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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Job Creation, Economic Development and Consumer Affairs (SC-JCEDCA)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

TKO

SB 202?



Summer 2005

A Black Health Coalition of Wisconsin Project

SMOKE FREE MILWAUKEE PROJECT Collaborating Partners

- American Cancer Society
- American Heart Association
- American Lung Association of Wisconsin
- Fighting Back, Inc.
- G Communications
- Hmong ABC Radio
- Hmong American Friendship Association
- Hmong Education Association
- Ignace Indian Health Clinic
- Infant Death Center
- Latino Health Organization
- Milwaukee Area Health Education Center
- Milwaukee Chapter - National Black Nurse's Association
- Milwaukee Chapter - NAACP
- Milwaukee Courier/WNOV Radio Station
- Milwaukee Community Tobacco Coalition
- Milwaukee Health Department
- Milwaukee Public Schools
- Milwaukee Urban League
- Praxis Project
- Reach, Inc
- Robert Wood Johnson Foundation
- Shee Community Health Center
- Sixteenth Street Community Health Center
- Smoke Free Wisconsin
- State of Wisconsin-Department of Health and Family Services
- Urban Circle of Voices
- UW Center for Tobacco Research and Intervention
- Wisconsin Baptist Pastors Conference

POLL RESULTS STRONGLY FAVORS POLICY TO PROHIBIT PUBLIC SMOKING

Milwaukee voters more likely to vote for a candidate who supports a city law

The Smoke Free Milwaukee Project (SFMP) recently conducted a poll that indicates voters favor a policy to prohibit smoking in most of Milwaukee's public places. The survey, conducted by the Mellman Group, found that nearly two-to-one local voters support a law that would prohibit smoking in most indoor public places, including workplaces, public buildings, offices, restaurants and bars.

More specifically, 61 percent of the respondents said they would support a law that prohibits smoking in public places. The power of this issue is evident as a number of the respondents (56 percent) said they would be more likely to vote for a candidate who favors a law that prohibits smoking in public places compared to those (only 29 percent) who said they would vote for a candidate who opposes such action.

"The survey results show that voters are concerned about second-hand smoke and its dangerous impact on the health of employees who are exposed to it," says Dr. Patricia McManus, one of the representatives for the Smoke Free Milwaukee Project and the Executive Director of the Black Health Coalition. "Clean indoor air is a right every person should enjoy and voters are looking to candidates who would help to declare those rights."

"Workers who involuntarily inhale secondhand smoke every day suffer some of the identical health effects observed in smokers who smoke at least a pack-day," said City Health Commissioner Bevan Baker. "By going smoke free, business owners will increase employee productivity, reduce their life, health and fire insurance costs, and get more patronage from those who have avoided their establishments because of health concerns such as asthma, allergies and other respiratory problems--to name a few."

For this issue, support for a formal policy to prohibit smoking in public places crosses partisan and demographic lines. Of those who vote Democrat 59 percent favor and 34 percent oppose. Among Independents 68 percent favor a law and 27 percent oppose it.

For Republican 54 percent favor such a law and 42 percent oppose it. Among white voters, 61 percent support a law that prohibits smoking in public places compared to 34 percent. More than half of Black

Continued On Page 2

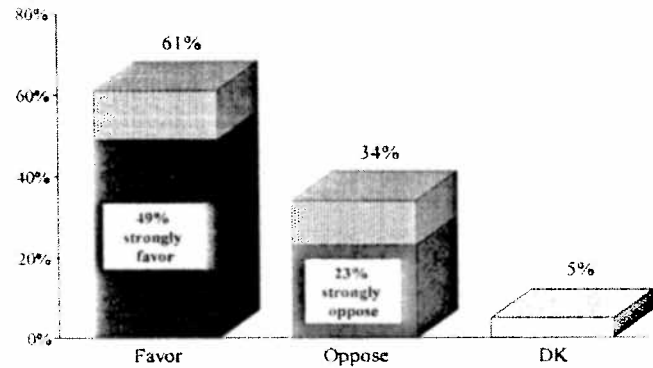
Poll Results, contd' from page 1

voters or 59 percent also favor formal no smoking policies compared to 34 percent who say they would oppose one.

The Smoke Free Milwaukee Project is an initiative of the Wisconsin Ethnic Network Collaborative (WENC). WENC addresses tobacco control, specifically, clean indoor air, among its priority issues. It is important to SFMP that communities of color and the community-at-large express its support for clean indoor air because secondhand smoke has dangerous health impacts on the lives of everyone from triggering asthma attacks to developing lung cancer.

A Majority Of Milwaukee Voters Favor A City Law That Would Prohibit Smoking In Most Public Places

Would you favor or oppose a city law in Milwaukee that would prohibit smoking in most indoor public places, including workplaces, public buildings, offices, restaurants and bars?



YOUTH SHARE PERSONAL STORIES ABOUT THE HARMS OF SECONDHAND SMOKE



Over 500 middle school youth gathered on May 24 at Wick Park as part of a year-end tobacco prevention and awareness day. In preparation for this day, MPS youth attended a training conference on May 2 to learn about the harms of secondhand smoke and how their voices can be heard. After the youth training, participants were asked to interview family and friends who have been and who are affected by secondhand smoke. Youth were asked design t-shirts depicting their stories.

Youth brought over 300 t-shirts to Wick Park as a way of expressing their thoughts of secondhand smoke. The t-shirts creatively and empathetically told "stories" of sickness and death. Youth expressed how aunts and other relatives and friends were addicted to

cigarettes and how their addiction harmed their love ones. Many t-shirt "stories" shared how a little brother or sister experienced asthma attacks because of environmental smoke or secondhand smoke. Several youth from Milwaukee Education Center's created their t-shirts in Spanish.

During tobacco prevention day, youth visited learning stations that reinforced the health benefits of clean indoor air. At the end of this event with the help of dance steppers from Burroughs Middle School, youth chanted "Milwaukee, Smoke Free is what we want to be."

The 14 participating middle schools were Hopkins Street, Auer Avenue, Kosciuszko, Jackie Robinson, Sarah Scott, Holmes, John Burroughs, Congress Year Round School North, Grantosa Drive, Burdick, Henry David Thoreau, Milwaukee Education Center, Alexander Bell and Urban Waldorf.

Sponsors of this event were the Smoke Free Milwaukee Project, Milwaukee Public Schools Thomas T. Melvin Youth Tobacco Program, and American Lung Association of Wisconsin/ FACT (Fighting Against Corporate Tobacco).



Help Improve the Health of Our City!

Every citizen of Milwaukee has a stake in the clean-in door air campaign...we need your help and support! The Smoke Free Milwaukee Project is looking for volunteers to work on the campaign. There are many ways to get involved! Through our three work groups (Community Mobilization, Youth Community Action and Media Advocacy), your voice can be heard and you can make a difference! To find out more about the Smoke Free Milwaukee Project Campaign, please call (414) 933-0064.

Also, we are looking for people to share their reason(s) for wanting to breathe cleaner air in the city of Milwaukee. If you are willing to share your story, please call (414) 933-2652.

If They Can Do It, Why Can't We!

On July 1 the city of Madison restaurants and bars will be smoke free...this is a great victory for Madison and the State of Wisconsin. Below is a list of Wisconsin cities with clean indoor air ordinances and states with clean in door air laws.

Wisconsin Cities and Counties

With Clean Indoor Air Ordinances

Appleton, Ashland, Bristol, Eau Claire, Fond du Lac, Holmen, Janesville, Kenosha, LaCrosse, LaCrosse County, Madison, Middleton Onalaska, Oshkosh, River Falls, Shorewood Hills, Wauwatosa (July 2006), West Salem

Wisconsin Cities

With Active Clean Indoor Air Campaigns

Franklin, Rhineland, Shawano, Stevens Point, Wausau

States With 100% Clean Indoor Air Laws

Including Bars and Taverns

California, Connecticut, Delaware, Georgia, Maine, Massachusetts, New York

States With 100% Clean Indoor Air Laws

Excluding Bars and Taverns

Florida, Idaho, Maryland, Oklahoma, Utah, Vermont

Fitzgerald Bill, No Good For Milwaukee

Tobacco control advocates and concerned citizens from around the state attended a public hearing on May 12 to ask members of the Affairs Committee not to co-sponsor the Fitzgerald Smoke-Free Dining Bill (LRB-9063/7) also known as the smoke free dining act. If passed, the legislation will prevent Milwaukee (and other municipalities) from passing smoke free ordinances. The bill is scheduled to go before the Assembly Rules Committee this summer.

The Smoke-Free Dining Bill would override existing ordinances in counties/municipalities. It could ultimately impact 52 percent, or almost 1000 local Wisconsin municipalities that currently ban smoking in government buildings, and almost 20 that prohibit smoking in restaurants and/or workplaces. This legislation would repeal the existing local smoke-free municipal building ordinances in communities in Wisconsin. Not only would this proposal keep local communities from taking action in the future it would rescind most all of the local laws currently on the books that regulate secondhand tobacco smoke exposure (in restaurants, workplaces, government buildings, etc.) because the local laws are stronger than the standard set forth in LRB-9063/7. Also, if passed this bill would be barred from adopting strong local ordinances in the future. This proposal will strip local governments of their ability to enact stronger local laws relating to smoking in public places and workplaces.

Smoke Free Wisconsin, the American Lung Association and many other organizations are asking citizens to contact their state legislator asking them not to support this bill.

GET THE FACTS!

Workplace exposure to secondhand smoke causes more diseases and death than all other toxins combined.

(EPA, Respiratory Health Effects of Passive Smoking: Lung Cancer and Other Disorders, 1993)

**Milwaukee Tobacco Free Task Force
Member Organizations**

American Heart Association of WI
American Lung Association of WI
Black Health Coalition of WI
Carter Child Development Center
City of Milwaukee Health Department
Counseling Center of Milwaukee
Fighting Back Inc.
Infant Death Center
Interfaith Conference of Greater
Milwaukee
Medical College of WI
Milwaukee Courier
Milwaukee Public Schools
Milwaukee Women's Center
National Black Nurses Association-
Milwaukee Chapter
New Concept Self-Development
Commission
County Supervisor James White
Wisconsin Ethnic Network
Collaborative
WNOV-AM 860



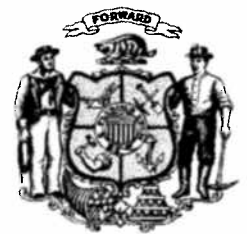
Black Health Coalition of Wisconsin

2801 West Wisconsin Avenue
Milwaukee, Wisconsin 53208



TKOobacco
A Black Health Coalition of Wisconsin Project





AAPlace	City	Name	Business	Closed?	Bus. Lost	Tips Lost / Jobs Lost
AK	Anchorage	Oscar's Place	Restaurant		40%	3
AR	Fayetteville	Cafe Santa Fe	Restaurant	Closed	100%	100%
AR	Fayetteville	Casa Taco	Restaurant	Closed	100%	100%
AR	Fayetteville	Hoffbrau	Bar/Rest	Closed	100%	100%
AR	Fayetteville	Ozark Brewing Co	Brew Pub	Closed	100%	100%
AZ	Tempe	Crocodile Cafe	Restaurant	Closed	100%	100%
AZ	Tempe	Pooch's Easy Street Billiards	Pool Hall	Closed	100%	100%
CA	Bell	The Lika Club	Tavern		60%	
CA	Clearlake Oaks	Dunkhouse Saloon	Tavern		50%	
CA	Escondido	Fireside Lounge	Tavern		70%	
CA	Lakewood	Grand Central Casino	Casino		42%	15
CA	Lancaster	Calico Saloon	Tavern		30%	5
CA	Long Beach	Daddy's Lounge	Tavern		35%	3
CA	San Luis Obispo	Laurel Bowl	Bowling Alley	Closed	100%	100%
CA	Santa Fe	Rim Ram	Tavern		75-90%	
CA	Soulsbyville	The Old Dog House	Tavern	Closed	100%	100%
CA	Tulare	Doherty's	Tavern		66%	
CA	Tulare	Marco Polo Lounge	Tavern		80%	
CA	Willow	Femino's Blue Gum	Restaurant	Closed	100%	100%
CANADA	Acton	Red Dog Cafe	Restaurant	Closed	100%	100%
CANADA	Ajax	BB's Bar & Grill	Restaurant/Bar	Closed	100%	100%
CANADA	Ajax	Chatts	Restaurant/Bar	Closed	100%	100%
CANADA	Ajax	Harp & Hound	Restaurant/Bar	Closed	100%	100%
CANADA	Ajax	Puk & Beaver	Restaurant/Bar	Closed	100%	100%

I opened my doc common man a the do gooders ; business still has to close my door

"Sales dropped late-night busine after the bars cl Before closing, drop in liquor sa

Since the ban to sales are down dropped 25 perc been laid off and jeopardy.

385 league bowl went into effect, Bowl had been in the ban.

Before the smok about nine-hund nights. The week smoking ban we dollars. The next five dollars, and weeks following,

"On nights when smoke, we make Monday we didn smoke. Our tota

CANADA	Ajax	Raven & Firkin	Restaurant/Bar	Closed	100%	100%	
CANADA	Ajax	Sword and Stone	Restaurant/Bar	Closed	100%	100%	
CANADA	Ajax	Taps	Restaurant/Bar	Closed	100%	100%	
CANADA	Ajax	The Arctic	Restaurant/Bar	Closed	100%	100%	
CANADA	Ajax	Thirsty Monk	Restaurant/Bar	Closed	100%	100%	
CANADA	Barrie	Coffee Time	Coffee Shop		50%	100%	
CANADA	Cambridge	Bud's Place	Tavern		23%	5	
CANADA	Castlegar	Gardeli's	Bar/Restaurant	Closed	100%	100%	
CANADA	Chamberlain	Ralph's Place	Restaurant/ Diner		75%		Jackie Bradley, here."
CANADA	Chatham	Eightball VIP Sports Cafe	Sports Bar		40%	2	
CANADA	Crescentwood	Tubbys Pizza	Pizza Parlor		20%	2	
CANADA	Dunnville	nastys	Sports Bar		37%		
CANADA	Edmonton	Epcor Café & Deli	Café	Closed	100%	100%	"The place used every morning u.
CANADA	Fort St. John	Alexander Mackenzie Inn	Hotel		92%	16	"Since we were WCB, our business from \$1,000 a day
CANADA	Inuvik	Inuvik Curling Club	Private Club		66%		The president of will lose \$40,000 says the town's .
CANADA	Kingston	Larry's Pit Stop	Tavern		49%	1	
CANADA	Kitchener	Mingles Coffee Shoppe	Coffee Shop	Closed	100%	100%	Before Closing, sales.
CANADA	Markham	Coffee Time	Coffee Shop	Closed	100%	100%	
CANADA	Midland	Cellarman's Alehouse	Tavern		35%		Friday nights used before the smoke numbers dropped
CANADA	Oshawa	Flying Squirrel	Restaurant/Bar	Closed	100%	100%	
CANADA	Oshawa	Konfusions	Restaurant/Bar	Closed	100%	100%	
CANADA	Oshawa	Micky Finns	Restaurant/Bar	Closed	100%	100%	
CANADA	Oshawa	Queen's Hotel	Restaurant/Bar	Closed	100%	100%	
CANADA	Oshawa	The Castle	Restaurant/Bar	Closed	100%	100%	
CANADA	Oshawa	The Wall	Restaurant/Bar	Closed	100%	100%	
CANADA	Oshawa	Winchester Arms (2 locations)	Restaurant/Bar	Closed	100%	100%	
CANADA	Ottawa	Beacon Hill Arms	Tavern	Closed	100%	100%	Dave O'Connor, Beacon Hill Arms ban forced him to close September to February \$80,000 in sales
CANADA	Ottawa	Hemingway's	Bar/Restaraunt		40%	6	
CANADA	Ottawa	Sky Garden	Restaurant	Closed	100%	100% / 6	"It was 100% before dropped 50%. 0 400 to 500 a day
CANADA	Pickering	Fox and Fiddle	Restaurant/Bar	Closed	100%	100%	
CANADA	Pickering	Melanie Pringles	Restaurant/Bar	Closed	100%	100%	
CANADA	Polo Park	Branigan's	Tavern	Closed	100%	100% / 50	
CANADA	Prince Rupert	Rupert Pub	Tavern	Closed	100%	100%	
CANADA	Riverton	Sandy Bar Hotel	Hotel	Closed	100%	100%	Rob Charrier said been open since

CANADA	Saskatoon	Royal Canadian Legion	Bar		50%			<i>He says even though coming because smoking buddies:</i>
CANADA	St. Albert	The Patch	Tavern		70%			
CANADA	Thunder Bay	Empire Hotel	Hotel		40%			<i>"I am doing the limited space to customers and it seems to me the interested in sup</i>
CANADA	Thunder Bay	Newfie's Pub	Bar		20%			<i>"In my opinion, the first place to imp by-law without a regard for the best customers."</i>
CANADA	Thunder Bay	The Aurora Grill	Bar & Grill	Closed	100%	100%		<i>Doug Fraser and with ban against</i>
CANADA	Thunder Bay	Thunderbolts Swim Club	Bingo Hall	Closed	100%	100%		<i>Closed because kids.</i>
CANADA	Tilsbury	Mr. B's	Restaurant	Closed	41%			
CANADA	Toronto	Cobalt	Tavern		50%			<i>"You build this bar and all of a sudden decision...places</i>
CANADA	Toronto	Bovine Sex Club	Tavern		50%			
CANADA	Toronto	Elements	Nightclub	Closed	100%	100%		
CANADA	Toronto	Elsewhere	Tavern		50%			<i>We cut staff early The City of Toronto non-smokers who visit us because they?</i>
CANADA	Toronto	The Spotted Dick	Tavern		60%			
CANADA	Vancouver	Bacchus	Nightclub	Closed	100%	100%		<i>In its first two years its 275-person ir owner} says. As lucky to find 60 p</i>
CANADA	Wallaceburg	Sam's Hotel	Tavern		60-70			<i>"(Business is doing night) and 90 pe</i>
CANADA	Whitby	Cannucksters	Restaurant/Bar	Closed	100%	100%		
CANADA	Whitby	Chitchats	Restaurant/Bar	Closed	100%	100%		
CANADA	Whitby	Melanie Pringles	Restaurant/Bar	Closed	100%	100%		
CANADA	Whitby	Otter and Firkin	Restaurant/Bar	Closed	100%	100%		
CANADA	Whitehorse	Coffee Shop	Coffee Shop	Closed	100%	100%		<i>Owner sues over</i>
CANADA	Whitehorse	The Coffee Bar	Coffee Shop		50%			
CANADA	Yellowknife	MacKenzie Lounge	Tavern		80%			
CO	Greeley	Red Garter Lounge	Tavern		45%			
CO	Greeley	Roasty's Steakhouse	Restaraunt		60%			
CO	Greeley	Union Colony Brewery	Brew Pub	Closed	100%	100%		
CO	Louisville	Bart's	Bar/Restaurant	Closed	100%	100%		<i>Bart's had been years.</i>

CO	Pueblo	Assorted	Tavern	Closed	100%		<i>"The smoking ban is quite drastically since the smoking Chavez, owner of"</i>
CO	Pueblo	Bruno's Beer Joynt Tavern		Closed	100%		
CO	Pueblo	Mugsy's	Tavern	Closed	100%		
CO	Pueblo	Pepper's	Tavern	Closed	100%		
CO	Pueblo	Silver Saddle	Tavern	Closed	100%		
CO	Pueblo	Town Tavern	Tavern	Closed	100%		
CT	Bristol	Tracie's Pub	Tavern		40%		<i>My business has percent since the a lot of bar owners same problem.</i>
CT	Cromwell	Saw Mill Pub	Restaurant	Closed	100%	100%	
CT	Fairfield	Bear and Grill	Bar/Restaurant		30-40%		<i>"I used to close down at 9:30. The Hurt by the trickl"</i>
CT	Hartford	A-Vend, Inc.	Vending		60%		<i>When the state cigarettes in his percent of his business restaurants remain"</i>
CT	Meriden	La Primavera	Restaurant	Closed	100%	100%	
CT	Montville	Brown Derby	Tavern		50%		
CT	New London	Nowhere Café	Restaurant		80%		<i>Diane Batte-Holget worse as we"</i>
CT	New London	Sundowner Restaurant	Restaurant		30%	2	<i>He's laid off two waiters to double"</i>
CT	Norwich	Pinstripes	Sports Bar	Closed	100%	100%	
CT	Norwich	Pinstripes Sports Cafe	Sports Bar	Closed	100%	100%	
CT	Old Saybrook	Adreanas Restaurant	Restaurant	Closed	100%	100%	
CT	Stamford	Rack N' Roll	Pool Hall		30%		
CT	Wallingford	T-Bowl Lanes	Bowling		50%	50%	<i>"Income cut in his business" says"</i>
CT	Waterbury	Bobby D's Café	Bar/Night Club		60%		<i>Our day business many contractor come in after we in my bar smoke"</i>
CT	Windsor Locks	Cargo's Café	Restaurant	Closed	100%	100%	
DE	Bear	Just Mugs Saloon	Tavern		33%		
DE	Wilmington	Back Stage Cafe	Bar/Restaurant	Closed	100%	100% / 20	
DE	Wilmington	Coach House	Bar/Restaurant	Closed	100%	100% / 8	
DE	Wilmington	Naamans Cafe	Restaurant	Closed	100%	100% / 8	
FL	Cape Coral	Collier Lee Vending	Vending Machines		40%	N/A	<i>We have over 60 counties all of which to 60% since the"</i>
FL	Cutler Ridge	Old Cutler Oyster Company	Restaurant	Closed	100%	100%	<i>Has been fighting effect."</i>
FL	Fort Walton	Elks #1795 (Private Club)	Lodge Private Club		40%	22%	<i>"Charity money Kids of Florida are really getting hurt"</i>

FL	Ft. Pierce	Elks	Private Club		50% (Bingo)		<i>"Our Charity mo. this time last year spend only about Christmas progr. year. The Christ. Salvation Army, and Caring (food families shoppin toys for the kids.</i>
FL	Jupiter (and	Miller's Ale House (35 Locations)					<i>After the law too House chain exp business in its 1 vice president for months of 2004 down \$2 million May of 2003"</i>
FL	Lake Wales	Cherry Pocket	Restraunt		30%	30%	<i>Small business v it is hard to belie it away without e</i>
FL	Naples	The Falls	Restaurant	Closed	100%	100%	<i>"We lost 70 perc said. "The law p percent of her ct</i>
FL	New Port Richey	Gulf Harbor Yacht Club	Private Club		68%		
FL	North Fort	Jerseys Sports Cafe	Sports Bar		25%	20% / 4	<i>Whatever happe to choose where public?</i>
FL	Pensacola Beach	Elks #2256 (Private Club)	Lodge Private Club		20%	30%	<i>"We've lost 70 r</i>
FL	Plantation	Elks #2273 (Private Club)	Lodge Private Club		60%	60% / 1	
FL	Port Charlotte	Melons Bar & Grill	Bar/Restaurant	Closed	100%	100% / 4	<i>Before closing th sales and a 60% smoking ban.</i>
FL	St.James City	Double Nichol Pub	Tavern		10%	10% / 3	
FL	Tampa	Toucans	Bar & Grill		30-40%	50% / 3	
FL	Thonotosas	Grandma's Kitchen	Restaurant	Closed	100%	100% / 5	
FL	Venice	Bogey's	Restaurant/Sport Pub		>20%		
FL	West Palm Beach	Zook's					<i>"It has almost pu down about 45 p said. "Our food s business. Now ti lot of people who dinner are not ce here."</i>
IL	Skokie	Village Inn	Sports Bar		37%	6	<i>The Vintners Fe Oireachtas comi</i>

IRELAND	Assorted	200 pubs	pubs	Closed	100%	100%	<i>had been lost in the ban's introduction closed down.</i>
IRELAND	Dublin	Bewley's Oriental Cafe	Tea and Coffee Shop	Closed	100%	100%	<i>The shop, located in business on The Grafton Street 1927.</i>
IRELAND	Dublin	Bewley's Oriental Cafe	Tea and Coffee Shop	Closed	100%	100%	
IRELAND	Dublin	MacTurcaills			20%		
IRELAND	Eyre Square	Fibber Magees		Closed	100%	100%	<i>"We're damned don't," Lawless said either going to go of business." Be loses of 66%</i>
KS	Lawrence	Hereford House			40%	16	
KS	Lawrence	The Meat Market	Bar/ Restaurant	Closed	100%	100%	
KY	Lexington	Friends and Company	Bar/Restaraunt		30%		<i>The restaurant has revenue in the last</i>
KY	Lexington	Lynagh's Pub	Bar/Restruant		40%		<i>"Smokers still can't stay as long Maxwells had be</i>
KY	Lexington	Maxwell's	Tavern	Closed	100%	100%	
KY	Lexington	Nicholson's Cigar Bar	Cigar Bar		100%	100%	<i>Owners of Nicholson make sense to c</i>
KY	Tatets Creek	Jackpot Bingo			50%		<i>The Tates Creek stands to lose all money.</i>
MA	Bradford	Pockets Billiards	Pool Hall		100%	100%	<i>Closed after 11 :</i>
MA	Cambridge	Bud's Place			23%	500%	
MA	Chicopee Falls	Blue Room Cafe	Tavern		25%		<i>The business has</i>
MA	Fall River	Gold Mine Restaraunt	Bar/Restaraunt		50%	50% / 2	<i>"There should be and nonsmoker. killing our business</i>
MA	Hingham	Aloha	Tavern	Closed	100%	100%	
MA	Marlboro	Marlboro Cozy Cafe			60%	2	<i>We had 5 employees includes me. If the ban after 35 years in my doors.</i>
MA	South Weymouth	J.C. Grear's	Tavern	Closed	100%	100%	<i>"Decimated after</i>
MA	South Weymouth	J.C. Grear's	Restaurant	Closed	100%	100%	
MA	Springfield	Blarney Stone	Tavern		25%		
MA	Springfield	City Line Cafe	Tavern		50%		<i>"People are coming saying 'Why go to six-pack and sit</i>
MA	Weymouth	Various Places			50%		<i>Owners told the down 50 percent</i>
		Uncle Jed's					<i>... Smaller establishments decline by an average</i>

MD	Bethesda	Roadhouse Tavern		50%	70% / 2	<i>week and 50 per to Melvin Thomp Restaurant Assc</i>
MD	Gaithersburg	Anchor Inn restaurant	Closed	100%	100%	<i>Since the ban w. Anchor Inn suffe beer, wine, liquo</i>
MD	Gaithersburg	Buffalo Billiards	Pool Hall	50%		
MD	Gaithersburg	Buffalo Wings and Beer	Bar/Restaurant	50%		
MD	Gaithersburg	Gentleman Jim's	Restaurant	40%		
MD	Gaithersburg	J.J. Muldoon's	Bar/Restaurant	20%		
MD	Gaithersburg	Mrs. O'Leary's	Restaurant and Pub	50%		
MD	Germantown	Middlebrook Restaurant and Lounge	Bar/Restaurant	50%		<i>"I'm so bitter tod hard to keep this fair."</i>
MD	Germantown	Pelican Pete's	Restaurant	60%		
MD	Olney	Grand Marquis Caf,		30%		
MD	Olney	Stained Glass Pub Tavern		30%		
MD	Poolesville	Potomac Valley Lodge	Lodge	17%	75% / 4	<i>"I think in the fut winter. We'll lay unemployment f back. They'd ma</i>
MD	Rockville	Mark Timmons	Tavern	20%		
MD	Rockville	Silver Fountain Restaurant	Restaurant	33%		
MD	Silver Spring	Corner Pub	Tavern	40%		
MD	Silver Spring	Dietle's Tavern	Tavern	Closed	100%	
MD	Silver Spring	Quarry House	Tavern	70%		<i>New customers it's smoke-free c smokers did, she glass of water ai whereas smoker and drink more e</i>
MD	Potomac	Normandie Farm's	Bar/Restruant	50%	2	
ME	Biddeford	Nutshell Tavern	Tavern	Closed	100%	100%
ME	Fryeburg	Village Variety		Closed	100%	
ME	Houlton	Black Duck Lounge	Tavern	70%		<i>"I've never seen customers just a</i>
ME	Rockland	Waterworks	Restaurant	50%		
ME	Waterville	John Martin's	Restaurant	25%		
MN	Bloomington	Bloomington Park Tavern	Tavern	Closed	100%	
MN	Cloquet	Grandma's	Restaraunt	33%		
MN	Duluth	Perkins	Restaraunt	26%		
MN	Long Lake	Larry's Lounge	Tavern	Closed	100%	
MN	Minneapolis	Gabby's	Restaurant	26%	10	
MN	Minneapolis	Lion's Club	Private Club	25%		<i>Owner Jeffrey Or Michael Kuduk s charitable gamb.</i>

NE	Lincoln	25 separate Bars and Grills			27%		<i>Desperate for ct. begun discounting</i>
NE	Lincoln	Big John Billards	Billiards	Closed	100%	100%	<i>Anderson said E not available for reopen if the sm</i>
NE	Lincoln	Cheerleaders Bar & Grill	Bar/Grill		30%		<i>"I will be very luc summer," Borgn</i>
NY	Albany	Blessed Sacrament Church	Bingo Hall		50%		
NY	Albany	Temple Israel	Bingo Hall		50%		<i>According to He, regulars told vol from playing bin. He hasn't seen t</i>
NY	Astoria	Athens Cafe	Restaurant		55%	10	
NY	Auburn	Kim's Trackside Tavern	Tavern		25%	25%	<i>Our local cayuga to refuse to issu businesses who hardship.</i>
NY	Bath	Hotel McDonald	Hotel		70%		
NY	Bath	Just One More	Tavern		30%		
NY	Bellerose	Finish Line	Bar/Restaurant		40%	2	
NY	Binghamton	Airport Inn	Tavern		40%		<i>Evans says busi percent in the la. expires next Apr plan on renewin successful busin</i>
NY	Binghamton	Edigan's	Restaurant	Closed	100%	100%	
NY	Binghamton	Mama Lena's	Restaurant	Closed	100%	100%	<i>Mama Lena's ha than 40 years.</i>
NY	Binghamton	Yesterday's Restaurant & Lounge		Closed	100%	100%	<i>Mike and Suzan years.</i>
NY	Brewster	The Roadhouse	Tavern		40%		
NY	Broadalbin	The Lodge at the Lake Inc	Bar/Restaurant		50%	1	
NY	Bronx	Fieldstone Recreation	Billiard/Bar/Snac		40%	1	
NY	Buffalo	American Legion Post 1041	Bingo Hall		68%		
NY	Buffalo	Amherst Bowling Center	Bowling Alley	Closed	100%		
NY	Buffalo	B&G Bar and Grill	Bar/Restaurant		30%		
NY	Buffalo	Cabaret	Tavern		40%	1	
NY	Buffalo	Cook Bar & Grill	Bar/Restaurant		40%	2	
NY	Buffalo	Freddies	Bar/Restaurant		50%		
NY	Buffalo	Pocketeer Billiards	Pool Hall		60-70%		<i>"The President s backbone of our business just giv blood! All of it!!!!</i>
NY	Buffalo	Susie's Corner	Bar/Restaurant		23%	1	
NY	Buffalo	The Royal	Restaurant	Closed	100%	100% / 20	<i>The smoking ba decrease in reve</i>

NY	Location	Business Name	Business Type	Status	%	Count
		Pheasant				
NY	Buffalo	Voelker Bowling Center	Bowling Alley		30-40%	
NY	Camden	Harter's	Bar/Restaurant		40%	
NY	Camden	Liberty Lanes	Bowling		27%	
NY	Canandaigua	Canandaigua Billiards	Pool Hall		40%	
NY	Champlain	Stumble Inn	Tavern	Closed	100%	100%
NY	Cheektowaga	Metropolitan Restaurant	Bar/Restaurant		25%	2
NY	Cheektowaga	Peter K's	Bar/Restaurant		35%	2
NY	Chestnut Ridge	Silo's	Bar & Grill		35%	
NY	Cicero	Damon's Party House	Tavern		40%	
NY	Clay	Richard's Ole Timer	Bar/Restaurant		17%	1
NY	Cold Brook	Clifford's Tavern	Bar/Restaurant		40%	
NY	Corfu	Dadio's Central	Tavern		30%	
NY	Cortland	Argyle's EasyStreet Tavern	Tavern		12%	
NY	Cotati	Friar Tuck's	Restaurant		50%	
NY	Delhi	Blinkey's	Tavern	Closed	100%	100%
NY	East Randolph	VFW Post 6533	Private Club		20%	25%
NY	Elmira Heights	American Legion	Private Club		60%	50%
NY	Elmira Heights	Blondie's Tavern	Tavern		25%	
NY	Endicott	O's Place	Tavern	Closed	100%	100%
NY	Endwell	O's Place		Closed	100%	100%
NY	Falconer	Chances	Tavern	Closed	100%	100%
NY	Falconer	Mel's Place	Tavern		78%	100%
NY	Fredonia	Barker Brew Pub	Brew Pub	Closed	100%	100%
NY	Frewsburg	The Loft	Tavern		30%	
NY	Fulton	Fulton Ale House	Tavern		75%	
NY	Goshen	The Wonderbar	Tavern		50%	
NY	Hyde Park	KayCey's	Tavern		-45%	

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out in a year.

Closed after 10 ;
"Our town has n
outsiders. We h
patrons and 95%
worse when the
Owner Joe Man
business of 35 y

NY	Ithica	Bowl-O-Drome	Bowling Alley		14%	2	<i>The business is down 10% during the bowling alley January and March. There is a decrease in activity in 2004 to 2003.</i>
NY	Jackson Heights	La Bataclana	Tavern	Closed	100%	100%	
NY	Jamestown	Coin Operated Amusements	Vending Machines		20-50%		<i>Revenue from vending machines cut in half in March. Bingo, which was profitable, is now completely unprofitable.</i>
NY	Jamestown	Elks Lodge (Private Club)	Private Club	Closed	100%		
NY	Jamestown	Fountain Bowl	Bowling Alley		40%	N/A / 8	
NY	Jamestown	Mr. D's	Bar/Restaurant	Closed	100%	100%	
NY	Jamestown	Patsy's Lounge	Tavern			50% / 2	<i>"I have let 2 employees go. They had their hours cut."</i>
NY	Jamestown	Tommy's Place	Bar/Restaurant	Closed	100%	100%	
NY	Jamestown	Windsor Ale House	Tavern	Closed	100%	100%	
NY	Johnstown	Partner's Pub	Bar/Restaurant		20%	1	
NY	Kennedy	Crossroads Steak House	Restaurant	Closed	100%	100%	
NY	Lake George	Lemon Peel	Lounge		20%	2	<i>"The ban has hurt us early."</i>
NY	Lakewood	Ye Olde Anchor Inn	Bar/Restaurant		18%	22%	
NY	Liverpool	End Zone	Bar/Restaurant		30%	1	
NY	Lockawanna,	Woody's Pub	Bar/Restaurant		25%	3	
NY	Long Island	Olympian Summit Inc	Pool Hall/Bar/Rest		40%	3	
NY	Malone	Knights of Columbus	Bingo Hall		80%		
NY	Malone	Seven's Bar	Tavern		30%		
NY	Marcellus	Village Tavern	Bar/Restaurant		10%		
NY	Marcy	Riverside Lanes	Bowling		20%	2	
NY	Massena	Delmar Sportsman's Tavern	Tavern		30%	1	<i>"We had hoped that the ban would have been frequenting. Filled air would not be a financial loss. In our place, this has not happened. Our sales are at a low level."</i>
NY	Massena	Open Net Lounge	Tavern		11%		
NY	Mattydale	The Cam-Nel	Tavern	Closed	100%	100%	<i>The Cam-Nel has been closed since the ban.</i>
NY	Mayville	Lakeview Hotel/Blues Rock Cafe	Tavern		50%	50%	<i>On the first day of the ban, a lot of customers drove back up.</i>
NY	Middleport	Middleport Inn	Bar/Restaurant	Closed	100%	100% / 13	<i>"This damn state is killing people's dreams."</i>
NY	Middletown	Whispers Cocktail Lounge	Bar/Night Club		50%	90%	
NY	Monroe	Brazen Head Pub	Tavern		40%		
NY	Mt. Morrison	Mills Race Restaurant	Bar/Restaurant		40%	2.5	

NY	New Rochelle	Dudley's Parkview Tavern	Tavern		45%		<i>"From last summ this season, bus percent. ... The l</i>
NY	New York	Aessa	Bar/Restaurant		35%	6	
NY	New York	Blarney Stone	Bar/Restaurant		15%	1	
NY	New York	Caffe on the Green	Bar/Restaraunt		35%		<i>Bar business fel after the ban. If I "butt hut," an our smoke, but it's s</i>
NY	New York	Castle Heights	Tavern	Closed	100%	100%	
NY	New York	Elbo Room	Tavern	Closed	100%	100%	
NY	New York	Euzkadi	Restaurant		50%		
NY	New York	Fiddler's Green	Tavern	Closed	100%	100%	<i>We have just los law, which I did i vote for, bartena public did not vo</i>
NY	New York	Harry's Hanover Square	Bar/Restaraunt	Closed	100%	100	<i>"Overnight, we k bar trade. For th profit and loss. S been almost as i Scotch" Harry's , than thirty years</i>
NY	New York	Le Bar Bat	Tavern	Closed	100%	100%	
NY	New York	Madame X	Tavern		50%		
NY	New York	Manhattan Beer Distributors	Vendor		19%		<i>Stagnant sales l demand citywide clubs.</i>
NY	New York	Millennium	Restaurant		40%	3	
NY	New York	Nocturne	Nightclub	Closed	100%	100% / 70	
NY	New York	O'Neill's	Tavern		20%	3	<i>"People who doi pubs. They said business and for down and three , unable to find ar smokers, and no second-hand str.</i>
NY	New York	Pangaea	Tavern	Closed	100%	100%	
NY	New York	Roesch's	Tavern	Closed	100%	100%	<i>Lauterborn, 60, : Queens, saw 40 ban but only abc September and . him while he loo been a 100 year</i>
NY	New York	Slade	Restaurant		40%		
NY	New York	Sugoba Bistro	Bistro	Closed	100%	100% / 28	<i>After 8 years of : smoking ban kill year! In less than declined 37%. W to meet payroll e employees.</i> <i>"I felt bad laying</i>

NY	New York	Swan's	Tavern	Closed	100%	100% / 7	them had been v Swan's was ope complained abo
NY	New York	Swift's	Tavern		40%		"It's absolutely k bar would be pa cocktail crowd. I wine or a six-pa where they can :
NY	New York	Whiskey Ward	Tavern		20%	2	
NY	Newburgh	Golden Rail Ale House	Tavern		25%		
NY	Niagara Falls	The Press Box	Tavern	Closed	100%	100%	The Press Box f
NY	Ogdensburg	The Web	Tavern	Closed	100%	100%	Owners Janet ar smoking ban de:
NY	Oneida	Bec's Ivy Grill	Bar & Grill		23%	3	
NY	Oneida	Five Corners	Bar/Restaurant		32%		After 20 years o state does to us. nonsmokers?
NY	Oswego	Buoy's Dockside Tavern	Tavern		36.50%		
NY	Oswego	Eagle Beverage Company	Distributor		25%	N/A	"Deliveries to pu substantially, gre
NY	Oswego	Shamrock Tavern	Tavern		50%		"It's not right. Ou away."
NY	Parkville	Champions Billiards Cafe	Brew Pub/Pool Hall		33%		
NY	Port Leyden	Central Hotel	Bar/Restaurant		50%		
NY	Portville	Maple Tree Inn	Tavern	Closed	100%	100% / 3	
NY	Potsdam	Roy D Graves VFW Post 1194	Tavern		22%		
NY	Potville	Cork and Bottle	Tavern	Closed	100%	100%	Located near the Mom and Pop bi no employees to
NY	Queens	Bingo Halls	Bingo Halls		50%		"If they want to s be comfortable," volunteer who ru charities. "They' are being violat
NY	Remsen	Taylor's Trackside	Bar/Restaurant		50%		
NY	Rochester	Christanis Bar and Grill	Tavern		40%		
NY	Rochester	Hancock's Hudson Tavern	Bar/Restaurant		15%		
NY	Rochester	Panorama	Sports Bar/Night Club		50%	50% / 4	We are a small r well until the sm very hard. We ar any .
NY	Rochester	Salingers	Tavern		35%	2	
NY	Rochester	The Loop Lounge	Bar and restaurant		30%		I own a small loc smoking cliental.
NY	Rome	Sammy G's	Bar/Restaurant		50%		
NY	Sanborn	Walmore Inn	Restaurant/				

			Tavern				
NY	Savannah	D&S Diner	Restaurant	Closed	100%	100%	
NY	Scottsville	Chili American Legion Post 1830	Private Club		70%		
NY	Sloan	Unique Lounge	Bar/Restaurant		40%	4	
NY	South Dayton,	Rough Kutts Tavern	Tavern		21%	1	
NY	Southport	George & Shirf's Tiny Tavern	Tavern		41%		
NY	Springville	Pocketeer Billiards South	Pool Hall	Closed	100%		
NY	Staten Island	Sharkey's Sports Bar and Grill	Sports Bar		60%		
NY	Steamburg	Coldspring Volunteer Fire Dept.	Tavern		50%	75% / 1	
NY	Suffern	Ireland's 32	Tavern		50%		
NY	Sunnyside	Caseys Pub	Tavern		35%	1	
NY	Syracuse	Barrie's Tavern	Tavern		40%		
NY	Syracuse	Coleman's Irish Pub	Bar/Restaurant		19%	4	
NY	Syracuse	Doc's little Gem	Diner		27%	10	
NY	Syracuse	Dodesters	Tavern		20%		
NY	Syracuse	Nibsy's Pub	Bar/Restaurant		18%		
NY	Syracuse	Rafferty's	Bar/Restaurant		35%	2	
NY	Syracuse	Syracuse Brigadiers	Bingo Hall		61%		
NY	Syracuse	Thompson Road Tavern	Bar/Restaurant		25%		
NY	Syracuse	Tommys Park Place	Tavern		40%		
NY	Syracuse	Viva Debris	Comedy & Magic Club		30	30%	
NY	Tonawanda	Slick Willie's	Pool Hall		25%		

Thank you for fig
Sales were down
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kitchen then."

"The hall was lo
in net income for
because of the s

NY	Troy	Celtic Cultural Organization	Bingo Hall		30-35%		<i>"From July 25 th about \$12,000 fr</i>
NY	Troy	Holmes & Watson's	Tavern		30%		
NY	Utica	The Dog House	Bar/Restaurant		28%		
NY	Utica	Varick Restaurant Inc	Bar/Restaurant		35%		
NY	Utica,	Shorty's Sports Bar & Grill	Bar/Restaurant		30%		
NY	Wallkill	Desperado's	Tavern		90%		<i>"I can count on r smoke who com they won't come</i>
NY	Watertown	Brown Shanty	Tavern		20%	1	
NY	Wellsburg	Village Tavern			50%		
NY	West Seneca	Southgate Lanes	Bowling Alley/Bar		55%	7	
NY	Wheatfield	The Alps	Restaurant	Closed	100%	100%	
NY	Wheatfield	The Meeting Place	Restruant/Tavern	Closed	100%	100%	
NY	Wilson	Jean's Bar & Grill	Tavern		26%		
NY	Binghamton	Mama Lena's Italian American Restaurant		Closed	100%	100%	
NY	Binghamton	Valentine's Neighborhood Tavern & Grill		Closed	100%	100%	
NY	Buffalo	Jimmy Mac's	Bar & Grill	Closed	100%	100%	<i>"We are out of b employees..... V living for 24 year year complimen government figu. who own bars th as well pack up .</i>
NY	Holland	Holland Hotel	Bar/Restaurant		45%		<i>My wife and thre all of our savings after the ban." -</i>
NZ	Foxton	Post Office Hotel	Restaurant		66%		<i>New Zealand ho</i>
OH	Centerville	Bill's Donuts	Donut shop		20%		
OH	Centerville	Cork and Bottle Carryout	Lunch counter		25%		
OH	Columbus	Ann and Mike's Main St. Tavern	Tavern		50%		<i>"This is all my hu This is it," she sa destroying her p. Tuesday. That's said. "I've cut all</i>
OH	Columbus	Coin-Op Vending	Vending		15%		<i>Cigarette sales a bars outside of t record business. Judy Browning, customers to pri and Elks, which</i>

policy. "As long as I can
 allow the freedom of
 much as the loss of
 affect city and state

Owner Julian Sa
 to blame for the
 his business.

"Kacy's Sports Bar
 customers, but r

They were the fi
 violating the ban

"I don't know wh
 business for 15 y
 said he has been
 employees to tan
 Gahanna, which
 policies.

"I feel bad. I've k
 Cashin says. "I'm
 \$1200-\$1500 a

"After 42 years, i
 effect, will result
 establishment."

Has lost busines
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We supply to ne
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Consaul Tavern
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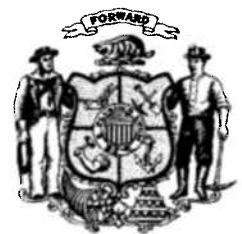
"He was so dras
 ban in Toledo."

OH	Columbus	Fitzwillys	Bar			
OH	Columbus	Julian's	Restaurant/Bar	Closed	100%	
OH	Columbus	Kacys Sports Bar & Grille	Tavern		50%	
OH	Columbus	Mulligan's Sports Pub	Bar		50%	
OH	Columbus	Sinbad's	Show Bar		90%	
OH	Columbus	Somewhere Else	Tavern			3
OH	Columbus	Sycamore Café	Tavern	Closing	100%	100%
OH	Columbus	Varsity Club	Rest/ Bar			
OH	Columbus	WK Vending	Vending		15-25%	
OH	Toledo	Adam's Place	Tavern	Closed	100%	100%
OH	Toledo	Bait Shop	Bar & Grill	Closed	100%	100%
OH	Toledo	Blue Jeans	Tavern	Closed	100%	100%
OH	Toledo	Consaul Tavern	Tavern	Closed	100%	100%
OH	Toledo	East Broadway Nightclub	Nightclub		50%	
OH	Toledo	East Broadway Nite Club	Night Club	Closed	100%	100%
OH	Toledo	Elbo Room	Pizza Parlor/Tavern		25%	2
OH	Toledo	End Zone Electronics	Tavern	Closed	100%	100%
OH	Toledo	Fat Tuesdays	Tavern	Closed	100%	100%
OH	Toledo	Jordan's Place	Tavern	Closed	100%	100%
OH	Toledo	Laskey Lounge	Tavern	Closed	100%	100%
OH	Toledo	Max's Diners (2 locations)	Restaurant	Closed	100%	100%
OH	Toledo	Ottawa Lanes	Bowling	Closed	100%	100%
OH	Toledo	Prime Time South	Night Club	Closed	100%	100%
OH	Toledo	Rack Time	Pool Hall	Closed	100%	100%

State	City	Business Name	Business Type	Status	Loss %	Recovery %	Notes
OH	Toledo	Billiards Ragtime Ricks	Tavern	Closed	100%	100%	
OH	Toledo	Rooster Inn	Brew Pub	Closed	100%	100%	
OH	Toledo	Shamrocks	Tavern	Closed	100%	100%	
OH	Toledo	The "In" Zone	Tavern	Closed	100%	100%	
OH	Worthington	Kacy's	Sports Bar		50%		"Kacy's Sports Bar customers, but r Connor owned it says it was the bar. He says business million in 1997, then into effect, to \$9
OR	Corvallis	The Peacock	Bar/Restaraunt		40%		
OR	Corvallis	The Peacock (New Owner)	Bar/Restaraunt		50%	36	
OR	Eugene	Bliss' Steak Ranch	Restaurant	Closed	100%	100%	Closed after 32
OR	Eugene	Doc's Pad	Tavern	Closed	100%	100% / 24	"Let's face it, the specifically, the punch." The Ols 16 years.
OR	Eugene	Max's Tavern	Tavern	Closed	100%	100%	
TX	Coppera's Cove	Grant's Bar and Grill	Uptown Cafe	Closed	100%	100%	
TX	Corpus Christi	Katz 21, P.O.E.T.S, Q Pub	Taverns		36%		All plaintiffs in Corpus Christi to temporarily because of lost Business simply Martinez said, at smoking ban in places. "I just go work to get a client and then the city
TX	Dallas	Matt's No Place	Restaurant	Closed	100%	100%	
TX	Round Rock	China One	Restaurant	Closed	100%	100%	
TX	San Antonio	Good Time Charlie's	Restaurant		30%		
WV	Charleston	Mulligan's	Restaurant/Bar	Closed	100%	100%	David Reynolds to work Tuesday
WV	Huntington	Calamity Café	Restaurant	Closed	100%	100%	The restaurant business and a



WISCONSIN STATE LEGISLATURE



'New Yorkers should be able to choose how they go to hell'

By Julian Coman in New York

(Filed: 27/04/2003)

In Vincent Autuori's spit and sawdust Brooklyn bar, the air is spring-fresh and the ashtrays have been removed. New beer mats advertise nicotine substitutes. Hank's Saloon has never previously provided such a healthy environment to its punters. But towards the end of what would once have been a lively midweek session, there are no customers to serve.

"Who does this mayor think we are - West Coast health nuts?" says Mr Autuori, who can be seen at regular intervals, smoking a lonely cigarette in the street outside his bar. "Let me tell you, my father died from lung cancer at the age of 58 and I was still giving him cigarettes in hospital on his deathbed. New Yorkers should be able to choose to go to hell their own way. This is about a city's rights."

A few miles away, in downtown Manhattan, the waitresses at McCann's restaurant pub have given up waiting for a lunchtime diner. "No one's coming to eat here from work," says the bartender, Luke Sullivan. "There's a deli downstairs. They get their sandwiches from there and eat them outside, where they can have a smoke as well. Waitresses pay their rent with tips. Now they're not getting any."

Across New York City, similar laments can be heard. On March 30, the city's mayor, Michael Bloomberg, an ex-smoker, followed the example of California and outlawed cigarettes in the city's bars, restaurants and hotel lobbies. As in other workplaces, employees who work where others socialise are now to be protected from the dangers of passive smoking.

In the words of Gifford Miller, the New York City Council Speaker: "It was decided that people should not have to choose between their health and their jobs."

At a stroke, thousands of seasoned bar-room habitués have become reluctant exiles from their favourite corner seat. New York smokers now have the option of a street huddle or a solitary evening spent at home. Smoking sections are still permitted in rare cases, but will be banned by New York State in July. The adjustment to pariah status, for some, is proving a little traumatic.

Familiar landmarks of New York social life are subtly altered. In the Algonquin hotel, where Dorothy Parker held court in the years after the First World War, artists, writers and bohemians have been coming to smoke, drink and talk for generations. But now the cloud of cigar smoke has gone. Ashtrays line the fringe of the lobby. "People know they can smoke outside the building," says the hotel's unapologetic director of sales and marketing, Christina Zeniou.

"Fine, but the smell and the feel of the place has changed," says one frequent visitor. "It's very odd."

Coan Nichols, a film-maker sitting at the Old Town Bar, says: "Now New York is, like, nerdy. When you're in a bar, it's going to be like California. All the action is outside."

In some venues, desperate measures have already been taken. Jerry's Restaurant in SoHo is plying its customers with free pieces of Nicorette chewing gum. Telephone booths throughout the city are filled with adverts for anti-smoking patches, as Nicorette and other competitors seek to attract the attention of wandering smokers with no place to go.

In Delaware and California, the only other American states to enforce a total ban, a flurry of protests took place and quickly died down. But this is New York. Mayor Bloomberg has a fight on his hands.

An addiction has become a cause. For almost a month, smokers have sought to outwit the draconian paternalism of their mayor. For a while, impromptu street cafés sprang up, as drinks and cigarettes were taken outside, to be enjoyed in the spring sunshine.

The city council acted quickly to snuff out the rebellion. Fines for unlicensed drinking outdoors were raised from \$25 to \$150 and there is now the prospect of a jail sentence for repeat offenders.

Other recidivists have sought concessions on the grounds of long service on the paying side of the bar. Bitter arguments and the occasional fight have been reported, as regulars plead with owners to turn a blind eye. One bouncer at the Guernica bar in Manhattan's East Village was fatally stabbed during an argument with two customers who refused to leave cigarettes outside.

Rumours of "smokeasies" abound, and private smoking clubs are beginning to flourish. Meanwhile, a steady stream of

evening traffic has found its way across the Hudson river to New Jersey, where Mr Bloomberg's restrictions do not apply.

During Prohibition, Hoboken, New Jersey, became notorious for the illegal breweries and speakeasies that supplied the New York "mob" with alcohol. Refugee smokers are now resurrecting the district's former glory days.

Frankie and Johnnie's Steakhouse, famous for an appearance in a scene of *On the Waterfront*, has already become a focal point for anti-Bloomberg protests over a whisky and a cigar. On the first day of the ban, a "Bye Bye Bloomberg" party sent the message across the river to the mayor's smoke-free offices.

In New York City, as Mr Bloomberg shows he means business, the crackdown is intensifying. A new corps of smoke inspectors has been hired. From Thursday they will be empowered to issue fines beginning at \$250 to establishments choosing to ignore the rules.

Yet in the heart of Manhattan, ways and means are still being found to flout at least the spirit of the ban. At the Serafina Sandro restaurant, the chef, Sandro Fioriti, has resorted to cooking with tobacco.

Mr Fioriti is described by the restaurant's owner, Fabio Granato, as "an eccentric genius; a man who rolls his own cigars in the skin of green apples". He told *The Telegraph*: "As soon as I knew of Bloomberg's plans, I began to plot ways of thwarting him."

A special menu advertises homemade gnocchi with Empire English special blend tobacco, a filet mignon with Golden Virginia, and Tobacco Panna Cotta. A tobacco Grappa, designed to leave a lasting burning sensation in the middle of the throat, rounds the meal off. Mr Fioriti's kitchen is covered in tobacco dust.

"A lot of people are frustrated with the idea that Mr Bloomberg is ruining their nights out," said Mr Fioriti. "This was a way to allow them to express that frustration and it's proved so popular we're going to keep it on. And tobacco dishes leave a very interesting aftertaste. It gives the food a kick."

Harrie Lowe, an investment banker, has tried the tobacco gnocchi, but not as an act of defiance. "I approve of this ban," she says. "Why should people have their food ruined by a heavy pall of smoke that gets into everything, including clothes? I was in a restaurant recently where two women simply refused to stop lighting up, even though every other table in the restaurant had made a complaint. That is just rude behaviour."

Back at Hank's Saloon, Mr Autuori despairs. "This is not a polite town. We have hard drinkers and hard smokers here. Bloomberg might think it's a good idea to give up smoking, but you take away the soul of this place if you start ordering people to think and act the same as you."

The real argument, though, for many traders, is about New York's economy rather than its soul. In the past two years, the city has shed 223,000 jobs. Unemployment stands at a five-year high of 8.6 per cent. Earnings on Wall Street have crashed by almost one-third, and the war in Iraq has led to a further slump in numbers at restaurants, bars and cinemas.

"Why now?" says Mr Sullivan as he chews a piece of gum to ease his cigarette craving. "Maybe it is a good idea to have a no-smoking ban, although as a smoker I don't think so. But the way Bloomberg, comfortably a billionaire himself through his eponymous financial information service, has timed it is a disaster, another kick in the teeth for this city's earnings. People won't come in the same numbers. Takings are down and jobs will be lost. Do we really want that now?"

Deaf to the complaints from Brooklyn, Manhattan and the Bronx, Mr Bloomberg is confident that by the summer, the controversy will be forgotten. "A few years ago," said the mayor, "you could smoke in movie theatres, you could smoke in Yankee Stadium and Shea Stadium, and you could smoke in Madison Square Garden. We stopped that. After a week, the stories went away and so did the smoking. In the end, people will look back and say, 'You mean they did allow smoking back then? How archaic.'"

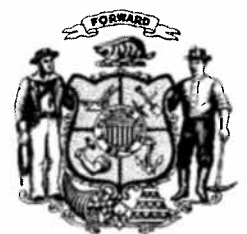
- ▶ 29 March 2003[Travel]: Check your cigarettes at the door
- ▶ 19 March 2003[Money]: US government bids to stub out tobacco giants
- ▶ 3 July 2002: Smokers pick up the tab
- ▶ 30 June 2001: Doubts over treatment by nicotine replacement

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WISCONSIN STATE LEGISLATURE



right job



The Chatham Daily News

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No smoking? No customers

By Ellwood Shreve

Friday, August 01, 2003 - 09:00

Local News - EDITOR'S NOTE: This is the first of a five-part series on what has happened in the first two months of Chatham-Kent's no-smoking bylaw.

Chatham-Kent may be smoke-free, but it has come at a cost to some businesses.

A bylaw banning smoking in enclosed public places and workplaces across the municipality came into effect two months ago. Since then, several local bars have experienced a serious decline in business.

Tony Almeida, co-owner of Eightball VIP Sports Cafe in Chatham, said the bylaw has had a "drastic impact.

"I would say sales have been impacted to the tune of 40 per cent or more," he said.

This drop in business forced the local bar to let go of two longtime employees. And since July 8, the business began opening at 4 p.m. instead of 11 a.m.

"We cannot afford to keep three or four people when sometimes we had no customers at all (during the day)," Almeida said.

The regular smoking customers, who enjoyed coming into Eightball during the day for a drink and to sit around the bar and socialize, now go to local bars that have patios where they can smoke.

Almeida said a plan was submitted to close off the front pool room area of the Richmond Street bar and replace the front windows with garage doors that could be opened to create a patio area. He was told the area would not be classified as a patio because it had a roof.

Mike Mrkalj, owner of Sam's Hotel in Wallaceburg, said business "went down drastically" after the bylaw came into effect.

"(Business is down) probably 60-70 per cent (at night) and 90 per cent in the daytime," he said.

He's had to lay off a few employees and expects he will have to let go of another few soon.

"I don't make enough money to keep them," Mrkalj said.

On one recent day, Mrkalj said he had five customers over the lunch hour where he would normally have 30 to 40.

He said he's lost some regular lunch customers from the Port Lambton area, who can stay close to home and have a smoke in Lambton County, where there's no smoking bylaw — yet.

Lambton is in the process of holding public meetings about a proposed countywide smoking bylaw that would be the same as Chatham-Kent's.

In the meantime, the Dresden Raceway, home of the Dresden Slots, is losing business to the Hiawatha Racetrack Slots in Sarnia.

"Some of them (our customers) have commented, 'I just don't enjoy it anymore (if) I can't smoke.' So they go to Sarnia," said Lorrie Brown, general manager of Dresden Raceway.

Essex County has passed a smoking bylaw similar to Chatham-Kent's and the City of Windsor is holding public meetings to consider banning smoking in all public places and workplaces.

Chatham Coun. Anne Coulter, who introduced the motion to have Chatham-Kent adopt a smoking bylaw, doesn't doubt some businesses, such as bars, are faltering during its implementation.

She has heard from bar owners about the challenges they are facing, but noted, "I think we have to give (the bylaw) some time."

Coulter believes the health benefits of going smoke-free should be given top priority.

"At some point, we have to weigh the health of the general population against what's happening at bars," she said.

"I think it's short-term pain for long-term gain," Coulter added. "If our community is healthier in the end, it's a gain."

Wallaceburg Coun. Chip Gordon, who is chairman of Chatham-Kent board of health, said he believes in the bylaw 100 per cent.

"I understand (the challenges bars are facing)," said Gordon, "but the public, itself, is glad that (the bylaw) is here."

He has also heard from businesses which are happy about the bylaw and the fact the municipality is the one to implement it.

Gordon said one business owner told him: "Thank goodness you did it, because it would be hard for me to do it."

The bylaw appears to have had a lesser effect on restaurants, but it is still being felt by some.

Spiro Dikaliotis, owner of Spiro's Restaurant in Chatham, said, "it's nice and clean (without smoking), but we lost some business."

He estimates 75 per cent of his customers are smokers.

Dikaliotis is seeing a quicker turnover of customers, because they can't sit in the restaurant and smoke and have a coffee. Many of his customers now take their coffee to go, but some don't come back to have breakfast or lunch like they used to.

However, Dikaliotis believes a sluggish economy has played a larger part in business being down.

Dan Chabhar, owner of Crabby Joe's Tap and Grill, has welcomed the bylaw. He said he is seeing more families coming into his Grand Avenue West business.

"I think it's (a) cleaner (environment) and I think it gives people a better reason to come out," said Chabhar, who is a smoker.

Chabhar said he expected this would be the case because more of his customers were non-smokers.

Although Dikaliotis said "sometimes it looks like a deserted place in here," he believes the bylaw will be better for everyone in the long run from a health perspective.

He also believes people will accept it, predicting smoking likely won't be allowed in public places and workplaces across Ontario.

Gordon believes restaurants and bars that prepared for the nine-months lead time before the bylaw was implemented are doing well.

Kay Lall, owner of the Upper Krust restaurant on St. Clair Street in Chatham, made her business smoke-free a year before the municipal bylaw went into effect.

She said business has been "really good" since she went smoke-free.

There were a few complaints, but Lall said "I never did have anybody say, 'I'm not coming back because I can't smoke.'"

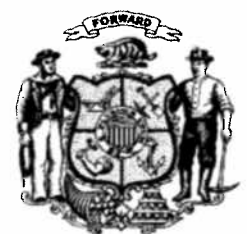
• With files from The Sarnia Observer

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WISCONSIN STATE LEGISLATURE



Tue, May 31, 2005

Smoking ban alters restaurant dynamics

By Rick LaFrombois

For the Journal

WAUSAU - Eagle's Nest Restaurant owner Melissa Butt had just finished explaining Thursday that business has improved since Wausau enacted a ban on smoking in restaurants when a couple walked in and asked if she again was allowing smoking.

The couple, Jeff and Loretta Robl of Weston, knew that Wausau had temporarily shelved enforcement of its ban in order to iron out its wrinkles, and they were looking to have a smoke before eating a meal.

When Butt informed them that her restaurant would remain smoke free, the Robls turned around, walked out and drove less than a mile down Grand Avenue to Tri-City Family Restaurant in Schofield, where smoking is allowed.

For every smoker who no longer frequents the Eagle's Nest, 2105 Grand Ave., Butt said 10 nonsmokers have taken their places. Many were former customers who had grown tired of the secondhand smoke, she said.

Butt's story lends credibility to what advocates of a ban on smoking have said all along - that its effects could drive customers both ways. Although that appears to be true, most anecdotal evidence, albeit preliminary, points to an exodus of smokers from Wausau restaurants that had allowed smoking, especially from family diners that traditionally have played host to coffee and nicotine klatches.

Mayor Jim Tipple said he has received numerous calls and visits from restaurant owners who claim ~~the ban has hurt their businesses.~~

"Some of the migration is happening," he said. "The Diner had 20 customers a day; he's down to two."

The owner of the Blue Willow Cafe, 1111 N. Fourth Ave., just blocks away from The Diner, 628 N. Third Ave., was quite upset about the loss of customers since the ban took effect May 16. Both restaurant owners also have suffered from a decline in customers attributed to a seven-month-long road reconstruction project on Merrill Avenue.

Red Apple Restaurant owner Zack Jusufi is trying to turn his South Third Avenue neighborhood diner into a private club to keep his smoking customers from going to Rib Mountain or Schofield.

And Mary Steinke, a waitress for 13 years at Green Forest Family Restaurant, 1702 Grand Ave., says her income has dropped dramatically since Wausau's smoking ban took effect.

"(Smoking customers) heard it's coming and said, 'Well, we won't be in,'" she said. "My mother-in-law - she's a smoker - she hasn't come in since the smoking ban.

"People read the paper, and they know where the boundaries are. They get around it, and they are."

Apparently not everyone reads the paper or knows the boundaries, because restaurant owners in Schofield, especially on Grand Avenue, continually have had to inform customers that smoking still is allowed.

Stevens Point Journal - Smoking ban alters restaurant dynamics Page 2 of 2

"Some think we're smoke free, too," said Francisco Rubio, owner of El Tapatio Mexican Restaurant, 280 Grand Ave. in Schofield.

The same holds true for Rocky Jusufi, owner of Tri-City Family Restaurant, 525 Grand Ave., in Schofield. (Rocky is not related to Zack Jusufi.)

"A lot think the smoking ban is for the whole county," Rocky Jusufi said. "A lot of people think this is Wausau, too."

Jared Maahs, manager of the Log Cabin Restaurant, 1522 Metro Drive in Schofield, said some customers are surprised when they're given a choice of smoking or nonsmoking dining.

"A lot of people assume we are nonsmoking," he said. After being informed, some run out to their car to get their cigarettes.

"Our smoking section has picked up a little bit more since the ban," he said.

What is clear is that by forging its own path, Wausau has changed the dynamics of restaurant patronage in and around the city.

A Wausau-area or countywide ban would have created less confusion and an even playing field, Tipple said.

"Which is what I said all along - get all the cities to do it together," the mayor said.

That's exactly the kind of thinking Butt wishes city leaders would have done before they passed a ban on smoking in April, which then went into effect May 16.

Enacting a ban, then stopping enforcement Tuesday to revise it, has only added to the confusion, she said.

"To jump back and forth, it's not good for the people and it's not good for business," said Butt, 28. "It's either yes, or no."

Loretta Robl, 52, of Schofield said she and her husband, Jeff, 53, would prefer to eat at the Eagle's Nest, "but we both want to be able to come in, relax and have a cigarette before dinner."

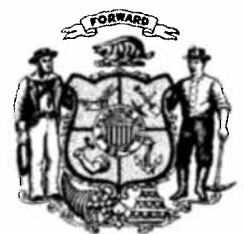
Butt decided to keep her restaurant smoke free while the city irons out its smoking ban, because she had spent weeks preparing her customers for what was to come.

"If you like the food, the prices, you will continue to come back," she told them.

To smokers who want to continue to frequent her restaurant, she offered this suggestion: "Smoke outside."



WISCONSIN STATE LEGISLATURE





Smoking Ban Smoke Screen

Thursday, November 20, 2003

By Radley Balko

FOX NEWS

Soon, the Washington, D.C., city council will likely tell business owners in Washington, D.C., that they can no longer allow their own customers to smoke. This is because the Washington, D.C., city council has determined that it, not business owners, knows best how to run a business in Washington, D.C.

The city council believes that forcing private businesses to go smoke-free will lure more families out to the city's bars and restaurants. It also believes that a smoking ban protects the city's bar and restaurant workers. By enacting a "smoke-free workplaces" ordinance, the city council has determined that it, not individual employees, is better equipped to decide whether a given waiter or bartender would prefer to work in a restaurant that does or doesn't allow smoking.

Similar policies have, of course, already been enacted in California and in New York City. But there's something particularly disheartening about city officials in the capital of the free world telling their own citizens that they're no longer permitted to light a cigarette, and that business owners are no longer permitted to run their own operation in a way they see fit.

Here's the grabber: The movement to make Washington smoke-free isn't coming from actual Washingtonians. "Smoke Free D.C." is underwritten by a \$250,000 grant from the Robert Wood Johnson Foundation, a non-profit "public health" organization based in New Jersey. The movement was given \$50,000 by the Rockefeller Family Fund, which is based in New York.

The AFL-CIO of Washington enthusiastically supports the ban, claiming in a press release that "secondhand smoke causes 65,000 deaths per year in the United States."

That number is absurd. It's 20 times the estimate of secondhand smoke deaths put out by the Center for Disease Control, and even the CDC's estimate was recently laughed out of a federal court.

If the AFL-CIO really represented the interests of Washington's bar and restaurant workers, it would realize that a smoking ban in the city will cost both industries jobs. Unlike in California, which initiated a statewide ban, Washington is just a short hop from the Virginia suburbs. Virginia's a tobacco-growing state, where a similar ban would face considerably more opposition. A smoking ban in D.C. would simply move D.C.'s smokers to Virginia nightlife, and the accompanying nanny-state culture that comes with these bans will probably further starve the city of the younger permanent residents it claims it wants to attract.

~~One need only look across the border to Maryland. Montgomery County was one of the first jurisdictions in the country to initiate a public smoking ban, and according to the Restaurant Association of Maryland, smaller bars and restaurants have been wounded by it—business is off by about 30 percent on weeknights, 50 percent on weekends. Regular smokers and social smokers simply patronized bars in Washington and other areas in Maryland where smoking was permitted.~~

~~A 50-percent drop in weekend business at most independent restaurants means fewer hours and fewer positions for wait staff, cooks, busboys and bartenders. I would guess that every one of those laid-off restaurant workers would gladly trade the negligible, questionable risks associated with secondhand smoke for a return to a regular paycheck. The AFL-CIO apparently sees differently.~~

The odd thing about all of this is that there are plenty of options for nonsmokers who don't want to be bothered with secondhand smoke. The market is serving them just fine. Smoke Free D.C. in fact runs a [list of smoke-free restaurants](#) on its Web site.

But that's not enough. The fact that Washington residents can currently choose between establishments that do or do not allow smoking somehow smacks anti-tobacco activists as oppressive. The goal isn't to ensure that everyone has options, it's to make sure everyone is forced to choose the option they've deemed appropriate.

Make no mistake, the aim of the well-funded organizations pushing smoking bans across the country has nothing to do with protecting nonsmokers from secondhand smoke. As columnist Steven Chapman points out, the idea that this is about protecting restaurant workers from risk is a canard. The added health risks of secondhand smoke are negligible at best, and they're certainly no worse than the risks incurred by cab drivers, fishermen and those in similarly dangerous occupations.

There's nothing wrong with public health education. Endowments and foundations set up to educate the public on the dangers of smoking, obesity or eating bad clams are fine, even admirable. And we certainly want to encourage science-based studies to determine what we should be eating, drinking or undertaking to best embrace a healthy lifestyle.

But the money behind these smoking bans goes well beyond mere education and advocacy. These groups are now looking to codify that advocacy into law, at the expense of property rights, consumer choice and [personal freedom](#).

It's fine for a private organization to tell me I shouldn't smoke (I don't, by the way). It's something entirely different when that organization brings the state in to tell me I'm not allowed to let anyone smoke on my property.

The former is advocacy. The latter carries whiffs of tyranny.

Radley Balko is the author of the forthcoming Cato Institute paper "Back Door to Prohibition: The New War on Social Drinking." He maintains a weblog at www.TheAgitator.com.

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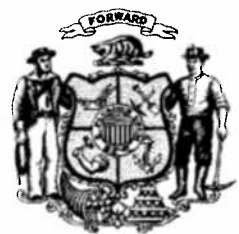
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More than 70% of bars and pubs hurt by New Brunswick smoking ban

(December 9, 2004) New Brunswick's smoking ban is having a negative impact on the province's bars, pubs, taverns, legions and nightclubs, with 71% reporting a sharp decline in liquor sales during the first month of the ban, which took effect October 1, 2004.

The result is from a comprehensive survey sent by the Canadian Restaurant and Foodservices Association (CRFA) to liquor-licensed establishments across New Brunswick, including restaurants, bars, pubs, legions, nightclubs, billiard halls, bowling alleys and private clubs. The association received 223 completed surveys evenly split among licensed restaurants (50%), pubs and bars (34.0%), and other licensed establishments (33.5%) including nightclubs, legions, bowling alleys and billiard halls. With a sample of this size, the results are accurate to within ± 7.0 percentage points, 19 times out of 20.

The smoking ban is having a devastating impact on the small businesses that dominate the pub, bar, tavern and nightclub sector of the hospitality industry. Fully 79% of drink establishments report the smoking ban is having an impact and 71% say the impact is negative. Pubs, bars and taverns report an average decline in liquor sales of 23.9% compared to a year earlier, nightclubs a decline of 34.5% and legions a decline of 18.5%.

The frustration felt by many New Brunswick hospitality business owners is highlighted in written comments on many of the completed surveys:

"Had I known that the government was going to cut my business in half, I wouldn't have spent \$45,000 on renovations." (Lounge, Moncton)

"Customers are staying home rather than standing outside." (Pub, Miramichi)

"Many customers now eat and run, leaving to smoke in their vehicles instead of staying to have a second beverage." (Pub, Saint John)

"My restaurant has been non-smoking for three years but less customers are coming to the bar before or after eating." (Restaurant & Bar, Grand Bay)

"Where are all the non-smokers who said that they would go out to eat more often if there weren't any smoke?" (Bar & Grill, Campbellton)

"Well ventilated smoking rooms should be allowed." (Bowling Alley, Cap-Pele)

"We have New Brunswick's biggest native reserve 4 kilometres away where smoking is allowed. My liquor sales are down 40%." (Bar, Richibucto)

"I had to hire two more bouncers for cigarette surveillance." (Nightclub, Grar Falls)

"Our business has seriously declined. The smokers say that instead of being forced outdoors they would prefer to drink their beer at home where they can smoke." (Bar, St. Francois)

"Bar sales are suffering the most. Food sales are off and didn't increase as cr suggested." (Restaurant & Bar, Saint John)

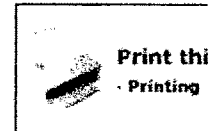
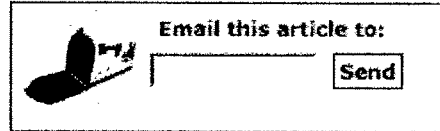
"Liquor sales are off 75%. I will be forced to close if smoking ban is not lifted." (Bar, Burnt Church)

"Help!" (Pub, Fredericton)

The survey reveals that the impact of the smoking bans is substantially different for restaurants than it is for pubs, bars, taverns and nightclubs. An even 50.0% of rest report no impact from the smoking ban, with many noting they voluntarily stopped their dining rooms before the legislation was introduced. Another 15.2 % of restaur ban is positive for business, while 22.7% say it is hurting sales and 12.1% aren't st or not the smoking ban is having an impact.

New Brunswick's smoking ban was rushed through the provincial legislature earlier without public hearings. "The industry presented a comprehensive plan that would l protected customers and employees from exposure to second-hand smoke while mi impact on small business," says Luc Erjavec, CRFA's Vice President, Atlantic Canada government chose to ignore a reasonable solution with the result that businesses a and job losses are resulting from this heavy-handed legislation."

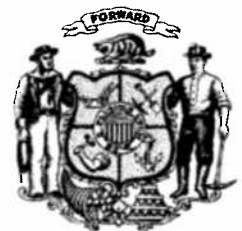
The CRFA advocates indoor air quality standards that protect customers and employees from exposure to second-hand smoke. The provinces of Nova Scotia, PEI, and British Columbia, together with scores of municipalities like Calgary and Toronto, permit properly ventilated designated smoking rooms (DSRs) which have saved many small businesses from closure.



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Posted June 09, 2005

Editorial: Wisconsin should be smoke-free in all workplaces

We might as well face the facts that Wisconsin one day will become a smoke-free state in the workplace. The soundness of reasons to ban smoking in public places is behind this presumption.

Last week, the Tavern League of Wisconsin initiated a last-minute effort to create a statewide smoking standard, of no smoking except in bars and bowling alleys. It's the League's attempt to stave off smoking bans that become effective July 1 in Madison and Appleton.

The League's thinking is correct. Wisconsin shouldn't be a state where cities have different smoking ordinances. It causes confusion for travelers. In Oshkosh, the smoking ordinance singles out restaurants over other businesses. That's not right.

But the League's thinking needs to stretch further than its members' interests. An argument for a uniform smoking law in the state is an argument against smoking in any public place in the state. It's logically impossible to describe the dangers of second-hand smoke, for example, as being any less a risk to an employee in a restaurant than to an employee of a tavern. Or for a restaurant patron versus a tavern patron.

Nationally, the trend looks like states are going smoke-free in the name of a uniform public health standard. Last week, Vermont became the ninth state in the nation to make offices, restaurants and bars in the state smoke-free. It's now the ninth such state to pass laws to ban smoking in all public places. The other states are California, Connecticut, Delaware, Maine, Massachusetts, New York and Rhode Island. Vermont will go smoke-free Sept. 1. Montana has passed legislation to go smoke free in 2009.

In a way, it's surprising that Wisconsin isn't even on the list of states with



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partial bans on smoking. Idaho has a ban on smoking in offices and restaurants but not bars. Our outdoors ethic, our recreation ethic and our health ethic make it a "natural" fit that our state should register on some lists of smoke free public places.

The cities, towns and counties of Wisconsin need uniform ways to address public health issues. We add our voice to having a smoke-free Wisconsin. Let's ban smoking in any place where people congregate — in businesses, in public buildings, in restaurants, in bowling alleys and in taverns.

Anything short of a full ban is a sell-out of the logic behind having a smoke-free workplace in the first place.

The Final Thought: Wisconsin should become the next state in the nation to become a smoke-free state for all places where people work, play or congregate.

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Posted June 08, 2005

Editorial: Smoking 'ban' bill takes state in wrong direction

It sounds like Jeff Fitzgerald doesn't like Appleton's smoking ban. Who's Jeff Fitzgerald?

Good question.

Jeff Fitzgerald is a state representative from Horicon, which is in Dodge County in south central Wisconsin. Fitzgerald and his brother, Scott Fitzgerald — a state senator from Juneau, which also is in Dodge County in south central Wisconsin — have co-authored a bill that would prohibit smoking in the dining area of restaurants statewide but allow it in the bar area of restaurants and in taverns.

The Fitzgerald brothers' bill also would pre-empt any local municipalities from setting up their own smoking ordinances. That means if their bill becomes law, Appleton's smoking ban goes away, as would other smoking bans in communities across the state. For the sake of public health, that would be a bad thing.

For some reason, Jeff Fitzgerald chose to single out the majority of voters in Appleton's smoking ban referendum for their decision.

In a press release announcing that his bill had passed through an Assembly committee — a committee he chairs, by the way — Fitzgerald took Appleton to task, saying, "When veterans smoking at the local VFW and pedestrians smoking on the sidewalk by the library are considered law-breakers, I think most of us would question the logic."

Kudos to Fitzgerald for playing the veterans card as he rips us. We can

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see him waving the flag through the smoke. But Fitzgerald and his bill miss the bigger point. Smoking bans like Appleton's are meant to protect not only customers of businesses from second-hand smoke, but employees of businesses, too.

The Fitzgeralds' legislation — supported by the Tavern League of Wisconsin — takes the state in the wrong direction. Instead of allowing more communities to enact a similar ban, which we hope will lead to a true statewide smoking ban, this bill would add a cloud to the public health of state residents.

Maybe it's easy to criticize Appleton if you're in Dodge County or in Madison. In the long run, we think we've got the right answer. If forced to vote on this bill, the Assembly should reject it.

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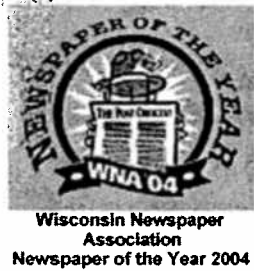
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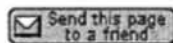
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Snuff out AB 414

A Daily Press editorial

The Daily Press

Last Updated: Friday, June 10th, 2005 09:46:26 AM

On Tuesday, the state Committee on State Affairs took a first step toward overturning Ashland's smoke-free dining ordinance, Phillips' smoke-free dining ordinance and similar ordinances in 19 other Wisconsin communities.

Ashland, Phillips and the others enacted the ordinance in recognition that second-hand smoke isn't just an annoyance. It's a health hazard — a health hazard great enough that the Centers for Disease control has advised anyone with cardiovascular disease to avoid anyplace where there is indoor smoking.

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lawmakers are passing a bill that would allow no smoking ordinances stricter than state laws.


AB 414 is endorsed by the Tavern League of Wisconsin, but opposed by the American Cancer Society, American Heart Association, American Lung Association, Wisconsin Medical Society, League of Wisconsin Municipalities, Wisconsin Association of Local Health Departments and Boards, Wisconsin Public Health Association, Wisconsin Restaurant Association and the Wisconsin Department of Health and Family Services.

Wisconsin tobacco control and prevention groups — funded in part with state grants — have been working diligently to protect public health in Wisconsin by encouraging communities to pass smoke-free ordinances.

Their good work shouldn't be undone. The Legislature should stick this bill in the ashtray.

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Editorial: Statewide 'ban' plan could make Wisconsin smokier

In February, *The Post-Crescent's* editorial board came out in favor of a statewide ban on workplace smoking as an even better idea than the smoking ban Appleton passed locally April 5, which we also supported.

We said a statewide ban would protect business owners from the turf advantage they say local smoking ordinances give out-of-town competitors. At the same time, it would protect restaurant and tavern patrons and workers from the noxious effects of second-hand smoke.

But the proposal governing workplace smoking some state legislators are pushing isn't what we had in mind. It's not a ban. While it protects business owners — assuming that smoke is good for business — it does nothing to expand protections for employees or customers.

In fact, it might expose them to more smoke by pre-empting stricter local ordinances, like the bans Appleton voters passed April 5 and set to go into effect in Madison July 1.

While Appleton and Madison would prohibit smoking in taverns and restaurants altogether, the Tavern League of Wisconsin-backed legislation specifically permits smoking in certain restaurant bars and would let restaurant owners continue to designate smoking sections in dining rooms.

Most significantly, the proposal is silent on smoking in taverns and no local ordinance could supersede the statute. The state's silence would be its consent.

The proponents complain the municipalities and counties that have imposed or appear poised to enact their own rules about smoking are creating "a hodge-podge of different local regulations."

That's true. The rules are all over the place. Unfortunately, instead of cleaning up the air, the legislators would foul it with this legislation.

The proposal steers the state in the opposite direction of progressive communities that have decided to put public health ahead of minority special interests, and most other states, which have either passed or are considering smoking bans in restaurant and bars.

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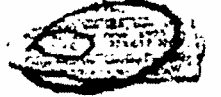
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The bill is another reminder of the regressive influence lawmakers permit the Tavern League to exert on public policy in Wisconsin, which was among the last states in the country to lower the blood-alcohol standard for drunken driving from .10 to .08 percent.

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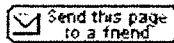
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Don't mess with the city's smoking ban

Doug Mell
Leader-Telegram Staff

Walk into any Eau Claire restaurant and you can breathe clean air. It is against city code to smoke in a restaurant here, and business couldn't be better.

Now some Republican legislators who are carrying water for the Tavern League of Wisconsin want to take away the ability of local governments to pass smoking bans. The measure was detailed Sunday by Leader-Telegram reporter Tom Giffey.

This legislation is so bad on so many fronts it would be laughable if it wasn't so dangerous. The Republicans who control the Legislature should be ashamed of themselves if the bill even gets out of committee.

The bill's proponents are twisting their rhetoric to try to convince the public that the measure actually would be good for those who want to eat out and not breathe tobacco-polluted air. After all, they call their measure the "Smoke-Free Dining Act."

Sen. Scott Fitzgerald, R-Juneau, contends the measure would strengthen a part of state law dealing with restaurant smoking. But it would prevent local governments from adopting measures that would be tougher than the state's.

The bill has caught the attention of local and state health officials. They have started working to ensure it goes up in smoke.

"It's a joke that they call it that," said Alison Prange of the Wisconsin branch of the American Cancer Society. "It would preempt all local control, and the city of Eau Claire would have its hands tied," she said.

Under Eau Claire's ordinance, an establishment must ban smoking if more than 50 percent of its business comes from food rather than alcohol. Under the measure pushed by Scott Fitzgerald and Rep. Jeff Fitzgerald, R-Horicon, "a person in charge or his or her agent may designate smoking areas in places where smoking is regulated."

This creates a loophole in the law that renders it meaningless.

James Ryder, director of the Eau Claire City-County Health Department, said the legislation could bring smoke back into Eau

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Claire's eateries. The bill would mean that in Eau Claire and similar cities "you can kind of smoke somewhere" in restaurants.

"It's kind of like urinating in the swimming pool somewhere," he said of the taint of secondhand smoke.

The Fitzgeralds argue that free market forces should determine whether a restaurant or bar allows smoking. That argument may have validity if — and this is a big if — the only people who went to the business did so voluntarily.

But what about the workers who would be forced to work in that hazardous atmosphere? How about the people who make deliveries to the business and would have to suck in the poisonous smoke?

And despite the Fitzgeralds' claims, no-smoking areas rarely work. Tobacco smoke wafts into all areas of a building, making for an unpleasant dining experience.

Passing this legislation would be one more indication Republicans are walking away from their professed belief in local control.

The smoking ban in Eau Claire has worked well. The Legislature should mind its own business — even at the risk of making the Tavern League mad — and reject the Fitzgeralds' proposal.

— Doug Mell, managing editor

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State shouldn't snuff out smoking bans

(Published Wednesday, April 13, 2005 10:39:52 AM CDT)

Last Tuesday, Appleton joined the growing list of Wisconsin cities with smoking bans. Fifty-six percent of Appleton's voters backed an ordinance prohibiting smoking in workplaces, including restaurants and bars.

The ban will take effect July 1. But if a proposal circulating in Madison catches fire, it could snuff out any local no-smoking ordinance that is stricter than state law. Janesville's is among them.

Janesville's rule, enacted in 2003, bans smoking in restaurants that sell more food than drink. Restaurants can allow smoking in enclosed rooms with separate ventilation systems.

If the Tavern League of Wisconsin gets its way, ordinances in Janesville and 18 other communities would go up in smoke, says Lynn Morgan, an American Cancer Society lobbyist.

The proposal is dubbed the "Smoke Free Dining Act." That makes it sound like an admirable attempt to ban restaurant smoking at the state level. But Morgan argues that it's a thinly veiled effort to weaken smoke-free standards and block progress. Smokefree Wisconsin, the American Heart Association and the American Lung Association have joined the Cancer Society in opposing the proposal.

Morgan claims the draft bill creates a loophole with language that states, "a person in charge or his or her agent may designate smoking areas in places where smoking is regulated." In other words, a business owner could decide to opt out of the law. And because no community could have an ordinance stricter than state law, well, light up, everybody.

Republican brothers Sen. Scott Fitzgerald of Juneau and Rep. Jeff Fitzgerald of Horicon support the bill, Morgan says. Because they're in the majority party and the Tavern League is pushing lawmakers to sign on by today, it's a serious initiative.

Ironically, today is national 10th annual Kick Butts Day.

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The tobacco industry is pushing similar legislation around the nation using a strategy documented in internal policy memos, Morgan says. Minnesota just rejected a similar bill. Illinois is in the process of repealing its legislation, she added.

The Tavern League obviously believes smoking bans will reduce alcohol sales and profits at member bars. While the march against smokers continues, the league apparently believes its lobbying would catch more ears in Madison. The alternative is for the league to chase all over every time another community gets ready to act.

Lawmakers should seriously consider whether this idea is in the best interests of the deep-pocketed Tavern League or the majority of their constituents.

Residents who appreciate smoke-free dining should urge their legislators to strengthen, rather than weaken, smoking restrictions.

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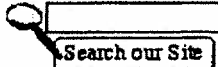
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Wausau voters spoke in no uncertain terms last November when they told city leaders, by almost a 60-40 margin, to enact a citywide smoking ban.

Six months later, City Council members appear finally ready to vote on a final ordinance that prohibits tobacco use in restaurants but allows it in taverns, defined as businesses that are open only to adults and that gross at least 51 percent of revenue from alcohol sales.

It has been a long - too long, in our opinion - process that has included public hearings and the direct involvement of restaurant and tavern owners. Final wording has been arrived upon after compromise over how best to define a bar. It's time to enact it and get on with other business.

Critics, though, aren't willing to let it go at that.

Perhaps provoked by the anti-smoking proposal in Stevens Point, which would have included taverns and was defeated last week, ban opponents have continued to fight Wausau's ordinance.

Their latest tactic is to lobby local government officials and persuade them to delay ordinances while the state considers a no-smoking law of its own.

If Wausau City Council members follow that advice, they'll be betraying their constituents - and making a fool's bet in the bargain, given the inability of this Legislature to take action on many substantive, difficult topics.

The bill being circulated in Madison would - in yet another effort to strip control from local elected bodies - override any municipal ordinance.

According to the American Cancer Society, it would ban smoking in restaurants but allow it in restaurant bar areas, which wouldn't be required to be separate from dining areas. And it would allow taverns to declare their own smoking policies.

In essence, it would be a statewide law overturning 19 municipal ordinances that already have been passed, allowing smoking almost everywhere.

To his credit, Gov. Jim Doyle said he likely would veto such a bill if it ever landed on his desk, saying that local residents should determine local laws.

He's right. And in Wausau, local residents have spoken.

City Council members should pass Wausau's ordinance without further delay.

Help guide LIFE

Local tobacco use is just one of the categories calculated in the Local Indicators for Excellence, or LIFE in Marathon County report, compiled by the Community Planning Council every two years.

From perceptions about quality of life to statistics on everything from teen birth rates to housing costs, the LIFE report reveals a comprehensive snapshot of local conditions.

That helps drive public policy and focus resources on needed initiatives. The 2003-2005 report, for example, identified 10 top priorities, and action teams were brought together to address many of them.

Now it's time for the survey process to begin again - for our community to track the progress it has made or hasn't made and to review our priorities.

This year will be different, however.

The previous four surveys were done by phone, but technology - wider and wider use of cell phones - has made getting random samples difficult. And many people simply don't answer their phones when caller ID features reveal unfamiliar numbers.

This year, 4,000 surveys are going out by mail to random addresses. They're four pages long and their 30 questions take about 10 minutes to complete.

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Herbert Florczyk prepares to venture into Johnnie's Bar, 116 N. Main St., to spread his word about smoking. He would like to see each bar have a smoking and non-smoking section. Jen Cullen photo

In a haze: Crusader would take the smoke out of bars

Thursday, April 14, 2005

By Jen Cullen, Reporter, jcullen@rivertowns.net

Walk into a fitness center, call everyone fat and you might not come out alive.

Walk into a booze-soaked bar, preach about the evils of smoking and, well, you get the picture.

Those odds don't stop River Falls resident Herbert Florczyk. He's on a mission - even if it kills him.

Florczyk said his plan is simple: He walked up and down Main Street last week distributing to bar owners and managers literature from www.smokefree.net claiming bars that go smoke-free don't see a big decline in business.

That may be true, say some local bartenders, but that doesn't mean they have to listen to Florczyk's message.

"I just blew it off," said Johnnie's bartender Patti Lindquist. "People know it's smoky and they either come in or they don't."

In fact most of the customers at Johnnie's Bar, 116 N. Main St., smoke. Lindquist, a bartender for 18 years and a smoker, said about 60% of the regulars choose to light up.

The bar, she said, does its best to keep the place ventilated.

Lindquist doesn't see bars like Johnnie's going out of business if a city or state-wide smoking ban affecting bars is imposed. (In 2003 the city passed a smoking ban for businesses making more than half of their income from food).

She does, however, know it would have some effect.

"I think it would totally turn business around," Lindquist said. "Smoking goes hand-in-hand with drinking."

That's not true for the crusading 76-year-old Florczyk.

He likes an occasional drink. And if it's not alcohol he's after, he still wouldn't mind stopping by a local bar for a taco or a diet soda or some camaraderie.

"But if I have to go in with a gasmask on, it's not worth it," he said. "I could talk someone's ear off, but not while I'm

choking down smoke.”

So Florczyk is in the business of offering advice.

After all, it's not his health he's solely concerned about.

Florczyk, who smoked for 24 years, also worries about the health of teens and children who have no choice but to sit in a smoke-filled bar with their parents.

During his Main Street campaign last week, Florczyk discussed with managers and owners the possibility of creating separate rooms for smokers and non smokers.

Use modern-day technology, like ionized filters, he suggested, to create an enjoyable atmosphere for all.

However, in smaller Main Street bars like Mel's, Johnnie's and Emma's – with some \$5,000 worth of ventilation equipment already – space is hard to come by.

And if the current customers aren't complaining, there's no point in changing unless the law requires it.

“We get a lot of people in here who show up because they can't smoke at the (South Fork) Café,” said Bo's 'N Mine bartender Lisa James, a former smoker. “Most people know what to expect here, but with the way things are going in other cities I could see us having to go smoke-free.”

He may seem like a die-hard crusader for smoke-free bars. Florczyk is in a way.

But Florczyk said he doesn't want to see the government force bars to axe smoking. He would prefer owners and managers get together on their own and come up with a plan.

“I don't want to see them go out of business,” he said. “They may tell me to get lost, but I want them to know about what's happening in other states. They're not losing business. They're doing just fine.”

Blame, however, for health issues involving children and smoking cannot be placed squarely on bar owners' shoulders, Florczyk said.

The government is dropping the ball when it comes to keeping children safe from smoke, he said. Age restrictions for buying cigarettes are strictly enforced but those same children, Florczyk said, are allowed to breathe in smoke while in public.

Learn the facts. Don't smoke. Protect children. Visit www.smokefree.net. Florczyk said that's his message.

He hopes it saves some lives.

Keep smoking ordinance authority local

A Daily Press editorial

The Daily Press

There is presently a bill circulating through the state legislature called the "Smoke Free Dining Act." That's a good-sounding name. It makes one think the state is looking at backing an effort to ban smoking in restaurants.

Unfortunately, that's not the case.

Story Continues Below

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What the "smoke-free dining" act really does is take away the ability of local governments to decide what kind of smoking policies they want for their community. Control of smoking rules would be placed with the state legislature, prohibiting any local municipality from creating its own strong local non-smoking ordinances.

That means the smoke-free ordinances in Ashland and Phillips, along with 17 other Wisconsin communities would be wiped off the books.

Not a good idea.

The American Cancer Society, Smokefree Wisconsin, American Heart Association and American Lung Association all think its a bad idea, too. Those group all realize the effect of the bill would be to weaken, rather than strengthen protections against second-hand smoke — a proven contributor to cancer and lung disease.

It is contradictory that the Legislature would help fund tobacco control and prevention programs throughout the state, and then step in to undo the work those very tobacco control groups have been helping promote. Who stands to gain the most from this bill? Big tobacco. In fact, tobacco industry internal memos document a strategy of taking away local control of smoking ordinances as being effective in keeping cigarettes in the hands of diners — and the smoke from those cigarettes in the lungs of the unfortunate person sitting nearby.

This bill should stay in a smoky back room, where it belongs.

State Law May Trump Madison's Smoking Ban

Madison Set To Go Smoke Free July 1

POSTED: 8:33 am CST April 1, 2005

UPDATED: 11:54 am CDT April 4, 2005

MADISON, wis. -- If you like to light up with a drink or after dinner, you won't be able to smoke in Madison much longer.

The new smoking ban is set to take effect in the city July 1. But now, a state lawmaker says cities shouldn't be in charge of things like that. Smoking is already banned in restaurants. On July 1, smoking will also be banned in bars.

Rep. Scott Fitzgerald wants the state to enforce a uniform ban that would trump Madison's ban. His plan is to keep the smoking ban -- only for restaurants.

Madison mayor Dave Cieslewicz supports city control of smoking laws.

"Alderpersons and people support (the Madison ban) and for the legislation to short-circuit the process and impose it on the people of Madison is a tremendous mistake," Cieslewicz said.

Local business owners, such as the owner of the Esquire Club, said the city's ban will hurt their business' bottom line and drive diners to surroundings cities not covered by a ban.

Original URL: <http://www.jsonline.com/news/editorials/apr05/321261.asp>

Editorial: Enact statewide smoking ban

From the Journal Sentinel

Posted: April 25, 2005

In Shorewood, Village President Mark Kohlenberg is calling for a ban on smoking in all public places, with exemptions for the four bars and restaurants where smoking is now allowed. The effort in Shorewood and other communities in Wisconsin reflects a growing public awareness of the health danger posed by secondhand smoke. While these community efforts are useful, the problem they address is not just local. What is needed is a statewide ban on smoking in all indoor locations that are accessible to the public.

A bill that would achieve this ambitious but worthwhile goal is being circulated in the Wisconsin Legislature by Rep. Mark Gottlieb (R-Port Washington) and Sen. Alberta Darling (R-River Hills). Although current Wisconsin law bans smoking in many public places, it authorizes smoking areas. The measure backed by Gottlieb and Darling would drastically reduce the number of these exempted places.

Under the bill, smoking would be banned in mass transit vehicles and school buses, schools, movie theaters and government buildings. Significantly, smoking areas would no longer be permitted in offices and other places of employment and in retail establishments, such as restaurants. The proposed law contains no grandfather clause, which means it would apply to all, not just to businesses that open in the future.

The restrictions it would impose may seem harsh, but the health dangers of secondhand smoke are both serious and undeniable. Estimates suggest that at least 53,000 Americans die every year from diseases that result from exposure to secondhand tobacco smoke, according to four groups backing the bill: the American Lung Association, the American Heart Association, the American Cancer Society and Smokefree Wisconsin.

The Environmental Protection Agency has classified secondhand tobacco smoke as a Group A carcinogen, which means it is known to cause cancer in human beings, the four organizations report.

Secondhand smoke in a restaurant, say, affects not just its patrons but its employees. A waitress or a cook is free to get a job in a safer environment, but no one should have to quit his or her job in order to work where breathing the air is not hazardous.

The prohibition would not extend to private homes, of course, unless the residence was an adult day care center. Among other things, a ban on smoking at home would be unenforceable. Also, the ban would not extend to hospitals designed primarily for the treatment of mental illness. It is a carefully focused measure that, if enacted and enforced, would help more people in Wisconsin breathe easier.

From the April 26, 2005, editions of the Milwaukee Journal Sentinel
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