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## Tougher TN smoking ban may be on the way

Some legislators say bars, all workplaces deserve protection

By Nate Rau  
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Two years after the General Assembly passed a bill to ban smoking from most workplaces, including restaurants, supporters say the law is working and should be extended to include places such as over-21 venues that are now exempt.

"There literally are hundreds of thousands of Tennesseans who are healthier, and tens of thousands who do not have lung cancer or heart disease because they now get to breathe clean air," said state

The advocacy group <http://www.tnchart.org/>>Campaign for a Healthy and Responsible Tennessee, or CHART, wants to eliminate exemptions in the law that include allowing smoking at places like 21-and-up establishments, hotel and motel rooms, workplaces with "garage-door" access, and sites with three or fewer workers.

In addition, said CHART Executive Director Shelley Courington, there is no requirement about how far from a door people must be to smoke. The group is working with lawmakers to file a bill in January to extend the ban.

State Rep. Eric Swafford, a Pikeville Republican, said he would support an extension of the workplace smoking ban.

"I'll be honest — I was not in favor of that compromise when it was reached a couple years ago," Swafford said of the exemptions contained in the 2007 bill. "I was for the bill as it was originally written. I don't think it's fair that we're taking care of workers in almost every situation. We need to take care of everybody. Just because someone works at a venue that is age-restrictive, that doesn't make their health any less important."

According to the American Nonsmokers Rights Foundation, 19 states and Puerto Rico have 100 percent smoking bans for workplaces, restaurants and bars.

The movement to protect nonsmokers benefited from a 2006 U.S. Surgeon General opinion that said secondhand smoke can cause lung cancer and heart disease. Then-Surgeon General Dr. Richard Carmona said his findings were derived from "overwhelming scientific evidence."

"The debate is over. The science is clear: Secondhand smoke is not a mere annoyance, but a serious health hazard that causes premature death and disease in children and nonsmoking adults," Carmona said at the time.

## Restaurants back law

Randy Rayburn, who owns three Nashville restaurants and supported the ban two years ago, said the exemptions created an unlevel playing field between establishments with smoking bans and those without.

It's a sentiment echoed by Jackie Daniel, who owns the Greenhouse Bar in Green Hills. Daniel claimed she allowed smoking in her bar so she wouldn't lose business to nearby competitors.

"A lot of people love to come so they can smoke at the bar and you can't do that a lot of places," Daniel said. "It wouldn't matter if they banned it everywhere though."

Not everyone believes a full-scale ban is necessary to protect nonsmokers. Angie Hall, a 22-year-old South Nashville resident and smoker, said those who go to nightclubs and bars know whether they permit smoking or not.

"If people don't want to be around secondhand smoke, then don't go to a bar that allows smoking," Hall said.

In addition to closing exemptions in the smoking ban, CHART would also like to eliminate pre-emption laws that prevent local governments from introducing their own smoking bans. CHART would also like to see funds restored to smoking cessation and prevention programs.

She said the state has cut spending from \$10 million on cessation and prevention programs down to zero this year.

Additionally, the organization is seeking to ban smoking in places where children commonly congregate.

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