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I THOUGHT THE

ENCLOSED WOULD

BE OF INTEREST TO YOU.

M. HURST MARSHALL

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see p. 2
file
October 18, 1985

MEMORANDUM

TO: Hurst Marshall
FROM: John Bankhead
RE: Richland County Council Ordinance

On Tuesday, October 15, the Richland County Council met to consider on second reading the "Clean Indoor Air Ordinance".

The ordinance, which was amended in committee to exclude restaurants, nursing homes and other health care facilities, and nursery or day care facilities, was amended further by the council to specifically exclude beauty shops within department stores (Section I-(a)1.)

In addition, the council added an additional section (Section 5) which states "This ordinance shall apply only to those areas lying outside the limits of any incorporated municipality that is partially or wholly within the boundary of Richland County, except for buildings owned by Richland County or any of its political subdivisions, other than buildings used in connection with the detention of prisoners."

In other words, the ordinance will not apply to cities within the county such as Columbia and excludes the county jail.

The ordinance passed second reading by a 6-5 vote with councilmembers Herndon, Barber, Farley, McKay, Monroe and Waites voting for it and councilmembers Castles, Boney, Coble, Rogers and Taylor voting against.

A third and final reading is scheduled for Tuesday, November 5 at 3:00 p.m.

Prior to the Council meeting, I met at lunch with T.I. lobbyists John Gregg McMaster and Sterling Smith, Pete Gustafson of the South Carolina Farm Bureau, John Lumpkin, former South Carolina National Bank President and a law partner of former governor Robert McNair, and Jim Frye of Philip Morris to discuss the amendments proposed by McMaster along with other strategies.

Mr. Lumpkin, who had been helping us on the ordinance since its introduction last May, agreed to attend the council meeting and speak to the councilmembers as they entered the meeting. This helped to solidify our five votes, which prior to this were questionable. Having five votes increases our chances, which are still slim, of

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defeating the ordinance on third reading.

Our plan of action between now and November 5 is as follows:

1. John Gregg McMaster will continue direct lobbying efforts with members of the council.
2. Sterling Smith will continue to develop grass roots opposition from businesses in the county.
3. Company sales representatives should continue to follow-up with councilmembers in opposition as well as urge their contacts to do the same.
4. Member companies should again attempt to involve their suppliers and vendors in the county - such as bill board companies - in opposing the ordinance.
5. John Gregg McMaster is arranging a luncheon to be attended by South Carolina Farm Bureau President Harry Bell, attorney John Lumpkin, local farmer Robert Lee Scarborough as well as three council members - Barber, Herndon and Waites - who voted for the ordinance. They will attempt to persuade the council members to vote no on the third reading.
6. I am in the process of retaining Mr. Lumpkin to represent us until this issue is finally resolved. Both McMaster and Smith agree that this move would be appropriate and helpful.

As always, I will keep you informed of our progress.

*I can't believe
TI took my suggestion
on hiring local Council -
J.B.*

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