

SOUTH CAROLINA

50767 6627

1991 South Carolina Plan

Smokers' Rights Movement



Janet S. Hughes

State Coordinator

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SOUTH CAROLINA'S 1991 GRASSROOTS ACTIVITY PLAN

JANET S. HUGHES

PLAN OBJECTIVES

1. Hold organizational meetings in the remaining cities in the state with a population of 25,000 - Beaufort, Rock Hill, Sumter and Myrtle Beach.
2. As necessary, organize other areas identified as being important based on local, state or federal issues that emerge during the year.
3. Provide assistance and attention necessary to foster groups in all areas where credible SMIGs or 800# callers are identified.
4. Continue to work to build and strengthen the six groups that were organized in the state in 1990.
5. Hold one statewide Leadership Training Seminar.
6. As needed, provide grassroots support on local, state or federal issues of importance to smokers.
7. Design and produce a state-specific Smokers' Rights newsletter for statewide distribution to group leaders, members and associates.

SITUATION ANALYSIS

- A. Political Outlook - There probably has never been any more turmoil or uncertainty in the SC State Legislature than there is today. More legislators are being indicted monthly for selling their votes and/or using drugs; state and federal agencies are performing massive investigations into their own agencies; and agency directors are being replaced. Public confidence in state government is at an all time low.

The SC Legislature convenes on January 8, 1991 and is scheduled to recess in early June. Much of the early focus of the session will be on ethics legislation. In December, the Budget and Control Board issued its proposed budget, based on a projected revenue increase of \$61.2 million. Immediately the House Ways and Means Committee will begin work on the budget and will begin entertaining proposals for revenue increases. The committee will attempt to have an Appropriations Bill to the full House by February 1, 1991.

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Given that previous commitments for FY 91-92 already exceed \$100 million, the pressure to increase revenues will be even greater and the "sin" taxes will probably be the first considered.

- B. State Cigarette Excise Tax - The state has not increased its cigarette excise tax since 1977. In 1990, the legislature considered an increase of \$.05 to the existing \$.07 cigarette excise tax; however, this proposal was defeated. In 1991, the Tobacco Institute is forecasting that it is likely that South Carolina will increase its excise tax on cigarettes.

This forecast is consistent with the following facts: the projected revenue shortfall is significant; there has not been an increase in the state excise tax in 20 years; the average state excise tax in the nation is \$.24; the excise tax in neighboring states (except NC) is at least \$.05 per pack higher; and a bill was prefiled (S.251 - Attachment A) in October 1990 to tax cigarettes at 50 cents per pack. While an increase of this magnitude is highly unlikely the probability of some increase in South Carolina's state excise tax is high, especially if North Carolina increases its excise tax.

- C. Smoking Restrictions - In 1990, SC enacted the Clean Indoor Air Act (Attachment B), the best proactive legislation in the nation. The Clean Indoor Air Act restricts smoking, except in designated areas, in: any public indoor areas, public schools, government buildings, health care facilities, elevators, public transportation (except taxicabs), arenas/auditoriums, public theaters or art centers. This act does not preclude a health care facility from being smoke free. Fine upon conviction is not less than \$10 and no more than \$25. The act also prohibits testing of employees to determine whether they have nicotine or other tobacco residue in their system.

Prior to the enactment of the state's Clean Indoor Air Act, the State Attorney General's Office issued an opinion stating that state law generally supersedes local law. However, Oconee County and Goose Creek, SC, subsequently have passed ordinances that are more restrictive than the state law. Now that the law is in effect, the Attorney General has been asked for another opinion, and the RJR and TI lobbyists feel that he will again rule that state law preempts local law. The only other pending local legislation in SC is in Greenwood where a smoking ban in government buildings and vehicles has been proposed.

- D. Anti-Discrimination Law - In June 1990, Governor Campbell signed an anti-discrimination law that prohibits considering the use of tobacco products outside the workplace as the basis for personnel action, including, but not limited to, employment, termination, demotion, or promotion of an employee. (Attachment C).
- E. Anti-Smoking Forces - Last year, anti-smoking lobbying efforts of the lung, heart and cancer associations were performed by one person, Moses Clarkson. It is not known whether these anti-smoking groups will continue utilizing only one person to represent them in 1991.

GRASSROOTS NETWORK

- A. Existing Smokers' Rights Groups -- There are six organized smokers' rights groups in South Carolina. All groups meet on a monthly basis.
1. Columbia: Mediocre group. Re-organized in September 1990. Has delivered petitions and met with US Reps & Senators.
 2. Charleston: New group. Organized November 1990. Three dependable leaders.
 3. Greenville: Strong group. Media experience and very energetic. Good leaders. Has delivered petitions and met with US Senator.
 4. Spartanburg: Strong and dependable group. Group has met on a monthly basis for over a year. Good leaders. Has delivered petitions and met with US Senator and Representative.
 5. Florence: Was a strong group, now a weak group due to negative interaction with RJR Tobacco Festival personnel. Media experience. Has delivered petitions and met with US Representative. This group is in the tobacco growing area of the state.
 6. Anderson: Strong group. Media experience and very energetic. A good leader with "unending" energies. Delivered petitions and met with US Representative.

(See complete Group Census Report -- Attachment D.)

- B. Maintenance of Existing Groups - At least one visit will be made to each active group during the year and multiple visits will be made where needed. Every group leader will be called immediately before and after their monthly meeting. Calling before enables discussion of the issues/topics to be covered and calling the leader after the meeting provides feedback of how the meeting went and any problems that need to be addressed. During the call, an assessment of the strength of the group and leader is made to determine whether further attention is needed, and an informed decision can be made on whether or not to attend the group's next meeting.
- C. Strengthening Existing Groups - A Leadership Training Seminar is scheduled for Saturday, January 26. A survey was mailed to active group members in December, and the Leadership Training Seminar will be highly publicized at local group meetings in January and by special State Rep mailings.

The Leadership Training Seminar will begin a process to be completed during 1991 which will more fully involve group members and make their work more rewarding. It is planned: 1) to train and use active group members to visit other groups and assist in both start-up and renewal of other groups; 2) to involve group leaders in periodic problem-solving and planning meetings on legislative issues and means of more effectively extending their influence across the state; 3) to enhance State Rep's effectiveness by acting as mentors to new or weak groups; and 4) to design and implement a major positive media campaign based on charitable or civic activity undertaken collectively by SC Smokers' Rights Groups.

ORGANIZATIONAL EFFORTS

- A. Forming New Groups - Organizational meetings will be held in Beaufort, Rock Hill and Sumter in mid-January so that leaders from these areas can participate in the Leadership Training Seminar, scheduled for January 26.
1. Beaufort (pop. 100,000+ *) - State Senator Jim Waddell is Chairman of the Senate Finance Committee, a senior senator, and a smoker. Although he is considered "tobacco friendly," it would help maintain his resolve to have a group that supports him in that area. Waddell has become much more responsive to constituent groups since narrow victories in his last two elections.
- * Beaufort has a population of less than 25,000; however, with the population of Hilton Head and the surrounding counties (within 30 to 45 minutes driving time) the population exceeds 100,000.

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2. Rock Hill (pop. 44,000) - Rock Hill already has an active SMIG that has received media attention from the delivery of petitions to US Representative John Spratt.
 3. Sumter (pop. 31,000) - Three persons from Sumter have already attended a Smokers' Rights Meeting held in Florence and Lancaster and would like to see a group organized in their area.
 4. Myrtle Beach (pop. 30,000) - Due to the transient population associated with the tourism industry, and the need to organize Beaufort, Rock Hill and Sumter prior to the Leadership Training Seminar planned for January 26, it is recommended that Myrtle Beach not be organized until later in the year.
- B. Remote Start-Ups and 800# Callers - All seriously interested persons will be encouraged to start-up groups in areas where there are no organized groups. All 800# callers and potential remote start-up leaders receive a letter and packet of smokers' rights information which either (1) refers the caller to an existing group with a copy of the letter to the leader of the group and the leader is encouraged to call the interested person; or (2) the person is informed that there is not an organized group in their area but that if they are interested in organizing a group to write or call back stating so. If a person does write or call back, he/she is immediately called to assess interest, ability and energy. The remote start-up package is mailed to the individual with more information on how to start a group and a list of interested persons in that area if that information is available. In two to three weeks the person is called again to determine the caller's continued interest and progress.
- C. "Discipleship Program" - There is an elite group of leaders (4) in South Carolina -- who would be willing "to go the extra mile" on behalf of smokers' rights. Specifically, they would be willing to travel within the state to meet with other smokers who are genuinely interested in forming local groups. This approach will be tested and, if successful, it will be used to make face-to-face visits with some of the serious 800# callers and potential remote start-up leaders. These "disciples" would also be willing to meet with groups such as the VFW, American Legion, etc., that would be interested in smoking-related issues. There is nothing better for a person who is motivated to create change than to have the opportunity to "tell the story." To talk about ETS or how to start a group, the leader would need a video, appropriate printed

materials and further State Rep. assistance to ensure adequate preparation. When potential recruits witness the commitment of another smoker (not RJR paid) a powerful statement is made. This would, however, require assistance to pay for mileage, lodging or meals, if overnight, through the State Rep's expense account.

1991 GROUP ACTIVITIES

- A. Political Involvement - All groups will be trained and encouraged to become more involved in the political process. This training will begin at the Leadership Training Seminar. To continue this process, a trip to the state capital will be planned and executed prior to April 30, 1991 for South Carolina smokers to meet with their members of the Legislature and to tour the State House. Groups will be encouraged to invite their elected officials (federal, state and local) to be guest speakers at their monthly meetings and groups will become more actively involved in community service projects i.e., donations of monies, food, time to charity families and/or organizations. All of this involvement would include media attention on the groups as Smokers' Rights Groups.
- B. Earned Media Programs - Beginning at the Leadership Training Seminar, and continuing during the year, the State Rep will work with all local groups to improve their skills in dealing with the media. Groups will look for opportunities throughout the year to gain positive media coverage on behalf of smokers' rights.
- C. Statewide Newsletter - Development of a South Carolina Smokers' Rights Newsletter is planned with the first issue encouraging participation in the Leadership Training Seminar. A statewide newsletter has been requested by numerous group members. The information for the newsletter would come from each group on a monthly basis with distribution of the newsletter to all active members on alternate months when Choice is not published. The newsletter would help keep members up-to-date on issues and would publicize the successes of other groups.
- D. Sporting Events, Fairs, Tobacco Festivals, Flea Markets - Each group will be asked to become actively involved in at least one sporting event, fair, festival or flea market, e.g., the Winston Cup, the Darlington Raceway, State or County Fairs, tobacco and other festivals. This will be accomplished through staffing a booth (either with or instead of RJR PR personnel) or volunteering to perform some visible functions as an identified Smokers' Rights group.

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- E. Coalitions/Allied Forces - Since South Carolina is one of the major tobacco growing states, group members will become more involved in the allied forces network. Specific arrangements will be made for chosen group members to attend Tobacco Warehouse Association meetings, meetings with Department of Agriculture and Farm Bureau officials, Vending Machines Associations, VFW's, etc., to build rapport with these organizations and make them aware there is another organized network supporting tobacco issues.
- F. ETS - Educating groups on the ETS issue will be accomplished in SC in 1991. A video would be excellent; however, a simple, explicit brochure that could be spread among the group members, sent to persons calling the 800#, distributed at flea markets, fairs booths, etc., would reach more people without the logistical problems of VCRs, TVs, etc. Regardless of what other resources are produced, the SC Newsletter will ensure that every member is educated on the ETS issues.
- G. Workplace Smoking - State Rep will work with all local groups to ensure they monitor what is occurring with workplace smoking issues. Leaders will be encouraged to monitor and report any businesses that consider restricting smoking, not only where they and the members of the group are employed, but also within the community where the group is located. At their places of employment, group members will be encouraged to volunteer to serve on ad hoc employee/management or union committees. This proactive approach will help to ensure that smokers are well represented on committees that could determine how a company's smoking policy is shaped.

As workplace issues emerge during the year, the State Rep will work with local groups and/or 800# callers in an effort to make such policies fair to all employees.

PLAN TIME LINE

See Attachment E for 1991 Time line.

Michael T.
 Senate: Rose, Berkeley, Charleston, Dorchester
 Attorney: Cushman Counties
 Stenographer: Reynolds
 Date: October 19, 1990
 No.: COUNCIL\Rose\1001.AC

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S. 251

A BILL

TO ESTABLISH THE SOUTH CAROLINA TOBACCO INDEMNITY
 FUND TO BE ADMINISTERED BY THE SOUTH CAROLINA
 DEPARTMENT OF INSURANCE AND FINANCED BY TAXATION ON
 TOBACCO PRODUCTS TO BE COLLECTED BY THE SOUTH
 CAROLINA TAX COMMISSION, TO REQUIRE THE REPORTING
 OF INSURANCE CLAIMS FOR TOBACCO SMOKING RELATED
 DISEASE TREATMENT, TO PROVIDE FOR REIMBURSEMENT
 FROM THE FUND TO EMPLOYERS FOR THESE CLAIMS, AND TO
 PROVIDE THAT THREE PERCENT OF THE FUND BE USED FOR
 HEART OR LUNG TRANSPLANTS FOR NONSMOKING RESIDENTS.

Whereas, over fifty thousand studies in the last
 twenty-five years have documented the risks of
 tobacco; and

Whereas, cigarette smoking has been linked to lung
 cancer, emphysema, oral and throat cancer, and
 heart disease; and

Whereas, smokeless tobacco has been linked to both
 oral cancer and tooth loss; and

Whereas, parents who smoke force their children to
 become passive smokers thus causing a three to
 seven percent deficit in lung growth; and

Whereas, of all cancer deaths thirty percent are
 related to smoking; and

Whereas, smokers have a seventy percent greater
 risk of heart disease than nonsmokers; and

[]

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1 Whereas, the cost of treating smokers with smoking
2 related illnesses is a large percentage of the
3 state's health care costs; and
4
5 Whereas, South Carolina has one of the lowest
6 cigarette taxes in the country; and
7
8 Whereas, health care costs are of serious concern
9 to the General Assembly. Now, therefore,
10
11 Be it enacted by the General Assembly of the State
12 of South Carolina:

13
14 SECTION 1. As used in this act:

15
16 (1) "Package of tobacco" means a unit for sale
17 or distribution of twenty or less cigarettes, pipe
18 tobacco, snuff, or chewing tobacco.

19 (2) "Carton" means a unit for sale or
20 distribution made up of more than one package.

21 (3) "Purchaser" means an employer who provides
22 health insurance coverage to his employees through
23 any legal plan of insurance, self-funded or
24 otherwise, and which provides coverage for tobacco
25 related diseases. The Medicare program as defined
26 by Title XVIII of the Social Security Act is not
27 included in this definition. This definition
28 includes the state Medicaid program and persons for
29 whom payment is made for their health care through
30 this program.

31 (4) "Tobacco related diseases" means a primary
32 diagnosis of carcinoma of the lungs, throat, or
33 mouth, emphysema or heart disease, peripheral
34 vascular disease, or stroke.

35
36 SECTION 2. There is established the South Carolina
37 Tobacco Indemnity Fund to be financed by a tax of
38 fifty cents a package of tobacco or five dollars a
39 carton of tobacco.

40 The fund must be administered by the South
41 Carolina Department of Insurance with reasonable
42 administrative costs being paid from the fund. The
43 tax must be collected by the South Carolina Tax
44 Commission.

[]

2

1 SECTION 3. (A) Within ninety days of the end of
2 the state fiscal year all purchasers of group
3 health insurance plans must submit to the Chief
4 Insurance Commissioner the total dollars paid
5 during the previous state fiscal year for claims on
6 behalf of persons in their plan who have smoked for
7 more than five years and were treated for a tobacco
8 smoking related disease as the primary cause of the
9 illness.

10 (B) Within one hundred ninety days of the end of
11 the fiscal year the Chief Insurance Commissioner
12 must calculate the percentage of total claims
13 incurred by each purchaser who filed a report and
14 must refund an equal percentage from the Indemnity
15 Fund to the purchaser but not to exceed the amount
16 reported.

17
18 SECTION 4. Three percent of the fund must be
19 withheld annually to provide funding for heart or
20 lung transplants for nonsmoking residents of the
21 State.

22
23 SECTION 5. This act takes effect upon approval by
24 the Governor.

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10600, S1346
 ATTACHMENT B
 AN ACT TO ENACT THE CLEAN INDOOR AIR ACT
 OF 1990 AND TO PROVIDE PENALTIES FOR
 VIOLATIONS.
 Whereas, it is desirable to accommodate the needs of
 consumers to be free from exposure to tobacco smoke
 while in public indoor places; and
 Whereas, the Clean Indoor Air Act is an appropriate
 action to achieve this important objective. Now, therefore,
 Be it enacted by the General Assembly of the State of
 South Carolina:

Chapter

SECTION 1. This act may be cited as the Clean Indoor
 Air Act of 1990.

Areas where smoking prohibited, exceptions

SECTION 2. It is unlawful for any person to smoke, or
 possess lit pipe smoking material in any area in the
 following public indoor areas except where a smoking area
 is designated as provided for herein:

- (1) Public schools, including preschools and day care
 centers, except in enclosed private offices and lunch
 lounges.
- (2) Health care facilities as defined in Section 44-7-230
 of the Code of Laws of South Carolina, 1976, except where
 smoking areas are designated in employee break areas. No
 section of this act shall provision or preclude a health care
 facility from being smoke free.
- (3) Government buildings (except health care facilities
 as provided for herein), except that smoking shall be
 allowed in enclosed private offices and designated areas of
 employee break areas; provided that smoking policies in
 the State Capitol and Legislative Office Buildings shall be
 determined by the office of government having control over
 that area of the buildings.

- 2 -
 "Government buildings" shall mean buildings or portions
 thereof which are leased or operated under the control of
 the State or any of its political subdivisions, except those
 buildings or portions thereof which are leased to other
 organizations or corporations.

(4) Elevators.
 (5) Public transportation vehicles, except for taxicabs,
 (6) Areas and auditoriums of public theaters or public
 performing art centers, except that smoking areas may be
 designated in boxes, loggias, or other common areas; and
 smoking is permitted as part of a legitimate theatrical
 performance.

Designation signs

SECTION 3. In areas where smoking is permitted in
 Section 2 of this act, the owner, manager, or agent in
 charge of the premises or vehicle referenced in Section 2
 shall conspicuously display signs designating smoking and
 nonsmoking areas alike, except that signs are not required
 in private offices.

Remediation after request

SECTION 4. In compliance with Section 2, the owner,
 manager, or agent in charge of the premises shall make
 every reasonable effort to prevent designated smoking
 areas from impinging upon designated nonsmoking areas by
 the use of suitable physical barriers and ventilation systems.

Penalty

SECTION 5. A person who violates Section 2, 3, or 4 of
 this act is guilty of a misdemeanor and, upon conviction,
 must be fined not less than ten dollars nor more than
 twenty-five dollars.

Testing not required

SECTION 6. No person in this State is authorized
 to require any other person to submit to any form of test
 to determine whether or not the person has nicotine
 or other tobacco residue in his body.

Time effective

SECTION 7. This act takes effect on the first day of
 the next month following approval by the Governor.

In the Senate House the 24th day of May
 In the Year of Our Lord One Thousand Nine Hundred
 Ninety.

Nick A. Thurmond,
 President of the
 Senate

Robert J. Shaban,
 Speaker of the House of
 Representatives

Approval the 20th day of May, 1990.

Carroll A. Campbell, Jr.,
 Governor

Printer's Date - 06/15/90 - 8. —XX—

SC.
(R733, S981)

ATTACHMENT C

AN ACT TO AMEND TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HEALTH, BY ADDING CHAPTER 107 SO AS TO ENACT THE DRUG-FREE WORKPLACE ACT AND TO AMEND THE 1976 CODE BY ADDING SECTION 44-185, SO AS TO PROVIDE THAT THE USE OF TOBACCO PRODUCTS OUTSIDE THE WORKPLACE MUST NOT BE THE BASIS OF A PERSONNEL ACTION.

Be it enacted by the General Assembly of the State of South Carolina:

Drug-Free Workplace Act

SECTION 1. Title 44 of the 1976 Code is amended by adding:

"CHAPTER 107

The Drug-Free Workplace Act

Section 44-107-10. This chapter may be cited as 'The Drug-Free Workplace Act'.

Section 44-107-20. As used in this chapter:

(1) 'Drug-free workplace' means a site for the performance of work done in connection with a specific grant or contract of an entity at which employees of the entity are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of this chapter.

(2) 'Employee' means the employee of a grantee or contractor engaged in the performance of work pursuant to the provisions of the grant or contract.

(3) 'Controlled substance' means a controlled substance in Article 3, Chapter 53, of this title.

(4) 'Conviction' means a finding of guilt, including a plea of nolo contendere or imposition of sentence, or both,

by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

(5) 'Criminal drug statute' means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.

(6) 'Grantee' means the department, division, or other unit of a person responsible for the performance under a grant.

(7) 'Contractor' means the department, division, or other unit of a person responsible for the performance under a contract with a state agency.

Section 44-107-30. No person, other than an individual, may receive a domestic grant or be awarded a domestic contract for the procurement of any goods, construction or services for a stated or estimated value of fifty thousand dollars or more from any state agency unless the person has certified to the using agency that it will provide a drug-free workplace by:

(1) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the person's workplace and specifying the actions that will be taken against employees for violations of the prohibition;

(2) establishing a drug-free awareness program to inform employees about:

(a) the dangers of drug abuse in the workplace;
(b) the person's policy of maintaining a drug-free workplace;

(c) any available drug counseling, rehabilitation, and employee assistance programs; and

(d) the penalties that may be imposed upon employees for drug violations;

(3) making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by item (1);

(4) notifying the employee in the statement required by item (1), that as a condition of employment on the contract or grant, the employee will:

(a) abide by the terms of the statement; and

(b) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after the conviction;

(5) notifying the using agency within ten days after receiving notice under item (4)(b) from an employee or otherwise receiving actual notice of the conviction;

(6) imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee convicted, as required by Section 44-107-50; and

(7) making a good faith effort to continue to maintain a drug-free workplace through implementation of items (1), (2), (3), (4), (5), and (6).

Section 44-107-40. No state agency may enter into a domestic contract or make a domestic grant with any individual for a stated or estimated value of fifty thousand dollars or more unless the contract or grant includes a certification by the individual that the individual will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the performance of the contract.

Section 44-107-50. A grantee or contractor shall, within thirty days after receiving notice from an employee of a conviction pursuant to Article 3, Chapter 53, of this title:

(1) take appropriate personnel action against the employee up to and including termination; or

(2) require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program

approved for the purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

Section 44-107-60. Each domestic contract or domestic grant awarded by a state agency is subject to suspension of payments or termination or both, and the contractor or grantee under the contract or grant or the individual who entered the contract with or received the grant from the state agency, as applicable, is subject to suspension or debarment in accordance with Section 11-35-4220 if the appropriate Chief Procurement Officer, as defined in Section 11-35-310(5), determines that:

(1) The contractor or grantee has made a false certification under Sections 44-107-30 or 44-107-40;

(2) The contractor or grantee violates the certification by failing to carry out the requirements of Section 44-107-30(1), (2), (3), (4), (5), and (6);

(3) The contractor or grantee does not take appropriate remedial action against employees convicted on drug offenses as specified in Section 44-107-50; or

(4) The number of employees of the contractor or grantee who have been convicted of violations of criminal drug statutes for violations occurring in the workplace reasonably indicates that the contractor or grant recipient has failed to make a good faith effort to provide a drug-free workplace as required by this chapter.

Section 44-107-70. Upon issuance of any final decision under this chapter requiring debarment of a contractor, grantee, or individual, the contractor, grantee, or individual is ineligible for award of any contract or grant by any state agency, for a period specified in the decision, of at least one year but not to exceed five years.

Section 44-107-80. Upon request, the South Carolina Commission on Alcohol and Drug Abuse shall provide

Approved the 25th day of June, 1990.

Carroll A. Campbell, Jr.,
Governor

Printer's Date -- 07/06/90 -- S.
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technical assistance to any state agency to assist with the implementation of this chapter. Additionally, upon request, the names and addresses of contractors and grantees providing a drug-free workplace pursuant to this chapter must be provided to the commission.

Section 44-107-90. Failure to comply with any provision of this chapter shall not be grounds for any protest under Section 11-36-4210.*

Personnel actions prohibited

SECTION 2. A. Chapter 1, Title 41 of the 1976 Code is amended by adding:

"Section 41-1-86. The use of tobacco products outside the workplace must not be the basis of personnel action, including, but not limited to, employment, termination, demotion, or promotion of an employee."

B. This section takes effect upon approval by the Governor.

Time effective

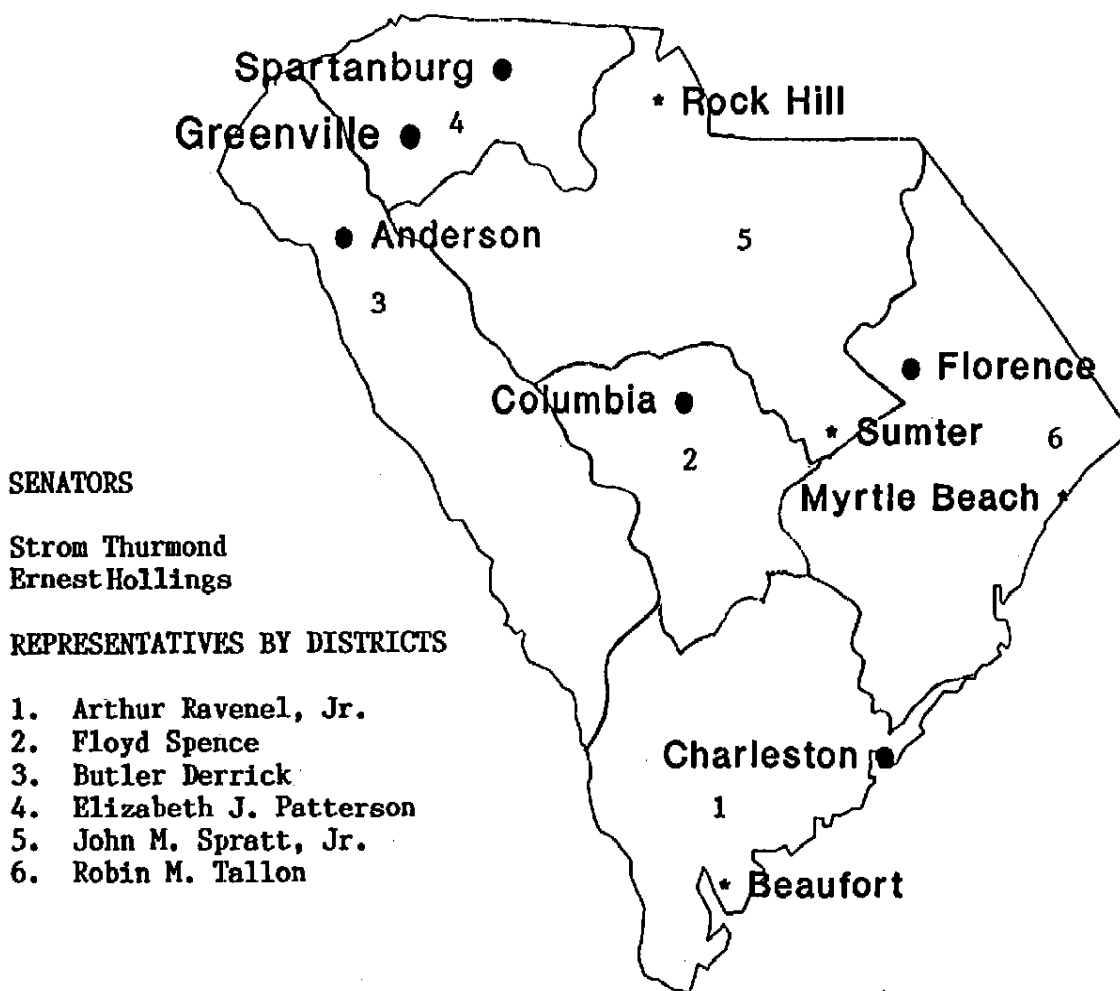
SECTION 3. Upon approval by the Governor, Chapter 107 of Title 44 of the 1976 Code, as added by this act, applies to grants made or contracts executed after December 31, 1990.

In the Senate House the 19th day of June
In the Year of Our Lord One Thousand Nine Hundred
Ninety.

Nick A. Theodore,
President of the
Senate

Robert J. Sheehan,
Speaker of the House of
Representatives

SOUTH CAROLINA



- 6 Existing Groups
- * 4 New Groups 1991

ATTACHMENT D

ORGANIZED SMOKERS' RIGHTS GROUP IN SOUTH CAROLINA

1. Columbia

2. Origination of Group: 1st SRM 10/10/90; 2nd SRM 9/20/90

3. Group Leader: Richard Jennings
1622 Bywood Drive
Columbia, SC 29223
(803) 787-7905

4. Congressional District: #2 Floyd Spence
State Legislative Members:

Senators

N.G. Setzler, Dist 26
Ryan Shealy, Dist 24
Joe Wilson, Dist 23
J. E. Courson, Dist 20
Warren Glese, Dist 22
Isadore Lourie, Dist 21
Kay Patterson, Dist 19

House Members

D. A. Wright, Dist 85
Paul Derrick, Dist 68
Jarvis Klapman, Dist 89
Larry Koon, Dist 87
C. Lenior Sturkie, Dist 88
Joe Brown, Dist 73
Robert Burnside, Dist 80
T. Moffatt Burris, Dist 78
Roland Corning, Dist 79
James Faber, Dist 70
Frank McBride, Dist 74
Richard Quinn, Dist 71
Tim Rogers,, Dist 72
Special Election, Dist 77
Candy Waites, Dist 75

5. # Active Members: 8 # Associates: 22

6. Frequency of Meetings: Monthly, 1st Thursday each month

7. Communities Covered: 4 Columbia
Lexington
W. Columbia
Irmo

1. Greenville

2. Origination of Group: SRM 10/23/89

3. Group Leader: Pat & Lori Childs
125 Jordan Road
Lyman, SC 29365
(803) 848-9530

4. Congressional District: #4 Elizabeth Patterson
State Legislative Members:

Senators

J. E. Bryan, Dist 9
T. W. Mitchell, Dist 7
J. V. Smith, Dist 5
H. S. Stilwell, Dist 6
D. L. Thomas, Dist 8

House Members

M. O. Alexander, Dist 27
B. O. Baker, Dist 28
H. F. Catoe, Dist 17
H. H. Clyborne, Dist 20
M. L. Fair, Dist 19
E. M. Fant, Dist 23
T. E. Haskins, Dist 22
M. F. Jaskwich, Dist 21
J. G. Mattos, Dist 26
L. R. Vaughn, Dist 18
D. H. Wilkins, Dist 24
S. G. Manly, Dist 25

5. # Active Members: 15 # Associates: 30

6. Communities Covered: 13
Greenville Salem Simpsonville
Grey Court Liberty Greer
Lyman Waterloo Easley
Piedmont Taylors Woodruff
Fountain Inn

7. Frequency of Meetings: monthly, 1st Wednesday of the month

1. Spartanburg

2. Origination of Group: SRM 10/24/89

3. Group Leader: Roger Turner
Box 2051 Foster Road
Inman, SC 29349
(803) 592-2005

4. Congressional District: #4 Elizabeth Patterson
State Legislative Members:

Senators

Special Election, Dist 11
J. R. Russell, Dist 12
H. C. Smith, Dist 13

House Members

J. D. Cole, Dist 32
K. Kempe, Dist 37
L. F. Littlejohn, Dist 33
T. Ferguson, Dist 31
S. P. Lanford, Sr., Dist 35
A. C. McGinnis, Dist 36
D. M. Bruce, Dist 38
C. C. Wells, Dist 34

5. # Active: 8 # Associates: 20

6. Communities Covered: 8 Spartanburg Union
Lyman Woodruff
Inman Cowpens
Chesnee Campobello

7. Frequency of Meetings: Monthly, 1st Monday of month

1. Florence

2. Origination of Group: SRM 7/10/90

3. Group Leader: George Abbott
Corner Avenue A & 3rd St
P.O. Box 348
Darlington, SC 29532
(803) 395-0294

4. Congressional District: #6 Robin Tallon
State Legislative Members:

Senators

H. K. Leatherman, Dist 31
J. Y. McGill, Dist 32
F. Gilbert, Dist 20

House Members

M. W. Glover, Dist 62
B. H. Harwell, Dist 59
D. M. McEachine, Jr., Dist 63
W. M. McKay, Dist 60
E. L. Nettles, Jr., Dist 61

5. # Active: 20 # Associates: 35

6. Communities Covered: 8 Florence Timmons ville
Darlington Society Hill
Lake City Marion
Pamlico Hartsville

7. Frequency of Meetings: Monthly, 2nd Tuesday of month

1. Anderson

2. Origination of Group: SRM 8/30/90

3. Group Leader: Carol Banister
Rt 2 Box 147A Jones Chappel Road
Honea Path, SC 29654
(803) 296-2245

6. Communities Covered: 7 Charleston
N. Charleston
Goose Creek
Summerville
Ladson
Charleston Heights
Hanahan

7. Frequency of Meetings: Monthly, 4th Tuesday of the month

50767 6647

ATTACHMENT E

SC, FL & GA 1991 CALENDAR BY MONTH
Janet Hughes

January

- SC 1st Newsletter sent
- SC Legislature Convenes
- Attend Orlando's mtg
- Attend Sav'h's mtg
- GA Legislature Convenes
- Rap Deploy Beaufort,
Rock Hill, & Sumter
- Attend WI LTS
- SC LTS

March

- Jacksonville, FL SRM
- Lake City, FL RD
- Attend Macon, GA mtg
- Jacksonville, FL FU

May

- Staff Meeting
- Attend Jonesboro, GA mtg
- Attend Florence, SC mtg
- Myrtle Beach SRM

July

- Groups usually do not
meet (holiday &
vacations)

September

- GA Leadership #1 survey mailed
- GA Leadership #2 survey mailed
- Rome, GA FU
- Atlanta, GA FU
- Attend Charleston, SC mtg

December

- Staff Meeting

February

- Qurtly Staff Mtg
- Valdosta, GA SRM
- Albany, GA SRM
- Valdosta, GA FU
- Albany, GA FU
- FL LTS survey sent

April

- Attend Columbus, GA mtg
- Augusta, GA SRM
- Athens, GA SRM
- Augusta, GA FU
- Athens, GA FU
- Tent. SC Antique Car Show
- Central FL LTS
- Central FL 1st Newsltr

June

- Attend S'burg, SC mtg -
- Attend G'ville, SC mtg
- Attend Col'a, SC mtg
- Attend Gain'ville, FL mtg
- Attend Anderson, SC mtg
- Attend Ocala, FL mtg

August

- GA's 1st newsletter
- Rome, GA SRM
- Atlanta, GA SRM

October

- GA LTS #1

November

- GA LTS #2