



GOLDEN GATE RESTAURANT ASSOCIATION

201 GEARY STREET, SUITE 609 - SAN FRANCISCO, CALIFORNIA 94102 - 4578-1245

August 12, 1993

The Honorable Bill Lockyer
Chair, Senate Judiciary Committee
State Capitol
Sacramento, CA 95814

Via Facsimile

Re: AB 13 (Friedman) Banning Smoking in Enclosed Workplaces Oppose

Dear Senator Lockyer:

On behalf of the more than 600 members of the Golden Gate Restaurant Association (GGRA) in the San Francisco Bay Area, I am writing to express our opposition to Assembly Bill 13, which is scheduled to be heard on August 17, 1993. Our opposition to AB 13, in its current form, is based on the following arguments:

1. We firmly believe that the marketplace is setting our operating standards and that government intrusion is unnecessary. The need to satisfy the consumer drives our marketplace. Our members already respond to the desires of our non-smoking customers. San Francisco alone already has nearly 200 establishments that have voluntarily eliminated smoking entirely, and many others are considering that option. Others have created separate and distinct areas for non-smokers that have increased in size as the number of smokers has decreased.
2. The Senate Health and Human Services Committee adopted amendments exempting certain operations, such as bingo parlors, cardrooms, concert warehouses, and hotel and motel sleeping rooms and lobbies. These exemptions include bars serving "incidental food" (type 48 licenses), including those in hotels and motels. In reality, substantial food items are actually served in many of these establishments. The definition of "incidental food" is extremely vague and completely unenforceable. The much acclaimed "level playing field for all businesses" has now been destroyed.
3. Our restaurants will clearly be at a competitive disadvantage since these businesses directly compete with our members. Restaurants with full bar service (type 47 licenses) and cafe style facilities serving beer and wine only will be severely impacted. All restaurants, including those serving non-alcohol, will suffer economically as these "incidental food" menus continue to expand.
4. Our area relies heavily on tourists from the Pacific Rim, Far East and European countries. AB 13 will have a negative impact on our tourist trade and therefore the entire economic and business climate of the San Francisco Bay Area. The reduction in business and tax deductions will already be taking a heavy toll on our industry. With California's economy continuing to suffer and state and local government facing major revenue shortfalls, AB 13 legislation that none of us can afford!

We have heard all of the rhetoric from Sacramento about improving California's business climate. Assembly Bill 13 is taking us in the wrong direction. Therefore, we strongly urge you to oppose this legislation.

Sincerely,

Al Pechl
President, GGRA
The Waterfront Restaurant

cc: GGRA Board of Directors

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