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## ...DAILY BULLETIN...DAILY BULLETIN...DAILY BULLETIN... PUBLIC AFFAIRS...THE TOBACCO INSTITUTE...

## TUESDAY MAY 19, 1998

... IN REVIEW... IN REVIEW... IN REVIEW...

Last night, the U.S. SENATE began consideration of \$1415, the "National Tobacco Policy and Youth Smoking Reduction Act," by Senator McCain (R-AZ). Upon opening the debate, U.S. SENATE MAJORITY LEADER LOTT (R-MS) modified the legislation by replacing its tobacco farmer provisions authored by U.S. SENATOR FORD (D-KY) under the "LEAF Act" with U.S. SENATOR LUGAR's proposal to abolish the federal tobacco program and buy-out farmers. Senator Lott's modifications also included Senator McCains's "manager's amendment" and most of the amendments adopted by the Senate Finance Cmte last week except for the \$1.50 per pack increase. Thus far today, no votes have been taken on the legislation.

Today, several tobacco farmers and public health organizations, including CTFK and the AMERICAN HEART ASSN, held a news conference protesting the modifications made last night by Senate Majority Leader Lott (R-MS) to \$1415 to abolish the federal tobacco program and replace it with a buyout program for farmers and tobacco communities. U.S. Senator Robb (D-VA) also participated in the event, stating that by ending the program, tobacco companies would control the price of tobacco. The groups said they were sending a letter to the members of the U.S. Senate urging that the original language of the "LEAF Act" by Senator Ford (D-KY), which would keep the tobacco program, among other provisions, be reinserted in the bill.

- U.S. SENATORS GREGG (R-NH) and LEAHY (D-VT), joined by Drs. Koop and Kessler, held a press conference this morning urging opposition to any liability protections for the tobacco industry...they will try to strike the protections currently in S1415 as it is debated on the Senate floor this week. Dr. Koop said the liability protections in the bill "appeared to be were written by the tobacco industry."
- U.S. SENATORS FAIRCLOTH (R-NC), SESSIONS (R-AL), and MCCONNELL (R-KY) held a press conference to discuss their amendment to \$1415 to limit attorneys fees to \$250 per hour...at this time, the amendment is being debated on the Senate floor.

A substitute was filed to OHIO S221 by the bill's sponsor, State Sen. Drake, that would provide local and county boards of health the authority to license tobacco retailers...as introduced, would establish 21 as the legal age to purchase tobacco products and provide for the revocation of a retailer's tobacco license for illegally selling to persons under 21 more than twice in a ten-year period...the legislation is expected to be heard today or tomorrow in the Senate Health Cmte, chaired by Sen. Drake. The State Supreme Court 5/13 decided Cincinnati v. Cincinnati Bell Telephone in favor of the City of Cincinnati. The ruling effectively strikes down the doctrine of implied preemption denying sources of state tax revenue to local government taxing units...the decision would allow the Ohio General Assembly to deny or restrict, by law, the right of local municipalities to access sources of state revenue.

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CALIFORNIA A1744 and A1991 are scheduled for consideration 5/20 in the Assembly Appropriations Cmte...A1744 would prohibit the Public Employee Retirement Fund and the State Teachers Retirement Fund from investing in tobacco companies and require a phased divestment of those investments. A1991 would prohibit any deduction for any amount paid to the National Tobacco Settlement Trust Fund pursuant to the Universal Tobacco Settlement A2777 would make statutory changes pursuant to programs funded by the Cigarette and Tobacco Products Surtax Fund. S1433, S1821, and S1382 are scheduled for consideration in the Senate Appropriations Cmte...S1433 would also prohibit the Public Employee Retirement Fund and the State Teachers Retirement Fund from investing in tobacco companies and require a phased divestment of those investments. S1821 would require the Education Department to include students in grades seven and eight in existing tobacco use prevention programs and require a supplementary grants program for seventh and eighth grade students through the reappropriation of funds from the Cigarette and Tobacco Products Surtax Fund. S1382 would amend the Confidentiality of Medical Information Act and the Insurance Information and Privacy Protection Information Act to make it more difficult to release medical information and impose greater administrative, civil and criminal penalties for violations. The SAN JOSE City Council dismissed a proposed ordinance that would ban self-service displays of tobacco products, restrict tobacco advertising, and require licensing for the sale of tobacco The SANTA CRUZ City Council voted 5-1 in favor of an amendment to the city's smoking ban including a ban on smoking while waiting in any outdoor line for services or entertainment...smokers will also be responsible for ensuring secondhand smoke does not drift into any building where smoke is banned...further consideration within two weeks.

The MASSACHUSETTS Legislature's Cmte on State Administration placed Governor Celluci's proposal, H5331, into a study bill...would restrict private attorneys' fees in the state's tobacco suit to 1% of any winnings after the first \$100 million.

ARIZONA H2270 passed the Senate and was returned to the House for concurrence...would allocate tobacco taxes to capital project grants.

ILLINOIS HJR69 would create a "Red Ribbon" Cmte to convene public hearings on the use of alcohol, tobacco, and other "drugs" by underage youth, encourage state legislators to initiate legislation to advance community-based prevention, and play an active role in engaging their constituents in prevention measures.

The FAIRFAX COUNTY, VA Board of Supervisors voted unanimously to consider a proposed no-smoking policy that would give preference to county job applicants who do not smoke and require smokers who are hired to quit in order remain employed...current state law prevents local governments from imposing such restrictions.

The ORANGE, CT Board of Selectmen unanimously approved an ordinance banning tobacco product vending machines in town and tobacco ads within 1,000 feet of schools, recreational facilities, playgrounds, parks, movie theaters, homes and places of worship...effective 7/1/98.

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The SAINT PAUL, MN City Council is scheduled to hear 5/20 second reading of a proposed ordinance prohibiting tobacco product vending machines in facilities where minors are present.

The MISSOURI Legislature adjourned 5/15.

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