

August 24, 1993

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Re: **AB 13 (Friedman)**  
Position: **OPPOSE UNLESS AMENDED**  
Client: **Western States Council of Sheet Metal Workers**

Dear 2\*

On behalf of the Western States Council of Sheet Metal Workers, we must unfortunately oppose AB 13 (Friedman) unless the bill is further amended.

Our concerns with the measure are threefold:

- 1) Places of employment which should place restrictions that limit smoking to designated areas must include restaurants. Restaurants comprise a significant portion of current business for sheet metal contractors who respond to restaurant needs and market conditions with the installation of appropriate ventilation systems.
- 2) The ventilation requirement for restaurants, in addition to posting at entrances where smoking is permitted, should provide a standard of air exchange at the rate of 20 cubic feet per minute per person. This standard is based on nationally accepted principles established through participation of engineering and associated societies and public review. It also surpasses the Indoor Air Quality Division of the U.S. Environmental Protection Agency (EPA) recommendations (included in its Environmental Tobacco Smoke (ETS) public information brochure) which do not address ventilation exchange rates.
- 3) Finally, it is imperative that the preemption of local ordinances be guaranteed. Only in this way will an even playing field exist throughout the state. It is also consistent with statutory and case law that Cal-OSHA standards be maintained on a statewide basis to the exclusion of local regulation.

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We applaud Assembly Member Friedman's efforts to address the many concerns raised by various business communities within the state. However, insofar as the Sheet Metal Workers lose work currently being marketed due both to this bill and local regulation, we strongly urge the committee to adopt these three amendments before passing AB 13 from the Judiciary Committee.

Sincerely,

Art Carter

Joe Pasqualini

cc: Assembly Member Terry Friedman  
Members of the Senate Judiciary Committee  
Dave Peel, Western States Council of Sheet Metal Workers

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