

February 25, 1975

PRESIDENT: The chair recognizes Senator Cavanaugh.

SENATOR CAVANAUGH: Mr. President, this was the smoking bill that was killed in Health and Welfare Committee. At that time, I made the motion to kill the bill in Committee because of the sign posting requirements. I later talked to Senator Marsh and told her I would help her raise the bill on the floor, if the sign posting was taken out of it. Again, apparently this happened when I was absent. The bill was raised. The signs were left in and I still think that they should come out. My understanding at that time was that Senator Marsh thought they should come out. I don't know if she has changed her mind or not but the point is, is that if you are going to make...require the posting of signs for smoking, it seems to me that you ought to require the posting of signs for any other crime and we don't do that. We don't tell..have signs in grocery stores saying, no shoplifting. We don't have signs in banks saying, no bad checks accepted, but if you want to pass this bill, then we should offer an amendment that says that any crime that's appropriate to a location should have a sign posted prohibiting it and so I move the adoption of the amendment.

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, my good friend, Senator Cavanaugh, in being a bit facetious, is sometimes devastating. However, his presentation of his argument this morning, I think, makes some issues fuzzy and does not define them as clearly and precisely as he is capable of doing. When you have the situation in the store where somebody is going to shoplift, if that is a crime, it would be a crime against the owner of a store not against the populace or the public in general. If a bank is going to deal with bad checks, either accepting them or not accepting them, again that is a matter between the bank and the individual. But where smoking is concerned, you are talking about the general rights of the population and you are setting up a situation where in certain situations people cannot infringe on the right of others to breathe smoke-free air. He said that there are not crimes which require the posting of signs. Had he been here on the day this amendment was debated, he would have heard me point out how where traffic violations are concerned you have to have a sign posted telling you that you cannot park either at all or during certain hours, if it is a bus zone, and other specifications. So instead of this provision placing a hardship on anybody, it merely apprises the individual who desires to smoke that in this area he cannot impose his habits and his practices on other people. I find, personally, smoking to be offensive. If I go into a restaurant and they allow people to smoke and the smoke is heavy, I just don't eat there. However, if there is a situation where I must ride an elevator or be in some of these other locations, I don't want somebody to be able to infringe on a right that I have to breathe air free of his or her smoke. So this is a serious bill. It's being dealt with in a frivolous fashion. It has always been dealt with in a frivolous fashion, not just in this Legislature, but wherever a non-smoking provision comes before the public. We know, from studies made by various medical people and organizations, that cancer, emphysema, other respiratory ailments resulting in death or serious health impairment result directly from smoking. It might be a joke to some