

LOCAL ISSUES ACTIVITY

	Location	Issue	LIT Activity	Next Action	Notes
ISSUES PENDING:					
TAXES					
2	Mt. Jackson, VA	Local cigarette tax increase	DC	7/11	Town council discussed the possibility of increasing the local tax (no amount has been set); a public hearing is scheduled for 7/11.
1	Louisiana	<p>Increase state excise tax – amount of tax proposed varies from 40 cents per pack to 14 cents per pack (introduced by the governor).</p> <p>*H117 would increase the tax on cigarettes by 4 cents per pack; amended to include smokeless tobacco.</p> <p>**Senate amended bill to increase the tax by 14 cents, with a 2-year sunset provision.</p>	L DC		<p>Ways and Means Cmte is considering the increase as an element of a 'band-aid' approach to address the state's fiscal shortfall which must be resolved by 7/1. Possible cmte vote on 5/2. Ways & Means Cmte scheduled to meet on 5/22. On 5/23, H117 was approved by the House Ways & Means Cmte. The full House approved H117, as amended, on 5/24; bill sent to Senate for consideration. On 5/31, the full Senate approved H117, as amended; sent back to House for concurrence. Ref. to Conference Cmte. on 6/1. On 6/5, House adopted Conf Cmte report.</p>
2	Rhode Island	Cigarette tax increase of 5 cents per pack. Earmarks funds for community-based smoking prevention programs.	P		S 2952 was introduced on 5/9. Referred to Senate and House Cmtes on Finance.
SMOKING RESTRICTIONS					
2	Springfield, MA	<p>Smoking ban in restaurants, except in bar areas, where a floor-to-ceiling barrier exists and a ventilation system is in place.</p> <p>Proposal amended to allow either a floor-to-ceiling barrier or a 6-foot buffer space, provided the bar area has a separate ventilation system.</p> <p>Proposal further amended to exempt establishments that derive more than 50% of their gross revenues from the sale of alcohol as well as restaurants that have 50 or fewer seats.</p>		6/19	<p>The City Council allowed public comment on the ban at its 3/14 meeting. The proposed ordinance would go through the regular process of cmte. Review and public hearing at a later date. No further information. Regs have been referred to both the public health subcommittee and the ordinance subcommittee, 3/13. Public hearing held 4/18; another is scheduled for 4/25. Revised ordinance may be ready for council vote by May 1, but there is a possibility that it will have to be refiled b/c of the multiple proposed revisions, delaying the passage date to mid-May. The health cmte will decide whether to place the proposal on the full council's agenda – first opportunity would be 5/15. Council will consider the proposal on 5/15; the ordinance was re-filed because of numerous revisions, meaning that only a preliminary vote (the first reading) can occur today; final passage will be considered at a subsequent meeting. On 5/15, council gave initial approval to the ordinance by voice vote; council Timothy Ryan called for a reconsideration of the vote at the next meeting on 6/5. Council amended and gave initial approval on 6/5. Final vote is possible on 6/19.</p>

1 = Hot 2 = Alert 3 = Monitor

L = Letters P = Phone Calls F = Flyer FC = Field Coordination LC = Local Council (retained) AL = Allied Coordination DC = Direct Connects

Revised 06/05/00

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2	Anchorage, AK	Prohibits smoking in all enclosed public places and workplaces; would permit smoking only at a reasonable distance outside any enclosed area within which smoking is prohibited; would exempt bars, restaurant bars that are completely enclosed and separately ventilated, conference/meeting rooms, private residences, 25% of hotel/motel rooms, and retail tobacco stores.	P DC	6/20	May be introduced at City Assembly meeting on 5/16. Public hearing is scheduled for 6/13. <i>Assembly accepted testimony on 6/13; consideration will continue on 6/20.</i>
2	Mattapoisett, MA	Restaurant smoking ban.		6/20	Board of Health will meet on 5/2 to discuss smoking restrictions—no vote will be taken. On 6/20, the Board will be presented with three draft proposals of varying degrees.
2	Hennepin County, MN	<i>Extends current smoking ban inside county buildings to include outdoor areas near buildings as well.</i>		6/27	<i>General Government Cmte laid over the resolution on 6/13; cmte will take up the resolution again on 6/27, and the full board of commissioners is expected to consider the resolution on 7/19.</i>
2	Huntsville, TX	Restaurant smoking ban.	P	6/27	<i>Work session was held on 6/6. City council will hold a study session on 6/27 to discuss the possibility of smoking restrictions in restaurants and other public places. Study session is open to the public but no testimony will be taken.</i>
3	Cobb County, GA	Restricts smoking in bars and restaurants.		7/00	County Commission scheduled to hear proposal in Jan. The County Commissioners won't hear the proposal under after July's Republican primary elections.
2	Albany, OR	Prohibits smoking in all workplaces and enclosed public places, including restaurants and bars; also restricts tobacco self-service displays of tobacco products.		7/10	At this time, no ordinance has been drafted...city council has only discussed the issue in concept. City staff has asked the Linn County Tobacco Free Coalition for a draft copy (for discussion purposes) by 6/20, in preparation for the council's 7/10 public hearing. Once city staff has received a copy, the city attorney will review it before any copies can be made to the public; most likely modeled after the Corvallis measure.
2	New Prague, MN	Ban smoking and smokeless tobacco use in all public places and within 30 feet of all public places. As drafted, the ordinance would prohibit smoking on or in all of the following: public sidewalks, public streets, city vehicles, city-owned real estate, public parks, city buildings/offices, workplaces (except in a breakroom with separate ventilation to the outdoors and private enclosed offices used exclusively by smokers), restaurants, retail stores, laundromats, offices, commercial establishments, airplanes, trains, buses, boats, taxis, hospitals, nursing homes, common areas of apartment buildings, auditoriums, arenas and meeting rooms. Smoking is allowed in bars provided that no one under 18 is permitted access to the bar, the bar has tables and seating for no more than 50 people at one time, and the bar provides food service as a "licensed limited food service establishment."		7/17	On 4/17, the Tobacco Free Coalition (funded through the Univ. of MN) will ask city council to consider adopting a draft ordinance. Comments from the public may be made at this time. If the council considers introduction of the ordinance as its first reading on 4/17, then passage is possible on 5/1. Council deferred action on 4/17, and formed a task force to review/make recommendations to the council. No specific date has been set for the task force to meet. Task force has met periodically; its report is scheduled to be presented to the city council on 7/17.

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2	Ingham County, MI	Prohibit smoking in all enclosed public places (bars, private residences, some hotel/motel rooms, restaurants that serve alcohol, tobacco specialty stores, and enclosed meeting rooms/assembly halls exempt). Also prohibits smoking within 50 feet of any entrance of an enclosed area where smoking is prohibited.		7/17	Board of Health is reviewing the proposal and finalizing its recommendation to the county board of commissioners. One public hearing was held on 4/17; 30 people spoke in favor of the proposal, and 7 in opposition. Next board of health meeting is scheduled for 6/13. Board of health will forward testimony to the county board of commissioners on 6/13. <i>BOH again reviewed proposed regulations on 6/13, and plan to submit recommendations to the County board of commissioners human resources cmte on 7/17.</i>
3	Eugene, OR	Ban smoking in bars and restaurants.		7/19	City Council has tentatively scheduled a work session for 7/19 to consider adopting an ordinance.
3	St. Louis County, MO (Other)	Requires yearly licensing fees for stores and vending machines that sell tobacco products.		8/00	County Council unanimously agreed to place a proposal on the August 2000 ballot.
2	Manhattan, KS	Restricts smoking in restaurants and "stand alone" bars. The ban is patterned after the Boulder ordinance.	F	8/22 or 9/12	The Board of Health has recommended to the city commission that it pass a smoking ban. The City Commission will hold the first public meeting on this issue on 3/28. Written testimony for the 3/28 work session will be accepted (must be received by close of business 3/22). Council took no action on 3/28, except to direct the city manager to examine other municipalities' ordinances and return to a future work session with a recommendation. No time frame was given, although 5/23 is the earliest work session that is not already booked up with a full agenda. Work session has been scheduled for 5/23; no vote will be taken. On 5/23, the city attorney was directed to draft several ordinances of varying degrees, all of which the commission will consider at a future work session (late August or early September).

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2	Tucson, AZ (Tabled 10/11/99)	Proposed amendments to current smoking ban. Amendments would reduce the barriers, allow restaurants 12 "special smoking events" per year and give restaurant owners up to a year to apply for hardship exemptions.		9/00	City Councilman proposed amendments on 10/4. Amendments tabled on 10/11. They may be brought up again within a year. A local judge called the restaurant ordinance unconstitutional because it exempts businesses that prove a financial hardship. City officials said they still wanted to wait until September before revisiting the ordinance.
1	Philadelphia, PA (OTHER)	<p>Ban smoking in restaurants (similar to NYC)</p> <p>**Resolution introduced 4/00 calling for an investigation into the effects of second-hand smoke (Nutter, et al)</p> <p>***Extends smoking prohibitions to include all enclosed places to which the public has access; within 20 feet of any entrance to any enclosed place where smoking is prohibited; all restaurants; all workplaces; common areas of buildings (lobbies, hallways and elevators); and 75% of the rooms in hotels/motels. Does not prohibit smoking in bars (defined as an establishment that derives 60% or more of its annual gross sales from alcoholic beverages); private clubs (defined as members-only facility or a union or lodge hall); retail tobacco stores and ancillary cigar cafes the principal business of which is the sale of tobacco products; private residences (except during those hours it is used as a child care, adult day care, or health care facility); and conference or meeting rooms in hotels, motels, or restaurants when used for private functions.</p> <p>**** Amended (1) to exempt bar areas (provided that they are separate enclosed areas with separate ventilation systems), (2) to permit smoking in sidewalk cafes and outdoor dining areas, and (3) to prohibit smoking within 10 feet of any entrance to any enclosed area where smoking is prohibited.</p> <p>*****Amended further to permit smoking in a restaurant bar (thru 3/31/01) provided the bar area is at least 10 feet from the perimeter of any indoor dining area or is separated by a solid floor-to-ceiling partition from any indoor dining area; after 3/31/01, this exception will not apply; also creates a study commission with a report date of 11/1/00.</p>	P DC F	11/1	<p>Council member Nutter expressed interest in introducing a ban in the near future.</p> <p>Health commission held an investigative hearing on the dangers of second-hand smoke on 4/25; a commission report is due, although no time was given.</p> <p>On 5/11, Councilman Nutter introduced a proposal in response to the 4/25 hearing. No hearing date has been scheduled. Public health cmte has scheduled a public hearing for 5/24; vote is unlikely. On 5/24, the proposal was amended; hearings will resume on 5/31.</p> <p>On 5/31, public health cmte amended and approved proposal; Nutter has agreed to not move the bill before the full council until at least 11/1, or until the commission comes forth with a recommendation (whichever comes first).</p>
2	Philomath, OR	Bans smoking in all public places, including restaurants, bars and all areas of employment (hotel/motel rooms excluded).		11/7/00 vote	On 4/10, city council voted 4-3 on a resolution referring Ord. #684 to the 11/7 ballot.

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2	Topeka, KS (Field)	Ban smoking in restaurants where 30% of sales or greater is food; private clubs and bars exempted.	P DC		<p>City Council is scheduled to hear proposal on 10/19. A vote is not likely to take place until 11/2. The City Council referred proposed ordinance to the Public Health and Safety Cmte and the Economic Development Cmte. Both Cmtes have up to six months to report the ordinance out of Cmte, if not it does not go back to the City Council for further consideration. Not to be seen again for six months. The Public Health and Safety Cmte is scheduled to hear on 12/6. No action was taken on 12/6. The Economic Development Cmte is scheduled to hear proposal on 1/11. No action was taken on 1/11. The Public Health Cmte will hold another hearing on 3/1 to reconsider the ban. Smoking ban ordinance endorsed by Public Health and Safety Committee. Referred to two Council members for study—unsure whether it will go before the Council or will wait for action by the Economic Development Committee. At 3/1 mtg., PH and S Cmte. Gave favorable recommendation and voted to send it back to the full council. Still being considered by Economic Development Committee. On 4/6, the E/D cmte met but did not have a quorum. A vote is expected at the meeting that was rescheduled for 4/13. The E/D cmte voted 2-1 to send the measure back to the full council with "no recommendation." Council will reportedly consider the measure on 6/13. On 6/6, the Topeka city council will hold a first reading on its proposed ordinance to prohibit smoking in restaurants (defined as establishments that derive 30% or more of their gross sales from food)...the council is expected to vote on the proposal at its next meeting on 6/13. On 6/13, final reading is scheduled; public testimony will be accepted, and a vote is anticipated. <i>On 6/13, city council considered proposal and accepted an amendment to exempt truck stops; ordinance was pulled from consideration after 3 hours of debate.</i></p>

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2	Beverly Hills, CA	Outdoor smoking ban.			On 6/6, city council held a "special informal meeting" and discussed drafting an ordinance to limit/ban smoking in outdoor dining areas. Council agreed to 1) direct the city manager to discuss this item at next week's Westside city manager's meeting, 2) approach State Senator Sheila Kuehl for assistance in taking this before the Governor, and 3) bring the issue to the Westside Summit (a coalition of nearby cities). They have established a timeframe of 3-6 months.
2	Honolulu, HI	Smoking ban ordinance. Would prohibit smoking in any restaurant bar or nightclub.			Current ordinance expires 11/00. Bill 82 pending in the Planning and Public Safety Cmte.
2	Lake Oswego, OR	Smoking restrictions	P		City Council will hold a study session on 6/13 to discuss smoking restriction issues. There is no proposed ordinance, but the council will look at Multnomah and others for guidance.
2	Multnomah County, OR	Extend smoking bans to bars, lounges, pubs, bingo halls, race course operations, bar areas of restaurants and truck stops.	L		Working group to report back to the County Commissioners the first of August. On 4/4, the Multnomah County Task Force held its first of 6 meetings. On 4/25, the task force met a second time to review the potential health impact of extending the existing smoking ban to include bars, lounges, pubs, bingo halls, race course operations, bar areas of restaurants and truck stops. On 5/9, task force met to discuss the economic impacts of an extended smoking ban. Task force tentatively scheduled for 5/31 to review enforcement implications.
2	Chicago, IL	Comprehensive smoking ban.	DC		During the week of 5/22, the Chicago city council health committee reportedly will hold a hearing on the proposed comprehensive smoking ban introduced by Alderman Burke...no vote is scheduled. Health Cmte. will meet 5/25. Nothing further scheduled.
2	Wareham, MA (WKA)	Consideration of ventilation systems to accommodate variances from the smoking ban imposed earlier this year.			Meeting postponed; vote may occur on 9/7. Board took no action at the 9/7 hearing. Scheduled to be heard on 10/5. No information available at this time. Delayed indefinitely. Deadline for comments is 2/19. On 5/2, the BOH will hold a public hearing to consider ventilation systems to accommodate variances from the smoking ban imposed last year...implementation of the ban is on hold until variance issue is resolved. On 5/16, restaurant owners will have an opportunity to respond to an engineer's proposal to test indoor air quality; no vote will occur. Next board meeting is scheduled for 6/6; the issue is not on the agenda.

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3	Kingston, MA	Total smoking ban in bars and restaurants	P		The Board of Health will hold a public meeting on 2/28 to debate the ban. The Board met on 2/28 to discuss the ban. No changes were made and the tentative public hearing date is 4/10. Public hearing scheduled for 4/27. Public hearing on 5/10. No further consideration date has been scheduled. Next BOH mtg on 6/6; issue not on the agenda.
2	Cadillac, MI (Other)	Ban smoking in public places, exempting restaurants and bars.	DC		The Wexford-Missaukee Tobacco Reduction Coalition is currently drafting a proposal. May be submitted to the City Council early next year. Coalition is expected to present proposal to council on 4/17; if that happens, a public hearing will follow on 5/1. Council voted on 4-1 on 4/17 to direct the coalition's ordinance to city staff for review. No timeline was given.
2	Kenosha, WI	Bans smoking in restaurants and restaurant bars (except in cases where the bar is in a separate room with a separate ventilation system).			A group of aldermen have agreed to introduce a proposal modeled after Eau Claire. Proposal pending review by city attorney; county may also act on issue; future consideration dates uncertain.
2	New York City, NY	Questions how the current smoking ordinance is working.			The Chief Council of the Health Cmte has set a hearing for 2/23. The hearing is regarded by the chairman Victor Robles as an "informational session or study session" on the question of how the current smoking restriction law is working after several years and does it need to be loosened or tightened.
MARKETING					
2	Coconino County, AZ	Proposal to regulate self-service displays of tobacco products.		6/19	Bd of Supervisors will hold two public hearings in June (6/5, 6/19).
2	Brentwood, CA	Self-service display ban. Also bans outdoor tobacco advertising within 1,600 feet of an elementary or secondary school or public playground. Requires tobacco retailers to obtain a license.		6/27?	City Council will vote on first reading and introduction of ordinance on 6/13 (postponed from 5/23.) <i>First reading and introduction approved unanimously on 6/13. Second reading and possible vote as early as 6/27.</i>
2	New York City, NY (OTHER MARKETING)	Would prohibit the sale and manufacture of any cigarettes that are not certified as fire-safe.			Cmte on Fire and Criminal Justice Services will meet on 4/18 to consider the proposal. Cmte. Has until 4/1/02 to develop standards. Cmte reportedly will postpone action in deference to the state bill (A1162) pending the governor's signature. With governor's veto of A1162 on 5/24, further activity by the cmte is expected. A call has been made to the cmte for status update and a possible consideration date.
2	South El Monte, CA	Restricts advertising and promotion on any publicly visible advertising display.		9/00	Not likely to be considered until September. No date available.
2	Chicago, IL (OTHER MARKETING)	Would require retailers to prominently display graphic photographs that show the negative health effects of smoking.			No hearing date available.

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ISSUES PENDING INACTIVE:					
TAXES					
2	Woodstock, VA	Local cigarette tax increase of 10 cents per pack.	DC		City Council may consider 6/6. On 6/6, council tabled the proposal.
2	Chambers County, AL (County must enact.)	Increase county cigarette tax from 7 cents to 17 cents per pack.	DC		Tax bill may be dropped into the legislature on 3/28. State Rep. Laird is pushing legislation. County Commission Chairman is opposed. On 3/21, Laird/Fuller introduced H737 to authorize the county to levy, collect and distribute an additional tax on tobacco and tobacco products. On 4/20, H737 passed the Senate and returned to the House for concurrence. On 5/5, the Governor signed H737 into law; will take effect 30 days from signing.
2	Clay County, AL (County must enact.)	County cigarette tax of 10 cents per pack; 5 cents for each cigar; 10 cents for each sack or package of smoking tobacco; 10 cents for chewing tobacco/snuff; and 10 cents for each package of tobacco paper.	DC		County Commission to consider tax. H129 became law without the governor's signature on 3/21, authorizing Clay County to impose a county privilege, license or excise tax.
2	Pickens County, AL (County must enact.)	County cigarette tax of 10 cents per pack.	DC		County Commission to consider tax. On 2/17, H512 was introduced to authorize the county to levy, collect and distribute additional tax on tobacco and tobacco products. H512 signed by governor on 5/25.
2	Baldwin County, AL (County must enact.)	Increase county cigarette tax from 2 cents to 10 cents per pack.	DC		County Commission has posted 30-day ad with its intention to proceed with a county tax increase. From there, it will be heard by the state legislature. Upon approval, the County Commission will vote on whether to increase the tax. Local advertising completed. Plans are to bring up request to have legislative delegation craft a bill at County Commission meeting on 3/21. On 4/11, H848 was introduced to authorize the county to levy, collect and distribute an additional tax on tobacco and tobacco products. H848 became law without the governor's signature on 5/12.
2	Randolph County, AL (County must enact.)	County cigarette tax of 10 cents per pack.	DC		County Commission will vote against tax. H128 became law without the governor's signature on 3/21, authorizing Randolph County to impose a county privilege, license or excise tax. The county, however, is unwilling to implement the tax.
SMOKING RESTRICTIONS					
2	Highland Park, NJ	Bans smoking in restaurants (bars exempt).			Borough Council is still debating the issue. No dates are set for public hearing.

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3	Charleston, SC (Field)	Smoking ban ordinance. As approved by the Ad Hoc Cmte, no specifics as to the definition of "public places." *Calls for separate ventilation in existing restaurants to be placed by Jan. 1, 2003 and for all new restaurants to install separate ventilation to meet ASHRAE standards. This ordinance came as part of a report from the Ad Hoc Cmte on a smoking ban, which recommended a total smoking ban.	L AL P DC		Action has been put on hold. Concerns of preemption are being discussed. The Mayor appointed on 9/20 an Ad Hoc Cmte to study a ban on smoking in restaurants. Ad Hoc Cmte meeting scheduled for 10/28. Ad Hoc Cmte approved by an 8-2 vote. City Council voted on 11/16 to move forward with the smoking proposal. Scheduled to be heard 12/21. On 12/21, the City Council deferred action on the proposed ordinance. The ordinance was sent to the city public works officials to see if an alternative can be reached... no time frame was given. As of 4/27, no new information.
3	Lane County, OR	Ban smoking in enclosed places			Board of Commissioners discussed the idea of banning smoking in enclosed public spaces at a work session on 3/14. No additional meetings have been scheduled. On 3/14, a report was presented to the board by the health and human services department; however the board has not indicated any intention to move forward.
2	Ketchum, ID	Prohibit smoking in public buildings; includes restaurants and bars			First hearing generated angry response from bar owners. City Council postponed any action on the proposal until April; city attorney is drafting a bill that reportedly moves toward a restaurant smoking ban. On hold for now.

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3	Pima County, AZ	Ban smoking in restaurants, with the exception of separately ventilated rooms. Restaurants would be permitted to apply for exemptions if they show a 15 percent loss in revenue due to the ban.	L P AL FC DC	No next action date.	No action requested. No proposal before the Board of Commissioners. Health Dept. working on legislation with no particular timetable. The Health Commission will hold the last of three public hearings on 10/9. There will be a public hearing in front of the whole Health Cmte on 10/18. Health Cmte heard proposed ordinance on 10/18; date of further consideration by Board of Supervisors is unknown at this time. Board of Health opposed, by a vote of 5-2. The ordinance must still be voted on by the County Health Commission before it can go to the Board of Supervisors. Consideration by the Commission is not expected for two to three weeks. Push for the ordinance has slowed down considerably. The Health Care Commission made a formal recommendation to transmit the proposed ordinance to the Board of Supervisors in Jan. Ordinance is not scheduled to be heard but may be discussed. Issue has been moved to "back burner." The Board of Supervisors voted 3-1 to dissolve the county's Health Commission. The Board of Health voted not to go forward with recommending the smoking ban to the Supervisors.
3	Northampton, MA	Extend smoking ban to bars and restaurant bar areas	P		Public hearing held on 7/20. Close to Amherst, which has a total bar ban. No further information.
3	Schenectady Co., NY	Smoking ban ordinance		later in the fall?	Set aside for now. Allies believe settlement funds will motivate them to move forward.
3	Ulster County, NY	Smoking ban ordinance		later in the fall?	Set aside for now. Allies believe settlement funds will motivate them to move forward.
2	Johnson County, IA (Other)	Ban smoking in restaurants (may violate state preemption)		No next action date.	City Council scheduled to discuss proposal. No information available yet. Health Director is helping to sponsor a meeting with several "county bureaucratic depts and tobacco-free kids group. Meeting scheduled for 10/28. No information available at this time. On 12/8, resolution to prohibit smoking in restaurants was presented to council; cmte was formed to research legal issues associated with passing an ordinance. Council voted have the board of health request the county attorney and health director to provide information and to report back by 3/1. B/c of preemption issues, council chair suggested BOH instead issue a statement on its position.

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3	Danvers, MA	<p>Would limit smoking even further in restaurants.</p> <p>The current town ordinance bans smoking in dining areas but allows smoking in bar areas.</p>	P		Board of Health will hold a hearing on 9/13/99. Board of Health has set a public hearing for 10/4. No action taken on 10/4. Further consideration scheduled for 10/25. No information available. Citizens Cmte has until 3/2000 to report back. Call has been made to BOH; waiting for return call from tobacco agent.
3	Washburn, MA	Restaurant smoking ban			No official ban proposal but some interest in ban introduction has been mentioned.
2	Gilbert, AZ	Smoking ban		No next action date.	Hearing postponed. There's nothing on the September 14 Gilbert town council agenda related to the proposed smoking ban. Next full meeting is September 28; they'll post the agenda on the 24th. As of 9/27 there is nothing on the Agenda for the 9/28 and 10/12 City Council meetings. Agenda posted 10/22 and next meeting 10/26. Agenda posted 11/5 and next meeting 11/9---still no date set for consideration.
3	Dutchess County, NY	<p>Smoking ban that would severely restrict smoking in restaurants, bingo halls and bowling alleys.</p> <p>The County Legislature's bill required the Legislature to approve all regulations and their economic implications before going into effect.</p> <p>*A Cmte has been formed to try and reach a compromise. *Area business owners, restaurant owners and national smokers are suing the Board of Health for implementing strict no-smoking regulations. The suit would claim that the Board has no authority to promulgate anti-smoking regulations.</p>		No next action date.	Board of Health approved the proposal. The County Legislature approved a bill to negate the Board of Health's proposal. The Legislature's bill is before the County Executive, who has until 9/8 to approve or veto the bill. The County Executive vetoed on 9/8 the County Legislature's bill. The County Attorney advised the County Board not to implement its smoking regulations or they could be held liable in a lawsuit situation. A special Cmte, compiled of restaurant owners, health officials and county officeholders, is scheduled to hear a report from Westchester County officials on 10/28 regarding its smoking ordinance. Area business owners, restaurant owners and national smokers groups are asking a federal court to throw out the indoor smoking ban, stating it is unconstitutional for the Board of Health to pass smoking legislation.
3	Winchendon, MA	Smoking ban		Tabled. No next action date.	Allies believe Board of Health may take a pass. Meeting on 6/23/99 to consider restaurant smoking regulations. Tabled.
MARKETING					
2	Antioch, CA	Self-service display ban that requires all tobacco products be placed behind the counter in a locked case or similar that is inaccessible to customers. Also bans sale of branded items and outdoor signage within 1,600 feet of schools and playgrounds.	P		Same language as Walnut Creek and Contra Costa County. No action on 8/10. Health Dept. still reviewing. Has not been introduced. Date of further consideration is unknown.
2	Massachusetts	Prohibit tobacco advertising within 1,600 feet of school or playgrounds and self-service displays.			AG postponed implementation for 6 months. Tobacco, cigar and smokeless companies have filed suit—trial set for 2/2000.

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3	Dublin, CA	Eliminate storefront advertising within 1,600 feet of a school and require businesses to obtain a license to sell tobacco products. Behind the counter?		No next action date.	Ordinance being drafted—similar to Contra Costa County. No date set for council action. As of 4/00, a coalition has formed to draft a proposal, but nothing has come before the council.
3	Los Alamos, CA (Other)	Resolution would prohibit the use of tobacco products by minors.		No next action date.	School Board passed on 9/14 a resolution asking the Legislature to prohibit the use of tobacco products by minors. No further information available.
2	Worcester, MA	Complete ban of tobacco products at retail		No next action date.	Public Health Committee of the City Council will meet to discuss on 5/10. On 5/10, city council considered the proposal, sponsored by the mayor's 10-year old son); the young man asked the council to consider, in lieu of an outright ban, a ban on billboard advertising (moot under the MSA) and raising the legal purchase age to 21; the council agreed to consider the issue of raising the legal purchasing age. No further action date is scheduled.

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LOCAL ISSUES ACTIVITY

	Location	Issue	LIT Activity	Next Action	Notes
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LOCAL ISSUES ACTIVITY

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ISSUES ADOPTED or DEFEATED:					
TAXES					
2	Smithfield, VA (Adopted 6/6/00 Effective 7/1/00)	Local cigarette tax increase of 25 cents per pack.		6/6/00	Council adopted increase on 6/6 (effective 7/1)...until now, the town had not imposed a local tax on cigarettes purchased within town limits.
	Childersburg, AL	Tobacco tax reduced \$.10. New tax is \$.05 per pack.		2/7/00	
1	New York	Tobacco tax at 55-cent per pack.	D	12/20/99	Special session from 12/20-12/23
2	Oklahoma	Tobacco tax between 11 and 13 cents to fund \$350MM bond referendum		After 8/20/99	Legislature in recess. Amendments failed; session ended without passing tax.
GRAY MARKET					
2	Missouri (Defeated)	Gray market bill.	DC		Industry team requests DC at a moderate rate to members of the state senate considering the measure. The bill is expected to be in both chambers the week of 5/8.
SMOKING RESTRICTIONS					
2	Duluth, MN (Adopted 6/12/00)	<p>Bans all smoking in all public places, public transportation and some categories of bars. Would prohibit smoking in the following: restaurants, retail stores, laundromats, offices, commercial establishments, airplanes, trains, buses, boats, taxis, hospitals, bowling alleys, pool halls, auditoriums, arenas, meeting rooms and common areas of hotels/motels. Smoking is permitted in bars, provided that the bar is a room bordered on all sides by a floor to ceiling wall with the walls continuous except for closeable exit and entrance doors, no one under 18 is permitted, the bar has tables and seating for no more than 50 people at one time, and the bar provides food service as a "licensed limited food service establishment." Smoking is allowed in a private office occupied exclusively by a smoker.</p> <p><i>The ordinance reportedly will: exempt bars, bowling alleys and pool halls; ban smoking in restaurants unless the restaurant has an enclosed smoking room separated from the rest of building by a solid wall and closing door; limit smoking areas to 30% of the restaurant's total seating (area must have separate ventilation system); allow separate smoking rooms in bar/restaurant establishments; allow restaurants to apply for an exemption if the restaurant has a loss of 15% in sales for one month or 10% in two consecutive months as a result of complying with the ordinance; require a nonsmoking employee's consent to enter smoking areas as part of their duties; and allow restaurants with liquor/wine/beer licenses to allow smoking from 8 p.m. to 1 a.m.</i></p>	DC P	6/12/00	On 4/24, the city council will hold the second reading; the public may offer comments, but no formal action will be taken. A Cmte of the Whole meeting will occur on 5/1 to respond to public inquiries, and the ordinance may then be placed on the council's agenda for final consideration on 5/8. Council may also elect to appoint a task force to study the proposed ordinance. On 5/8, city council tabled the proposal and will await the outcome of a 5/10 meeting between a lung association rep and business industry reps. On 5/22, the council took no action; motions to take the proposal and recommended amendments off the table for discussion failed; a proposal to appoint a task force is also being considered (report deadline 9/1/00); the council could reconsider taking the ordinance, amendments and resolution to create a task force off the table at its next meeting on 6/12. On 6/12, council adopted an amended ordinance.

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1	Princeton, NJ (Adopted 6/1/00 Effective 30 days from passage)	Ban smoking in (1) all enclosed public places; (2) all restaurants, bars, cabarets, and taverns; (3) all workplaces; (4) all restrooms, lobbies, reception areas, hallways, elevators, service lines and any other common-use areas in enclosed public and workplaces. **Proposal amended to exempt hotel/motel rooms, provided the rooms have separate ventilation systems, and note that NJ acknowledges smoking as the leading cause of death from fire.	P DC	6/1/00	The Health Commission introduced this ban on 2/15. A public hearing is scheduled for 3/21. NJLBA threatens to sue if passed. Regional Health Commission agreed to delay its final decision on the proposed smoking ban until its next meeting, scheduled for 4/18. Commission considered amendments on 4/18 to determine whether university eating clubs are considered public and private areas. Public hearing scheduled for 5/16. Commission delayed its final vote, after it reversed its decision to exclude private clubs; a special meeting and public hearing is scheduled for 6/1. A vote is expected. Princeton Regional Health Commission voted unanimously to adopt a smoking ban... prohibits smoking in enclosed public places and workplaces, including restaurants, bars, private clubs and offices; ordinance goes into effect 30 days from passage. <i>Implementation postponed pending resolution of lawsuit.</i>
2	Chautauqua County, NY (Adopted 5/24/00)	Smoking restrictions. Proposed ordinance allows smoking in bowling alleys except one hour before and during youth league play. Requires restaurants without liquor licenses to have smoking sections that are enclosed and separately ventilated. Requires enclosed, inspected, ventilated if restaurant has liquor license. Requires 15 feet between smoking and non-smoking sections. Bars that derive more than 50% of their revenue from the sale of alcohol are exempt. *Adopted measure restricts smoking in public places, including private club dining areas and enclosed workplaces...the restrictions do not apply to private residences (some exceptions), personal vehicles, retail tobacco stores, designated hotel/motel rooms, bars (defined as an establishment devoted to serving alcoholic beverages for on-site consumption and where food service is only incidental), bar areas, bowling centers (some exceptions), bingo halls (some exceptions), and private meeting rooms. Smoking in restaurants is restricted to 20% of the total seating capacity of the dining area (all portions of the smoking section must be contiguous to one another).		5/24/00	The Clean Air 2000 Cmte is scheduled to meet on 2/9 to develop a compromise on smoking restrictions that were passed last year. Recommended to the Human Services Cmte. City will draft a proposal and bring it back on April 20. Cmte scheduled to consider Crosscut/Bargar compromise proposal in April; if approved, must be passed by county legislature. On 4/24, a Republican-sponsored proposal, which would have reduced the size of the smoking section to 20%, failed to muster the needed votes. HS Cmte is waiting for information from the health dept and the BOH. HS Cmte approved the Crosscut/Bargar compromise proposal by a vote of 4-3. On 5/24, the full county legislature considered 4 different proposals; the Caffisch-Crowe proposal (which was favored by the restaurant association) was adopted 17-6 (2 absent). <i>County Executive will decide by end of week whether to sign the ordinance into law.</i>

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1	Casper, WY (Defeated 5/16/00)	<p>*Total smoking ban in restaurants, including those holding a restaurant liquor license but excluding those with a full retail liquor license and exempts bars where 60% of gross sales are from alcohol.</p> <p>**Would require separate ventilation and separate rooms for designated smoking areas in restaurants. However, the provisions would not go into effect for seven years. Any new construction or substantial remodeling would have to include the new smoking area requirements.</p> <p>***which allows five years, not seven, for compliance and toughens the barrier rules for areas where smoking is allowed in restaurants.</p> <p>**Exempts bars, fully enclosed offices or rooms, private meeting rooms, tobacco retail stores, restaurants with a seating capacity of fewer than 50 and special club liquor licensees' premises.</p>	L P FC AL DC	5/16/00	Ordinance being prepared. Work session on 8/26. The earliest the Council could vote is the 2 nd Tuesday in Sept. Work session scheduled for 9/27. To be heard on 10/5. May be delayed until Nov. Rescheduled the hearing for 11/2. The City Council will continue to hear proposal on 11/4. The City Council approved first reading on 11/4. The Council voted in favor of forming a task force that would recommend changes based on public comment. Date of further consideration unknown. Next Cmte hearing is scheduled for 11/23. A City Council task force agreed upon proposed language regarding the smoking ban ordinance*. A special task force on tobacco recommended a "basic stoplight" signage ordinance**. Task force to meet 1/11; work session scheduled for 1/26 and City Council meeting scheduled for 2/2. On 1/18, the City Council proposed a new smoking ordinance***, further consideration by Task force is scheduled for 1/25 and a public hearing is scheduled for 2/3. No action was taken on 2/3. Second reading is scheduled for 2/15 and third reading 2/29. City Council has decided to revert to the original version of the ordinance (*see description to the left). 2/29 reading delayed to early March. Council voted 5-4 in favor of the ordinance. Referendum pending. Special election will be held on 5/16. On 5/16, voters rejected the ordinance 52% to 48%.
2	Baker City, OR (Adopted 5/16/00 Effective 7/1/00)	Would ban smoking in workplaces and most public facilities (bars and taverns and hotel/motel rooms exempt)		5/16/00	The city council voted 6-1 on 3/14 to place the proposed ordinance on the May 16 ballot. On 5/16, voters accepted the ordinance 52% to 42%.
2	Ludlow, MA (Defeated 5/8/00)	Bylaw to ban smoking in all public places, exempting bars, outside patios/decks of restaurants, private clubs, private or semi-private rooms in retirement or nursing homes, hired limousines, and bar areas of restaurants (separate rooms/separate ventilation systems, no minors access, and seating capacity less than 25 % of total restaurant seating capacity)		5/8/00	Board of Selectmen will hold a public hearing on 5/1. Board will hold a special town meeting on 5/8 to allow town meeting members to vote on the proposed bylaw. On 5/8, voters defeated the warrant article, 54-26.

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2	East Greenwich, RI (RJR) (Adopted 4/25/00 Effective 12/1/00)	Regulates smoking in restaurants and bars. Restaurants with seating capacity of less than 50 have three options: ban smoking, have an enclosed area for smokers with separate ventilation, or ban minors from entering. Restaurants with a seating capacity of 50 or more to provide separate seating areas; areas where smoking is permitted must have a separate ventilation system, and outside serving areas must have a designated non-smoking section.	P DC	4/25/00	The City Council will ask the General Assembly on 11/23 for permission to regulate smoking. The City Council voted 4-1 to proceed with plans in asking the General Assembly to regulate smoking in East Greenwich. City Council announced its plans to reintroduce last year's proposed smoking ban ordinance at its 3/28 meeting. Third reading (and final vote) is scheduled for 4/25 council meeting. On 4/17, restaurant reps presented council with a compromise; council will discuss the proposed changes on 4/18. Council voted 4-1 on 4/25; local restaurants have until 12/1/00 to comply. The Rhode Island Hospitality and Tourism Association has filed a lawsuit based on the premise that the city council does not have the authority to impose such restrictions without the consent of the General Assembly.
2	Northborough, MA (Adopted 4/12/00 Effective 10/1/00)	Bans smoking in all bars and restaurants unless the designated smoking area is in a separate room with separate ventilation.		4/12/00	Board of Health scheduled to hear on 11/18. Board of Health will continue to take written comments until 11/26; no action was taken at the 11/18 hearing. No date set for further consideration. Possible vote scheduled for early April. Final public hearing is scheduled for 4/12 (vote likely); if passed, regulations will go into effect 10/1/00. Board approved measure on 4/12.
2	Madison, WI (Adopted 4/11/00 Effective upon publication)	Bans smoking in workplaces, exempting bars and hotels; requiring break rooms to have special ventilation; banning in hotel common areas and meeting rooms, but give those leasing spaces discretion on whether to allow smoking; banning at some entrances and permitting it at others---depending on the number of doors to the outside; prohibiting smoking within 50 feet of schools and enforcing a smoking ban in front of City-County buildings.	DC P F FC	4/11/00	City Council is scheduled to hear proposal. Date of consideration unknown at this time, however, the Mayor would like to push this issue quickly. The Common Council referred the proposal to the council of the whole rather than referring it to a council cmte. The referral is scheduled for a public hearing on 1/18. The council of the whole did not introduce proposal; instead it was referred to the Public Health Commission. In order for the ordinance to be heard by the full council, it must be passed out of the Public Health Commission. The Madison Public Health Commission approved the rewrite of the existing smoking ordinance. The City Attorney mentioned that there would be a total of seven smoking ban ordinances. On 3/7, a substitute proposal was re-referred to the council, and is scheduled for consideration on 4/11. Second amended substitute measure adopted by voice vote on 4/11.

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2	Ft. Wayne, IN (Adopted 4/11/00)	Would amend existing ordinance to reinforce the definitions of bars and private clubs for the purpose of exemption. Bars must declare themselves totally off limits to minors; private clubs must have a charter, have existed for three years, and maintain a non-profit status.	P DC	4/11/00	City council considered amendments to close the loophole on the definition of private clubs and bars on 3/28. Will hold another public hearing on 4/4. Resolutions Cmte voted 8-1 to place the amendments on the council's 4/11 calendar. Vote is possible on 4/11. Council voted 7-1 to allow restaurants that took steps prior to 3/31 to become private clubs to continue to allow smoking.
2	Mansfield, TX (Adopted 4/10/00)	"Clamps down on smoking in restaurants and other establishments." **Amendments approved on 3/28 would exempt restaurants with seating capacities of no more than 50 people from the regulations; all other restaurants would be required to comply by 1/1/03.	P	4/10/00	City Council encouraged drafting language for a proposal. Drafted language may be available for council review by late Feb. and a public hearing and vote may be scheduled for March. The City Council next meeting is 2/14; it will not be known until 2/8 or 2/10 if the smoking ordinance will be ready for first reading. City Council will hold a public hearing on 2/28 on a new smoking ordinance that has yet to be released. The Council met on 2/28 to discuss the ordinance. Will likely vote on 3/20. On 3/27 city council approved amendments; final vote on amended proposal expected on 4/10. Council voted 6-1 to approve amended ordinance.
2	Moose Lake, MN (Adopted 4/5/00 Effective 8/1/00)	Bans smoking in all public restaurants. Allows smoking in a "bar" which is defined as "an area which is devoted to serving alcoholic beverages and in which serving food is only incidental to the consumption of such beverages."	P DC	4/5/00	City council is scheduled to consider on 4/5. Ordinance is the result of a grant program funded by the American Lung Association called "Stop Teen Tobacco Organizing Project: which seeks to encourage smoke-free restaurants. This group received a \$50,000 grant from ALA in January. Local discussions to ban smoking in public restaurants have also occurred in Duluth, New Prague and Little Falls. Council voted 3-1 on 4/5...implementation pending legal review by the city attorney.
2	Monson, MA (Adopted 4/4/00 Effective 9/1/00)	Would ban smoking in restaurants (bars exempt)	P	4/4/00	Board of Health will meet on 3/20 to consider proposal. The Board is scheduled to vote on April 4. Board unanimously approved the ordinance on 4/4.
3	Barnstable-Yarmouth, MA (Adopted 4/00)	Restaurant smoking ban		4/00	Joint Boards of Health Subcmte. on Tobacco met but took no action. No action taken at 8/27 hearing. No date set for further hearing. Adopted at board hearing early April.

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3	New Bedford, MA (Adopted 4/00 Effective upon publication)	Smoking ban amended to allow separate rooms with proper ventilation. Second amendment allows smoking in adult-only establishments.		4/00	Board of Health has passed amendments to help small family restaurants that will be hurt by recently passed smoking ban. "Mom and Pop" restaurants are not helped by these amendments; further action may be taken. On 3/2, BOH reversed regulations permitting smoking in restaurants requiring floor to ceiling partitions. Effective date is once they publish in local paper (expected in April).
3	Holbrook, MA (Adopted 3/28/00 Effective 6/1/00)	Bans smoking in indoor places, includes restaurants and exempting bars that have less than 25 percent of their receipts from food.	P	3/28/00	Board of Health scheduled hearing on 3/1. The Board heard public testimony at the 3/1 hearing. Written testimony will be taken until the next meeting on 3/14 - when they may vote on the issue. May be taken up at the board's 3/28 meeting. Voted 3-0 in favor of the proposal.
2	Salem, MA (Adopted 3/14/00 Effective 4/1/01)	Bans smoking in restaurants, bar areas of restaurants, bars and public waiting rooms, toilet rooms, and all areas of these establishments, exempting private clubs and private meeting rooms. Contains a variance clause.		3/14/00	Board of Health discussed on 12/14 proposal. Further consideration scheduled for 1/11. Board of Health meeting scheduled for 2/15. Ban discussion is on the agenda. Vote delayed until next meeting on 3/14. Adopted 3/14/00.
3	Sterling, MA (Adopted Effective 3/1/00)	Bans smoking in bars, restaurants, and every other public place except outdoor seating in restaurants		3/1/00	Board of Health tabled proposal until 11/18. Next hearing scheduled for 12/9/99. No information yet. Possible April meeting. Regulations became effective 3/1/00.
3	Williamstown, MA (Adopted 2/00)	Bans smoking in restaurants and bars with no variance clauses for ventilation or separate rooms, exempting private clubs and private meeting rooms. **Non-binding referendum on 5/16 to repeal the ban was tabled.		2/00	Board of Health adopted proposed ordinance in Feb. 2000. Further consideration is scheduled for 2/29. The Board met on 2/29 to discuss variances for some restaurants in Williamstown.
2	Eau Claire, WI (Adopted 2/8/00)	Bans smoking in restaurants, exempting taverns	DC	2/8/00	City Council is scheduled to hear proposed ordinance on 2/7. City Council adopted an amended version of a smoking ban ordinance. Adopted 2/8/00.
2	Marblehead, MA (Adopted 2/9/00 Effective 4/15/00)	Bans smoking in restaurants, bars and private clubs without any variance clause.		2/9/00	Board of Health scheduled to hear on 1/6. Board of Health adopted ordinance. On 5/1, a proposal to repeal the smoking ban was withdrawn.
2	Hamilton, OH (Defeated)	Ban smoking in public places, including restaurants.		Late Jan.	This issue will receive three public hearings; however, no dates have been set.
3	Central Point, OR (Adopted 1/27/00)	Bans smoking in "all enclosed public places" including restaurants, workplaces, retail stores, laundries, banks and bowling lanes. Also requires a tobacco licensing permit, bans self-service displays of tobacco products and bans the sale of tobacco products to minors. **Special election scheduled for 9/00	P	1/27/00 **9/16/00	City Council is scheduled to hear on 1/13. The City Council passed, by a 5-1 vote; second reading scheduled for 1/27. City Council adopted. **Smoking restrictions effective thirty days after adoption; retailing effective July 1. Referendum was submitted on 2/25; special election scheduled for 9/19.

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3	West Boylston, MA (WKA) (Adopted 1/26/00 Effective 7/1/00)	Ban smoking in all public places including restaurants, bars, bowling alley, pool halls, and all workplaces with very few exceptions.	P	1/26/00	Board of Health is scheduled to hear proposal on 11/3. Board of Health will accept public comments up until 11/16. There will not be another public hearing; the earliest a vote will take place is 11/18. No action taken on 11/18; further consideration scheduled for 12/8. Board of Health did not consider ordinance on 12/8. Adopted by BOH on 1/26; effective 7/1.
3	Ashland, WI (Other) (Adopted 1/25)	Bans smoking in restaurants, exempting separately ventilated rooms. Also exempts bars and taverns. Effective may 1, 2000. *Please note, the cmte of the whole is a work/study group of the full council.	P	1/25/00	The Cmte of the Whole passed 10/99 the committee resolution. The full City Council is not scheduled to hear the proposal 12/14. No action was taken on 12/14; further consideration set for 12/28. On 12/28, the City Council Cmte of the Whole approved the proposed ordinance. A public hearing, on the Cmte level, is scheduled for 1/11 after the City Council meeting is adjourned. After the Public hearing, the Cmte will take action on the ordinance. The Cmte of the whole unanimously recommended passage of the proposal; further consideration by the City Council is scheduled for 1/25. City Council adopted, by an 11-0 vote.
2	Cascade, MT (RJR) (Adopted 1/25/00)	Bans smoking in all county buildings.		1/25/00	County Commissioners passed an ordinance banning smoking in all county buildings.
3	Shrewsbury, MA (WKA) (Effective 7/1/00)	Smoking ordinance which calls for up to 50% of seating can be in a designated smoking area which must have adequate ventilation meaning with air displaced at no less than 30 cubic feet per minute and must be enclosed.		1/00	Board of Health scheduled to hear on 11/18/99. Board of Health will continue to take written comments until 11/26; no action was taken at the 11/18 hearing. Date of further consideration is unknown. Board approved regulations.
3	Grant's Pass, OR (Adopted 1/00)	Restricts smoking at the city's outdoor parks.		1/00	City Council passed, by a 6-1 vote.
3	Neenah, WI (Defeated 1/24/00)	Bans smoking in restaurants, exempting restaurants with 30 seats or less that are not part of a franchise. Also exempts bars. Hardship clause would exempt for one 3-year period restaurants that have lost 15% of their business in the first 3 months of enactment compared to the previous year or any loss of business after 6 months compared to the previous year.		1/24/00	Efforts are under way. No date of consideration or drafted legislation available. Vote scheduled by Common Council. Defeated 1/24/00.
2	Boylston, MA (WKA) (Adopted 1/17/00)	Bans smoking in enclosed public places, exempting workplaces and municipal vehicles. New restaurants must be smoke free while existing restaurants can seek a variance that would permit them to separately enclose and ventilate a smoking section.		1/17/00	Board of Health is scheduled to hear proposal on 11/1. No action was taken on 11/1; rescheduled for 11/22. No action taken on 11/22/99. Next hearing scheduled for 12/27. Adopted on 1/17/00.
3	Amesbury, MA (Adopted 1/12/00; Effective 6/15/00)	Ban smoking in restaurants and bars unless designated smoking area has separate ventilation **Proposal adopted bans smoking in restaurants (bars exempt).	P	1/12/00	Several options being proposed. Board of Health is scheduled to hear proposal on 11/29. No action taken on 11/29. No date set for further consideration. Adopted substitute proposal on 1/12 that bans smoking in restaurants (bars exempt).

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3	Great Barrington, MA (WKA) (Adopted)	Ban smoking in restaurants and may extend to bars.	P	1/6/00	Board of Health will hear proposed ordinance on 11/4. Board of Health discussed; no action taken. Further consideration scheduled for 12/2, when a vote will be taken. No action was taken; tabled until 1/6. Adopted 1/6. On 5/3, town meeting voters rejected a proposal to recommend that the BOH reconsider the smoking ban.
3	Princeton, MA (WKA) (Adopted 1/3/00 Effective 7/1/00)	Bans smoking in enclosed areas open to the public, including bars and restaurants.		1/3/00	Board of Health discussed proposal on 10/20. Further consideration scheduled for 11/2. No action taken. Date of further consideration unknown at this time. Records open for another week, as of 11/5/99. Board of Health scheduled to hear 1/3. Adopted 1/3.
3	New Braunfels, TX (Died 12/23/99)	Requires all new restaurants to build a wall separating smoking and no-smoking areas. The ordinance would also apply to existing restaurants doing major renovations or expansion.		12/23/99	City Council passed first reading of proposed ordinance on 11/29. Second reading scheduled for 12/13 and third reading scheduled for 1/10. On 12/13, the City Council failed to pass second reading, therefore, the ordinance died.
2	Multnomah County, OR (Adopted Dec. 99) (RJR)	Ban smoking in the common areas of private workplaces, exempting smoking lounges that are enclosed and separately ventilated. The ordinance also bans smoking in the dining areas of restaurants and exempts in bars, taverns, lounges, including those areas of restaurants, bowling alleys and bingo halls. Truck stops are expected to be exempted prior to third reading.	P	12/99	Being discussed among the County. No drafted legislation available. Not expected to be heard by the County Board of Commissioners until later in the fall. County Board of Commissioners considering ordinance. County Board of Commissioners passed first reading on 12/9; second reading scheduled for 12/16. On 12/16, the County Board of Commissioners approved second reading; third reading not scheduled until Jan. Adopted, by a 3-2 vote, Dec. 99
2	Dover, NH (Adopted 10/13) (Rescinded 12/8) (Other)	Bans smoking in restaurants that do not have separately enclosed and ventilated rooms, including bars and taverns that serve food. The ordinance exempts bars and taverns that do not serve food, patios that are entirely open to the outdoors, private organizations, bowling alleys, bingo halls and private residences. Also, establishments cannot require that employees or nonsmoking patrons pass through smoking areas to enter nonsmoking sections. * Revisions to the ordinance being considered.		12/8/99	Board of Health adopted, by a 5-3 vote. City Council placed the recently adopted ordinance on hold for 60 days (reported 10/28/99). City Council scheduled to hold a hearing on 12/8 regarding a possible repeal of the city's smoking ban because it mistakenly includes bars and some variety stores. On 12/8 the City Council rescinded the adopted ordinance, which mistakenly included bars and some variety stores. It is unknown at this time whether the Board of Health will submit a new ordinance.
3	Lowell, MA (WKA) (Adopted 11/30/99)	Restaurant smoking ban; bars exempted. Variance procedure requiring enclosed room that's separately ventilated. Filtration devices not acceptable.	P	11/30/99	Board of Health scheduled to discuss proposal at public hearing on 10/27. Board of Health discussed ordinance 10/27; further consideration scheduled for 11/30. Adopted.

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2	Mesa, AZ (Other) (Repealed 11/15/99)	Amends the current smoking ban. Amendment toughens the standards by which the restaurant owners could continue to allow smoking in their restaurant bars. Restaurant owners may have to install tightly fitting, self-closing doors.	DC P	11/15/99	City Council scheduled to hear amendment on 11/1. Scheduled to be heard by the City Council on 11/15. Trying to postpone to 1/2000. City Council repealed, by a 4-3 vote, the mechanical ventilation option for designated smoking areas. The Council grandfathered four restaurants that had already installed the new equipment.
3	Summers Co., WV (RJR) (Adopted 11/12)	Bans smoking in public places, including restaurants and exempting bars, private residences, hotel and motel rooms, tobacco retail stores and private office.		11/12/99	Board of Health adopted ordinance on 11/12/99. Mirrors the Monroe County ordinance.

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3	Stow, MA (Adopted 11/10/99 Effective 5/10/00)	100% smoking ban in restaurants; bars are exempt		11/10/99	Public hearing on 9/9. At 9/9 hearing the Board gave the public until 10/12 to provide written comments on the proposed ordinance. Final hearing scheduled for 10/21/99. No action taken; rescheduled for 11/11. No information yet. Board approved regs on 11/10.
3	Marshfield, WI (WKA) *See Notes	Bans smoking in restaurants.			Board of Health is scheduled to discuss the proposed ordinance on 10/28/99. Board of Health not recommending proposal to the City Council, instead, recommended that the Clean Air Cmte and Restaurants owners work together to make establishments a smoke-free environment.
3	Watertown, MA (RJR) (Adopted)	Smoking ban			
3	Oxnard, CA (Adopted 10/19) (Stateside Assoc.)	Repeals current ordinance that regulates smoking in workplaces.		10/19/99	Passed first reading on 10/5. Second reading scheduled for 10/19/99. Adopted 10/19.
1	Natick, MA (Adopted 10/15) (WKA)	Ban smoking in restaurants (warrant article)		10/15/99	Board of Health scheduled to hear proposed warrant article 10/15. Adopted 10/15/99.
3	Overland Park, KS (Field) (Adopted 10/11)	Ban in dining rooms of restaurants or any area that is not within 10 feet of a bar. Bowling alleys and private clubs are exempt. To have a smoking area beyond 10-feet of the bar, there must be separate ventilation and complete separation. Bans smoking in fast-food restaurants and requires any new restaurants seeking a city permit after March 1, 2000 to have separate ventilation (Gerlack amendments)	L P FC AL DC	10/11/99	Community Development Cmte passed on 9/1 the proposed ordinance, with amendments, including exempting private clubs, service clubs and bowling alleys. Full Council is scheduled to hear ordinance on 9/27/99. City Council tabled the ordinance at 9/27 meeting. Further consideration scheduled for 10/11. Adopted 10/11.
3	Beverly, MA (Adopted 10/5)	Smoking ban ordinance except for bar areas, which must be physically separated and separately ventilated.	P	10/5/99	No action taken 7/28. Will be considered by the Board of Health on 9/8. Board of Health has tentatively set a hearing for 10/5. Adopted 10/5.
1	Aurora, CO (Defeated 9/14)	Smoking prohibited in all restaurants unless in a separate area that's separately ventilated. Resolution would have allowed restaurant owners to be the final authority on smoking policies in their establishments.	P	9/14/99	Resolution by City Councilman LeGare. Antis may push for tougher resolution. 9/13 possible vote. City Council defeated, by an 8-2 vote.
	Santa Fe, NM (Adopted 9/29/99—with amendments) (Effective 10/30/99)	Smoking ban in public places, including work places and restaurants, exempting bars and restaurant bars. Would require smokers to be at least 12 feet from the entrance of businesses.	L P FC AL DC	9/29/99	Proposal tabled. Amendments being considered: 1) allow smoking in bars and bar areas of restaurants, 2) ventilation system, 3) get rid of 15' restriction outside public buildings. Adopted, with amendments on 9/29.
	Brewster, MA (adopted on 10/6/99)	Proposal for a total restaurant smoking ban	P	10/6/99	In the writing stage. Adopted 10/6/99.
MARKETING					
2	Schenectady Co., NY (Adopted 6/13/00)	Proposal to ban self-service display of tobacco products at retail.		6/13/00	Will be discussed by the County Legislature on 5/2. Public hearing and possible vote is scheduled for 6/13. County legislature unanimously approved the proposal on 6/13.

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LOCAL ISSUES ACTIVITY

	Location	Issue	LIT Activity	Next Action	Notes
2	New York (OTHER MARKETING) (Vetoed 5/24/00)	Amends Executive Law to direct Office of Fire Prevention and Control to promulgate fire safety standards for cigarettes, and prohibiting sale of cigarettes that do not meet those standards.	DC	5/24/00	A1162 pending. Governor vetoed A1162 on 5/24.
2	Monterey Park, CA (Adopted 5/17/00 Effective 6/16/00)	Prohibit self-service tobacco displays in the city's retail stores.		5/17/00	On 5/3, the City Council held the first reading. If adopted, Monterey Park would join 11 counties and 59 cities that have adopted similar ordinances. Second reading and possible vote is tentatively scheduled for 5/17. On 5/17, the Council voted 3-1 on the second reading and adoption of the ordinance.
2	Los Angeles, CA (Adopted 5/3/00)	Requires all tobacco retailers in LA to get city permits and bans self-service displays.		5/3/00	City Attorney, James Hahn, submitted proposal to City Council on 11/3. Date of consideration unknown. Council gave initial approval (11-1) on 4/26 for city attorney's proposal; will vote again on 5/3. On 5/3, Council adopted ordinance. Mayor has until 5/18 to sign the ordinance; becomes effective 31 days after signature. Mayor did not sign File Number 96-2279; will be deemed approved and assigned an ordinance number.
2	Philomath, OR (Adopted 4/24/00 Effective 90 days after adoption)	Bans tobacco self-service displays; requires all retailers to obtain a permit to sell tobacco products. Takes effect 90 days after adoption.		4/24/00	On 3/27, the ordinance (Ord. #683) was not unanimously approved and will be read again at the next meeting on 4/24. The City Council voted 4-3 on the second reading and adoption on 4/24/00.
2	Las Cruces, NM (Adopted 4/17/00)	Prohibits self-service merchandising of tobacco products. Also bans vending machines except (1) in area not open to the general public, (2) in places where minors are not permitted, and (3) in places where alcoholic beverages are offered for sale and consumption on the premise. Prohibits sampling in or on any public street, sidewalk, or park within 500 feet of any youth center or youth activities.		4/17/00	Public hearing was held 3/16. City council will hold the first review of its proposed ordinance on 4/3. Adoption is expected at the council's 4/17 meeting. Council approved measure 5-1.
2	Watsonville, CA (Adopted 4/11/00 Effective 5/11/00)	Proposal to prohibit self-service sale of tobacco products. Would also limit visible advertising and promotions in stores located within 1,000 feet of elementary and middle schools.		4/11/00	Being considered by the City Council. Adopted.
2	National City, CA (Adopted 4/4/00)	Requires behind-the-counter. Also prohibits tobacco products and advertising placement within two feet of candy, soda or snacks in stores within 1,000 feet of schools, playgrounds or other child-related facility.		4/4/00	City Council gave preliminary approval on 3/28. Retailers are protesting the tobacco placement provision. May be voted on at next Council meeting on 4/4 or further revised.
3	Stoughton, MA (Adopted)	Bans self-service displays but will allow coupons, promotions and two-for ones.		'99	
1	Flagstaff, AZ (Field) (Adopted 12/21/99)	States "no person shall store or display or caused to be stored or displayed tobacco products in an area or manner accessible to the public without employee assistance."	P	12/21/99	City Council is scheduled to hold a work session on 12/6 and first reading on 12/7 on proposed ordinance. The City Council passed first reading on 12/7. Second reading scheduled for 12/21. Amendments will be made between 12/7 and 12/21. Adopted 12/21.
3	Nassau County, NY (Adopted 12/14/99)	Restricts over the counter tobacco sales and advertising of tobacco products within two feet of places where candy, chewing gum and toys are displayed.		12/14/99	2 local laws introduced - Child Protection Act of 1999. Adopted

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LOCAL ISSUES ACTIVITY

	Location	Issue	LIT Activity	Next Action	Notes
1	Marion County, FL (WKA) (Defeated 11/9/99)	Language stipulates that no one shall offer for sale or display tobacco products by means of self-service merchandising or any other means other than vendor-assisted sale. Exempting establishments that do not permit persons under 18 years of age to enter.	DC AL	11/9/99	Board of County Commissioners will hold a public hearing on 11/9. Defeated, by a 3-2 vote.
3	Lafayette, CA (Stateside Assoc.) (Adopted 11/8/99)	Regulates tobacco advertising, restricting access to tobacco products and promotional items, prohibits self-service displays of tobacco products and requiring tobacco retailers licenses when certain violations have occurred.		11/8/99	City Council adopted on 11/8/99.
1	Grafton, WI (Other) (Tabled 10/11)	Bans self-service displays of tobacco products and mandates that all tobacco products be behind the store counter or in locked cases.		10/11/99	Public Safety Cmte will hear proposed ordinance on 10/12. The full Board may hear on 10/18. The City Attorney advised the City Council to table any further considerations on drafting an ordinance; violates state preemption.
1	Albany County, NY (Adopted 10/12/99)	Bans self-service displays of tobacco, with the exception of shielded displays and permits vending machines in bars, tobacco retail stores and establishments that have a valid on-premises full liquor license... effective Jan. 1, 2000.		10/12/99	Have been assured that shielded displays will be allowed. Further consideration by Health Committee on 9/27. Health Cmte unanimously passed proposed ordinance. Further consideration by the full Legislature scheduled for 10/12. Adopted.
3	Laguna Hills, CA (Adopted 9/14)	Requires tobacco vendors to place cigarettes, cigars and chewing tobacco behind the counter.		9/14/99	City Council passed first hearing on 8/24; second hearing on 9/14. Adopted.
3	Imperial, CA (Stateside Assoc.) (Adopted 9/15)	Restricts the sale of tobacco products.		9/15/99	City Council is scheduled to hear proposal on 9/15. Adopted.
3	Scotts Valley, CA (Stateside Assoc.) (Adopted 9/15)	Ban self-service displays of tobacco products, exempting tobacco retail stores and tobacco outdoor and visible-through-the-window-advertising within 1,000 feet of schools and playgrounds.		9/15/99	City Council to hear proposed ordinance on 9/15. City Council passed unanimously on first reading 9/15/99.
1	Boulder, CO (Adopted 9/21)	Bans self-service displays—must be kept in locked display cabinets or in cabinets behind the counter or other barrier.	P F AL	9/21/99	City has recommended changes to original ordinance, which will say that displays cannot be accessible to the public without employee assistance. City Council passed first reading on 9/7. Second reading scheduled for 9/21. Adopted on 9/21.
1	Rensselaer Co., NY (Adopted 9/14-Signed 10/5)	Prohibits direct customer access or self-service. Same language as Albany County. Passed legislation bans self-service displays of tobacco products leaving sales limited to vendor assisted only. *Further discussion may take place in order to negotiate some ordinance points, including allowing shielded displays *The County Legislature passed on 12/3 a new version of its self-service display ban ordinance... revisions would include specific fines for store owners who violate the law and authorize officers, local police departments and a designee of the County health director to enforce the law.	P AL	9/14/99	Hearing by Health Committee of County Legislature. Appears to allow for shielded displays. Health Cmte approved proposed ordinance on 9/7. Vote from full legislature expected on 9/14. The Legislature passed on 9/14, by a 15-0 vote. The County Executive is scheduled to conduct a public hearing on 10/5 regarding the recently passed self-service display ordinance. The County Executive must first sign the law in order for it to take effect. Signed 10/5 and effective on 01/01/2000.
2	Indian River Co., FL (WKA) (Adopted 10/5)	Behind the counter displays under the direct control of a clerk unless minors are prohibited from entering the store.		10/5/99	County Commission voted to go forward. No date for public hearing. Adopted

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