

April 12, 1990

STATE HEADLINES

- Nebraska Governor Orr vetoed increased cigarette tax earmarking to medical school construction...Governor struck provision from L1220...legislature did not attempt to override her action before adjourning this week. Bill to toughen workplace smoking restrictions, L269, was defeated on floor earlier in session.
- Iowa legislature sent restaurant smoking restrictions, local preemption bill to Governor before adjournment 4/8...as passed, H209 adds restaurants to existing workplace, public smoking law...provides that state law will supersede inconsistent local ordinances.
- New Hampshire omnibus smoking measure is on way to Governor...S379 would combine and tighten existing workplace, public smoking limits...would require any designated smoking areas to be "effectively segregated" from nonsmoking areas.

TAXES

- For second time, Hawaii House approved converting 40-percent wholesale cigarette tax to 1.8 cents per cigarette...on 4/9, House passed substitute for S3119...bill returns to Senate for concurrence or conference...similar language was passed in H2989, but died in Senate Health Cmte.
- Despite solid defeat of tobacco tax hike on Kansas House floor two days earlier, Senate amended nickel cigarette tax and 5-percent increase in OTP rate into unrelated H2621 on 4/5...House rejected Senate's version of bill, sending it to conference cmte ...further action delayed until legislature returns from recess 4/25.
- Negotiations continue in New York to formulate revenue package...state is facing budget deficit estimated at \$1.8 billion...higher cigarette taxes are among options on the table.
- Florida House Health Care Cmte reported bill 4/11 to hike cigarette tax by 19 cents per pack and raise OTP tax rate from 25 to 45 percent...H1209 would earmark increased revenues to indigent care trust fund...now goes to House Finance & Taxation Cmte. Louisiana session convenes 4/16...Governor Roemer has been floating proposals for higher cigarette and alcoholic beverage excises.
- New Hampshire Senate amended OTP tax provision into unrelated H1332 on 4/10...similar language for levy "proportional" to cigarette excise was passed by Senate earlier in session as amendment to H1503...that bill remains in conference cmte. Maine is searching for \$20-\$30 million in new revenue to forestall budget shortfall...leaders rejected proposal to make immediate the 2-cent cigarette tax hike scheduled for 1/1/91.

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SMOKING RESTRICTIONS

- . Virginia Governor Wilder made amendments to smoking restriction legislation 4/9...would exempt prisons from smoking limits in H1055 and S150...would add back wording dropped by mistake when bill was engrossed. Legislature meets 4/18 to consider changes.
- . Missouri House gave initial passage to workplace, public smoking restrictions this week... final vote on H1055 is set for 4/18.
- . Massachusetts Joint Health Care Cmte reported workplace smoking policy requirement, H1694, to House floor last week...also OK'd were additional limits in public places, H3307... in health care facilities, S462...50-percent nonsmoking in restaurants, S461.

EMPLOYMENT DISCRIMINATION

- . Colorado H1123, to prohibit firing employees based on their legal, off-duty activities, is on Governor Romer's desk...bill provides several exceptions. Delaware House deferred reconsideration of employment discrimination ban until after spring recess...Senate-passed S210 failed by two-vote margin on previous House vote.
- . Rhode Island House Health, Education & Welfare Cmte gave thumbs-up to H8768 this week...would prohibit discrimination based on smoking off-the-job...House floor action expected after return from short recess, 4/23.

SAMPLING/ADVERTISING/SALES RESTRICTIONS

- . Ohio bill to restrict sampling of tobacco products was not called for reconsideration in House Commerce Cmte before legislature recessed last week...H178 is dead...bill's original provision to ban outdoor advertising of tobacco products was amended out. Illinois House Executive Cmte plans hearing next week on H3116...would prohibit outdoor advertising of tobacco products or alcoholic beverages...new bill, S1582, would limit placement of alcohol and tobacco billboard ads in residential areas and near schools.
- . On Massachusetts House floor for second reading is H3308...would require tobacco packages to carry labels stating prohibition on sale to minors...bill was reported from Joint Health Care Cmte last week. On 4/18, Joint Commerce & Labor Cmte holds hearing on handful of sampling, advertising and vending bills.
- . California Assembly Governmental Organization Cmte holds hearing 4/25 on bill to regulate sampling of all tobacco products...A3967 would extend requirements now in effect for smokeless products to cigarettes...would preempt local ordinances on issue. Hawaii Senate Judiciary Cmte held hearing this week on identical resolutions...SCR243 and SR225 would urge retailers to refrain from selling cigarette rolling papers...resolutions would have no statutory effect.

THE LOCAL LOOK

- . New York City, NY, Health Cmte has scheduled 5/3 hearing on two sampling ban proposals...also measure to restrict location of cigarette vending machines.

- . Illinois. Chicago METRA Transit Board meets today to consider public response to proposal to eliminate smoking cars on commuter trains. On 4/16, Park Ridge City Council holds public hearing on budget proposals...including 5-cent cigarette tax.

STATE SIDEBARS

- . California Assembly Health Cmte is to consider death certificate bill on 4/17...A4211 would require forms to include "antecedent causes of death, including alcohol abuse, tobacco use, and eating disorders." On 4/24, Assembly Environmental Safety & Toxic Materials Cmte hears A3152, to require state Air Resources Board to study, make recommendations for reducing exposure to indoor air pollutants.
- . Massachusetts Joint Natural Resources Cmte holds 4/17 hearing on H4618...bill requiring warnings of exposure to "cancer-causing" substances is based on California's Proposition 65. Death certificate bill, H1119, was given unfavorable report from Joint Health Cmte last week...House to consider measure on floor 4/17.
- . Ins and Outs. Legislatures adjourned this past week in Iowa...Maryland...Mississippi...and Nebraska. Maine and Tennessee lawmakers hope to adjourn today. Louisiana lawmakers convene session 4/16. Kansas recessed over weekend but will return for "clean-up" session 4/25...Kentucky is holding veto session this week...Virginia lawmakers return to consider vetoes 4/18. Delaware session is recessed until May...Ohio legislators have finished work until June...will meet briefly, then recess again until November.

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1990 STATE LEGISLATIVE SESSIONS

April 12, 1990

IN	STATE	REGULAR SESSION	CO TO '90	SPECIAL SESSIONS
X	ALABAMA	1/9 - (4/21)		
X	ALASKA	1/8 - (5/9)	CO	
X/S	ARIZONA	1/8 - (5/15)		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	
R	KANSAS	1/8 - (4/27)	CO	
X	KENTUCKY	1/2 - (4/13)		
X	LOUISIANA	4/16 - (7/7)		
X	MAINE	1/3 - (4/12)	CO	
	MARYLAND	1/10 - 4/9		
X	MASSACHUSETTS	1/3 - (1/2/91)		
X	MICHIGAN	1/10 - (12/28)	CO	
X	MINNESOTA	2/12 - (4/17)	CO	
	MISSISSIPPI	1/2 - 4/6		Special session on education possible
X	MISSOURI	1/3 - (5/30)		
	MONTANA	No regular session in 1990		Special session on revenue likely May
	NEBRASKA	1/3 - 4/9	CO	
	NEVADA	No regular session in 1990		
X	NEW HAMPSHIRE	1/3 - (6/30)	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		
X	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 - (4/14)	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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