

TOBACCO SETTLEMENT AGREEMENT FUND OVERSIGHT COMMITTEE

Minutes of the 2nd Meeting of the 2019 Interim

May 1, 2019

Call to Order and Roll Call

The 2nd meeting of the Tobacco Settlement Agreement Fund Oversight Committee was held on Wednesday, May 1, 2019, at 10:00 AM, in Room 129 of the Capitol Annex. Representative Myron Dossett, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator C.B. Embry Jr., Co-Chair; Representative Myron Dossett, Co-Chair; Senators Paul Hornback, Dennis Parrett, Robin L. Webb, and Whitney Westerfield; Representatives Kim King, Phillip Pratt, Brandon Reed, and Dean Schamore.

Guests: Warren Beeler, Executive Director, Governor's Office of Agricultural Policy (GOAP), Bill McCloskey, Deputy Executive Director, GOAP, and Kerri Verden, Program Manager, Cabinet for Health and Family Services.

LRC Staff: Stefan Kasacavage, Nathan Smith, Kelly Ludwig, and Rachel Hartley.

Senator Embry was nominated to the position of co-chair of the committee. After a motion was made and seconded, the nominations ceased. Upon roll call vote, the motion passed with four yes votes and Senator Embry assumed the chair.

Governor's Office of Agricultural Policy Report

Warren Beeler discussed the annual allocation of funds by county. The funds increased in 2019 due to settled legal issues. Mr. Beeler also discussed his schedule for the month of May.

Bill McCloskey described the Agricultural Development Board's projects for April under the program. Mr. McCloskey highlighted programs including the County Agricultural Investment Program (CAIP), Deceased Farm Animal Removal, Shared-use Equipment, and Youth Agriculture Incentives Program.

Requested program amendments discussed included:

- Scott County Conservation District requested an additional \$75,000 in Scott County funds for CAIP. The board recommended approval, which would bring the program total to \$255,000.
- Jessamine County Future Farmers of America Alumni Association requested an additional \$50,000 in Jessamine County funds for CAIP. The board recommended approval, which would bring the program total to \$150,000.
- Northern Kentucky Cattle Association requested an additional \$2,880 in Boone County funds for CAIP. The board recommended approval which would bring the program total to \$92,638.

Projects discussed included:

- Litsinger Enterprises was approved for up to \$11,783 in state funds to implement water management practices on its farm in McCracken County.
- Sustainable Harvest Farm was approved for up to \$8,300 in state funds to implement water management practices on its farm in Laurel County.
- Imel's Greenhouse was approved for up to \$74,588 in state funds to examine the effectiveness of various water management practices at their greenhouse in Greenup County.
- The Kentucky Queen Bee Breeders Association was approved for \$5,554 in state funds for improving Kentucky apiary stock and disease traceability.

Tobacco Prevention and Cessation Program

Kerri Verden stated smoking has increased among Kentucky adults from 24.5 percent in 2016 to 24.6 percent in 2017. The slight increase may be due to electronic cigarette users transferring to conventional tobacco use. The youth smoking rate has decreased from 16.9 percent in 2015 to 14.3 percent in 2017. However, it is suspected that since then, the youth smoking rate has increased significantly due to the introduction of pod-based electronic cigarettes in 2015. The youth smoking rate and adult smoking rate are higher than the national smoking rate of 8.8 percent.

Nationally, conventional tobacco use among 10th graders decreased more than 80 percent between 2000 and 2018 and smokeless tobacco decreased 45 percent since 2010. From 2017 to 2018, electronic cigarette use increased 66 percent. In Kentucky, electronic cigarette use increased 200 percent from 2016 to 2018.

In response to the increased tobacco use, the Kentucky Tobacco Prevention and Cessation Program (KTPC) convened a workgroup in February 2019 to form a coordinated response between all tobacco control partners, including the Kentucky Center for Smoke-Free Policy, the American Lung Association, American Heart Association, American Cancer Society, and many others. At the request of several school superintendents, KTPC staff, in conjunction with the University of Kentucky's BREATHE program, have been presenting to K-12 students in Kentucky. KTPC will partner with the Kentucky Center for

Smoke-Free Policy to develop evidence-based peer-to-peer prevention and educational programs, and KTPC will also partner with the Department of Education to develop educational modules to educate teens, parents, and teachers.

The 2019 General Assembly recently passed and Governor Bevin signed HB 11. KTPC is excited about the potential for the bill, but is concerned about the impact of the three-year opt out period. KTPC will focus on lending technical assistance to those school districts that choose to adopt the tobacco-free school policies.

The Tobacco Retailer Underage Sales Training is a joint campaign between KTPC, the Department for Behavioral Health, Division of Developmental and Intellectual Disabilities, and Alcoholic Beverage Control. The training is provided free of charge to retailers and provides them with an understanding of the law and ways to address youth that attempt to bypass legal restrictions to purchase tobacco. More than 6,000 retailers have been trained in Kentucky.

The United States Department of Housing and Urban Development (HUD) smoke-free rule in public housing went into effect in February 2017. The rule required public housing agencies to adopt a smoke-free policy by July 2018.

In response to a question from Representative Schamore, Ms. Verden stated only HUD-owned properties must abide by the smoke free rule. This does not include Section 8 housing because they are privately owned.

KTPC received \$3.77 million in master settlement funds in the 2018-2019 fiscal year. More than half of the funds were used to support efforts in the local community. An additional 25 percent was used on media to promote cessation and prevention.

In response to a question from Senator Webb, Ms. Verden stated any illicit substance can be used in the pod-based electronic cigarettes. KTPC is working on a project with community health centers to include tobacco prevention in substance abuse programs. More than 90 percent of substance abusers are also tobacco users. When substance abuse is treated along with tobacco use, the success rate is significantly higher.

In response to a question from Representative King, Ms. Verden stated administrative positions are funded, but are vacant due to a lengthy hiring process.

In response to a question from Representative Reed, Ms. Verden stated the KTPC has a mass media campaign annually from a grant received from the Centers for Disease Control and Prevention (CDC). The CDC issues a report to KTPC once the campaign has ended.

Documents distributed during the meeting are available in the LRC Library and at www.lrc.ky.gov.

There being no further business, the meeting was adjourned.