

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Bill Mason at 1:30 p.m. on January 16, 003 in Room 313-S of the Capitol.

All members were present except: Representative Broderick Henderson
Representative Don Dahl

Committee staff present: Russell Mills, Legislative Research Department
Leah Robinson, Legislative Research Department
Mary Torrence, Office of Revisor of Statutes
Rose Marie Glatt, Secretary

Conferees appearing before the committee: Pat Hubbell, Brown & Williamson Tobacco

Others attending: See attached list

The Chairman called attention to the list of Committee rules for review. The Chairman introduced staff and Representatives gave a brief background regarding their legislative history.

Details for the January 22 and 23 Lottery Tour, for individual committee members and the schedule for introduction of bills were reviewed.

The Chairman stated that **HB 2007**, regarding third trimester abortions prohibited, exception had been assigned to the committee, however there would be no early hearing allowing time for the Attorney General's interpretation and enforcement regulations.

Without objection, a bill was introduced as requested by Representative Williams, regarding the Religious Freedom Restoration Act. The same bill was used in the 2002 session, that passed the House but not the Senate.

Without objection, a bill was introduced by Patt Hubbell, Brown & Williamson Tobacco regarding prohibitions on cigarette manufacturers requirements of retailer of cigarettes (Attachment 1).

No other business came before the Committee. The meeting adjourned at 2:00 p.m. with future meeting dates on call of the Chairman.



**BROWN & WILLIAMSON
TOBACCO**

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We support this legislation, along with Kansas retailers and other tobacco manufacturers.

(502) 568-7000

1. A cigarette retailer may enter into and participate in a cigarette manufacturer's merchandising, advertising, display, or consumer discount or promotional agreement or program in which the retailer:
 - a. Provides cigarette merchandising, shelf-space, advertising, stocking or display to the manufacturer,
 - b. Conducts the manufacturer's consumer promotion and discount programs and provides such promotions and discounts to consumers, and
 - c. Is paid or compensated by the manufacturer for performing such activities.

2. A cigarette manufacturer may:
 - a. Offer and enter into such retailer agreements and programs,
 - b. Pay, or provide other compensation to retailers for participating in such agreements and programs, and
 - c. Provide consumer promotions and discounts to retailers for the retailers to furnish to consumers.

3. It shall be unlawful for a cigarette manufacturer to directly or indirectly:
 - a. Condition a retailer's receipt of consumer promotions or consumer price discounts on the retailer's conduct or actions relating to the manufacturer's products or the products of any other manufacturer, except for requirements that the retailer (i) provide the promotion or discount to consumers, and (ii) advertise and display the promotion and the promoted or discounted product to consumers,
 - b. Require or cause the retailer to allocate a specified percentage or fraction of the retailer's merchandising, stocking, display, shelf or advertising space to the manufacturer,
 - c. Prevent, restrict or limit a retailer from stocking, advertising, displaying, or participating in a program for another manufacturer's product,
 - d. Prevent, restrict or limit the retailer from determining the size or location of the space that the retailer uses to stock, display, promote, or advertise cigarettes, or
 - e. Require the retailer to raise its prices on, or prevent the retailer from setting, retaining or reducing its prices on, another manufacturer's products.

10/18/02

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Date: 1-16-03

Attachment # 1

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