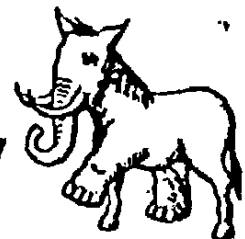


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The Political Animal



July 10, 1978 / Issue No. 256 **** Inside This Week: Will Brown Get Labor's Backing in S.F.? The PUC and LNG; Sample Fallout from Prop. 13

THE SMOKING POLITIC: A NEW CALIFORNIA BALLOT MEASURE CREATES CONTROVERSY

Proposition 5, the smoking regulations initiative on the Nov. 7 California ballot, may not rival Proposition 13, the property tax reduction initiative, in media hype. But it is certain to generate considerable emotion and heat during the next four months.

Some 30 states, and many American cities, have laws of some kind restricting smoking. But only two states, Minnesota and Utah, each utilizing the legislative process, are thought to have statutes nearly as comprehensive as the one now being placed before California voters via the initiative route.

Anti-smoking crusaders in California, frustrated by legislative reverses, much like the property tax rebels were last year, finally switched to the initiative process. And, like the successful Jarvis-Gann drive, the non-smokers were successful in getting almost twice the number of signatures needed to qualify their proposal at a cost of \$40,000.

The California initiative would set up smoking and nonsmoking sections in almost all indoor public places, enclosed places of employment, hospitals and schools.

There would be a \$50 fine for each violation of the measure.

Backers of the antismoking drive - known as the Campaign for Clean Indoor Air - insist that their initiative is not a prohibitionist movement but is aimed, instead, at giving persons a choice as to whether they have to inhale other people's smoke in enclosed public buildings.

Opponents of Proposition 5, who call themselves Californians for Common Sense, insist that the initiative is unconstitutional; that it constitutes an invasion of privacy and would cost local and state taxpayers an additional \$43 million to comply with during the first year.

Actually, the battle over smoking curbs in a nation where, according to a recent survey, 40 per cent of the population puffs, has been escalating for some time in the political arena.

At the federal level, for example, the Civil Aeronautics Board is considering a ban on pipe and cigar smoking on airliners. The board is split, 2-2, with one commissioner requesting more time to study evidence.

Health, Education and Welfare Secretary Joseph Califano, a former smoker who is now an outspoken non-smoker, prefers education to regulation in terms of what he calls the nation's "most preventable health problem."

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But Califano, who has proposed a \$30 million anti-smoking campaign for fiscal 1979, has left little doubt about where he would stand in a Proposition 5-style campaign. Bans against smoking in public places, he said recently, "are a healthy trend."

Groups like ASH, the 10-year-old, Washington-based Action on Smoking and Health, and GASP, short for the Group Against Smoking Pollution, have surfaced as militant partisans for tobacco reform.

"I didn't spit in your face, please don't blow smoke in mine" is one phrase which has become chic among the reformers, and which makes foes, in the words of one politically savvy smoker "puff harder."

The battle in California this summer and fall is shaping up as one between the medical and health volunteer agencies, on the one hand, and the nation's tobacco industry. At least in terms of funding.

Proponents of a tougher set of smoking regulations, who have enlisted Dr. Linus (Vitamin C) Pauling, the Nobel Prize scientist, as honorary chairman, include the American Cancer Society, donors of \$25,000, and the American Lung Assn. which has contributed \$5,000. The American Medical Assn. has also endorsed the partial smoking ban.

Co-chairmen of the No on 5 campaign are Houston Flournoy, dean of the USC Center of Public Affairs, and John Henning, executive secretary-treasurer of the California Labor Federation, AFL-CIO. Flournoy smokes; Henning does not.

Early campaign statements from the secretary of state's office indicate that all the funds being received to fight the tougher smoking proposal thus far - \$197,555 - have come from tobacco industry firms in New York, Kentucky and North Carolina. And also from the nation's Tobacco Institute in the District of Columbia.

Industry sources, mindful that California is the political bellwether in the nation - "look at 13" - are concerned that the acceptance of radical smoking limits by state voters this fall might kick off a demand for tougher statutes across the U.S.

Light on greenbacks, the pro-5 campaign will use gimmicks like a Sacramento-to-San Diego bike ride around Labor Day to attract media coverage. Cyclists will visit restaurants en route and congratulate owners who have already inaugurated smoking and non-smoking sections for patrons.

LABOR: CAN JERRY BROWN CAPTURE THE AFL-CIO ENDORSEMENT THIS WEEK?

At deadline, Jerry Brown had not yet put his blue pencil in the air to analyse the new state budget. Howard Jarvis says he is pleased with the way the governor is implementing 13 and that he (Jarvis) will endorse the candidate for governor who does the best job in this regard. Brown, not Republican Evelle Younger, would seem to have the best shot now.

A major question at this week's 12th Convention of the AFL-CIO in San Francisco will be whether Brown, stuck with a no-win budget, is able to get the federation's endorsement. His explanation on the need to freeze the pay of state workers to save jobs has angered many union members in the public employe sector. However, union members in large numbers bolted from their leadership in backing Jarvis-Gann. Brown should get the AFL-CIO's backing for a second term. But the labor federation could leave the race for governor open, letting each union decide its choice. Or the federation could make a dual endorsement of both Brown and Younger. The rank-and-file are not very predictable in 1978.