

Assembly bill 2746-C by GRANNIS would restrict smoking in public places including restaurants, places of work, hotels and motels, arenas, convention centers and many other areas.

Among the associations and organizations which have filed against A.2746-C are:

1. The City of New York, Office of the Mayor
2. New York State AFL-CIO Council
3. New York State Bowling Proprietors Association, Inc.
4. New York State Restaurant Association, Inc.
5. Associated Industries of New York State
6. Capital District Bowling Proprietors Association, Inc.
7. New York State Association Counties
8. New York Convention & Visitors Bureau
9. Gold Pin Fun Centers
10. New York State Hotel & Motel Association
11. Ticket Sellers, Ticket Takers, Doormen & Ushers Union Local 235, Service Employees International Union
12. New York State Association No. 16 of the Barbers, Beauticians and Allied Industries
13. New York State Association of Tobacco and Candy Distributors, Inc.

Memos of opposition from these organizations are enclosed.

Along with a mathtech economic impact study.



MARGARET L. WEISS
LEGISLATIVE REPRESENTATIVE

111 Washington Avenue
Albany, New York 12210
(518) 462-5811

THE CITY OF NEW YORK
OFFICE OF THE MAYOR

52 Chambers Street
New York, New York 10007
(212) 566-8135

MEMORANDUM IN OPPOSITION

LEGISLATIVE
REFERENCE

A#2746-C - by Assemblyman Grannis, et al.
(Assembly Calendar No. 241)
S#1968-C - by Senator Johnson - Health Com.

TITLE

AN ACT to amend the public health law, in relation to protecting the public health, comfort and environment by prohibiting smoking in public places and at public meetings except in designated smoking areas and to repeal article thirteen-F of such law relating thereto

SUMMARY OF
PROVISIONS

This bill repeals Article 13-F of the Public Health Law and is amended by adding a new Article 13-F to prohibit smoking in public areas in order to protect the public health, comfort and environment.

REASONS FOR
OPPOSITION

If enacted, this proposal would make smoking illegal in countless public and private places and establish that a violation of its provisions would be punishable by a fine of not more than \$25.00 for the first violation and not more than \$100.00 for each successive violation. In so doing, it would significantly increase mandated activities of the City of New York without providing commensurate revenues to carry out these mandates. In a time of fiscal austerity, it is inappropriate to create significant additional burdens on a municipal government which finds it increasingly difficult to carry out its present tasks and responsibilities.

The alternative to significantly increasing personnel is to cause local government to haphazardly enforce the provisions of this proposal, thus increasing a disrespect for the law in general.

While we share the concern expressed in this bill for the health of non-smokers, compliance with the provisions of this proposal would create severe and undue economic hardship upon places of public accommodation and places of employment by foisting upon them the obligation to maintain duplicate facilities, install physical separations and otherwise separate and segregate their activities in a fashion that is otherwise neither practical nor logical.

Additionally, to accommodate smokers where physical separation and segregation cannot be established would require that smokers be given the opportunity to leave their immediate area of employment to be permitted to smoke on some occasions during their working day. This would lead to a loss of productivity and consequent economic detriment to the individual employer and to the general economic climate of the City.

Accordingly, it is urged that this bill be defeated.

Respectfully submitted,

MARGARET L. WEISS
Legislative Representative

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S - L
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NEW YORK STATE AFL-CIO

89 WASHINGTON AVENUE (Suite 205) • ALBANY, N. Y. 122 0 • PHONE 436 3516

RAYMOND R. CORBETT
President



E. HOWARD MOLISANI
Secretary-Treasurer

LUDWIG JAFFE
Director of Legislation

MEMORANDUM

OPPOSE

1970

S.1363-C
Johnson, et al

A.2746-C
Grannis, et al
January 10, 1971

The New York State AFL-CIO reiterates its opposition to this bill and respectfully urges the Legislature to consider the following objections to it:

- 1) It would create serious problems for the restaurants and other public places in New York in trying to separate smokers from non-smokers, while still getting the maximum possible use of their facilities. While it is impossible to estimate the cost of such a requirement to business, it surely would eventually be paid by the consumers in the form of higher prices.
- 2) It would create constitutional questions as to the legality of government intervention into private lives and personal as well as social preferences of the citizens of this State.
- 3) It would impose unreasonable restrictions on the use of public places and create another bureaucratic instrument that would burden our taxpayers and deprive them of their individual freedom.
- 4) It could negatively affect jobs, especially in hotel and restaurant trades.

For these reasons we urge the Legislature to reject this unwarranted and unjust bill in its entirety.

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New York State Bowling Association

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1st VICE-PRESIDENT
MARTIN J. HAINES ... Jamestown
2nd VICE-PRESIDENT
ROBERT ADAMS ... Plattsburgh
3rd VICE-PRESIDENT
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KENNETH KREGER ... Tonawanda
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BERARD W. SARNO
SECRETARY-TREASURER
635 James Street
Syracuse, N.Y. 13203
Phone (315) 422-2261

March 6, 1980

Honorable Stanley Fink, Speaker
New York State Assembly
The State Capitol
Albany, New York 12224

Dear Mr. Speaker:

As Secretary of the over 450,000 members of the New York State Bowling Association, I have been asked by them to write you to express our opposition to the proposed legislation known as Clean Indoor Air Act, as called for in Assembly Bill No. 2746-C and/or Senate Bill No. 1968-C.

Our members feel that this act is unnecessary, as each of the bowlers has freedom of choice of bowling or not bowling in establishments, but more important, it would cause members who have bowled together for years to have to divide up teams, and it just seems to cause unenforceable rules and regulations in bowling establishments.

Our membership urgently request that you do not enact this into law, and that you do everything possible to oppose Assembly Bill No. 2746-C and/or Senate Bill No. 1968-C.

Sincerely yours,

NEW YORK STATE BOWLING ASSOCIATION

Berard W. Sarno
Secretary



New York State Women's Bowling Association, Inc.

MRS. MARTHA MARTELL
PRESIDENT
231 MINCHEY ROAD
ROCHESTER, NEW YORK 14624
AREA CODE 716-436-1310

MISS MARIE MUNSON
SECRETARY-TREASURER
256 THIRD STREET
NIAGARA FALLS, NEW YORK 14303
AREA CODE 716-232-6888

March 4, 1980

The Honorable Stanley Fink, Speaker
New York State Assembly
State Capitol
Albany, New York

Dear Assemblyman:

This letter is written in reference to a State Senate bill 1986 C

A bill to restrict smoking to a designated area in a bowling center is impractical and impossible to enforce. League bowling has a schedule spread over a 31 to 35 week period in a time frame of 2 to 2½ hours. Bowlers must vacate lanes on time to provide space for another league to follow. It would be impossible to maintain a good schedule if bowlers interrupted same to go to a specified area to smoke.

Time is most important and a disrupted schedule would lead to loss of business. Bowling proprietors are very conscientious and work hard to give their customers a satisfactory schedule and good service. The majority of bowling centers have ventilation systems that can change the air adequately and within minutes.

Bowlers may feel you are infringing on their personal rights and it may be the cause of losing their interest in the game. We truly would not want this to happen.

The New York State Women's Bowling Association, Inc. had over 352,000 organized women bowlers, last season. United we ask you to do all in your power to defeat this bill. Help us to keep the bowling business in this State on the upward trend and keep our members happy and bowling.

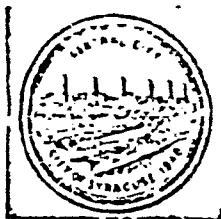
Thank you.

Sincerely,

Martha Martell

Mrs. Martha Martell, President

TI22091479



OFFICE OF THE MAYOR • CITY OF SYRACUSE

LEE ALEXANDER, MAYOR

March 4, 1980

The Honorable Stanley Fink
Speaker of the Assembly
Legislative Office Building
Room 932
Albany, New York 12248

Dear Speaker Fink:

I understand that S1968/A2746, a bill to restrict smoking in certain public places, is to be acted upon by the Assembly on March 10th.

I've studied the bill. It's an unwarranted remedy for a set of circumstances which already have been accommodated in law and in practice.

The evidence which may link smoking to health risks concerns smokers, not non-smokers who may come in contact with ambient smoke. The risks associated with smoking have been dealt with by specific warnings and prohibitions in state and federal law. The sense of this action has been to apply a measured response to a still uncertain problem.

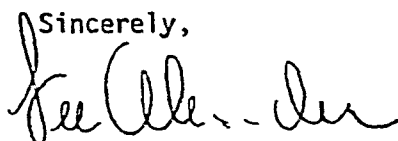
Non-smokers may be inconvenienced by the indirect effects of smoking, but this also has been dealt with by state and federal provisions for non-smoking areas in public transit vehicles and in many places of public accommodation, and by certain specific prohibitions.

Together, these actions provide non-smokers with a reasonable level of protection, a precedence in support of their convenience whenever and wherever it is reasonable and reasonably possible; and they provide smokers the opportunity to exercise a freedom of choice with regard to smoking and possible health problems whenever and wherever it is reasonable and reasonably possible.

Smoking already is prohibited in many public places which would be covered by the bill, not for still incompletely defined health reasons, but for specific and definite safety reasons. In this regard, the bill merely duplicates an existing and encompassing remedy.

Further restrictions on smoking would affect the rights of one segment of the public as against another without regard to justifiable need or ultimate impact. Smokers rights would be restricted. This cost is evident. But the benefits to accrue, not just to non-smokers, but to our society as a whole, are neither evident nor well-documented. This is a poor foundation for legislative action.

With all due respect to the good intentions of those who prepared or support S1968/A2746, the proposal should be defeated.

Sincerely,


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