

PLAN OF ACTION

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EXPANSION OF TAN  
INTO THE  
SOUTHEASTERN STATES - 1981

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Prepared by  
TAN

June 30, 1980

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INTRODUCTION

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We are pleased to present our plan for completing the mandate given us some two and one half years ago when the Tobacco Action Network program was approved as a priority program in the Tobacco Institute business plan.

Much has happened since then. The foundation of the 50-state national pro-tobacco organization that our member companies envisioned has been firmly set into place.

TAN is operating in 36 states, under the direction of 17 state directors. By the end of 1980, 20 state directors will be operating in 41 states.

For the first time, members of the tobacco family in these states have been unified. Under the TAN banner, they are working to blunt the anti-tobacco attacks on the industry. They have been remarkably successful. The value of a coordinated national pro-tobacco force has been demonstrated very clearly.

TAN is working!

Now it is time to bring TAN up to the full potential mandated two and one half years ago - by including the heartland of the tobacco family, the southeastern states.

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## TAN NEEDS THE TOBACCO GROWING STATES

Obviously the heart of the tobacco family is in the southeastern states. These states, therefore, are crucial to the validity of the nationwide TAN effort. When "Tobaccoland" is officially included in the TAN structure, the TAN pro-tobacco message will be able to be delivered at full strength.

When TAN acts, it will clearly be acting for all of tobacco. This extra - and most important - clout will most certainly make the TAN effort even more effective, especially on the national and state legislative levels.

A total national response will also help TAN counteract proposed anti-tobacco rules and regulations by such federal agencies as the FDA, CAB, and FTC, when needed. In TAN's first CAB letter writing campaign, the response from the tobacco states was pitifully small. In the future, we would hope the response from the major tobacco producing states will be the strongest of all the TAN areas. This is as it should be!

There will be another benefit when TAN expands into major tobacco growing states. The stature of the organization will be further enhanced, and that will help TAN gain even broader support from the various elements of the tobacco family throughout the nation.

## THE TOBACCO GROWING STATES NEED TAN

The attack on tobacco is national in scope. Countering it requires a unified, coordinated national effort. That is, in fact, why TAN is so badly needed and was created as a 50-state nationwide organization.

The tobacco growing states are not immune to anti-tobacco efforts. Many potentially-damaging proposals have been introduced in state legislatures and local communities throughout the southeast. Addendum A to this presentation outlines these proposals. They represent challenges that TAN was designed to overcome - more will surface in the future.

The many tobacco-family organizations already in place in the southeast are functioning well in their specific problem areas. The expansion of TAN into the southeastern states will not affect their important work. Rather, TAN will, rally them under a national banner and permit them to participate in and support coordinated efforts in those areas that affect the tobacco family as a whole, an effort which is lacking at present.

TAN will permit the great strength of the tobacco heartland to be mobilized against anti-tobacco efforts elsewhere in the nation. TAN will permit this area to speak out as one, in favor of the tobacco point-of-view.

WITH THE TOBACCO GROWING STATES  
THE FULL POTENTIAL OF TAN CAN BE REALIZED

When the tobacco-growing states are included in TAN, the nationwide organization mandated by the member companies on November 8, 1977 will be totally in place. At this point, the full potential of TAN will begin to be realized throughout the nation. All the basic industry-segments will then be a part of TAN.

The work of the TAN organization can then be directed more effectively to fight efforts at federal, state, county, and municipal levels to restrict or prohibit the use of tobacco or to increase taxes.

And, in the longer term, TAN can more readily help create a greater sense of unity and pride among the members of the tobacco family, as well as a more positive image for tobacco with the general public.

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IMPLEMENTATION

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IMPLEMENTATION

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IMPLEMENTING TAN IN THE SOUTHEASTERN STATES

- 1 - PERSONAL PRESENTATION AND EXPLANATION OF TAN TO KEY MEMBERS OF ALL TOBACCO-RELATED GROUPS; REQUEST SUPPORT
- 2 - RECRUIT AND HIRE STATE DIRECTORS
- 3 - OPEN STATE OFFICES
- 4 - ORGANIZE STATE TAN ADVISORY COMMITTEES
- 5 - BEGIN TAN MEMBER ENROLLMENT PROCESS
- 6 - PUT TAN TO WORK

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1. PERSONAL PRESENTATION AND EXPLANATION OF TAN TO KEY MEMBERS OF ALL TOBACCO-RELATED GROUPS; REQUEST SUPPORT

All tobacco-related groups in each state will be identified, including both primary and secondary types.

Primary groups are defined as those composed of people who make their livings directly from the production and the manufacture, distribution and sale of tobacco products.

Secondary groups are defined as those individuals, companies and supplier organizations that provide services or products to the primary groups.

Addendum B to this presentation lists key primary group contacts in the six tobacco-growing states. The list also includes key political figures from each state.

The presentation and explanation of TAN to key contacts will be handled by Horace Kornegay, with support from other Tobacco Institute and TAN officials. It will be emphasized strongly that TAN will not replace or conflict with any existing organization. TAN's function is to indentify, enroll, educate, and activate individuals to respond to anti-tobacco legislative or regulatory action affecting the industry as a whole. Leaders of existing tobacco organizations recognize a need to be more involved in countering the anti-tobacco movement.

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A. State Farm Bureau Federations

The first presentations will be made to the State Farm Bureau Federations - the groups that most closely represent the views of the tobacco farmers.

Mr. Kornegay will appear before the tobacco committee of each Farm Bureau in major states to request a resolution in support of the TAN program. Mr. Kornegay will then be available to appear at the Farm Bureau's Annual Convention to explain the program to the entire organization, if required.

B. Political Leaders

Having gained the support of the State Farm Bureau Federations, contact will be made with the state political leaders to explain the purpose and goals of TAN.

C. State and Regional Tobacco Groups

Representatives of all major tobacco groups in each state will then be invited to a central location where Mr. Kornegay and other industry leaders will introduce TAN. An explanation will be given of how TAN will function in relation to the existing groups, and how it will benefit each of them, the state as a whole, and the entire national pro-tobacco effort.

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With the acceptance of TAN  
by tobacco organizations in  
a state, the next step in the  
implementation process can  
proceed.

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## 2. RECRUIT AND HIRE STATE DIRECTORS

Staffing will be on a multi-state basis, with one State Director for each of the following state combinations:

- Virginia, West Virginia, Maryland, and D.C. \*
- Georgia, Alabama, and Mississippi
- Kentucky and Tennessee
- North Carolina and South Carolina

Recruitment and hiring of the four southeast State Directors will follow the procedures already established by TAN.

Each State Director should be in his or her mid-thirties or older, have a thorough knowledge of the tobacco industry and have an interest in helping to solve our problems.

As each State Director  
is selected, an office  
will be established.

- \* Note - A State Director has been authorized to be hired for Maryland and D.C. during 1980; upon approval of this plan the State Director would be assigned Virginia and West Virginia in January, 1981.

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3. OPEN STATE OFFICES

Recommended office locations and proposed dates and estimated budget for opening are as follows:

- Virginia, West Virginia, Maryland, D.C.- \*
  - . Operate from TAN National office
  - . Open January 1981 - Estimated 1981 Budget - \$92,000
  
- Georgia, Alabama, Mississippi -
  - . Operate from TAN Area office in Atlanta, Georgia
  - . Open April 1981 - Estimated 1981 Budget -- \$80,000
  
- Kentucky and Tennessee -
  - . New office in Lexington, Kentucky
  - . Open June 1981 - Estimated 1981 Budget -- \$58,000
  
- North Carolina and South Carolina -
  - . New office in Raleigh, North Carolina
  - . Open October 1981 - Estimated 1981 Budget - \$37,000
  - Total Estimated 1981 Budget ----- \$267,000

As soon as each office is opened, the next step of the implementation program can begin.

\* See note preceding page.

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4. ORGANIZE STATE TAN ADVISORY COMMITTEES

The new State Director in each locale, with assistance from Washington headquarters, will form a State TAN Advisory Committee. It is anticipated that the Advisory Committees in the tobacco-growing states will be larger than those formed in other staffed states. This will accommodate the greater number of existing tobacco-related organizations and associations that should be represented.

Manufacturers will be represented by a high ranking official from each company. He or she should be well-connected with headquarters as well as company sales representatives covering the state.

Thus - individuals with direct knowledge of the excellent current pro-tobacco efforts and programs already underway in the area will be available to share their experience with the new TAN organization, and to provide guidance in the unified approach.

After each State Advisory Committee is formed, TAN membership enrollment will begin.

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5. BEGIN TAN MEMBERSHIP ENROLLMENT PROCESS

TAN already has an effective enrollment program underway in the rest of the nation, and it will be put into effect in the southeast area.

Much of the effort will be directed at the current tobacco organizations to achieve group enrollments. Enrollment procedures will concentrate on personal contact and presentations throughout, rather than indirect methods such as mass mailings.

Addendum C itemizes potential enrollment figures for the southeastern states.

As the TAN membership grows, the organization can be put to work.

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6. PUT TAN TO WORK

With the enrollees on board, the nationwide TAN orientation, education, and training programs can be inaugurated. Then the TAN members will be called upon as necessary to respond to specific anti-tobacco initiatives.

It should be re-emphasized that TAN was created to respond to proposed legislation or regulations that affect the entire tobacco industry, not proposals that affect only one particular segment of the industry. For example, TAN could be involved in the on-going legislative effort to discontinue the price support program. It would not be involved in proposed rules by the U. S. Department of Agriculture regarding a procedure within the price support program that might evoke different reactions from various elements of the industry. Nor would it become involved in tobacco tariff regulations, the U.S.D.A. Four Leaf program, regulations on the lease and transfer of leaf across county lines, or the baled burley program.

TAN was created to represent the entire tobacco family - including the Tobacco Tax Council. If the original mandate for TAN is to be realized, there should be one total industry grass-roots program.

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The Tobacco Tax Council will continue to be encouraged to participate in TAN.

Full cooperation between the Tobacco Tax Council, the Tobacco Institute, manufacturers, and other pro-tobacco organizations is vital to the success of TAN in the southeastern states. TAN must be clearly defined as a total industry organization to avoid the appearance that the program will usurp the responsibilities of existing tobacco organizations.

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## IN SUMMARY

The time has come for TAN to assume the full nationwide scope that was originally mandated for it, by expanding to include the heart of the nation's tobacco family - the southeastern states. With these states firmly in the organization, TAN can truly act for all of tobacco. The success that the effort has achieved thus far is just the beginning! With all the pro-tobacco resources mobilized under the TAN banner, the benefits originally envisioned by the member companies can be more readily achieved.

With the approval of this plan, we will begin to expand the TAN program into the southeastern states in 1981. The pressures on the industry continue to grow. With the entire nation mobilized, the tobacco family will be in a favorable position to meet and beat the ongoing challenges.

We believe TAN is much needed and will be well received in the Southeastern States.

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ADDENDUM A

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ADDENDUM A  
LEGISLATIVE HISTORY

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ALABAMA

Smoking Restriction Legislation

State

- 1980 In the 1980 session, no smoking restriction legislation was introduced. However, TI Legislative Counsel Knox Argo indicated that he had spoken with a prominent anti-smoking activist in the state who indicated that there will be a major push in 1981 to pass a state-wide restriction bill.
- 1979 H-623 - Would have restricted smoking in certain places and areas and prescribes penalties for any violation. Smoking would be prohibited in health care facilities, public elevators, and any place prohibited by the fire marshall or by other law, ordinance, or regulation. Died with adjournment.
- S-404 - Companion to H-623. Would have restricted smoking in certain places and areas and prescribes penalties for violation of this act. Died with adjournment.
- H-781 - Would have restricted smoking in certain places and areas. Died with adjournment.
- 1978 S-191 - Would have restricted smoking in health care facilities, elevators and any place prohibited by the fire marshall or by other law, ordinance or regulation. Defeated in committee by 3-3 vote.
- 1977 H-185 - Would have prohibited smoking in patient areas of health care facilities, schools, office elevators. Died in Committee.
- 1976 H-221 - Would have restricted smoking in certain public areas. Similar to Minnesota Law. Died with adjournment.
- 1975 H-140 - Would have banned smoking in certain public places. Died with adjournment.

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Alabama (continued)

Local

- 1980: Montgomery City Council rejected resolution to ban smoking at council meetings; council voted 6-2 to install an exhaust fan in the council chamber and to provide for a smoking section in the auditorium.
- 1978 Homewood City Council passed smoking restriction ordinance. Smoking is restricted in retail stores, hospitals, cultural areas and public meetings.
- 1976: Birmingham banned smoking on city buses.
- Birmingham City Council passed an ordinance prohibiting smoking in public buildings, at public gatherings and other public places.
- Selma City Council banned smoking in city owned buildings except in designated areas.

Tax

- 1980: H-84 - Increases cigarette tax from 12 to 16 cents per pack. Enacted.
- H-508 - Would increase cigarette tax from 12 to 14 cents per pack. Pending.
- H-941 - Allows Bibb County to enact 2 cents local cigarette tax. Enacted.
- H-1063 - Allows Baldwin County to enact 2 cents local cigarette tax. Enacted.
- 1979 H-582 - Would have increased cigarette tax from 12 to 15 cents per pack. Died with adjournment.
- 1969 Last cigarette tax increase 10 to 12 cents per pack.

Miscellaneous

- 1980 S-52 - Would have provided for tax credit for payments for enrollment in programs for dieting or stopping smoking. Died on calendar.
- 1979: H-582 - Would have levied a license or privilege tax upon every person who sells, stores, or receives cigarettes for the purpose of distribution. Died with adjournment.

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## GEORGIA

### Smoking Restriction Legislation

#### State

- 1980 H-472 - Would have restricted smoking in hospitals and health care facilities except in designated areas. Killed in Committee by 8 to 7 vote.
- 1979 H-474 - Would have restricted smoking in hospitals and health care facilities except in designated areas. Carried over to 1980 session.
- 1978 S-330 - On reconsideration, House failed to pass by 77 to 70 votes.
- 1977 S-330 - Would have prohibited smoking in certain places in hospitals and health care facilities. Passed Senate by a vote of 41 to 12. Passed House by a vote of 108 to 46. Motion to reconsider passed. Referred back to Committee.
- 1976 HR-961 - The Georgia Legislature recommended that all hospitals and health care facilities prohibit smoking in areas occupied or frequented by non-smoking patients, and to allow smoking by visitors and staff only in clearly designated smoking areas.
- 1975 Enacted into law a bill to prohibit smoking in elevators, public transportation vehicles and any public place where no-smoking signs are posted.

#### Local

- 1980 Athens City Council adopted a ban on smoking in City Council chambers by a 3 to 2 vote.
- Macon City Council passed a resolution prohibiting smoking on the main floor of the city auditorium unless special permission is granted in lease agreements. Smoking is also prohibited in balconies, elevators, and in the lobby areas located just outside the main floor area.
- 1976 Columbus- Ordinance adopted that prohibited smoking on the first five rows of seats on Columbus Transit System buses.

#### Tax

- 1980 H-1433 - Would have increased cigarette tax from 12 to 17 cents per pack. Died with adjournment.

Georgia Tax (continued)

1971 Last cigarette tax increase 8 to 12 cents per pack.

Miscellaneous

- 1980 H-621 - Would have imposed on each seller (manufacturers and wholesalers) an annual excise tax of 3 cents on each \$100 gross proceeds to fund the resource conservation, recovery and beautification act. Died with adjournment.
- 1979 H-621 - Would have imposed on each seller (manufacturers and wholesalers) an annual excise tax of 3 cents on each \$100 gross proceeds to fund the resource conservation, recovery and beautificatin act. Carried over to 1980.

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## KENTUCKY

### Smoking Restriction Legislation

#### State

While no state legislation to restrict smoking in public places or to increase cigarette taxes has been introduced in the past four years, there is an active chapter of GASP in Louisville that been seeking a sponsor for a smoking restriction bill. The president of this chapter, Roger Setters, appeared as a witness before the National Commission on Smoking and Public Policy at the Atlanta meeting in June of 1977. He was quoted as saying "We are trying to approach it kind of on a general, gradual basis and we are going to hit places where we feel like there is an obvious reason for (banning smoking) - - - grocery stores, hospitals, places of public gatherings. If we can get these through it will give us something to work with, a foundation to build on."

1976 H-693 - Would have segregated smokers and nonsmokers in places of public assembly. Died with adjournment.

H - 178 - Bars smoking on school premises. Passed March 20, 1876. Enacted into law.

#### Local

The Jefferson County Fiscal Court is considering a proposed ordinance to restrict the use of outdoor advertising. Since this proposal would affect all of the tobacco products manufacturers, TAN would be a useful vehicle in which to generate grass-roots oppositon to the ordinance. At this writing, no action has been taken on the proposal by the Fiscal Court.

1979 Louisville - University of Louisville rescinded smoking ban in Freedom Hall. Athletic council had previously banned smoking during basketball games.

1975 Lexington - University of Kentucky, Lexington Senate voted to establish a no-smoking policy in classrooms. Enforcement of policy is left to the administration.

#### Tax

1970 Last cigarette tax increase was 2.5 to 3 cents per pack.

#### Miscellaneous

1978 H-253 - Imposed litter tax of 3 cents on each \$100 of gross proceeds in litter-related industries, including cigarettes and tobacco products. Signed by Governor.

## MISSISSIPPI

### Smoking Restriction Legislation

#### State

- 1980 S-2830 - Would have restricted smoking in facilities owned or leased by the state or by any governmental sub-division and at public meetings. Would restrict smoking in a privately owned establishment if the person in charge of such establishment posts "no smoking" signs. Violation of this act is a misdemeanor and punishable by a fine of up to \$25. Died with adjournment.
- HRES-14 - Would have created a new house rule to prohibit smoking food, drink or newspapers in Chambers during session. Killed in Committee.
- HRES-19 - Would have created new house rule prohibiting smoking, food, drink or newspapers in House Chambers. Killed in Committee.
- H-562 - Would have prohibited smoking in public buildings violation is a fine up to \$50. Died with adjournment.
- 1979 H-107 - Would have prohibited smoking in public elevators. Reported out of committee and died on the calendar.
- S-2531 - Would have prohibited smoking in any enclosed indoor auditorium, gym, coliseum, arena, concert or lecture hall, or theater which is owned or leased by any governmental entity; prohibits smoking in any public meeting. Prohibits smoking in private establishments when signs are posted. Reported out of committee and died on the calendar.
- 1978 H-2402 - Would have prohibited smoking in enclosed indoor auditoriums, lecture or concert halls, gymnasiums, coliseums, arenas, or theater owned or leased by a governmental entity. Died on calendar.
- H-1207 - Would have prohibited smoking on elevators. Died on calendar.
- 1977 S-2092 - Would have prohibited smoking in places where no smoking signs are posted. Killed in Committee.
- H-327 - Companion to S-2092. Killed in Committee.
- S-2093 - Would have provided a regulation of smoking in public places and meetings. Killed in Committee.

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Mississippi (continued)

- 1977 H-326 - Companion to S-2093. Killed in Committee.
- 1976 H-374 - Would have regulated smoking in public places and at public meetings. Died in Committee.
- S-2003 - Same as H-374. Died in Committee.
- S-2798 - Would have restricted smoking in public places where signs are posted. Died in Committee.
- HR-15 - Would have prohibited smoking in House during sessions. Defeated by House.
- 1975 HR-10 - Would have prohibited smoking in House during sessions. Defeated by House.

Tax

- 1980 H-1113 - Would have increased cigarette tax from 11 to 12 cents per pack. Killed in Committee.
- S-2885 - Would have increased cigarette tax from 11 to 21 cents per pack. Killed in Committee.
- S-2896 - Would have increased cigarette tax from 11 to 13 cents per pack. Killed in Committee.
- 1973 Last cigarette tax increase 9 to 11 cents per pack.

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## NORTH CAROLINA

### Smoking Restriction Legislation

- 1979 House finance Committee Chairman Gamble divided the Committee meeting room into smoking and non-smoking sections.
- 1975 S-588 - Would have required "no-smoking" areas at public meetings in government buildings. Died with adjournment.

### Local

- 1980 Winston-Salem - Transit authority decided to allow smoking at the back of public buses. The authority discarded a two-year-old smoking ban after deciding it had not worked.
- 1977 Charlotte City Council voted on proposed smoking ban in the Coliseum during athletic events. Defeated by a 5 to 2 vote.
- Guilford County - Sheriff Paul Gibson lifted a two year ban on smoking in the County jail. Ban had been imposed for fire prevention reasons.
- 1976 Charlotte - Unless the Charlotte City Council adopts an ordinance barring smoking in poorly ventilated public places, GASP will seek the 5,000 signatures needed to force a public referendum on the issue, says GASP director Stearns. Stearns said GASP will present its ordinance to the council in January.
- Charlotte - The movie houses banned smoking and removed ashtrays from their theaters.
- 1975 Chapel Hill - Campus-wide referendum to ban smoking in classrooms. Individual professors have prerogative to ban or allow smoking in classes.
- Durham - Duke University Medical Center: Smoking prohibited in corridors, patient examination and treatment rooms, elevators, nursing stations, stairwells, laboratories, storage areas, food preparation areas, libraries, classrooms, conference rooms, mechanical/woodworking shops, and lecture halls. Permitted only in designated areas.
- 1979 Mecklenburg County in GASP VS. Mecklenburg County The plaintiffs sought an order requiring defendants to restrict smoking in the government facilities under their control. The filing of this suit followed the rejection by the Mecklenburg County Commissioners of a proposed ordinance prohibiting smoking in certain public places. Superior Court for Mecklenburg County.

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North Carolina (continued)

failure to state a claim upon which relief could be granted. Plaintiffs then filed a notice of appeal in the North Carolina Court of Appeals and a petition for discretionary review in the North Carolina Supreme Court. The lawsuit was dismissed 7-3-79.

Tax

- 1979 S-182 - Would have increased cigarette tax from 2 to 4 cents per pack. Died with adjournment.
- 1969 Last cigarette tax increase 2 cents.

Miscellaneous

- 1980 S-231 - Excludes tobacco products from the definition of hazardous substances in a comprehensive hazardous household substances act. Unfavorably reported by Senate Appropriations Committee.
- 1979 Charlotte - Court of Appeals was urged to reverse a lower court decision of January 1978 (from a case filed originally in 1975) that dismissed assault charged based on alleged injuries caused by supervisor blowing cigar smoke in face of employee. Decision expected in one or two months.

Court of appeals affirmed the lower court ruling of January 1978 and dismissed the lawsuit (above). The court stated that there was insufficient evidence to support a claim for civil assault.

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## SOUTH CAROLINA

### Smoking Restriction Legislation

#### State

- 1980 H-3178 - Would prohibit smoking in public places and at public meetings. South Carolina Clean Indoor Air Act. Hearing in Subcommittee. No action taken.
- 1978 S-217 - Would have prohibited smoking in public places and at public meetings. Reported favorably out of Committee. Died with adjournment.
- H-2925 - Same as S-217. No action taken by Committee.
- 1977 H-217 - Carried over to 1978.
- H-2925 - Carried over to 1978.

#### Local

- 1978 Richland County - County Commission voted to table a public places smoking ordinance without a discussion or hearing.
- Greenville County - Branch of S. C. Lung Association began circulating petition calling for county ordinance restricting smoking in enclosed public places. County Attorney ruled that County Council does not have the power to pass such an ordinance under the Home Rule Act.
- 1977 Beaufort County - No smoking areas were established in public buildings throughout the county. Penalty is \$50 fine or 15 days in jail.

### Tax

- 1977 Last cigarette tax increase from 6 to 7 cents per pack.

### Miscellaneous

- 1980 S-631 - Makes it unlawful for any person to offer for sale or sell tobacco produced with any chemicals not approved by the State Department of Agriculture. Referred to Senate Agricultural and National Resources Committee.
- 1979 S-631 - Same as above. Carried over to 1980.

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TENNESSEE

Smoking Restriction Legislation

State

- 1980 S-4 - Would have prohibited smoking in restaurants except in designated areas. Sponsor failed to obtain sufficient votes to have the bill reconsidered by Committee.
- S-367 - Would have enacted the public places Clean Air Act of 1979 restricted smoking in most public places including places of work; restaurants, retail stores, banks, conveyances, meeting rooms and other commercial establishments. Withdrawn by sponsor.
- H-610 - Would have prohibited smoking on any city, rural, interurban or intrastate buses. Withdrawn.
- 1979 S-4 - Same as above. Carried over to 1980.
- S-367 - Same as above. Carried over to 1980.
- H-610 - Same as above. Carried over to 1980.
- 1978 S-887 - Same as H-503. Defeated in Senate by a vote of 11-14.
- H-503 - Would prohibit smoking in intrastate, publicly operated buses. Defeated in Committee.
- H-1089 - Tennessee Clean Air Act would have prohibited smoking in many public places. Defeated in Committee.
- 1977 S-887 - Same as above. Carried over to 1978.
- H-503 - Same as above. Carried over to 1978.
- H-1089 - Same as above. Carried over to 1978.
- 1976 H-872 - Would have prohibited smoking in intrastate and interstate buses. Withdrawn.
- S-2102 - Would have permitted businesses to prohibit smoking on premises. Killed in Committee.
- H-2284 - Same as S-2101.
- HJR - 281 - Would have banned smoking in House and Senate meeting rooms and elevators in Capitol Buildings. Defeated by House.

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Tennessee (continued)

Local

1979 Knox County - Knox County Court members voted to ban smoking at their meetings after air pollution officials showed them that carbon monoxide levels are 3-4 times above normal in their conference room.

Memphis - Ordinance passed by City Council banning smoking in the Mid-South Coliseum Arena, the auditorium halls and areas of other public buildings. Violation of the new ordinance will be a misdemeanor punishable by a fine of up to \$50. Signed into law by the Mayor. Ordinance No. 2852.

1976 Jackson - City Commissioners banned smoking during their meetings.

Knoxville - The Knoxville City Council voted 6 to 3 to approve an ordinance to ban smoking in elevators, public schools, city buses, and public areas of museums and libraries.

Brentwood City Commissioners defeated a proposed ordinance that would prohibit smoking in public buildings.

Chattanooga City Commissioners banned smoking in their assembly room.

Tax

1980 H-2589 - Local option would have enabled legislation for counties in certain population brackets. Died with adjournment.

H-2517 - Local option enabling legislation for Dyer County, effective dates 7-17-80 (enactment of tax contingent upon August local referendum).

S-2567 - Local option would have enabled legislation for counties in certain population brackets. Died with adjournment.

1969 Last cigarette tax increase was 8 to 13 cents per pack.

Miscellaneous

1980 H-1181 - Would have created the litter control act of 1979 and established an annual litter assessment on certain businesses. Died with adjournment.

Tennessee (continued)

Local

S-1753 - Would have enacted the litter reduction and materials recycling act. Same as S-1753. Died with adjournment.

1979 H-1181 - Same as above. Carried over to 1980.

H-1421 - Prohibits smoking by students on school buses and school property during school hours in Summer County. Introduced to solve local marijuana problem. Provides for no penalty. Violation is minor misdemeanor. Does not apply to adults or teachers. Since local in nature, goes directly to House floor, without being referred to Committee. This bill and H-1422 are enabling acts and will not take effect in the respective counties until or unless the county adopts them by a 2-3 majority vote of the county legislative body. Approved by Governor.

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## VIRGINIA

### Smoking Restriction Legislation

#### State

- 1980: H-325 - Would have required that 20% of area be designated as no-smoking area in state operated eating establishments. Killed in Committee.
- H-686 - Would have prohibited smoking in elevators located in state owned buildings. Killed in Committee.
- 1977 H-162 - Would have provided enforcement fine for the present State Board of Health regulations on smoking in certain places. Died in Committee.
- H-900 - Would have established the style of signs and penalties for not posting "no smoking" signs. Died in Committee.
- H-426 - Would have controlled smoking in public places. Died in Committee.
- H-460 - Would have prohibited smoking in certain public places. Died in Committee.
- S-2250 - Would have directed health department to enforce no smoking rules. Died in Committee.
- H-1686 - Would have restricted smoking in health facilities and public schools. Died with adjournment.
- 1976 SJR-56 - Would have directed the state health commissioner to study the feasibility of banning smoking in specified places. Killed.

#### Local

- 1980: Falls Church - Would have restricted smoking in the following public places; elevators, retail stores, health care facilities, public meetings, theater, art gallery, library museum or similar cultural facilities, school buildings and in any indoor facility used for recreational purposes that is supported in whole or in part with public funds. Requires owner or person in charge of any place where smoking is restricted to post "no smoking" signs and to designate smoking areas that shall be no more than 25 percent of the entire area in which smoking is prohibited. Provided for a \$25. fine. Defeated by a vote of 5 to 2.

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Virginia (continued)

Newport News - Amendment to existing city smoking restriction ordinance (approved 5-15-78) that would delete restaurants from the ordinance. Adoption of amendment would bring city ordinance into conformity with Virginia Supreme Court decision holding that the designation of no smoking areas in restaurants as required by the Newport News ordinance to be an "unconstitutional exercise of the City's power". Adopted by a 6 to 1 vote.

Prince William County - Motion made to adopt a 1977 Fairfax County smoking restriction ordinance in its entirety. The ordinance would restrict smoking in elevators, retail stores (except tobacco shops), food stores, health care facilities, public meetings, theaters, art galleries, libraries, and museums or similar cultural facilities. Requires posting of no smoking signs. Violators would be fined up to \$25. Public hearing held June 3.

1979 Alexandria City Council voted 4-3 to redraft a proposed no smoking ordinance to cover city owned buildings only; policy support of voluntary restrictions by proprietors would be offered. City Council agreed to restrict smoking to the back of the Council chambers. Smoking was previously limited to the back and along the sides of the Chambers. The motion was agreed to by a vote of 6-0.

1978 Arlington - County Manager asked County Board to schedule a March public hearing for citizens' response to proposed ordinance that would ban smoking in public places. County Board passed by a 3 to 2 vote in April.

1977 City of Alexandria - City Council voted to "request" restaurant owners to set aside smoking and nonsmoking areas wherever possible; no penalty provided.

City of Fairfax - Board of Supervisors adopted a smoking ban ordinance that includes elevators, health care facilities, theaters, libraries, museums, galleries and public meetings. Restaurants are not included. Effective November 27, 1977.

Tax

1980 H-968 - Would have increased state cigarette tax from 2.5 to 7.5 cents per pack and eliminated state and local general sales tax on food. Passed by indefinitely.

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Virginia (continued)

Newport News - Amendment to existing city smoking restriction ordinance (approved 5-15-78) that would delete restaurants from the ordinance. Adoption of amendment would bring city ordinance into conformity with Virginia Supreme Court decision holding that the designation of no smoking areas in restaurants as required by the Newport News ordinance to be an "unconstitutional exercise of the City's power". Adopted by a 6 to 1 vote.

Prince William County - Motion made to adopt a 1977 Fairfax County smoking restriction ordinance in its entirety. The ordinance would restrict smoking in elevators, retail stores (except tobacco shops), food stores, health care facilities, public meetings, theaters, art galleries, libraries, and museums or similar cultural facilities. Requires posting of no smoking signs. Violators would be fined up to \$25. Public hearing scheduled for June 3.

1979 Alexandria City Council voted 4-3 to redraft a proposed no smoking ordinance to cover city owned buildings only; policy support of voluntary restrictions by proprietors would be offered. City Council agreed to restrict smoking to the back of the Council chambers. Smoking was previously limited to the back and along the sides of the Chambers. The motion was agreed to by a vote of 6-0.

1978 Arlington - County Manager asked County Board to schedule a March public hearing for citizens' response to proposed ordinance that would ban smoking in public places. County Board passed by a 3 to 2 vote in April.

1977 City of Alexandria - City Council voted to "request" restaurant owners to set aside smoking and nonsmoking areas wherever possible; no penalty provided.

City of Fairfax County (?) - Board of Supervisors adopted a smoking ban ordinance that includes elevators, health care facilities, theaters, libraries, museums, galleries and public meetings. Restaurants are not included. Effective November 27, 1977.

Tax

1980 H-968 - Would have increased state cigarette tax from 2.5 to 7.5 cents per pack and eliminated state and local general sales tax on food. Passed by indefinitely. (?)

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Virginia (continued)

H-299 - Would have allowed Lee and Scott Counties to enact 1 cent local cigarette tax effective 7-1-80 and 2 cents per pack tax effective 7-1-81. Killed in Committee.

H-385 - Would have allowed any county to tax cigarettes up to 5 cents per pack or the equivalent of the state tax -- whichever is higher. Passed by indefinitely.

H-529 - Would have allowed Fairfax and Arlington Counties to increase cigarette tax from 5 to 8 cents per pack. Passed by indefinitely.

1979 H-613 - Would have increased cigarette tax from 2.5 to 4.5 cents per pack and pre-empted local cigarette taxes with state rebate to all localities. Killed in Committee.

H-614 - Would have increased cigarette tax from 2.5 to 4.5 center per pack and pre-empted local cigarette taxes with state rebate to all localities. Killed in Committee.

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## WEST VIRGINIA

### Smoking Restriction Legislation

#### State

- 1980 S-165 - Would have enacted the "West Virginia Clean Indoor Air Act" and would have prohibited smoking in many enclosed indoor areas of certain buildings and vehicles. Would have required the posting of signs where smoking is prohibited. The penalty for a violation would be a \$20 to \$100 fine. Favorably reported out of Committee but died with adjournment.
- H-1187 - Would have restricted smoking on elevators, restaurants, auditoriums and arenas used for entertainment purposes, health care facilities, museums, art galleries and buses. Died with adjournment.
- H-1450 - Would have restricted smoking in certain public places. Identical to S-165. Died with adjournment.
- H-1589 - Would have allowed the prohibition of smoking in vehicles used for urban mass transportation. Reported favorably out of Committee but died with adjournment.
- 1979 S-47 - Would have prohibited smoking in public conveyances capable of carrying 8 or more persons. Died with adjournment.
- H-861 - Would have required designated nonsmoking areas in public buildings and conveyances, including elevators; food serving facilities seating 30 or more persons; cultural facilities, auditoriums and arenas; at least one waiting room or lobby of any clinic, hospital, nursing home or personal care facility, buses. Died with adjournment.
- S-282 - Would have enacted the West Virginia Clean Indoor Air Act. Died with adjournment.
- S-287 - Would have enacted the West Virginia Clean Indoor Air Act. Defeated in Senate by 19 to 14 vote.
- H-1156 - Would have enacted the West Virginia Clean Indoor Air Act. Companion to S-281. Died with Adjournment.
- 1978 S-137 - Would have prohibited smoking on public transportation vehicles; provided for penalties and posting of signs. Died with adjournment.



West Virginia (continued)

Tax

- 1980 H-1609 - Would have reduced cigarette tax from 17 to 12 cents per pack. Died with adjournment.
- S-419 - Would have reduced cigarette tax from 17 to 12 cents per pack. Died with adjournment.
- H-1429 - Would have reduced cigarette tax from 17 to 12 cents per pack. Died with adjournment.
- S-340 - Would have reduced cigarette tax from 17 to 12 cents per pack. Died with adjournment.
- 1978 Last cigarette tax increase 12 to 17 cents per pack.

Miscellaneous

- 1980 H-1525 - Would have strengthened current ban against smoking in schools by increasing fine for violators from \$1-5 to \$20-30 and by fining persons who knowingly and willfully permit violations to occur in their presence \$10-15 and, furthermore, by suspending schools from all extracurricular activities for 30 days where it is found that the school staff knowingly and willfully allowed a smoking violation to occur. Died with adjournment.

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## RECENT LEGISLATIVE HISTORY

The major tobacco producing states do have their problems (as do the three neighboring states) with anti-smoking legislation and the White/Froeb Study will certainly provide impetus to the anti-smokers to continue the push for smoking restriction legislation as for cigarette tax increases. The TAN program would help reinforce the importance and position of the tobacco industry within these states.

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ADDENDUM B

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ADDENDUM B  
KEY CONTACTS

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Georgia

U. S. SENATORS:

Herman Talmadge (seeking re-election)  
Sam Nunn

U. S. REPRESENTATIVES:

Dawson Mathis (seeking Democratic nomination for U.S. Senate)  
2nd Congressional District

Billy Lee Evans  
8th Congressional District

Ronald "Bo" Ginn  
1st Congressional District

Members of the State Legislature from the tobacco growing  
districts

OTHER GOVERNMENT OFFICIALS:

Thomas Irvin  
Commissioner of Agriculture

David Newton  
Georgia Department of Agriculture  
Norman Park, Georgia

FARM ORGANIZATIONS:

Robert L. Nash  
President  
Georgia Farm Bureau Federation  
Macon, Georgia

Adron Harden  
Legislative Director  
Georgia Farm Bureau Federation  
and  
President  
Tobacco Growers Information Committee  
Macon, Georgia

Robert L. Miles  
Georgia Cooperative Extension Service  
Tifton, Georgia

Fred Voigt  
Virginia Baker  
Georgia Agricultural Commodity Commission for Tobacco

Frank Pidcock, III  
President  
Georgia - Florida Warehouse Association

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Georgia Continued

KEY GROWERS:

B. Frank Strickland  
Lakeland, Georgia

Robert T. Cox  
Statesboro, Georgia

John T. Collins, Sr.  
Pelham, Georgia

H. S. McNeal  
Alamo, Georgia

Britt Dorsey  
Nashville, Georgia

Barry O'Quinn  
Hazelhurst, Georgia

Kenneth Durrence  
Claxton, Georgia

Harry Thompson  
Moultrie, Georgia

MANUFACTURERS

Brown & Williamson Tobacco Corporation  
Macon, Georgia

WHOLESALEERS:

Jane Smith  
Managing Director  
Southern Tobacco & Candy Association  
Atlanta, Georgia

Alan Newton  
Newton Tobacco Company  
Atlanta, Georgia

John Head  
Head Tobacco Company  
Atlanta, Georgia

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Kentucky

ELECTED OFFICIALS:

John Brown  
Governor of Kentucky

Albew W. Barkley  
Commissioner  
Kentucky Department of Agriculture

U. S. SENATORS:

Walter Huddleston  
Wendell Ford

U. S. REPRESENTATIVES:

Carroll Hubbard, Jr.  
1st Congressional District

William Natcher  
2nd Congressional District

Romano L. Mazzoli  
3rd Congressional District

Tim Lee Carter  
5th Congressional District

Larry J. Hopkins  
6th Congressional District

Carl Perkins  
7th Congressional District

Chairman of key committees in state legislature

Leaders in state legislature

FARM ORGANIZTIONS AND LEADERS:

Ira E. Massie  
University of Kentucky

Ray Mackey  
President  
Kentucky Farm Bureau Federation

Albert G. Clay  
Chairman of the Board  
Burley Auction Warehouse Association

Thomas Edwards, Jr.  
Managing Director  
Burley Auction Warehouse Association

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Kentucky Continued

Jack Griffith  
Council for Burley Tobacco  
Lexington, Kentucky

Frank Snodgrass  
Vice President and Managing Director  
Burley and Dark Leaf Tobacco Export Association  
Chairman, Tobacco Tax Council

Tom Hodge  
President  
Association of Dark Leaf Tobacco Dealers and Exporters

T. A. Norvel  
President  
Burley Leaf Tobacco Dealers Association

G. Logon Brown  
Burley Tobacco Growers' Cooperative Association

William Porter  
General Manager  
Eastern Dark Fired Tobacco Association

Stanley Hoffman  
President  
Stemling District Tobacco Association

Holmes Ellis  
General Manager  
Western Dark Fired Tobacco Growers' Association

KEY GROWER:

William Baiden  
Danville, Kentucky

MANUFACTURERS:

The Pinkerton Tobacco Company  
Owensboro, Kentucky

Brown & Williamson Tobacco Corporation  
Louisville, Kentucky

Philip Morris, U.S.A.  
Louisville, Kentucky

WHOLESALEERS:

Ernest Sears  
Kentucky Tobacco & Candy Association



North Carolina

ELECTED OFFICIALS:

James Hunt  
Governor

Jim Graham  
Commissioner of Agriculture

U. S. SENATORS:

Jesse Helms  
Robert Morgan

U. S. REPRESENTATIVES:

Walter Jones  
1st Congressional District

L. H. Fountain  
2nd Congressional District

Charles Whitley  
3rd Congressional District

Ike Andrews  
4th Congressional District

Stephen Neal  
5th Congressional District

Richardson Preyer  
6th Congressional District

Charles Rose  
7th Congressional District

W. G. Hefner  
8th Congressional District

Chairman of key committees in state legislature

Leaders in state legislature

FARM ORGANIZATIONS AND LEADERS:

John W. Sledge  
President  
North Carolina Farm Bureau Federation

J. H. Cyrus  
North Carolina Department of Agriculture

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North Carolina Continued

James Hill  
Managing Director  
Bright Belt Warehouse Association

Fred Bond  
General Manager  
Flue Cured Tobacco Cooperative Stabilization Corporation

Hugh Kiger  
Executive Vice President  
Leaf Tobacco Exporters Association  
& Tobacco Association of the United States

Reggie Lester  
Managing Director  
Tobacco Growers' Information Committee

Lloyd Massey  
Master  
North Carolina State Grange

Bruce Flye  
Chairman  
Tobacco Associates

Kirk Wayne  
President Tobacco Associates

Norfleet Sugg  
Executive Vice President  
North Carolina Agriculture Business Council

Thomas W. Allen, Jr.  
Chairman  
Tobacco Advisory Committee  
North Carolina State Grange  
Creedmoor, North Carolina

MANUFACTURERS:

Liggett and Myers Tobacco Company  
Durham, North Carolina

R. J. Reynolds Tobacco Company  
Winston-Salem, North Carolina

Lorillard  
Greensboro, North Carolina

WHOLESALEERS:

Charles Morris  
Executive Director  
North Carolina Wholesalers Association

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South Carolina

ELECTED OFFICIALS:

G. Bryan Patrick, Jr.  
Commissioner of Agriculture

U. S. SENATORS:

Strom Thurmond  
Ernest Hollings

U. S. REPRESENTATIVES:

John W. Jenrette, Jr.  
6th Congressional District

Members of the State Legislature from tobacco growing districts

FARM ORGANIZATIONS AND LEADERS:

Harry Bell  
President  
South Carolina Farm Bureau Federation

George Grobusky  
Master South Carolina State Grange  
Walhalla, South Carolina

Lonzo Israel  
Chairman  
Tobacco Advisory Committee  
South Carolina State Grange  
Nichols, South Carolina

Dick Lewis  
Pee Dee Warehouse Association  
Mullin, South Carolina

Frank Munn  
Chairman  
Tobacco Advisory Committee  
South Carolina Farm Bureau Federation  
Pamplico, South Carolina

Marion Fowler  
Executive Secretary  
South Carolina Tobacco Warehouse Association

Tommy Parham  
Tobacco Associates  
Dillon, South Carolina

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South Carolina Continued

KEY GROWERS:

Frank M. Flowers  
Darlington, South Carolina

James Montgomery  
Gable, South Carolina

John Holliday  
Galavants Ferry, South Carolina

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Tennessee

ELECTED OFFICIALS:

Edward Porter  
Commissioner of Agriculture

U. S. SENATORS:

Howard Baker  
James R. Sasser

U. S. REPRESENTATIVES

James H. Quillen  
1st Congressional District

John J. Duncan  
2nd Congressional District

Marilyn Lloyd Bouquard  
3rd Congressional District

Albert Gore, Jr.  
4th Congressional District

Robin L. Beard, Jr.  
6th Congressional District

Members of the State Legislature from tobacco growing  
districts

FARM ORGANIZATIONS AND LEADERS:

James Putman  
President  
Tennessee Farm Bureau Federation  
Columbia, Tennessee

Michael LaForest  
Master  
Tennessee State Grange  
Knoxville, Tennessee

James Hoffman  
President  
Burley Stabilization Corporation  
Knoxville, Tennessee

Eastern Dark Fire Tobacco Association  
Springfield, Tennessee

MANUFACTURERS:

Conwood Corporation  
Memphis, Tennessee

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Tennessee Continued

U. S. Tobacco  
Nashville, Tennessee

WHOLESALEERS:

Walter Johnson  
Executive Director  
Tennessee Wholesalers Grocers' Association  
Nashville, Tennessee

OTHER RELATED INDUSTRIES:

The Austin Company  
Greenville, Tennessee

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Virginia

ELECTED OFFICIALS:

John Dalton  
Governor of Virginia

Mason Carbaugh  
Commissioner of Agriculture

U. S. SENATORS:

Harry F. Byrd, Jr.  
John Warner

U. S. REPRESENTATIVES:

Robert W. Daniel, Jr.  
4th Congressional District

W. C. (Dan) Daniel  
5th Congressional District

William Wampler  
9th Congressional District

Members of State Legislation representing tobacco growing  
districts

FARM ORGANIZATIONS AND LEADERS:

S. T. Moore  
President  
Virginia Farm Bureau Federation

John B. Burgess  
Master, Virginia State Grange

KEY GROWERS:

James E. Warren  
McWarren Farms  
South Hill, Virginia

William S. Adkisson  
Chairman  
Virginia Bright Flue Cured Tobacco Commission  
Clover, Virginia

MANUFACTURERS:

Philip Morris, U.S.A.  
Richmond, Virginia

Brown & Williamson Tobacco Corporation  
Petersburg, Virginia

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Virginia Continued

MANUFACTURERS:

Larus & Brother Company  
Richmond, Virginia

American Tobacco Company  
Hopewell, Virginia

Lorillard Tobacco Company  
Danville, Virginia

U. S. Tobacco

OTHER ORGANIZATIONS

The Tobacco Tax Council  
Richmond, Virginia

Universal Leaf  
Richmond, Virginia

WHOLESALERS:

Garry DeBruhl  
Executive Director  
Virginia Wholesalers & Distributors Association

Jack Bess  
Virginia Wholesalers & Distributors Association  
Roanoke, Virginia

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ADDENDUM C

ADDENDUM C

ENROLLMENT

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The following figures are taken from the Wharton Study (Table XI) and will provide an estimate on tobacco industry employment total for each state.

<u>State</u>	<u>Number of Employees (core sectors and support industries)</u>
Alabama	1,400
Georgia	10,000
Kentucky	56,000
Mississippi	700
North Carolina	68,500
South Carolina	8,700
Tennessee	15,600
Virginia	25,400
West Virginia	<u>1,100</u>
Total	187,400

Taking into consideration discount assumptions and enrollment penetration potential for industry segments, a more realistic figure for TAN prospect purposes for the nine states would be approximately 50,000 or slightly more than  $\frac{1}{4}$  of the targeted tobacco family.

<u>State</u>	<u>Prospect Estimate</u>
Alabama	400
Georgia	2,660
Kentucky	15,000
Mississippi	300
North Carolina	18,000
South Carolina	2,300
Tennessee	4,150
Virginia	6,750
West Virginia	<u>400</u>
Total	49,960

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TAN ENROLLMENT BY STATES (APRIL 1980)

Alabama	27
Georgia	67
Kentucky	234
Mississippi	32
North Carolina	104
South Carolina	43
Tennessee	33
Virginia	1081
West Virginia	<u>43</u>
Total	1664

ALABAMA TAN ENROLLMENT

Manufacturers	27
Total	27

GEORGIA TAN ENROLLMENT

Manufacturers	63
Industry Professional	2
Wholesale Distributor	1
Other	<u>1</u>
Total	67

KENTUCKY TAN ENROLLMENT

Manufacturers	226
Retailer	1
Supplier	1
Wholesale Distributor	1
Other	3
Unknown	<u>2</u>
Total	234

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MISSISSIPPI TAN ENROLLMENT

Manufacturers	29
Other	<u>3</u>
Total	32

NORTH CAROLINA TAN ENROLLMENT

Manufacturers	102
Other	<u>2</u>
Total	104

SOUTH CAROLINA TAN ENROLLMENT

Manufacturers	41
Other	<u>2</u>
Total	43

TENNESSEE TAN ENROLLMENT

Manufacturers	32
Retailer	<u>1</u>
Total	33

VIRGINIA TAN ENROLLMENT

Manufacturers	1,057
Industry Professional	4
Wholesale Distributor	2
Other	<u>18</u>
Total	1,081

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WEST VIRGINIA TAN ENROLLMENT

Manufacturers	33
Chain Store	4
Manufacturer-Cigar	1
Vendor	1
Wholesale Distributor	6
Other	7
Unknown	<u>1</u>
Total	43

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