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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Job Creation, Economic Development and Consumer Affairs (SC-JCEDCA)

COMMITTEE NOTICES ...

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INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

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- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Companion
to SB 202
??

Committee on Job Creation, Economic Development and Consumer Affairs

Assembly Bill 414 ←

Relating to: smoking in restaurants and bowling centers and the regulation of smoking by counties, cities, villages, and towns.

By Representatives J. Fitzgerald, Colon, Hundertmark, Krawczyk, Van Roy, Musser, Meyer, Ott, Stone, F. Lasee, Ainsworth, Albers, Bies, Honadel, Kleefisch, Lamb, Suder and Wood; cosponsored by Senators S. Fitzgerald, Breske, A. Lasee, Kanavas, Kedzie and Grothman.

June 27, 2005 Referred to Committee on Job Creation, Economic Development and Consumer Affairs.

August 25, 2005 **EXECUTIVE SESSION HELD**

Present: (5) Senators Kanavas, Zien, Reynolds, Lassa and Decker.
Absent: (0) None.

Moved by Senator Kanavas that **Assembly Bill 414** be recommended for concurrence.

Ayes: (3) Senators Kanavas, Zien and Decker.
Noes: (2) Senators Reynolds and Lassa.

CONCURRENCE RECOMMENDED, Ayes 3, Noes 2

Jeremey Shepherd
Committee Clerk

ASSEMBLY BILL 414 (LRB -2833)

An Act to repeal 101.123 (2) (c); to renumber 101.123 (1) (a); to amend 101.123 (1) (f), 101.123 (1) (g) and 101.123 (4) (a) 1.; and to create 101.123 (1) (ab), 101.123 (2) (d), 101.123 (3) (e), 101.123 (3) (h), 101.123 (3m) and 101.123 (4) (a) 2m. of the statutes; relating to: smoking in restaurants and bowling centers and the regulation of smoking by counties, cities, villages, and towns. (FE)

2005

05-10. A. Introduced by Representatives **J. Fitzgerald, Colon, Hundertmark, Krawczyk, Van Roy, Musser, Meyer, Ott, Stone, F. Lasee, Ainsworth, Albers, Bies, Honadel, Kleefisch, Lamb, Suder and Wood**; cosponsored by Senators **S. Fitzgerald, Breske, A. Lasee, Kanavas, Kedzie and Grothman**.

05-10. A. Read first time and referred to committee on State Affairs 229

05-12. A. Public hearing held.

06-07. A. Executive action taken.

06-21. A. Report passage recommended by committee on State Affairs, Ayes 7, Noes 2 307

06-21. A. Referred to committee on Rules 307

06-21. A. Assembly substitute amendment 1 offered by Representatives Krawczyk, Van Roy and J. Fitzgerald (**LRB s0137**) 306

06-21. A. Made a special order of business at 10:07 A.M. on 6-23-2005 pursuant to Assembly Resolution 19 322

06-23. A. Withdrawn from calendar and taken up 336

06-23. A. Read a second time 336

06-23. A. Assembly amendment 1 to Assembly amendment 1 to Assembly substitute amendment 2 offered by Representative Molepske (**LRB f163**) 336

06-23. A. Assembly amendment 1 to Assembly substitute amendment 2 offered by Representatives Molepske and Vruwink (**LRB a0818**) 336

06-23. A. Assembly substitute amendment 2 offered by Representative Schneider (**LRB s0151**) 336

06-23. A. Assembly substitute amendment 2 and its amendments laid on table, Ayes 73, Noes 23 336

06-23. A. Assembly amendment 1 to Assembly substitute amendment 1 offered by Representative Boyle (**LRB a0811**) 337

06-23. A. Assembly amendment 2 to Assembly substitute amendment 1 offered by Representative Travis (**LRB f164**) 337

06-23. A. Assembly amendment 2 to Assembly substitute amendment 1 laid on table, Ayes 69, Noes 26 337

06-23. A. Assembly substitute amendment 1 **adopted**, Ayes 54, Noes 41 337

06-23. A. Ordered to a third reading 337

06-23. A. Rules suspended 337

06-23. A. Read a third time and **passed**, Ayes 48, Noes 45, Paired 6 337

06-23. A. Ordered immediately messaged 338

06-27. S. Received from Assembly 275

06-27. S. Read first time and referred to committee on Job Creation, Economic Development and Consumer Affairs 276

08-25. S. Executive action taken.

08-26. S. Report concurrence recommended by committee on Job Creation, Economic Development and Consumer Affairs, Ayes 3, Noes 2 332

08-26. S. Available for scheduling.

10-19. S. Placed on calendar 10-25-2005 by committee on Senate Organization.

10-25. S. Read a second time 406

10-25. S. Moved to the foot of the 12th order of business 406

10-25. S. Referred to committee on Senate Organization 407

10-25. S. Available for scheduling.

2006

05-02. S. Placed on calendar 5-3-2006 by committee on Senate Organization.

05-02. S. Senate substitute amendment 1 offered by Senator Risser (**LRB s0728**) 816

05-03. S. Senate substitute amendment 2 offered by Senator Roessler (**LRB s0742**) 826

05-03. S. Read a second time 821

05-03. S. Senate amendment 1 to Senate substitute amendment 1 offered by Senator Erpenbach (**LRB f501**) 822

05-03. S. Senate amendment 1 to Senate substitute amendment 1 **adopted** 822

05-03. S. Senate amendment 2 to Senate substitute amendment 1 offered by Senator Roessler (**LRB f502**) 822

05-03. S. Refused to refer to committee on Health, Children, Families, Aging and Long Term Care, Ayes 12, Noes 18 822

05-03. S. Point of order that Senate substitute amendment 1 not germane well taken 822

05-03. S. Point of order that Senate substitute amendment 2 not germane well taken 822

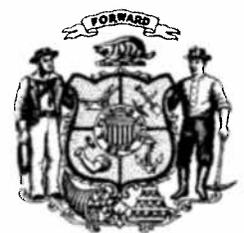
05-03. S. Senate amendment 1 offered by Senator S. Fitzgerald (**LRB a2847**) 822

05-03. S. Senate amendment 1 to Senate amendment 1 offered by Senator Brown (**LRB a3147**) 822

05-03.	S.	Senate amendment 1 to Senate amendment 1 adopted	822
05-03.	S.	Refused to indefinitely postpone, Ayes 10, Noes 21	822
05-03.	S.	Senate amendment 1 adopted , Ayes 23, Noes 8	822
05-03.	S.	Ordered to a third reading	822
05-03.	S.	Rules suspended	822
05-03.	S.	Read a third time	822
05-03.	S.	Nonconcurrent in , Ayes 17, Noes 14	822
05-03.	S.	Ordered immediately messaged	825
05-04.	A.	Received from Senate nonconcurrent in	1110



WISCONSIN STATE LEGISLATURE





Tavern League of Wisconsin

To: Assembly State Affairs Committee
Fr: Pete Madland, CEO Tavern League of Wisconsin
Re: Support AB 414 – Smoke Free Dining Act
Date: May 12, 2005

Thank you for the opportunity to appear before you today in support of AB 414 – the Smoke Free Dining Act. My name is Pete Madland, I am the Chief Executive Officer of the Tavern League of Wisconsin and am testifying today on behalf of our over 5000 members in support of AB 414.

One of the things that amaze me about the Legislative process is how a simple straightforward issue can be made out to be something it isn't. I want to focus my remarks today on what AB 414 proposes.

Assembly Bill 414 does four things:

1. Creates a Statewide Uniform smoking policy.

Current law allows for each municipality to set their own smoking policies. There are 1851 municipalities in Wisconsin. How can anyone argue having 1851 different ordinances relating to smoking is preferable to one uniform statewide standard? We can debate the merits of what that standard should be; however, a uniform approach is the only viable option to address this issue. The Legislature did not think having 1851 different closing hours for taverns was a smart thing when they created uniform closing hours. On July 1, Madison ordinance will not allow smoking in any public place, however, across the street in Monona, Fitchburg, Middleton, Cottage Grove, McFarland, Burke and all neighboring communities smoking in the bar is legal. A statewide uniform approach is the only way to address this issue.

2. Bans Smoking in all dining areas or eating establishments.

Contrary to what has been circulated by some groups about this bill – it BANS smoking in all eating areas of a restaurant or tavern. This goes farther than any existing ordinance on the books today in Wisconsin it requires a statewide BAN on smoking in eating establishments. Smoke Free Wisconsin has been lobbying on the local level to pass ordinances to ban smoking in restaurants and now they are here today to oppose this bill.

Drink Responsibly.
Drive Responsibly.

Every ban they have worked to pass included an exemption for smoking at the bar, with the exception of the Madison ordinance. If I understand this, they support local smoking bans with exemptions for smoking at the bar but do not support a uniform statewide smoking ban virtually identical to the ones they have been working to pass over the last couple of years.

3. Permits Owners to designate smoking in the bar area.

To date, we have counted over 40 local ordinances which have been discussed at the local level to strengthen the state Clean Indoor Air Act. Some have passed some have failed. With the exception of Madison, every local elected governing body which has either proposed or passed a local smoking ban has exempted bars. This proposal mirrors what has been occurring at the local level all across the state. It is really that simple.

I can not understand why groups like the Georgia Alliance for Tobacco Prevention and the Georgia affiliates of the American Cancer Society and American Lung Association would lobby in support of the Smoke Free Air Act in Georgia but not the Smoke Free Dining Act in Wisconsin. The Georgia Governor signed the Smokefree Air Act on Monday. A fact which is even more difficult to comprehend because the Wisconsin bill goes much farther than the Georgia bill which allows exemptions for:

- All bars and restaurants where access is denied to persons under the age of 18.
- Smoking areas designed by an employer which have an independent air handling system.

4. Permit smoking in bowling centers if certain conditions as met.

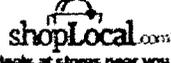
Current law does not prohibit smoking in bowling centers. AB 414 would prohibit smoking in bowling centers unless the bowling center meets certain conditions. Again, the bill goes further than existing state law and further than any existing local smoking ordinance.

In conclusion, let me reiterate: AB 414 is a simple straightforward proposal which goes further than state law and further than any existing local ordinance. It prohibits smoking in all public places with the exception of the bar area of a licensed premise and in bowling centers if certain conditions are made. It provides needed uniformity. It is proposal which essentially incorporates the existing local ordinances relating to smoking bans into state law. I have include in my testimony editorials from the Green Bay Press Gazette, Oshkosh Northwestern and Wisconsin State Journal supporting our position. In addition I have also included the Georgia Bill recently signed into law and the list of supporters including the Georgia Restaurant Association. Thank you for allowing me to testify.

Smoking Ordinances in Wisconsin

City	Ordinance	Specifics of Ordinance as of 01-01-05
Appleton	Yes	Passed Referendum
Ashland	Yes	Banned in Restaurants—indoors, Exemptions: full-service bar area, separate smoking room ventilated separately, taverns http://www.ci.ashland.wi.us/#
Beloit	No	Defeated http://www.ci.beloit.wi.gov/home/default.htm
Eau Claire	Yes	Banned in Restaurants—indoors, Exemptions: Places where >50% of receipts is from alcohol; full-service bar area, separate smoking room ventilated separately, taverns, private functions if separate, *Hardship clause in place too http://www.ci.eau-claire.wi.us/
Franklin	No	Defeated ordinance on 12/7 or 12/8/04, newspaper article coming in MJS on 12/10 Alderman to propose new ordinance http://www.jsonline.com/news/metro/dec04/285862.asp
Fond du Lac	Yes	Banned in Restaurants—indoors, Exemptions: full-service bar area, separate smoking room, Taverns: 33-50% gross receipts from alcohol must provide non-smoking section; >50% receipts from alcohol do not have to have non-smoking; Private clubs: must have non-smoking section; Private functions if separate from public dining areas, i.e. weddings, *See ordinance for info on Restaurant Hardship Provision http://www.ci.fond-du-lac.wi.us/
Holmen	Yes	
Janesville	Yes	
Kenosha	Yes	http://www.kenosha.org Ordinances, City Attorney 262-653-4170
La Crosse	Yes	http://www.cityoflacrosse.org/
La Crosse County	Yes	
Madison	Yes	http://www.ci.madison.wi.us/
Marshfield	No	Defeated regulation
Middleton	Yes	http://www.ci.middleton.wi.us/ordinances/middch16.htm#16.05
Neenah	Yes	http://www.ci.neenah.wi.us/
Onalaska	Yes	http://www.cityofonalaska.com/ The Language following link is specific smoking prohibition: http://www.cityofonalaska.com/meetings/Ordinances/Title8Ch1.htm
Oshkosh	No	Defeated regulation
River Falls	Yes	http://www.rfcity.org/
Shorewood Hills	Yes	http://www.shorewood-hills.org/home-1.htm Ordinance Language: http://www.shorewood-hills.org/ordinances/chapter09.pdf
Stevens Point	Petition started	Referendum defeated http://stevenspoint.com/
Wausau		http://www.wausaudailyherald.com/wdhlocal/286310062480893.shtml
Wauwatosa		
West Bend	No	Defeated regulation
West Salem	Yes	http://www.westsalemw.com/
Wisconsin Rapids	No	Defeated regulation on 9/4/04, mayor cast tie-breaking vote http://www.wisinfo.com/dailytribune/wrdtlocal/281935587015038.shtml



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	LOCAL NEWS from Northwestern		

Posted May 04, 2005

Editorial: Smoking ban issue needs leadership from Legislature

A smart state legislature would see the confusion over smoking bans in Wisconsin cities and write a statewide one-size-fits-all law.

Appleton voters in an April 5 referendum approved a smoking ban that is worse than the one in Oshkosh last year. A business owner in Appleton has a smoking ban that business owners in neighboring communities don't. The Oshkosh smoking ban may have discriminated against just restaurants, but our neighboring towns aren't as strong a competition as Appleton's municipal neighbors.

A review of smoking bans across the state will show few cities are alike. Neenah bans it in places where alcohol is less than 50 percent of sales. Fond du Lac bans it in restaurants, allows it in bars and can issue exemptions. Madison bans it in restaurants but allows it in private clubs.

Oshkosh voted for a ban, then had the language on the ballot declared misleading, the two sides failed to negotiate a compromise and now a decision from Judge Barbara Key awaits with no deadline.

That April 5 election where Appleton voters approved a ban was the same day that Stevens Point voters defeated a ban.

Confusing? Yes. Smart legislators should see these city battles over smoking bans as reason to enact a statewide ban. State Rep. Gregg Underheim, R-Oshkosh, as chairman of the Assembly Committee on Health, should give serious consideration to hearings that can lead to a bill to ban smoking statewide.

There always will be people who say, "You can't beat the Tavern League." So, let the League become part of the discussion. A state-directed effort will have the authority to draw the League, the Wisconsin Restaurant Association and any other interested parties to the table.

Our legislature should see the wisdom of playing "mediator" to so many cities embroiled in controversy over smoking bans.

Good government cuts through the red tape. The role of the statehouse is very clear in this issue. Cut through the red tape of so many cities grappling with the smoking issue and create a level economic playing ground statewide.

The Final Thought: The state legislature should see the confusion of smoking bans in cities and enact a statewide version.

Editorial: Leave smoking ban to owners

The solution would appear to be an easy one: Pass a state law prohibiting smoking in all places where the public gathers.

No municipality would gain the business advantage over another. End of problem. End of story.

Beginning of a bigger problem.

The smoking-ban movement that seems to be picking up steam around here ignores two very basic facts:

- Taxpaying business owners have a right to establish the rules, provided they are legal, for their own property.
- Individuals are always free to choose which private establishments they will enter and which ones they will not enter.

Everyone knows that smoking is not a healthy habit. But it's not illegal, either. The consumption of alcohol is not necessarily healthy for some people. Consuming bacon cheeseburgers is certainly not the recommended approach to a healthy diet.

But we aren't going to ban beer or close up our fast-food restaurants.

We believe there must be guidelines for smoking. Public places in which citizens must enter to do business required by law — getting a driver's license, paying taxes, buying a stamp, for example — should be tobacco-free.

Other businesses — banks, department stores — are also free to outlaw smoking if they feel it is in their own best interests. Grocery stores that choose to allow smoking might find a dramatic decrease in business.

But restaurants and taverns that choose to cater to people who smoke should be allowed to make that choice. In today's society, there are numerous eating and drinking options for those who wish to have the smoke or not to have it in their midst.

Some of our friends and neighbors enjoy an evening at a local tavern where a drink and a cigarette provide what they want.

Others would like to walk into a restaurant where smoking is permitted.

The fact is, every person is free to walk in or walk out.

Issue

Smoking ban

Our view

Business owners should have the right to decide whether tobacco use is permitted on their property

When we go so far as to tell private businesses that they may not condone that which is legal, we cross a line.

If the movement to ban smoking is so strong, then those establishments that permit tobacco will suffer in the marketplace.

But free enterprise should decide that, not laws.

Archives

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Our Opinion

Place Smoking Ban In Political Ashtray

Madison's Proposal To Stamp Out Smoking Is An Unenforceable Intrusion Into Citizens' Private Lives.

Wisconsin State Journal :: OPINION :: A8

Monday, February 19, 2001

Smoking is a nasty, expensive habit that can kill you. At best, it annoys nonsmokers; at worst, it can hurt them, too.

But almost as annoying as secondhand smoke are the persistent attempts by Madison Mayor Sue Bauman and a trio of neonannies on the City Council to make it virtually illegal within the pristine city limits.

Bauman and Aids. Jean McCubbin, Ken Golden and Gary Poulson are sponsoring an ordinance that would ban smoking in all workplaces except taverns, restaurants with full-service bars and hotel rooms.

This is almost the same ordinance that the City Council wisely rejected 12-8 in 1999. It is an unenforceable intrusion into people's private lives that appears more motivated by the proponents' desire to meddle than by any massive public outcry.

Smoking is already banned at more than 90 percent of the nation's workplaces, according to the national Centers for Disease Control and Prevention, and for good reason. But most of these employers enacted the bans themselves, to accommodate their employees and their customers. They didn't need the government to make them to do the right thing, and neither do those few remaining businesses that feel it's in their best interest to allow smoking.

The objections to this latest ban are the same as they were in 1999:

*Difficulty in enforcement. Do Madison police have nothing better to do than storm into small businesses and issue tickets for smoking? How about hanging around in apartment building laundry rooms to make sure no one sneaks a smoke while ensuring their towels don't get stolen?

Noticeably absent from the proposed ban are schools. Although one proposal would have banned smoking within 50 feet of Madison public schools, the city Health Commission unanimously rejected the proposal after hearing objections from principals that it would be impossible to enforce. Here's a question for the council: If you can't enforce a ban on smoking by people who are not legally allowed to smoke, how can you enforce such a ban on legal smokers?

*Most people don't want it. Although less than 25 percent of the population smokes, repeated surveys have shown that the majority of people are against government-imposed smoking bans. No doubt some of them are worried - and rightly so - that if government succeeds in eliminating smoking, regulators will be emboldened to tackle other public health threats, like red meat or Cheez Doodles.

It's worth noting that this may be the first time that Bauman has ever broken ranks with organized labor, which was vociferous in its opposition to the proposed ban two years ago. It's also worth noting that some of the proposal's backers are the same council members who want to kill the anti-loitering law because they says it's unenforceable. So is this. What's the difference?

The council's fallback position on the smoking ban is to conduct a public referendum on the question.

While the near certainty that the ban would lose makes this a tempting proposition, referendums are not a good way to set public policy. We have elected officials to do that.

Most voters do not, however, vote for someone in hopes their candidate will try to eliminate every vice and bad habit in the name of the public good. There are more important issues facing the city for its council members to get sidetracked on than an unenforceable piece of feel-good legislation like this.

Article Last Updated: 4/25/2005 12:49 AM

david harsanyi

Health alarmists blow smoke

By David Harsanyi
Denver Post Staff Columnist
DenverPost.com

Why is that when someone utters the words "public health," we're expected to flip the brain switch to the off position?

Recently, we were warned by the Centers for Disease Control and Prevention that obesity was going to be the new No. 1 killer in America. Politicians sprinted to come up with pioneering ways to legislate against the dreaded Twinkie.

Now, a study published by the Journal of the American Medical Association debunks the whole report. The CDC, in fact, was forced to announce that it had greatly overexaggerated the number of lives lost each year to obesity, downgrading its original figure of between 300,000 and 400,000 to a number right around 26,000.

Ironically, not only does the study find that putting on a few extra pounds is not a fatal blunder, turns out it can actually help you live longer than being at a "normal weight."

The alarmism over obesity had even terrified Cookie Monster into a fit of political correctness. The stout blue Muppet is now promoting a healthier eating style. He's replaced his song "C is for cookie, that's good enough for me," with "a cookie is a sometimes food."

A "sometimes" food? I watched Cookie Monster stuff hundreds of cookies down his throat, and I still understood cookies were a "sometimes" food.

He's a Muppet, after all. His name is Cookie Monster.

Children aren't idiots, even if television treats them as such.

Alarmists treat us like children. If you'll recall, here in Colorado, we were all going to die from the flu virus this past winter because we hadn't socialized the vaccine industry and/or President Bush was amusing himself by murdering children and the elderly.

Turns out, according to, yes, the CDC, people who received the flu vaccine are just as likely to get flu-like symptoms as those who didn't get the shot. The study found that vaccine had "no or low effectiveness against influenza-like illness."

The newest trend in scare-mongering from pundits, politicians and meddling bureaucrats in Colorado is the notion that secondhand smoke causes cancer.

Proponents of the Colorado Clean Indoor Act (a smoking ban) repeat this

secondhand-smoke-kills line with such confidence that you're inclined to believe they have data to back it up.

If they bothered, the closest thing to a study supporters could dig up would be an infamous 1992 Environmental Protection Agency report that claimed secondhand smoke caused 3,000 deaths a year and classified it as a Class A carcinogen.

That same report was later tossed out by a federal judge, who cited evidence that epidemiologists and statisticians had been complaining about for years: The EPA utilized imprecise statistical data, working backward from a pre-

determined (politically correct) position.

Most organizations that back smoking bans - American Lung Association, American Heart Association and American Cancer Society - still use this dubious EPA report as their proof of killer passive smoke.

Even the World Health Organization, which spends infinite sums on anti-

tobacco campaigns, produced a report not only that illustrated secondhand smoke was statistically irrelevant in cancer deaths, but also that there was no association between lung cancer risk and exposure during childhood.

Does that mean you should light up around your kids? Of course not.

If everyone quit smoking and restaurants, bars and hotels decided, on their own, to ban tobacco, Colorado would be a far better place.

Yet, relying on what at the very best can be called tenuous data, those with a yen to gentrify the world and save us from ourselves somehow have the upper hand in the debate.

Perhaps one day, we'll start thinking for ourselves and force the stampeding herd of alarmists to persuade us, instead of using purely emotional arguments.

Until then, however, I'll be forced to watch Cookie Monster degrade himself eating fruit.

David Harsanyi's column appears Monday and Thursday. He can be reached at 303-820-1255 or dharsanyi@denverpost.com.

Georgia

SMOKE FREE DINING ACT

Governor Sonny Perdue just signed a bill into law that bans smoking in all public buildings in Georgia with the exception of:

- **All bars and restaurants to which access is denied to any person under the age of 18.**
- **Smoking areas designed by an employer, which have an independent air handling system.**
- **Meeting rooms at convention facilities, which are not owned or operated by the state or by any of its political subdivisions.**
- **Hotel and motel rooms designated for smokers, up to a maximum of 20 percent of the rooms in any hotel or motel.**
- **Retail tobacco stores.**
- **Long-term care facilities.**
- **Private homes.**

The bill was supported by the Georgia Restaurant Association, Smoke Free Air, the American Cancer Society, and the American Lung Association along with many other groups.



Georgia General Assembly

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05 SB 90/HCSFA

HOUSE SUBSTITUTE TO SENATE BILL 90

A BILL TO BE ENTITLED AN ACT

To amend Chapter 12 of Title 16 and Title 31 of the Official Code of Georgia Annotated, relating to offenses against public health and morals and to health, respectively, so as to provide comprehensive changes and additions to the prohibition on smoking in this state; to amend certain provisions relating to the prohibition against smoking in public places; to enact the "Georgia Smokefree Air Act of 2005"; to provide for definitions; to prohibit smoking in certain facilities and areas; to provide for exceptions; to provide that entire establishments, facilities, or outdoor areas shall be nonsmoking; to provide for posting of signs and removal of ashtrays; to provide for an informational program; to provide for enforcement; to provide that this prohibition shall be cumulative to other general or local acts, rules, and regulations; to provide for statutory construction; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public health and morals, is amended by striking Code Section 16-12-2, relating to prohibited smoking in public places, and inserting in lieu thereof the following:

∇16-12-2.

(a) A person who smokes smoking tobacco in violation of Chapter 12A of Title 31 ~~any form in any of the following public places~~ shall be guilty of a misdemeanor and, if convicted, shall be punished by a fine of not less than \$100.00 nor more than \$500.00.

~~(1) An enclosed elevator which is used by or open to the public and which is clearly designated by a no smoking sign;~~

~~(2) Any place on a public transportation vehicle which is used by the public and which is clearly designated by a no smoking sign;~~

~~(3) Any area which is used by or open to the public and which is clearly designated by a no smoking sign; or~~

~~(4) Any area which is the real property upon which is operated a day care center, group~~

~~day care home, or family day care home, as defined in Code Section 49-5-3, during the hours of operation of such facility.~~

~~(b) A person convicted of violating subsection (a) of this Code section shall be punished by a fine of not less than \$10.00 nor more than \$100.00.~~

~~(e)(b) This Code section shall be cumulative to and shall not prohibit the enactment of any other general and local laws, rules and regulations of state or local agencies, and local ordinances prohibiting smoking which are more restrictive than this Code section. √~~

SECTION 2.

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by adding after Chapter 12 a new Chapter 12A to read as follows:

√CHAPTER 12A

31-12A-1.

This chapter shall be known and may be cited as the "Georgia Smokefree Air Act of 2005."

31-12A-2.

As used in this chapter, the term:

- (1) 'Bar' means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages, including, but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.
- (2) 'Business' means any corporation, sole proprietorship, partnership, limited partnership, limited liability corporation, limited liability partnership, professional corporation, enterprise, franchise, association, trust, joint venture, or other entity, whether for profit or nonprofit.
- (3) 'Employee' means an individual who is employed by a business in consideration for direct or indirect monetary wages or profit.
- (4) 'Employer' means an individual or a business that employs one or more individuals.
- (5) 'Enclosed area' means all space between a floor and ceiling that is enclosed on all sides by solid walls or windows, exclusive of doorways, which extend from the floor to the ceiling.
- (6) 'Health care facility' means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including, but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight control clinics, homes for the chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, dentists, and all specialists within these professions. This definition shall include all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within health care facilities. This definition shall not include long-term care facilities as defined in paragraph (3) of Code Section 31-8-81.
- (7) 'Infiltrate' means to permeate an enclosed area by passing through its walls, ceilings, floors, windows, or ventilation systems to the extent that an individual can smell secondhand

smoke.

(8) 'Local governing authority' means a county or municipal corporation of the state.

(9) 'Place of employment' means an enclosed area under the control of a public or private employer that employees utilize during the course of employment, including, but not limited to, work areas, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, and hallways. A private residence is not a place of employment unless it is used as a licensed child care, adult day-care, or health care facility. This term shall not include vehicles used in the course of employment.

(10) 'Public place' means an enclosed area to which the public is invited or in which the public is permitted, including, but not limited to, banks, bars, educational facilities, health care facilities, laundromats, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms. A private residence is not a public place unless it is used as a licensed child care, adult day-care, or health care facility.

(11) 'Restaurant' means an eating establishment, including, but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term shall include a bar area within any restaurant.

(12) 'Retail tobacco store' means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental.

(13) 'Secondhand smoke' means smoke emitted from lighted, smoldering, or burning tobacco when the person smoking is not inhaling, smoke emitted at the mouthpiece during puff drawing, and smoke exhaled by the person smoking.

(14) 'Service line' means an indoor line in which one or more persons are waiting for or receiving service of any kind, whether or not the service involves the exchange of money.

(15) 'Shopping mall' means an enclosed public walkway or hall area that serves to connect retail or professional establishments.

(16) 'Smoking' means inhaling, exhaling, burning, or carrying any lighted tobacco product including cigarettes, cigars, and pipe tobacco.

(17) 'Smoking area' means a separately designated enclosed room which need not be entered by an employee in order to conduct business that is designated as a smoking area and, when so designated as a smoking area, shall not be construed as to deprive employees of a nonsmoking lounge, waiting area, or break room.

(18) 'Sports arena' means enclosed stadiums and enclosed sports pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the general public assemble to engage in physical exercise, participate in athletic competition, or witness sports or other events.

31-12A-3.

Smoking shall be prohibited in all enclosed facilities of, including buildings owned, leased, or operated by, the State of Georgia, its agencies and authorities, and any political subdivision of the state, municipal corporation, or local board or authority created by general, local, or special Act of the General Assembly or by ordinance or resolution of the governing body of a county

or municipal corporation individually or jointly with other political subdivisions or municipalities of the state.

31-12A-4.

Except as otherwise specifically authorized in Code Section 31-12A-6, smoking shall be prohibited in all enclosed public places in this state.

31-12A-5.

(a) Except as otherwise specifically provided in Code Section 31-12A-6, smoking shall be prohibited in all enclosed areas within places of employment, including, but not limited to, common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, and all other enclosed facilities.

(b) Such prohibition on smoking shall be communicated to all current employees by July 1, 2005, and to each prospective employee upon their application for employment.

31-12A-6.

(a) Notwithstanding any other provision of this chapter, the following areas shall be exempt from the provisions of Code Sections 31-12A-4 and 31-12A-5:

- (1) Private residences, except when used as a licensed child care, adult day-care, or health care facility;
- (2) Hotel and motel rooms that are rented to guests and are designated as smoking rooms; provided, however, that not more than 20 percent of rooms rented to guests in a hotel or motel may be so designated;
- (3) Retail tobacco stores, provided that secondhand smoke from such stores does not infiltrate into areas where smoking is prohibited under the provisions of this article;
- (4) Long-term care facilities as defined in paragraph (3) of Code Section 31-8-81;
- (5) Outdoor areas of places of employment;
- (6) Smoking areas in international airports, as designated by the airport operator;
- (7) All workplaces of any manufacturer, importer, or wholesaler of tobacco products, of any tobacco leaf dealer or processor, all tobacco storage facilities, and any other entity set forth in Code Section 10-13A-2;
- (8) Private and semiprivate rooms in health care facilities licensed under Title 31 that are occupied by one or more persons, all of whom have written authorization by their treating physician to smoke;
- (9) Bars and restaurants, as follows:
 - (A) All bars and restaurants to which access is denied to any person under the age of 18 and that do not employ any individual under the age of 18; or
 - (B) Private rooms in restaurants and bars if such rooms are enclosed and have an air handling system independent from the main air handling system that serves all other areas of the building and all air within the private room is exhausted directly to the outside by an exhaust fan of sufficient size;
- (10) Convention facility meeting rooms and public and private assembly rooms contained

OPINION

Gov. Sonny Perdue can't seem to make up his mind about whether he will sign the Georgia Smoke Free Air Act.

The law would stop smoking in all public places, with restaurants probably affected most. The governor's representative said he's having a difficult time striking a balance between personal liberties and health matters.

Normally, if someone performs an act that renders others as victims, a law is passed without squabble to prevent such an act. That is, such a law is passed if the victims are immediately visible.

A person who creates loud noises in public places can have his or her so-called personal liberties removed in a hurry when they cause pain to the ears and psyche of others. But second-hand smoke can float through the air with no visible effect.

Because health decay from second-hand smoke comes much later, the governor and other opponents of the ban are worried about smokers' rights.

A number of people continue to smoke even though their friends and relatives have died long, painful deaths due to cigarettes. And some people still do not object to being in a room with second-hand smoke.

But many of us, in great numbers, protest strongly to passive smoke. We recognize that the air we all breathe needs to be kept as clean as possible, and cigarette smoke is one of the biggest culprits.

Ask servers in restaurants and they will tell you. A person who wants to take his or her family out for the evening will go to a restaurant where the food is good. But when the smoke wafts over from the cigarette section, they complain and get out as quickly as they can.

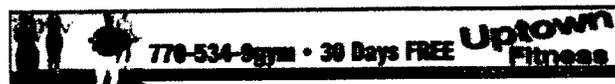
Restaurateurs are having an increasingly difficult problem because they don't want to close their doors to smokers, but allowing them to smoke causes other problems. A patchwork of smoking bans has developed, with some restaurants and some cities initiating their own limitations. Restaurant associations now describe a statewide ban as a way to "level the playing field."

Rep. Stacey Reece, R-Gainesville, introduced in the Georgia House the bill to ban smoking and worked hard to get it passed. Now he is among those working to get Perdue to sign the bill.

The governor needs to listen. The bill is supported by physician and pediatric groups, hospital associations, child advocacy groups such as the Georgia PTA, the Georgia Restaurant Association, Building Owners and Managers Association and more.

Unfortunately, surrounding someone with blue haze from a lighted cigarette is not a victimless deed. Perdue needs to acknowledge this and sign the Georgia Smoke Free Air Act into law.

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Supporters of the Smoke Free Air Act of 2005

- 1st America Drugs, Valdosta
AARP of Douglasville
Academy of Dance Arts, Canton
Adel Express, Adel
Adel Pawn & Gift Shop, Inc., Adel
Adel Steel Inc., Adel
AGLA of Americus
Albany Area Primary Health Care Inc.
Alboes Computers, Columbus
All American Auto Sales of Columbus
Alpha Kappa Alpha Sorority, Inc. (Gamma Tau Omega), Columbus
American Academy of Pediatrics, Georgia Chapter
American Cancer Society - Macon
American Cancer Society - Terrell County
American Cancer Society, Dawsonville
American Cancer Society, Dublin-Laurens Co
American Cancer Society, Gainesville
American Cancer Society, South Atlantic Div.
American General of Americus,
American Heart Association - Brunswick
American Heart Association, Southeast Affiliate
American Lung Association - Southeast Region
American Lung Association-SE-Albany
American Medical Student Assoc, Clayton State
American SIDS Institute, Marietta
Americus-Sumter High School-South Campus
Arrowhead Healthcare Center, Jonesboro
Ashlyn's Ladies Apparel and Accessories, Bainbridge
Association of Black Cardiologists
Athens Tobacco Prevention Coalition
B&B Farms Inc, Pitts
B&W Forestry Consultant, Gray
Badcock Home Furniture of Cairo
Bank of Dawson
Barrow Community Hospital, Winder
Bartow County Board of Health, Rome
BellSouth Relay for Life Team II, Haddock
Ben Hill Co Emergency Medical Services
Beulahland Bible Health and Healing Ministry, Macon
Bibb County Public Schools, Macon
Big Shanty Barber Shop, Kennesaw
BJC Medical Center, Commerce
Blackmar, Tibbetts & Associates, Tifton
Blakely Immediate Care, Blakely
Bosom Buddies Breast Cancer Support Group, Bainbridge
Bradley Direct-Columbus
Brookdale Elementary School, Lizella
Brooks County Family Connection, Quitman
Brooks County Hospital, Quitman
Brunswick Job Corps, Brunswick
Bruster's Real Ice Cream of Locust Grove, Locust Grove
Burke County Tobacco Use Prevention Coalition, Waynesboro
C.A.R.I.N.G. Peachtree City
Cairo-Grady County Chamber of Commerce
Campaign for Tobacco-Free Kids, Dothan
Cascadium LLC, Atlanta
Catoosa Board of Health, Rome
Cedar Creek Missionary Baptist Church, Butler
Center for Pan Asian Community Services, Inc., Doraville
Center Point Students Working Against Tobacco, Gainesville
Central Georgia Cancer Coalition, Macon
Century 21-Smith, Brand & Pope, Tifton
Charbroil Restaurant of Columbus
Chatham County Health Department
Chatham/Effingham Tobacco Use Prevention Coalition
Chatz Inc., Columbus
Cherokee Elementary School, Americus
Children Against Tobacco (CAT) of Glynn Co
Children's Healthcare of Atlanta
Chuck's Lawn Care, Bainbridge
Chun's Hair Salon, McDonough
Citizens Bank of Americus
City of Brunswick
City of Buena Vista
City of Pineview
Cloud Financial Group, Kennesaw
Coastal Hypnosis Center, Brunswick
Coastal Stress Management, Brunswick
Cobb Tobacco Use Prevention Coalition
Coliseum Health Systems, Lizella
Collins & Ailsman Insurance Co, Americus
Columbus CAT FISH
Columbus Doctors Hospital
Columbus Office Products, Inc., Columbus
Columbus Productions, Inc., Columbus
Columbus Tape & Video, Columbus
Command Events-Columbus
Community Bank of Fitzgerald
Community Cardiovascular Council, Inc., Savannah
Community Chapel of Pine Mountain Valley
Concerned Communities Against Tobacco Exposure, Valdosta
Cooper Lighting, Americus
Copeland Insurance Agency, Albany
Corporate Center of Columbus
Curves Gym of Albany
Custom Framing and Art of Columbus
Dance South, Ocilla
Delta Air Lines, Atlanta
Delta Kappa Gamma Society Int.-Gamma Gamma, Douglasville
Detailed Events & More, Columbus
Donald C. Bowman CPA, LLC, Columbus
Donaldsonville Hospital, Inc., Donaldsonville
Douglas County Tobacco Use Prevention Coalition
Douglasville Kiwanis Club, Douglasville
East Central Health District, Augusta
East Georgia Healthcare Center, Swainsboro
Eastside Baptist Church, Tifton
EC Group Engineering, Atlanta
ECC Supply Company, Columbus
Electrolysis & Laser Center, Valdosta
Ellaville Primary Medicine Center, Ellaville
Emory Eastside Medical Center, Snellville
Emory Healthcare, Decatur
End Results Inc. of Waverly
Enterprise Community Healthy Start, Augusta
European Foods, Inc., Columbus
Family Christian Stores, Marietta
Family Prevention Resource & Learning Center, Roswell
Fannin County Board of Health, Dalton
Fannin Regional Hospital, Blue Ridge
Fayette County FACTOR, Fayetteville
Fiduciary Services Corp., Savannah
First Presbyterian Church, Quitman
First Salem Baptist Church, Inc., Montezuma
First United Methodist, Americus
Flowerwood Nursery, Inc., Cairo
Floyd Medical Center/Women's Health Outreach, Rome
Forsyth County Community Connection
Full Gospel Church of God, Sparks
Gainey-Reece Associates, Inc., Gainesville
GEICO Insurance, Macon
GEICO Insurance of Gray GA
GEICO-SE Insurance Sales, Greensboro
Genesis Prevention Coalition, Atlanta
Georgia Alliance for Tobacco Prevention
Georgia Association for Primary Health Care
Georgia Association of Family Practitioners
Georgia Cooperative Health Education Program, Inc., Dublin
Georgia Dental Association
Georgia Dietetic Association
Georgia Ethnic Health Network
Georgia Federation of Professional Health Educators
Georgia Hospital Association
Georgia OB/GYN Society
Georgia Parent Teacher Association (PTA)
Georgia Thoracic Society
Gibson's Salon, Moultrie
Girls Incorporated of the CSRA, Augusta
Glynn County Board of Health, Brunswick
Glynn County School System, Brunswick
Good Hope Missionary Baptist Church, Augusta
Gordon County Board of Health, Rome
Gourmet Deli, Columbus
Gray United Methodist Church, Gray
Greener Water Wells, Inc., Gray
Gregory Bridge Company, Eatonton
GUIDE, Inc., Lawrenceville
Gwinnett Coalition for Health and Human Services
Gwinnett Hospital System, Lawrenceville
H2U Coliseum Medical Center, Macon
Habersham County Family Connection, Clarkesville
Habersham County Medical Center, Demorest
Hair Flair, McDonough
Hamilton Health Care System, Dalton
Hands on Thomas County, Thomasville
Haralson County Board of Health, Rome
Haralson Family Connection Coalition, Bremen
Hawkinsville High School, Hawkinsville
Health Systems Management, Tifton
HealthPlus
Healthy Glynn Committee
Healthy Mothers, Healthy Babies Coalition of Georgia
Healthy Sleeper.Com, Brunswick
Heart of Georgia Healthy Start Coalition, Dublin
Henry County Bosom Buddies, Hampton
Henry Medical Center, Inc., Stockbridge
Home Instead Savior Care
Horizons Diagnostics, LLC, Columbus
House of China II Restaurant, Albany
Huge Enterprises, Inc., Marietta
Hugstun Orthopedic Hospital, Columbus
Hurst Boiler & Welding Company, Inc., Coolidge
Hurt & Associates, Cordele
Impressions Hair Salon, Adel
INEE Homes, Inc., McDonough
Infomedix, Colquitt
Inner Harbor, Douglasville
James Conger Law Office, Bainbridge
John D. Archibald Memorial Hospital, Thomasville
Jones County Fire Dept, Gray
Jonesboro Dental Associates, Jonesboro
Jr. Service League of Americus, Americus
J's Jay Relay for Life Team, Macon
Kicky's Shoes & Clothing, Quitman
Kiwanis Club of Ringgold

Kroger Company-Macon
 L. Clark Recruiting Agency, Columbus
 Lavonia Police Department, Lavonia
 Lazarus Department Store, Moultrie
 Lee County High School, Leesburg
 LES Jewelry, Richland
 Liberty County YMCA, Hinesville
 Lumpkin Family Clinic, Lumpkin
 MacAlion, Inc., Savannah
 Macon County Chamber of Commerce
 Main Street Toy Shop, Columbus
 Marion County Library, Buena Vista
 Martin Repair, Pitts
 McDuffie County Partners for Success
 Media Marketing and More! Inc., Columbus
 Medical Association of Georgia
 Medical Association of Georgia Alliance
 Medical Staffing Network, College Park
 Memorial Baptist Church of Moultrie
 Memorial Health System, Adel
 Methodist Children's Home, Americus
 Metro Atlanta Coalition on Cancer Awareness
 Metro Atlanta YMCA-Cowart Family Branch
 Midway UCC/Thebes A.M.E., Midway
 Miller County Board of Education, Colquitt
 Miller County Hospital, Colquitt
 Miller County Nursing Home, Colquitt
 Miller Electronics, Cairo
 Mitchell County Hospital, Camilla
 Montgomery County Vision HOPE Inc., Mt. Vernon
 Moore Lumber Company, Alapaha
 Mordic Construction, Columbus
 Morehouse School of Medicine, Atlanta
 Mt. Salem Baptist Church, Gray
 Mt. Vernon Baptist Church, Macon
 Murray County Board of Health, Dalton
 Nash Physical Therapy Providers, Inc., McDonough
 National Black Leadership Initiative on Cancer II - Southeast Region
 National Kidney Foundation of Georgia
 New Beginnings Training & Consulting, Locust Grove
 New Birth Ministry of P.A.W., Macon
 New Hope Baptist Church-Macon
 New Horizons, Randolph Clay Service Center, Cuthbert
 New Images, Reynolds
 North Columbus Pharmacy, Columbus
 Northwest Georgia Oncology Centers, P.C., Marietta
 Northwest Laurens Elementary, Dudley
 NUCON Energy Corporation, Savannah
 Oconee Family Medicine Center, Milledgeville
 Odyssey Printing & Graphics, Columbus
 Oliver Printing Company, Dawson
 Oral Health America, Duluth
 Palmyra Medical Centers, Albany
 Park Place Outreach Inc., Sun
 Partners for Community Health-Drug Free, Savannah
 Paulding County Board of Health
 Peach Regional Medical Center, Fort Valley

Pearlman Comprehensive Cancer Center, Valdosta
 Pediatrics of Glynn on the Island, St. Simons
 PeopleCheck, Inc., Gainesville
 Phillips Nelner & Associates LLC, Jackson
 Pickens County Board of Commissioners
 Pickens County Board of Health
 Pickens County Government, Jasper
 Pioneer Credit Company, Dawson
 Pitts Gin Company Inc., Pitts
 Pitts Insurance Company, Pitts
 Planters First, Hawkinsville
 Plantitude Baptist Church, Gray
 Premier Landscape & Lawn Maintenance, Unadilla
 Prevent Child Abuse Liberty Inc., Midway
 Prevention Alliance for Tobacco Control & Health, Decatur
 Prevention Plus-Forest Park Street School, Forest Park
 Progressive Real Estate of Richland
 Promise of Hope, Dublin
 Putnam General Hospital, Eatonton
 Randolph Medical Associates, Cuthbert
 Rasmussen Chiropractic Center, Fayetteville
 Regional Eye Center, Americus
 Regions Bank of Albany
 Richland Self Storage, Richland
 Richmond Hill Car Wash, Richmond Hill
 Roddenberry Memorial Library, Cairo
 Rollins School of Health-Emory University, Atlanta
 Roswell/North Fulton Community Coalition
 S.M.A.R.T., Atlanta
 Savannah Health Mission, Savannah
 Savannah-Chatham County Board of Education
 SAV-TAX II, Macon
 Schwartz Enterprises, Inc., Columbus
 SGMCI/Colonial Mall "Mail Walkers Club", Valdosta
 Shaw Industries Group, Inc., Dalton
 Shear Madness of Richland
 Sierra Club-Georgia Chapter
 Simply Mike's Pet Styling, College Park
 Sisters Florist & Bakery, Adel
 South Georgia Banking Company, Tifton
 South Georgia Medical Center, Valdosta
 South Georgia Surgical Clinics, Tifton
 Southeast Georgia Cancer Alliance, Savannah
 Southern Heart Specialists of Stockbridge
 Southern Office Furniture, Tifton
 Southern Regional Medical Center, Riverdale
 Southland Pools, Columbus
 Southwest Georgia Area Health Education Center, Albany
 Spring Creek Health Cooperative, Blakely
 St. Andrews Presbyterian Church, Americus
 St. Francis Hospital, Columbus
 St. Joseph Hospital, Augusta
 State Farm Insurance of Atlanta
 State Farm Insurance of Marietta
 State Farm Insurance of Tifton

Stewart County Coroner's Office, Lumpkin
 Stewart Webster Hospital, Richland
 Stewart Webster Rural Health, Inc., Richland
 Styles By Cooper, Columbus
 Sumter Primary Care, Inc., Americus
 Sumter Regional Hospital, Americus
 Sunshine United Methodist Church, Round Oak
 SunTrust Bank, Savannah
 T&R Custom, Inc., Ellaville
 Talbot County Association of Educators, Geneva
 Taylor County Relay for Life, Reynolds
 Taylor Regional Hospital, Hawkinsville
 Teen Plus Resource Center, Rome
 Terrell County Assessors Office, Dawson
 The Council on Alcohol & Drugs Inc., Norcross
 The Dawg House, Cuthbert
 The Lou's Crew, Macon
 Thomas Custom Design, Inc., College Park
 Thomas Funeral Home, Calhoun
 Tibbetts Communications, Tifton
 Tidwell Cancer Foundation, Columbus
 Tidwell Cancer Treatment Center, Columbus
 Tift Regional Medical Center, Tifton
 Tobacco Prevention Coalition of Midway
 Tobacco Reduction Alliance of Clayton Co
 Tobacco-Free Action Coalition of Columbus
 Tom's Foods Inc., Columbus
 Towns County Family Connection, Hiwassee
 Toy Trains N Things, Suwanee
 Trees Bartow, Cartersville
 Tri-County EMC, Gray
 Twiggs Co. Relay for Life, Jeffersonville
 Union Baptist Church, Macon
 United Way of the Chattahoochee Valley, Columbus
 Upson Regional Medical Center, Thomaston
 Urban League of Greater Columbus, Inc.
 Valamike Products Inc., Moultrie
 Verizon Wireless, Alpharetta
 V'Roooom Technology Inc., Columbus
 W.C. Bradley Co. Real Estate Division, Columbus
 W.C. Bradley Company, Columbus
 Wachovia Relay For Life Team-Sumter Co.
 Wachovia Securities of Savannah
 Wadeken Industries, Inc., Canton
 Walker's BBQ, Adel
 Wellstar Douglas Hospital, Douglasville
 Wellstar Health Systems, Marietta
 West Bainbridge Middle School, Bainbridge
 West Georgia Cancer Outreach Program Inc., LaGrange
 Westwood School
 Wheeler County Hospital, Inc., Glenwood
 White Hill Baptist Church, Reynolds
 Williams Elementary School, Macon
 YMCA, Hinesville
 Youth In Charge, Valdosta
 ZWR Andras Architects, Columbus

363 and counting.....

March 1, 2005

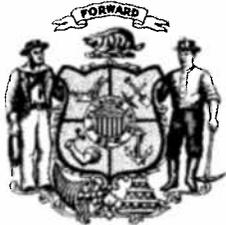
**WISCONSIN
SMOKE FREE DINING ACT**

AB 414 ?

- **Creates Uniform Statewide Smoking Policy.**
- **Bans Smoking in all dining areas of eating establishments regardless of size. This meets or exceeds every existing local ordinance.**
- **Permits owners to designate smoking in the bar area - as is the case in every existing municipality today.**
- **Allows smoking in bowling centers if certain conditions are met.**



WISCONSIN STATE LEGISLATURE



AB 414 ?

Georgia

SMOKE FREE DINING ACT

Governor Sonny Perdue just signed a bill into law that bans smoking in all public buildings in Georgia with the exception of:

- **All bars and restaurants to which access is denied to any person under the age of 18.**
- **Smoking areas designed by an employer, which have an independent air handling system.**
- **Meeting rooms at convention facilities, which are not owned or operated by the state or by any of its political subdivisions.**
- **Hotel and motel rooms designated for smokers, up to a maximum of 20 percent of the rooms in any hotel or motel.**
- **Retail tobacco stores.**
- **Long-term care facilities.**
- **Private homes.**

The bill was supported by the Georgia Restaurant Association, Smoke Free Air, the American Cancer Society, and the American Lung Association along with many other groups.