

# FLORIDA ASSOCIATION OF WHOLESALE DISTRIBUTORS, INC.

Volume 2, Issue 2 - March 19, 2007

## 2007 DAY ON THE HILL A SUCCESS

The 2007 FAWD Day on the Hill was held on Tuesday, March 13th at the State Capitol in Tallahassee.

This year's event was another success. 25 members of FAWD traveled to Tallahassee to discuss the Association's priorities with members of the Florida Legislature - primarily our opposition to increasing the cigarette tax, increasing the minimum age to purchase cigarettes, and banning vending machines that contain carbonated beverages at public schools.

The attending delegates visited 110 legislative offices, meeting with 15 legislators and 83 legislative assistants. *(see the list below)*

Special thanks to this year's participants:

Board Members: Carl Courson, Jeff Eldridge, Roy Francis, Steve Luca and Dan Teel.

Members: Tim Allmond, Wayne Appleby, John Beasley, Todd Ebeling, Bill Hancock, Jeff Hawkinberry, David Jones, Bill Keezel, Nelson LaFont, Gray Masencup, Scott Mills, Joe Nicolaus, Andre Palacios, Larry Peters, Jeff Smither, Pete Szarowicz, Jimmy Talbert, Pat Teefey and David Whitaker.

**Thank you all for taking time out of your very busy schedules to come to Tallahassee and advocate on behalf of the Association!!**



### Next FAWD Board Meeting:

- **Date:** Wednesday, May 16, 2007
- **Location:** TBA - Orlando / Kissimmee
- **Time:** 11:00 - 1:00

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| - Senate President Ken Pruitt (R, Port St. Lucie) | - Senator Mike Bennett (R, Bradenton)      |
| - Senator Lee Constantine (R, Altamonte Springs)  | - Senator Dennis Jones (R, Seminole)       |
| - Senator Charlie Justice (D, St. Petersburg)     | - Senator Gwen Margolis (D, Miami)         |
| - Rep. Tom Anderson (R, Holiday)                  | - Rep. Eilyn Bogdanoff (R, Ft. Lauderdale) |
| - Majority Leader Marty Bowen (R, Winter Haven)   | - Rep. Don Brown (R, Defuniak Springs)     |
| - Rep. Hugh Gibson (R, The Villages)              | - Rep. Michael Grant (R, Port Charlotte)   |
| - Rep. Matthew Meadows (D, Lauderhill)            | - Rep. Dave Murzin (R, Pensacola)          |
| - Rep. Pat Patterson (R, DeLand)                  | - Rep. Ron Reagan (R, Bradenton)           |

## \$1.00 PER PACK INCREASE SOUGHT

Since the last newsletter in February, legislation was introduced that would raise the cigarette tax by \$1.00 per pack. The legislation, introduced by **Senator Al Lawson** (D, Tallahassee) and **Rep. Jim Waldman** (D, Coconut Creek) would increase a standard cigarette pack's tax from .339 cents to \$1.339.

**HB 1555** has been referred to the Business Regulation Committee; Jobs & Entrepreneurship Council; and Policy & Budget Council. **SB 2640** has been filed, but not yet referred to committees.

The American Cancer, Heart and Lung Associations are the

forces behind this effort. Much to their frustration, the Florida House of Representatives has a fairly solid track record of not supporting new taxes, or increased taxes. There are some strong indications that the bills will not receive hearings in either Chamber.

*FAWD* is opposed to these bills.

## CONSTITUTIONAL AMENDMENT IMPLEMENTATION

**Sen. Burt Saunders** (R, Naples) has filed legislation to implement the Constitutional Amendment approved in November that directs 15% of the Tobacco Settlement funds towards tobacco cessation programs.

**SB 1908**, would create the "Florida Comprehensive Tobacco

*Prevention and Education Program.*" The bill would create a 19-member Statewide Tobacco Policy Oversight Board made up of various State officials, as well as members of the American Cancer, Heart and Lung associations. The bill would also name the Secretary of Health as Flor-

ida's Surgeon General and would appoint a "Director of Tobacco Control."

**SB 1908** has been referred to the following committees: Health Policy; Regulated Industries; Governmental Operations; and Health & Human Services Appropriations.

## NPM BILL NOT FILED

At the end of the 2nd week of Session, there is no legislation filed to address the Non-Participating Manufacturers issue that has popped up in previous years. The possibility of this issue being raised in the form of an amendment remains, but is highly unlikely that such an effort would be successful.

We will continue to monitor for any sign of this issue.

## WEIGHT-BASED TAX ON SNUFF

**HB 523**, by **Rep. Denise Grimsley** (R, Lake Placid), would change the way that moist snuff is taxed, from an ad valorem method to a weight-based methodology. The tax would be 44 cents per ounce, plus a proportionate tax at the same rate on all fractional parts of an ounce.

**HB 523** has been referred to the Jobs & Entrepreneurship Council and the Policy & Budget Council. The Senate companion, **SB 2402** by **Senator Mike Haridopolos** (R, Melbourne) has been filed and referred to Regulated Industries; Commerce; Finance & Tax; and General Government Appropriations.

*FAWD* is officially "Neutral" on this issue.

## MINIMUM AGE INCREASE BILL

Legislation that would raise the minimum age to purchase tobacco products in Florida from 18 to 21 does not appear to have a future in the 2007 Session. During Day on the Hill meetings, the staff of Senate sponsor **Steve Wise** (R, Jacksonville) indicated that the bill "is dead" and that he

would not push for a committee hearing for **SB 132**.

The bill has been referred to the Regulated Industries; Commerce; and General Government Appropriations Committees.

There is still no House companion bill at this time.

*FAWD* is opposed to **SB 132**.

## BILLS ADDRESSING OBESITY FILED

Several pieces of legislation have been filed addressing the issue of obesity in Florida.

**HB 309** by Rep. Joe Gibbons (D, Pembroke Park) and **SB 1628** by Senator Gwen Margolis (D, Miami) would place warning labels at restaurants that serve foods containing trans fats. The bills provide penalties for restaurants that do not comply with the labels, but they do not seek to ban the use of trans fats, like New York City recently did.

**HB 309** has been referred to the Business Regulation Commit-

tee and the Jobs & Entrepreneurship Council. **SB 1628** has been referred to Regulated Industries; Health Policy; and General Government Appropriations.

The other obesity related bill is **SB 406**, by Senator Mandy Dawson (D, Fort Lauderdale). This bill would remove vending machines that sell carbonated drinks at public middle schools in Florida. The beverages would then be replaced with machines that sell vegetable juice, 100% fruit juice and drinking water.

The bill also states that any schools that serve fried foods must be fried in oils that are low in trans fatty acids.

**SB 406** has been referred to the Education Pre-K-12 Committee; Health Policy; and Education Appropriations committees. No House companion bill has been filed at this time. The bill will die without a House companion bill.

Because **SB 406** opens the door to the banning of other food products in our public schools, *FAWD* opposes this legislation.

## R.J. REYNOLDS TOBACCO COMPANY'S POSITION REGARDING FEDERAL REGULATION OF TOBACCO PRODUCTS

On February 15, legislation was introduced in the U.S. House and Senate that would give regulatory authority over tobacco products to the Food and Drug Administration. Early indication is that the bills are virtually identical to bills that have been introduced in the past, and that have been opposed by R.J. Reynolds Tobacco Company. *(Article located on Page 4)*

Following are the talking points that R.J. Reynolds Tobacco Company is using to respond to media inquiries regarding their position on the legislation:

- We support moving from the politics of accusations to the business of establishing sound, cooperative, workable national policies.

- We support open and objective discussions aimed at resolving the long-standing controversies around the marketing and use of tobacco products — discussion rather than continuous disagreement has the greatest potential to yield an acceptable environment for all.

- We would support legislation under which tobacco products remain legal, consumer-acceptable and regulated in a reasonable and consistent manner.

- We would support legislation that permits effective competition; allows for communication and interaction with adult tobacco consumers regarding their brand choices; and which further minimizes exposure of minors to tobacco marketing.

- We would oppose legislation that does not include these tenets, or which results in an unfair competitive advantage to any manufacturer.

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**Dates to Remember:**

**May 4** - End of 2007 Florida Legislative Session

**June 6-9** - SAWD Southern Showcase, Charleston, SC

**June 21-24** - FAWD Annual Convention, Naples

**2007 CONVENTION & ANNUAL MEETING**



The **2007 Convention & Annual Meeting** will be held **June 21-24** at the fabulous **Naples Grande Resort** in Naples, Florida.

The FAWD Convention is open to all current members and their families. It is a great opportunity to gather with friends, network and catch up on the issues facing our industries in Florida.

The Naples Grande Resort is an LXR Property and has just recently completed an \$80 million renovation.

- Every room has a balcony facing the beautiful Gulf of Mexico,
- Three miles of private white sand beaches,
- Three swimming pools featuring 100-foot waterslide,
- Brand new, state-of-the-art Golden Door Spa featuring 22 Asian-style treatment rooms,
- Naples Grande Golf Course offers 18 holes of championship golf designed by Rees Jones,
- World-class shopping is also only minutes away from the Resort in downtown Naples.



**The 2007 Convention Registration Form and Scholarship Applications will be sent to you via separate e-mail.** Please let us know if you need additional registrations and/or applications.

*We look forward to seeing you in Naples!*