

**MINUTES OF THE
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE
TOBACCO SUBCOMMITTEE**

Wednesday, June 6, 2001 – 1:00 p.m. – Room 405 State Capitol

Members Present:

Rep. Carl R. Saunders, House Chair
Sen. D. Edgar Allen, Vice-chair
Rep. Trisha S. Beck
Rep. Rebecca D. Lockhart
Rep. Paul Ray

Staff Present:

Mr. Mark D. Andrews,
Research Analyst
Ms. Catherine J. Dupont,
Associate General Counsel

Note: A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

1. Call to Order and Introduction

Chair Saunders called the meeting to order at 1:10 p.m. and welcomed the members of the committee.

Chair Saunders explained the purpose of the subcommittee, including creating incentives to help kids to not smoke and ideas on how to improve current laws.

2. Overview of State and Federal Law

Ms. Catherine Dupont distributed and reviewed "Utah's Laws Regulating Tobacco Distributors, Tobacco Marketing, Tobacco Usage, and Tobacco Access for Minors" and "Utah Tobacco Laws At-A-Glance Reference Booklet." Ms. Dupont distributed and explained draft legislation "Use of Tobacco Settlement Interest Proceeds" and "Technical Amendments to Tobacco Settlement Trust Fund."

3. Initiatives in Other States

Chair Saunders stated that one out of every eight deaths from lung cancer is from second hand smoke.

Ms. Beverly May, Director, Utah Tobacco Policy Initiative Project, distributed and reviewed the handout "Comprehensive Effective Tobacco Prevention Programs." She explained that California, Massachusetts, Florida, Arizona, and Oregon have established a comprehensive program approach. Ms. May indicated that a comprehensive program must be insulated against tobacco industry interference. She noted that Utah still needs more money.

4. Concerns About Utah Laws, Regulations, and Programs and Suggestions for Improvement

Mr. Darin Slouga, President, Coalition for Tobacco Free Utah, spoke on the Utah Tobacco Strategy Plan. He noted the goals of the this plan as outlined in the handout "Comprehensive Effective Tobacco Prevention Programs."

Mr. Joel Ferre, Office of the Attorney General, explained how his office is trying to regulate the supply side of the tobacco issue, not the demand side. He stated that the Attorney General's Office does not have anyone specifically assigned to enforce the Master Settlement Agreement. Mr. Ferre indicated that Utah Code Annotated §76-10-102 needs to be updated.

Sheriff Brad Slater, Weber County Sheriff and Utah Sheriff's Association, spoke on the problems with some sheriffs and police chiefs not supporting the use of compliance checks and he believes that education of law enforcement officers may help.

Dr. George Delavan and Ms. Rebecca Giles, Utah Department of Health, distributed and explained the handout "Utah Department of Health Plan for Use of Tobacco Funds." Ms. Giles noted that the Department of Health used the Coalition for Tobacco Free Utah's "Utah Vision."

Judge Joseph Anderson explained what the tobacco court was and how it helps children with education and cessation programs. He indicated that he is doing this voluntarily but has been trying to obtain funding for support staff, service of process, and payment for witnesses.

5. Review of 2001 Tobacco Legislation

Ms. Dupont reviewed Tobacco Legislation reviewed during the 2001 General Session. She discussed H.B. 290 "Tobacco Prevention Funding," H.B. 302 "Tobacco Funding for Department of Health," H.B. 178 "Penalties for Underage Possession of Tobacco," H.B. 268 "Youth Access to Tobacco," H. B. 288 "Indoor Clean Air Act Amendments," and H.B. 291 "Distribution of Tobacco Settlement Funds."

6. Ideas for Potential Statutory Changes

Chair Saunders stated that a \$0.10 increase in the tobacco tax would raise \$9 million a year and would need to be earmarked for tobacco prevention programs.

Ms. Giles stated that the committee should also look into increasing the tax on other tobacco products, because kids shift from cigarettes to smokeless tobacco products due to the cost. She indicated that kids that are discouraged by the cost are less likely to smoke.

Items for Consideration at Next Two Meetings

Chair Saunders asked for the committee to come up with items for consideration at the next meetings.

7. Schedule for Remaining Meetings

Chair Saunders stated that the next two meetings would be July 17 at 1:00 p.m. and September 11 at 1:00 p.m.

8. Adjourn

MOTION: Rep. Jones moved to adjourn the meeting at 3:15 p.m.

