especially helpful with the members of the House Health Committee and the legislative leadership.

Legislative counsel and Covington & Burling have reviewed the lobbying laws of the State of Rhode Island and have determined that the actions requested do not require the participants to register as legislative agents/lobbyists as long as the following criteria are met:

1. Meeting attendance must be completely voluntary and after normal business hours.
2. No reimbursements are to be made for any type of participation in these events.

Please contact Bill Buckley with your approval of the requested action and your recommendations for additional activities.

WSS
Enclosures

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Index of Exhibits

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B-1	List of pending smoking restriction legislation
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D	Rhode Island House of Representatives
E	Rhode Island Senate
F	Senate Health, Education and Welfare Committee
G	Letter to TAN activists
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