

COMPREHENSIVE PUBLIC SMOKING PROGRAM

Projects in Progress

\* Revised 2/8/89

Connecticut

Goal: Establish IAQ Study Commission

Status: Drafted text to be considered by Commerce and Labor Committee (Commission to reflect balanced perspective) -- Ultimate goal would be for Commission to initiate reasonable IAQ legislation in 1990

Possible Public Affairs/Other Resources: Labor counsel and ETS scientists

Next Action: Awaiting introduction

Connecticut MTA

Goal: Require smoking car on all MTA commuter trains beginning or ending in Connecticut

Status: New House Speaker is more favorable to tobacco issues -- Have sponsor for bill and established a Public Relations Board to promote citizens desire/right for smoking car

Possible Public Affairs/Other Resources: Local coalition, member company mobilizations

Next Action: Introduction of legislation expected in February

Delaware

Goal: To ensure reasonable accommodation of smokers and nonsmokers in public office buildings owned/leased by the state and to forbid hiring discrimination based on smoking/nonsmoking preference

Status: A substitute (Substitute 1) for a stringent restriction bill (SB 5) will be offered to that Senate measure (ATTACHMENT A-1) -- The substitute would reasonably accommodate smokers and nonsmokers, and protect the rights of both -- It is possible that the substitute will also encourage the Wilmington, DE, city council to forego further consideration of an extremely strict anti-smoking ordinance for that city

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The Delaware legislature is in recess, but is expected to reconvene late this month or in early March

Possible Public Affairs/Other Resources: IAQ experts

Next Action: Brief Health, Social Services and Aging Committee Chairman Halloway on the merits of the substitute bill

Illinois

Goal: Establish IAQ Study Commission -- Achieve reasonable balance in designation of smoking and nonsmoking areas -- Ventilation standards for public buildings

Status: Our goal in Illinois is ambitious -- While an education effort is underway, no significant action is anticipated before early spring

Possible Public Affairs/Other Resources: ETS scientists, labor counsel, workplace brochures, member company assistance via mobilizations; develop solid coalitions

Next Action: Establish study commission before initiating ventilation standards legislation; encourage legislative leadership to establish commission, rather than a bill

Maryland

Goal: Protect employees from hiring discrimination based on smoking/nonsmoking preferences

Status: Legislation has been drafted (ATTACHMENT A-2) -- If adopted, the draft would become part of Maryland's Human Relations Commission Law and protect employees from hiring discrimination based on smoking/nonsmoking preferences

Possible Public Affairs/Other Resources: Company mobilizations; C&B assistance; establish coalition support

Next Action: Obtain legislative support for successful introduction and passage

Massachusetts

Goal: Legislation to require maintenance of IAQ and ventilation standards in public and then private workplaces

Status: State AFL-CIO sponsoring legislation -- Introduced with 15 sponsors including Chairmen of Special IAQ Committee and Commerce and Labor Committees (ATTACHMENT A-3)

Possible Public Affairs/Other Resources: AFL-CIO will have National Energy Management Institute (NEMI) host briefing seminar for legislators; labor counsel assistance when bill becomes active

Next Action: Hearings possible in March

### Massachusetts localities

Goal: Roll back existing restaurant restriction ordinances so that they are weaker or no more stringent than requirements of 1987 state law; where possible repeal

Status: Created list of key restaurant owners in 51 cities and towns -- Restaurant owners and restaurant association to take the lead in this effort

Possible Public Affairs/Other Resources: Coalition/education of local restaurateurs; general public; media tours

Next Action: Expect to work in 5 localities a month -- To begin in February, after final community assessments

### Texas -- Ft. Worth

Goal: Roll back remainder of smoking restriction ordinance and roll back similar ordinances in other Texas municipalities

Status: Provisions pertaining to retail stores has been ruled unconstitutional in court decision -- Original court decision was declaratory, must now go to civil court

Possible Public Affairs/Other Resources: Assistance via C&B; member companies

Next Action: Awaiting C&B status report

### Vermont

Goal: Roll back current law to allow simple majority control in determining smoking policies in workplaces (current law calls for two-thirds vote to allow smoking) -- Recognize collective bargaining rights of employees -- Pre-empt local ordinances (ATTACHMENT A-4)

Status: Two bills have been introduced -- Associated Industries and Chamber of Commerce supporting our position

Possible Public Affairs/Other Resources: Workplace brochures; labor assistance; coalitions

Next Action: Hearing expected in February

Virginia

Goal: Prohibit state or local government from discrimination against smokers in hiring

Status: Sen. Goode and 16 co-sponsors introduced bill (S607) [ATTACHMENT A-5] -- Reported from Senate Committee on Local Government with amendment exempting firefighters and police from provision -- Bill was approved by Senate floor vote of 29-11

Possible Public Affairs/Other Resources: Potential for member company mobilization; C&B assistance

Next Action: Bill goes to House; committee assignment has not been determined

Virginia

Goal: Give private employers, not the state, sole authority to designate smoking and nonsmoking areas within workplace -- Pre-empt ability of localities to enact private workplace smoking restrictions

Status: Bill (S601) was introduced by Sen. Goode and 17 co-sponsors (ATTACHMENT A-6) -- Reported from Senate Committee on Local Government with amendment -- Replaced "private workplace" with "places of business" (so that restaurants are clearly included) -- Bill was approved by Senate floor vote of 21-19

Possible Public Affairs/Other Resources: Legal assistance, issue material, member company assistance

Next Action: Bill goes to House; committee assignment has not been determined

Washington

Goal: Push for ventilation standards in government buildings in lieu of smoking restrictions

Status: HB 1504 was introduced and referred to House Environmental Affairs Committee (ATTACHMENT A-7)

Possible Public Affairs/Other Resources: ACVA tested state capitol and other buildings; state has contracted with ACVA for further inspections -- Labor counsel in place; member company mobilizations; coalition assistance

Next Action: Committee hearing

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Wisconsin

Goal: Create ventilation legislation; standards to pertain to all public buildings -- Establish basis for IAQ legislation through use of ACVA, scientific witnesses and labor contacts

Status: Developing interest in IAQ issue among potential allies and educating business leaders

Possible Public Affairs/Other Resources: ACVA to do test study at Madison Technical College -- ~~AFSCME invited Labor Management Committee representatives to give IAQ presentation to help in educational efforts in Madison and Milwaukee~~

Next Action: ACVA testing of Madison Technical College March 6, 1989 -- Labor Management Committee presentation on IAQ in Milwaukee (February 6) and in Madison (February 16)