

STATELINE

THE TOBACCO INSTITUTE
STATE ACTIVITIES DIVISION

May 14, 1992

MAY 18 1992

STATE HEADLINES

- . Alaska legislature adjourned 5/12 without passing tobacco tax increases...12-cent cigarette tax and 10-percent increase for other tobacco products passed House but died in Senate. Vending amendments were sent to Governor Hickel in H84...Senate removed bill's original language requiring "health warning" signs at point of sale. Privacy legislation was passed by Senate...was awaiting House floor vote when gavel fell.
- . Missouri legislature passed omnibus tobacco bill this week...sent S509 to Governor Ashcroft with privacy protection for off-job use of alcohol and tobacco...bill includes first statewide smoking restrictions, requiring nonsmoking areas in workplaces, restaurants and public areas ...sets 18 as minimum age for purchase of tobacco products...bans sampling to minors.
- . All tobacco bills died in Mississippi when legislature adjourned...10-cent cigarette tax increase died in cmte...retailer licensing and smoking restrictions were rejected. Legislature passed SCR516, submitting constitutional amendment to voters to decide 11/3 whether to adopt initiative process for proposing future amendments to constitution.
- . Kansas legislators rejected all tobacco bills before closing business 5/10...cigarette and OTP taxes were defeated...also, smoking restrictions for state capitol and hospitals...sampling and advertising restrictions. Privacy legislation failed to move...as did bill to create initiative and referendum authority.
- . New Hampshire legislature closed session last week...all tobacco bills died...bill to ban product displays on check-out counters was rejected early in session...conference cmte failed to report compromise on bill changing penalty for minor's possession of tobacco products.
- . Bellflower, CA City Council repealed restaurant smoking ban on 5/11...also defeated motion to require 80-percent set-aside for nonsmoking seating...ban was enacted in January 1991.

TAXES

- . Iowa Governor Branstad refused to sign budget with 1-percent sales tax increase...has called special session to begin 5/20...tobacco taxes are expected to be on Governor's agenda.
- . California Assembly Revenue & Taxation Cmte OK'd 2-cent cigarette tax bill this week...sent A3410 to Ways & Means Cmte...bill would earmark new revenues to breast cancer treatment and prevention. By raising cigarette excise, A3410 would also hike OTP tax...rate is set annually in proportion to cigarette tax.

2041201843

C3

INITIATIVES & REFERENDA

- Proponents of 1990 Colorado tobacco tax initiative were denied motion for reconsideration of additional petition sheets this week...last month, Supreme Court ordered Secretary of State to re-count certain petitions. Legislature has sent bill to Governor Romer that would allow future initiative proponents to gather additional signatures if first petition is found to be short of required valid signatures...if H1256 is approved, would take effect 1/1/93.

SMOKING RESTRICTIONS

- Rhode Island House passed two smoking bills last week...sent H7872, to allow restaurants to ban smoking, and H8639, requiring school boards to ban smoking, to Senate.
- Louisiana Senate Health & Welfare Cmte has rescheduled hearing on workplace, public smoking bills for 5/19. Both House and Senate have passed bills to limit smoking on school property...S147 and H1176 would allow administrators to designate smoking areas for staff.
- Oklahoma House passed resolution directing Dept of Human Services to regulate smoking in day care centers...HCR1075 is now in Senate. Bill to restrict smoking in public schools, H2229, died in second conference cmte last week.
- Maryland State Board of Education holds public hearing 5/19 on regulation to ban all tobacco use in school district buildings...measure would allow smoking on grounds only after official school hours. Board is to vote on regulation in June.

EMPLOYMENT DISCRIMINATION

- New York privacy legislation is on Senate floor...Labor Cmte OK'd S6935 on 5/12...bill would prohibit discrimination based on legal, off-job activities.

SAMPLING/ADVERTISING/SALES RESTRICTIONS

- California A2935, to prohibit use of cartoon figures in advertising for certain "unsafe products" as defined to include tobacco and alcohol, was reported 5/13 from Assembly Judiciary Cmte to floor. Bill to impose 20-percent tax on tobacco advertising, A3711, remains pending in Assembly Revenue & Taxation Cmte...would use revenues to supplement Prop 99 excise taxes in funding anti-tobacco media campaign.
- Delaware Senate passed bill raising minimum age for purchase of tobacco products from 17 to 18 years...sent S330 to House. New bill filed in New York, S8124, would penalize minors for possession of tobacco products...is pending in Senate Consumer Protection Cmte.

PACKAGING/LITTER

- New York is first state to introduce legislation based on packaging reduction model from Coalition of Northeastern Governors (CONEG)...S8195 was proposed by Governor Cuomo to set standards for packaging waste reduction.

2041201844

THE LOCAL LOOK

- California. Alturas City Council adopted smoking restrictions for city-owned buildings...amended out restaurant and public place provisions. Davis citizens cmte presented draft smoking ban to City Council on 5/13...includes bars and outdoor areas as well as workplace and restaurants. Laguna Beach City Council will hold final reading of vending ban on 5/19. Loma Linda Council will hold first reading and public hearing on proposed smoking ban on 5/26...includes bars. Pasadena City Council will hold first reading of workplace smoking ban on 6/2. San Francisco Board of Supervisors may hold first reading of restaurant restrictions on 5/18...advertising restrictions were referred to Finance Cmte on 5/5. Sebastopol City Council will review amendments to 1992 sales restrictions on 5/19...would allow self-service displays if supervised and would repeal coupon ban. Shasta County Board of Health will hold public hearing on broad-based smoking restrictions 6/16.
- Texas. Houston City Council adopted city-owned building smoking ban on 5/13...bans in airports, restricts in Astrodome...amendment to allow designated areas in airports is pending. Harlingen City Council re-referred smoking restrictions to Planning & Zoning Commission for redrafting...Council said too restrictive.
- Southwest. Flagstaff, AZ City Council may hold final reading of motion to repeal 1991 restaurant ban on 5/19...would classify restaurants with bowling alleys, allowing 50% of seating to be smoking. Tempe, AZ Public Safety Cmte will hold public hearing on proposal to increase smoking restrictions on 5/19. Salt Lake County, UT Board of Health gave first reading approval to broad-based smoking ban on 5/7...exemption for financial hardship added...public hearing must be held before next vote.
- Midwest. Monroe County, IN Board of Health reviewed draft restaurant phase-in smoking ban on 5/12...County Commissioners must also approve. Ingham County, MI Finance Cmte approved sales restrictions on 5/6...Board of Commissioners adopted ordinance on 5/12...requires retailer license and restricts vending...sampling and self-service display language amended out. Ballwin, MO Board of Aldermen did not discuss smoking restrictions on 5/11...next meeting is 6/8.
- Northeast. Burlington, MA Board of Health referred smoking and vending restriction proposal for language review on 5/12...next possible consideration on 6/2. Fitchburg, MA City Council agreed to amend language on sting operations and coupons in sales restriction/sampling ban proposal...public hearing on 5/19. Tri-City Board of Health of Lee, Lenox, and Stockbridge, MA will hold meeting on smoking, sampling and vending ban on 5/20.
- Southeast. Anne Arundel County, MD Council will consider county-owned building smoking ban on 5/18. Alexandria, VA City Council approved 1993 budget with 5-cent cigarette tax increase from 15-cents to 20-cents...proposed 50-cent tax for cancer care will be heard on 5/16. Petersburg, VA City Council delayed consideration of 10-cent cigarette tax increase until 5/19. Hampton, VA City Council adopted 5-cent cigarette tax increase, from 20-cents to 25-cents, on 5/13.

C3

STATE SIDEBARS

- . Louisiana House Civil Law & Procedures Cmte is scheduled to consider H1623 on 5/18...bill would allow state to sue tobacco companies for costs of providing medical care to indigent persons with "smoking-related diseases." On 5/19, Senate Health & Welfare Cmte is schedule to hear S157, to require death certificate forms to note where death was related to smoking.
- . New York Assembly Environmental Conservation Cmte OK'd indoor air quality bill this week...A10688 would require promulgation of standards for public buildings...is now in Assembly Ways & Means Cmte.
- . Council of State Governments cmte on model laws rejected "Youth Access to Tobacco Products Act"...was proposed by Coalition on Smoking OR Health for inclusion in this year's Suggested State Legislation book.
- . Ins and Outs. Legislatures adjourned in Alaska, Mississippi and New Hampshire. Kansas finished business 5/10 but formally adjourns 5/26...final action approaches in Alabama and Missouri. Special session on loose ends began 5/12 in Connecticut...Utah convenes special session 5/19...Iowa tries again on budget starting 5/20. North Carolina opens its regular 1992 session 5/26.

* * * * *

2041201846