

STATELINE

THE TOBACCO INSTITUTE
STATE ACTIVITIES DIVISION

January 11, 1991

CONFIDENTIAL: MINNESOTA TOBACCO LITIGATION

TAXES

- Mississippi S2137 would slap \$1.00 per pack tax increase on cigarettes...would add tax of 100-percent of wholesale price to other tobacco products...new revenues would fund correctional and mental institutions.
- Wyoming draft bill would raise cigarette excise by 11 cents...would also hike liquor taxes and earmark portion of new revenues to local government aid. Draft bill from Washington State Health Dept would hike cigarette tax by a penny and raise excise on OTP to fund anti-tobacco programs...would also restrict vending to places where minors are prohibited by law...would prohibit sampling or use of coupons except in tobacco specialty stores.
- Missouri S180 would impose new 10-percent tax on OTP...would use funds for school nurse programs...is reintroduction of bill from 1989 and 1990 sessions. Draft Arizona measure includes 2-cent cigarette tax, higher OTP excises among options for funding uninsured health care.
- Virginia legislator says he'll counter cuts in school funding with bill extending local cigarette tax authority to all counties in northern part of state...currently, only two counties have authority to levy 5-cent taxes, while cities are authorized to impose excises at any rate.
- Cigarette taxes are likely to be on agenda when Louisiana convenes special session on budget in late March...will also tackle redistricting before regular session opens 4/15.

INITIATIVES & REFERENDA

- Preliminary figures indicate insufficient valid signatures were submitted on Kansas City, MO, petitions for referendum on ordinance prohibiting discrimination for lawful activities outside work...proponents would have additional ten days to file supplemental signatures after formal verification announcement is made.

SMOKING RESTRICTIONS

- Recent introductions: Texas H276 would limit smoking in workplaces and places open to public...Indiana H1109 would ban smoking in hospitals and health care facilities...Mississippi H436 would limit smoking in certain public places.

SAMPLING/ADVERTISING/SALES RESTRICTIONS

- New York Governor Cuomo's legislative program includes ban on tobacco sampling and vending...prohibition on advertising in sports facilities...would also ban all use of tobacco products on school property. Prefiled bill, A677, would impose sales tax on tobacco advertising and promotion services.

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SAMPLING/ADVERTISING/SALES, cont'd.

- Mississippi H322 would ban vending, limit sampling and require tobacco retailers to be licensed...H183 would prohibit tobacco sales through vending machines...H89 would penalize sale to minors with minimum \$500 fine and 30 days in jail. H505 would prohibit sale of tobacco products not in sealed packages.
- Draft Montana legislation would set 18 as minimum age for sale of tobacco products...state currently has none...would also ban sampling in public places near youth facilities and require vending machines to be inaccessible to minors or under supervision. Four Missouri bills would prohibit sale to minors: H127, H130, S167 and S193. Wyoming H80 would adopt 18 as minimum age for sale of tobacco products.

EMPLOYMENT DISCRIMINATION

- Among Missouri profiles: H111 and S168...would prohibit discrimination based on whether worker is a smoker or nonsmoker...would prohibit off-the-job smoking bans, so long as employee complies with any laws or workplace policies.

THE LOCAL LOOK

- West. Denver, CO, Mayor vetoed City Council's ordinance providing for smoking areas in Stapleton Airport...Council meets 1/14 and could consider motion to override. Mayor says City Charter prohibits Council from overturning his executive order banning smoking in all city-owned facilities. Kern County, CA, Supervisors voted to prohibit smoking in all county government buildings...ban takes effect 1/22. Arlington, TX, City Council held public hearing 1/8 on ordinance to limit vending and require tobacco retail licenses...also on measure limiting smoking in public places...took no action.
- Midwest. St. Louis, MO, Board of Aldermen votes 1/11 on ordinance providing for both smoking and nonsmoking areas in city-owned buildings. East Lansing, MI, Human Relations Commission meets 1/16...will consider whether to make recommendations to City Council for limits on vending, retailer license, 50-percent nonsmoking in restaurants.
- Northeast. Enforcement of Brookline, MA, regulation banning cigarette machines from all public places begins 2/1...last June, Town Meeting passed by-law requiring machines to be under adult supervision, but later in year, Board of Health adopted regulation prohibiting them, except in private clubs and workplaces not open to minors. Monroe County, NY, Health Cmte deferred proposed vending restriction 1/7...may take it up at 1/28 meeting.

STATE SIDEBARS

- New York companion bills, A346 and S309, would require death certificates to include whether tobacco, drugs, alcohol or AIDS was "contributing cause of death". Although similar tobacco questions have been placed on forms through administrative action in four states, no legislature has passed such a law.
- Ins and Outs. Legislative action has begun in 32 states...two others, Alabama and Oklahoma are holding organizational sessions. Next week, 11 more states convene for 1991. Kentucky does not meet in regular session this year, but will start special session 1/14 to tackle solid waste management, drunk driving, corporate tax incentives.

1991 STATE LEGISLATIVE SESSIONS
January 11, 1991

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IN	STATE	REGULAR SESSION	CO TO '92	SPECIAL SESSIONS/NOTES
S	ALABAMA	4/16 - (7/30)		Organizational Session 1/8-18
	ALASKA	1/21 - (5/21)	CO	
	ARIZONA	1/14 - (5/15)		
	ARKANSAS	1/14 - (3/15)		
X	CALIFORNIA	1/7 - (9/30)	CO	Organizational Session 12/3/90
X	COLORADO	1/9 - (5/2)		
X	CONNECTICUT	1/9 - (6/5)		
X	DELAWARE	1/8 - (6/30)	CO	
	FLORIDA	3/5 - (5/3)		Org'l & Special Session 11/20/90
	GEORGIA	1/14 - (3/8)	CO	
	HAWAII	1/16 - (5/8)	CO	
X	IDAHO	1/7 - (3/31)		
X	ILLINOIS	1/9 - (6/30)	CO	
X	INDIANA	1/7 - (4/30)		Organizational Session 11/20/90
	IOWA	1/14 - (5/3)	CO	
	KANSAS	1/14 - (6/30)	CO	
	KENTUCKY	No regular session		Special session 1/14: solid waste, DWI
	LOUISIANA	4/15 - (7/8)		Spec Taxes-March; Redistricting-April
X	MAINE	1/2 - (7/1)	CO	Org'l Sess 12/5/90; Spec Budget 12/21/90
X	MARYLAND	1/9 - (4/8)		
X	MASSACHUSETTS	1/2 - (12/31)		
X	MICHIGAN	1/9 - (12/16)	CO	
X	MINNESOTA	1/8 - (5/20)	CO	
X	MISSISSIPPI	1/8 - (4/7)		
X	MISSOURI	1/9 - (6/30)		
X	MONTANA	1/7 - (4/26)		
X	NEBRASKA	1/9 - (5/31)	CO	
	NEVADA	1/21 - (5/24)		
X	NEW HAMPSHIRE	1/2 - (6/30)	CO	Organizational Session 12/5/90
X	NEW JERSEY	1/8 - (1/13/92)	*	
	NEW MEXICO	1/15 - (3/15)		
X	NEW YORK	1/9 - (12/31)	CO	Recess planned 7/3
	NORTH CAROLINA	1/16 - (8/1)	CO	
X	NORTH DAKOTA	1/7 - (5/1)		Organizational Session 12/4/90
X	OHIO	1/8 - (12/31)	CO	
	OKLAHOMA	2/4 - (6/1)	CO	Organizational Session 1/8
	OREGON	1/14 - (7/4)		
X	PENNSYLVANIA	1/1 - (11/30)	CO	
X	RHODE ISLAND	1/1 - (6/1)	CO	
X	SOUTH CAROLINA	1/8 - (6/6)	CO	Org'l Session 12/4-5/90
X	SOUTH DAKOTA	1/8 - (3/15)		Budget address 11/28/90
X	TENNESSEE	1/8 - (5/24)	CO	
X	TEXAS	1/8 - (5/27)		
	UTAH	1/14 - (3/15)		
X	VERMONT	1/9 - (5/17)	CO	
X	VIRGINIA	1/9 - (2/23)	*	Special Session Redistricting-April
	WASHINGTON	1/14 - (4/30)	CO	
X	WEST VIRGINIA	1/9 - (3/8)		
X	WISCONSIN	1/7 - (3/31)	CO	
X	WYOMING	1/8 - (3/4)		

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CO - Bills may carry over from 1991 session to 1992 consideration.
 * - New Jersey & Virginia bills carried over from 1990 to 1991 session.
 X - In regular session S - In special session R - In recess
 Adjournment dates may be approximate.

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