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## [Historic Tobacco Bill Signed by President Obama](#)

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## Leading Tobacco Control Stories

### ***President Obama Signs Historic Tobacco Legislation into Law***

After passing by overwhelming bipartisan margins in the U.S. House of Representatives (307-97) and the Senate (79-17), President Obama signed the Family Smoking Prevention and Tobacco Control Act into law on June 22. This legislation grants the U.S. Food and Drug Administration (FDA) the authority to regulate tobacco products. Provisions in the legislation allow the FDA to require the reduction or removal of harmful ingredients from tobacco products, mandate larger and stronger warning labels, and prohibit advertising to children. The signing of this legislation ends a prolonged battle that has been waged for over 10 years to give FDA meaningful oversight over the tobacco industry. To see an American Lung Association statement on the signing of this historic piece of legislation, please [click here](#).

### ***Thousands of Federal Workers now Protected from Secondhand Smoke Exposure***

On June 19, a General Services Administration (GSA) policy came into effect that makes all federal buildings under GSA-control entirely smokefree. This strong policy creates a safe and healthy work environment for thousands of federal workers and prevents them from being exposed to secondhand smoke, which can lead to such diseases as lung cancer. Unfortunately, GSA policies only cover an estimated 30 percent of all federal buildings. In order to protect all federal workers, the American Lung Association is urging President Obama to sign an executive order mandating that all federal buildings become smokefree. To see an American Lung Association statement on the adoption of this strong policy, please [click here](#).

### ***State Tobacco Prevention and Cessation Programs Often a Casualty of Tough Economy***

As many states around the country consider and increase their tobacco taxes, the tobacco prevention and cessation programs that these tax revenues can and should provide funding for are taking sometimes major cuts to their budgets. Despite the evidence that investing in these programs will save states money in health care costs and save lives, no state funded its tobacco control program at the level recommended by the Centers for Disease Control and Prevention in FY2009. Due to the recent federal cigarette tax increase, significant numbers of people have tried to get assistance to quit smoking only to be turned away because programs lack the resources to help them. In Maryland, tobacco control program funding was reduced by 75 percent, according to media reports.

Colorado, New York and Washington are also among a number of states that have reduced their tobacco control program funding by millions of dollars for the next fiscal year. (Source: *Anti-smoking efforts suffer as states trim budgets*, Associated Press, May 26, 2009.)

### ***Tobacco Tax Increases Providing Incentives for Smokers to Quit***

The states of New York and Mississippi are among the many that are reporting increases in calls to quitlines and reductions in smoking prevalence that are attributable to recent tobacco tax increases. In New York, the adult smoking rate has fallen to 16.7 percent, the lowest level ever recorded. State health department officials attribute this decrease to the \$1.25 increase in New York's state cigarette tax last year and the federal cigarette tax increase of 62 cents in April 2009. Mississippi recently raised its cigarette tax by 50 cents to 68 cents per pack. That increase, coupled with the federal increase has resulted in a surge of calls to the quitline in Mississippi. When compared to the previous year, the number of calls increased 50 percent after the federal tax increase took effect April 1, and then 15 percent after the state tax increase took effect May 15. (Source: *One Year after State Cigarette Tax Increase, Smoking at Lowest Rate Ever Recorded*, New York Department of Health Press Release, June 4, 2009; *Burning Motivation: Smokers Seeking Help to Quit*, Gary Pettus, The Clarion Ledger, June 13, 2009.)

### ***Most Insurance Inadequate for Smokers who want to Quit***

With the increases on cigarette taxes at the state and federal levels and the passage of the Family Smoking Prevention and Tobacco Control Act, more and more smokers are trying to quit. Unfortunately, a lot of people who go to local cessation programs to get assistance with quitting either have no health insurance or their insurance is inadequate. According to the Centers for Disease Control and Prevention (CDC), insurance companies should offer comprehensive smoking cessation coverage which includes a variety of counseling options, over the counter and prescription nicotine replacement therapies, and limits on barriers to accessing these treatments. Despite the fact that evidence shows that quitting smoking has tremendous health benefits and saves money, most insurance plans fail to cover what is recommended by the CDC. (Source: *Smokers trying to quit have a hard time getting help*, Steve Twedt, Pittsburgh Post-Gazette, June 19, 2009.)

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## **News on Smokefree Air Laws/Ordinances**

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### **Louisiana**

By a vote of 29-71, the Louisiana House of Representatives voted down legislation that would have expanded their smokefree air law to protect workers in bars and casinos. Supporters of the bill cited the public health benefits of the legislation, while many lawmakers were concerned about the potential loss of tax revenues to the state from the casinos. Louisiana previously passed a strong law in 2007 that prohibited smoking in restaurants, public places, and most workplaces. In a show of support for current law, the House did vote down a measure that would have significantly weakened the existing law by a vote of 37-48. The amendment would have added an exemption for restaurants that hold liquor licenses to the law. (Source: *House rejects smoking ban, 29-71*, Jan Moller, The Times-Picayune, June 2, 2009.)

### **Maine**

During June, Gov. John Baldacci signed legislation that would extend Maine's smokefree air law to cover all outdoor dining areas. The expansion of the law comes 10 years after Maine passed its initial smokefree law covering many public places, including restaurants, and five years after the law was expanded to cover bars. Governor Baldacci cited the measure as yet another step to making Maine the healthiest state in the nation. The legislation will be effective later this year, and makes Maine one of only a few states in the nation to prohibit smoking in outdoor dining areas. (Source: *Smoking Snuffed in More Locations*, Susan M. Cover, Kennebec Journal, June 16, 2009.)

### **South Dakota**

After verifying a random sample of the estimated 25,000 signatures turned in, the Secretary of State's office

indicated that opponents of South Dakota's smokefree air law had a sufficient number of valid signatures to halt its implementation and place it on the November 2010 ballot for a public vote. This legislation, which was due to take effect July 1, would extend South Dakota's existing law to cover all bars, restaurants and casinos. In order to have placed the question on the ballot, the petition needed 16,776 valid signatures. (Source: *SD Smoking Ban will go to statewide public vote*, Associated Press, June 25, 2009)

To view your state's restrictions on smoking, go to: <http://slati.lungusa.org>, click on a state and then the "Clean Indoor Air" link.

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## News on Cigarette Tax Increases

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### California

After being approved by Budget Committee of the California Senate, a proposal to raise the cigarette tax by \$1.50 per pack seems to be headed to defeat on the Senate floor. Gov. Arnold Schwarzenegger and GOP lawmakers have not budged from their refusal to support a budget plan that increases taxes. After failing to pass a spending cut package, Democratic leaders will be bringing another budget revision that includes the cigarette tax increase to the floor in the coming days for a vote. That package is also expected to fail to garner a two-thirds majority necessary for passage. California's cigarette tax, currently at 87 cents, which is far below the national average of \$1.27 per pack as of July 1, would increase to \$2.37 under the proposal. (Source: *Democratic plan to fix budget headed for defeat*, Matthew Yi, San Francisco Chronicle, June 25, 2009.)

### Connecticut

The Connecticut General Assembly recently passed a budget package that included an increase in the cigarette tax. If Governor M. Jodi Rell signs the budget, the cigarette tax would rise 75 cents to \$2.75 per pack, tied with New York for the second highest in the nation. The extra revenue would be used to close the state's budget deficit, the size of which was the subject of substantial debate during the regular session. Governor Rell has repeatedly asserted that the budget can be balanced without tax increases and is expected to veto the Democrat's budget proposal. (Source: *Senate approves cigarette, business, estate tax hikes and spending cuts; higher income tax on couples over \$500,000*, Christopher Keating, Hartford Courant, June 25, 2009.)

### Delaware

A proposal to increase the cigarette tax in Delaware from \$1.15 a pack to \$1.60 per pack will likely be considered by the House of Representatives after being approved by the Revenue Committee on a 6-2 vote. The proposal would raise Delaware's tax above the average state cigarette tax of \$1.27 per pack as of July 1. (Source: *Sin Tax Proposals Gain Support*, Ginger Gibson, The News Journal, June 11, 2009.)

### Louisiana

The Louisiana House recently defeated the second attempt to raise the cigarette tax during the 2009 legislative session. By a vote of 45-55, the House voted down House Bill 889, which would have raised the cigarette tax by 50 cents to 86 cents per pack. The money would have been used to fund cancer research and tobacco prevention and cessation programs. The House of Representatives previously defeated another measure to raise the cigarette tax by \$1.00 per pack back in April at the committee level. The bill could reappear as an amendment in the state Senate, where the proposal enjoys more support, according to media reports. (Source: *House Defeats Cigarette Tax Increase*, Robert Travis Scott, The Times-Picayune, June 15, 2009.)

### New Hampshire

Governor John Lynch recently signed a two-year budget proposal that includes an increase in the cigarette tax. The cigarette tax will rise to \$1.78 per pack, the 4th such increase since John Lynch was elected. This increase brings New Hampshire more in line with the other states surrounding it. When Gov. Lynch was elected in 2004, the

cigarette tax was 52 cents per pack. (Source: *Tapped out: Smokers, diners, can't pay more*, New Richmond News, June 29, 2009.)

### **Wisconsin**

Following the enactment of a comprehensive smokefree indoor air law, the Wisconsin Assembly and state Senate have both passed a two year budget that includes a 75 cent per pack tax increase on cigarettes. The increase would raise the tax on a pack of cigarettes from \$1.77 to \$2.52. The measure is expected to raise around \$260 million over two years. The budget now heads to Gov. Jim Doyle for his signature. (Source: *Smokers decry new cigarette tax*, wisn.com, June 13, 2009.)

For more information on tobacco taxes in your state, go to: <http://slati.lungusa.org>, click on a state and then the "Tobacco Excise Tax" link.

If you have questions or comments about the content in this e-newsletter, or have questions on tobacco control policy issues, please contact Thomas Carr, Manager, National Policy, American Lung Association National Office, Washington, DC, at [tcarr@lungusa.org](mailto:tcarr@lungusa.org). To subscribe to this e-newsletter, go to [www.lungnews.kintera.org](http://www.lungnews.kintera.org).

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