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press."

Gardner said he saw no difference between that and the trips he took, which he disclosed in his financial statements. He said that didn't mean he should have been disclosing other trips as well.

Both sides push Chiles on 'smokers rights' bill

The Black Legislative Caucus and three Hispanic lawmakers want Gov. Chiles to sign it, but opponents say it will encourage an awful habit.

By Susannah Lyle
Democrat Capitol Bureau

The Black Legislative Caucus and three Hispanic lawmakers are asking Gov. Lawton Chiles to sign a "smokers rights" bill that opponents say will encourage a deadly habit and hamper employers from firing incompetent workers.

Though the 11 legislators who signed the letter to Chiles don't equate discrimination against smokers with discrimination against minorities or women, the comparison is clearly implied.

One lawmaker, Rep. Miguel De Grandy, R-Miami, said a no-smoking employment policy in the city of North Miami "represents the type of government invasion many of us left Cuba to escape."

Lobbyists for the tobacco industry, which had the bill as a priority, are behind the effort.

"We encouraged legislators who had been supportive of the bills to write letters," said John French, a lobbyist for Philip Morris. "I see nothing wrong with that. Frankly, it is part of the process."

The pro-bill letters are late additions to the file in the governor's office pumped up by early letters from citizens, physicians and health-care lobbyists who say cigarette smoking is a costly and harmful habit that the law would encourage.

Chiles has until Friday to sign, veto or allow HB 1753 to become law without his signature.

The bill would prohibit employers from refusing to hire — and from firing — workers for smoking "legal agricultural products" off the job. Exceptions are made for firefighters, police officers and emergency medical technicians.

"Some of us may disapprove of smoking," the Black Caucus members wrote to Chiles, "but we must never compromise individual privacy by making non-use of certain legal products a job requirement."

Three black House members — Reps. Jim Hargrett, D-Tampa; Tim Jamerson, D-St. Petersburg, and Alzo Reddick, D-Orlando — did not sign.

Sen. Carrie Meek, D-Miami, Senate sponsor of the bill, said Monday the right to smoke isn't in the same realm as prohibitions against gender, sex and race discrimination. But, she said, "I guess I saw this as smokers being the last abused minority."

"A lot of black people have the bad habit of smoking," Rep. Al Lawson, D-Tallahassee, said Monday. "They shouldn't be excluded from jobs because of that."

Opponents counter that the employee-rights issue is a smokescreen as the tobacco industry tries to protect its shrinking market.

"It's a farce to think you would even take time in the Legislature to even consider this kind of bill. The only thing they have on their side is a bunch of high-paid lobbyists and big campaign contributions," said Steve Uhlfelder, who lobbied against the bill for the American Heart Association.

Two senators, Bob Johnson, R-Sarasota, and John Grant, R-Tampa, wrote to Chiles that the bill would handicap employers.

"It's outrageous to think that employers would have to hire people who would cost them additional thousands of dollars due to health problems and increased time off," wrote Johnson.

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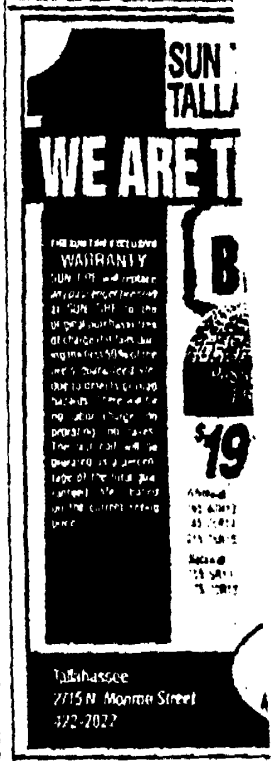

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