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October 6, 1989



**Prop. 5 Seen as
Threat to Real
Law Enforcement**

If California citizens are to be subjected to arrest and 100 days for violating in "any business on the place" or private business establishments where working would be made unlawful under Proposition 5, how many public officers will be deprived from sharing their earnings to enforce should public reaction and private business be forced to equal hold a ballot during or among to Congress members want to be suggested members from non-producers?

A Federation representing only about 13 percent of the state's small businesses has estimated that Prop. 5 would cost their members about 200 million — costs, it said, that would be

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passed along to California consumers.

There are just a couple of the questions that California voters may want to consider before casting their votes on Proposition 5, a measure strongly opposed by the California AFL-CIO because, among other things, it is a prohibitionist measure that would hurt the state's economy and interfere with real law enforcement.

Citing medical opinions on both sides of the question, opponents of Proposition 5, the so-called "Clean Indoor Air Act of 1978" to be voted on in the Nov. 7 General Election, assert that there is no solid proof that the inhalation of second-hand smoke has ever really hurt anyone.

At worst, it's an annoyance and most smokers today are much more considerate of non-smokers than they used to be, they said.

Prop. 5 would also require the posting of "No Smoking" signs in English — as well as Spanish, Chinese or any other language that's appropriate for the location — in any facility owned or leased by a state or local government entity and would also require every restaurant in the state to post signs showing the percentage of available seats in the non-smoking section of its dining area.

A recent study by Economic Research Associates, a national research firm, has concluded that the cost of signs at every entrance to every governmental facility, along with the costs of enforce-

ment, prosecution and court time, would cost California taxpayers about \$43 million.

Just this week, the San Francisco Examiner came out editorially in opposition to Prop. 5, pointing out that the measure would require a "sizeable lot of bureaucracy" to enforce and, at the same time, would result in diluting "the limited police resources at hand."

The editorial observed that:

"Some perspective is needed... on where we're headed as a people. Reformers have achieved a great deal of good in several areas of our national life. In confining extensions of reform, though, they've managed to wrap us in a web of regulation that tightens all the time, with countless approvals and often small benefits, at great cost of public money and private values.

"This is the paramount and, we think, compelling argument against Proposition 5 on next month's ballot, which would forcibly segregate tobacco smokers at large expense to both taxpayers and business throughout the state."

On the cost issue, the editorial said:

"In any case, a sizeable lot of bureaucracy would be required to see that all of this (the enforcement of the smoking prohibitions) get done, and the cost of both the construction and the oversight bureaucracy would, even as the waters fall at Yosemite, come rolling back upon the taxpayers

and consumers.

"The latter unfortunate (the taxpayers and consumers) also need to ponder the dilution of law enforcement which Prop. 5 would bring about. Do we really think the limited police resources at hand would be better devoted to chasing smokers than to chasing real criminals, of whom we have more than can be caught, even part of the time?"

Pointing out that the smoking law probably would not be, and could not be, enforced very well any more than liquor prohibition was enforced in the 1920's and early 30's, the editorial said that this "would make the great investment in construction, and tens of thousands of signs, and police diversion on wild goose chases all the more lamentable, for the waste entailed."

Sheriff John R. McDonald of San Mateo County recently announced his support of Californians for Common Sense, the statewide organization opposing Prop. 5, saying:

"I find the proposed ballot proposition on smoking prohibition to be unrealistic and costly. I'm certain that the people of California, in light of their recent expression of the polls, are concerned with the added burden of laws that cannot be realistically enforced."

Scores of other sheriffs and police chiefs also oppose Prop. 5.

Serving as co-chairpersons of Californians for Common Sense are: John F. Henning, executive secretary-treasurer of the California Labor Federation, AFL-CIO; Houston Flourney, dean of the University of Southern California's Center for Public Affairs; and Katherine B. Dunlap, a conservationist and civic leader.

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