

The no and yes picture on anti-smoking ballot initiative

By Robert Hollis

Jack McDowell, a three-pack-a-day smoker who heads the campaign to defeat Proposition 5, the anti-smoking initiative, walked into the office of his business partner the other day for a picture-taking session.

McDowell and his partner, Richard Woodard, are the principals of Woodward & McDowell, the veteran San Francisco campaign consulting firm.

The photographer asked McDowell and Woodard to light up, thereby illustrating their support of smokers' rights.

"I don't smoke," said Woodard, "and I usually don't let Jack smoke in here either."

McDowell decided not to smoke in his partner's office after all, perhaps because there were no ashtrays in sight.

The episode in the Battery Street office last week makes good propaganda for both sides of the so-called Clean Indoor Air Initiative. Prop. 5 pits the industry's multibillion-dollar tobacco industry against a coalition of growingly militant non-smokers and several health groups.

When Woodard refuses to let smokers light up in his office, he is exercising his own discretion to keep his environment smoke-free. This is the way the opponents of Prop. 5 say non-smokers should exercise their rights, free of governmental interference.

But the supporters of the initiative would say Woodard needs protection from other people's smoke — sometimes called secondhand smoke — when he's away from his office. They say Prop. 5 protects both smokers' and nonsmokers' rights.



out-of-state tobacco industry funds, the Woodward & McDowell agency has been buying prodigious amounts of television and radio air time, especially in the crucial 10-day period just before the Nov. 7 election.

The anti-Prop. 5 organization, Call-Formans For Common Sense, will spend "whatever is necessary" to fight the initiative, McDowell said.

Paul Loveday, co-author of the initiative, said his Campaign for Clean Indoor Air will be fortunate to raise \$500,000 by election day. He termed the two campaigns "a David and Goliath situation." And Prop. 5 supporters are playing up their poverty whenever possible.

Some political pundits predict that opponents may spend up to \$3 million by Nov. 7. McDowell refuses to say how much his organization will spend. He is extremely sensitive to the bad public relations image created by a campaign rolling in tobacco money.

The stakes behind Prop. 5 are enormous. California's smokers last year burned up nearly 2.8 billion packs of cigarettes in the 12 months that ended June 30. They paid \$1.4 billion for all that smoking.

Proponents estimate that, should Prop. 5 pass, a drop of as much as 15 percent in cigarette consumption might occur, representing a sales loss of \$204 million to the industry.

Prop. 5 essentially would restrict smoking in all enclosed public places so that non-smokers could breathe smoke-free air. Private buildings would be attacked McDowell's \$20 million figure as inflated through public opinion polls designed to find a sum that would cause voters to turn against the initiative.

Mon, Oct 2 1978 6:55 P.M. EXAMINER

Another major point of disagreement is the word "arrest." McDowell claimed a victory in Sacramento County Superior Court when his organization won the right to use the word in its ballot argument, set to be mailed to every registered voter in a few weeks. Proponents argued that a violation of Prop. 5's provisions is an infraction, similar to the offense of jaywalking. There is no way a police officer can arrest a violator unless he or she refuses to sign a promise to appear in court. Loveday admitted that the technical definition of being detained by a police officer and charged with violating the initiative is "arrest."

"But nobody's going to be sent to jail for violating the ordinance," he said. The initiative prohibits smoking in workplaces, schools, hospitals and clinics, museums, theaters, stores, public transport facilities, elevators and public restrooms. In offices and factories where smokers and non-smokers work side by side, the initiative would require partitions or separate facilities for each group. In private offices, individuals could smoke if they wished to.

McDowell says all this is "discriminatory, excessive and too costly to the taxpayers and California businesses." Some business groups agree and have lent their names to the No-on-5 campaign.

But Loveday and his supporters, such as the California Division of the American Cancer Society, say the initiative has a simple message: "The law will protect the right to smoke and the right to breathe clean air."

Exceptions to the smoking ban would be bars, tobacco shops, hotel and motel rooms, unlit taxis, private hospital rooms, smoking sections in restaurants, pool halls, dormitory rooms, rock concerts and professional bowling and roller derby games.

Proponents have been leading in public opinion polls. In a Los Angeles Times survey earlier this month, 53 percent of those asked favored the



PAUL LOVEDAY
Co-author of measure

Who is on which side in Prop 5. battle

Supporters of Proposition 5, the anti-smoking initiative, are, not surprisingly, many of the groups and individuals who urge people to quit cigarettes for health reasons.

Opponents include business and labor groups. Almost 99 percent of the No-on-5 committee's funding is coming from five tobacco companies.

Heading the Yes-on-5 Campaign Advisory Committee is Jesse Steinfeld, the U.S. surgeon general from 1969 to 1973. Others on the panel include Nobel prize winners Linus Pauling and Glenn Seaborg, Sierra Club President J. William Futrell and Dr. John Moxley III, dean of the school of medicine at the University of California at San Diego.

Organizations for Prop. 5 include the American Cancer Society, California Division; the Group Against Smoking Pollution (GASP); the California Lung Associa-

tion; the California PTA; Retail Store Employees Union Local 428, and the California Interagency Council on Smoking and Health.

Co-chairs of Californians for Common Sense, the anti-Prop. 5 group, are John Henning, executive officer of the state AFL-CIO; Houston Flournoy, Republican candidate for governor in 1974, and Katherine Dunlap, former Los Angeles

water and power commissioner.

Other groups against Prop. 5 are the California Labor Federation, the state Chamber of Commerce, the Democratic State Central Committee, the California Manufacturers Association, the International Brotherhood of Teamsters, the National Federation of Independent Businessmen and the California Association of Realtors.

Tobacco companies fund 'no' vote

Californians for Common Sense, the organization formed to defeat Proposition 5 — the smoking prohibition measure — has received donations totaling \$3,091,065, the bulk of it from the nation's major tobacco companies.

In a fiscal report prepared for filing with the secretary of state today, the organization said its major benefactor to date has been the R.J. Reynolds company, which came through with \$1,199,736.

Other major donors:

Philip Morris, \$785,000; Brown & Williamson, \$470,000; Lorillard, \$384,548, and Liggett & Meyers, \$13,025.

So far, the organization said, it has spent a total of \$2,928,307 to fight the anti-smoking measure, mostly on pre-payments for future advertising "and other campaign services."

Non-smoker Richard Woodward, left, and smoker Jack McDowell



Examiner/Neil Spoff