



This is a printer friendly version of an article from www.the-dispatch.com
To print this article open the file menu and choose Print.

[Close this page](#)

Article published Feb 21, 2007
Feb 21, 2007

Holliman likes smoking ban's chances

BY GLEN BAITY
The Dispatch

After his first attempt to restrict smoking in public places failed in 2005, Rep. Hugh Holliman refused to let the issue rest. On Monday, the Davidson County Democrat and recently elected House Majority Leader filed a second, more far-reaching bill.

"We know second-hand smoke has carcinogens that cause cancer," Holliman said. "As the surgeon general said, 'the debate is over.'"

But the debate over his newly proposed legislation, which would ban smoking in most enclosed public places and almost all places of employment, will begin soon. Holliman filed House Bill 259 on Monday.

Since House Bill 76, his first attempt to legislate a smoking ban in restaurants, was voted down 63 to 57 in June of 2005, the landscape has changed somewhat. Many area restaurants like Henry James Barbecue, Don Juan's and Lexington Barbecue have voluntarily abandoned their indoor smoking sections in favor of smoke-free policies.

"After the first bill didn't pass, we just decided to try it on our own," said Lexington Barbecue owner Wayne Monk, who said employee complaints about the smoky atmosphere spurred him to go entirely nonsmoking in September 2005. Though a few of his smoking patrons were annoyed, he said, the restaurant suffered no decline in business.

More than a year later, Monk said, he feels the decision was the right one.

"I just wish we could've done it sooner," he said.

Others, however, worry about the response from valued customers who smoke.

"From a business standpoint, we've got a lot of smokers who frequent the restaurant," said Tim Myers, who owns John Wayne's Barbecue on West Fifth Avenue. Though he's elected to retain half the capacity of his 200-seat restaurant for smokers, he said he suspects "it's just a matter of time" before the Legislature enacts some kind of smoking ban.

Holliman said he was pleased by the voluntary trend toward smoke-free restaurants, saying it contributes to workplace efficiency and promotes a healthier atmosphere.

"It indicates that awareness is rising," Holliman said, adding that even in restaurants with divided sections, smoke has a tendency to travel from the smoking to the nonsmoking section.

The language in the bill's present incarnation contains few exemptions to the "public places" rule. Smokers will still be able to light up in private residences, retail tobacco shops or tobacco manufacturing facilities, smoking rooms designated in hotels, as well as in bars and private clubs. Holliman acknowledged, however, that the bill hadn't yet entered the

committee process and could see changes as a result.

"We basically wanted to start with the best bill we can do," he said, adding that he hopes the bill will head to the floor within a month.

The bill defines "public places" exclusively as enclosed areas, indicating that smoking would still be permitted outside of buildings covered under the ban.

Mike Hege, president of the Davidson-Davie Tobacco Growers Association, said he understands the rationale behind the proposed legislation but worries that the increased restrictions on smoking could put a strain on tobacco farmers.

"It seems like they're just getting tougher on smokers than they are on drinkers," Hege said, adding that the effects of the ban "may trickle down to us."

Holliman cited several opinion polls he said indicate a dramatic swing in favor of a statewide smoke-free policy, including one conducted by Elon University in the fall of last year. That poll, which had a margin of error plus or minus 3.9 percent, indicated 65 percent of North Carolina residents favor a ban on smoking in public, with 31 percent either opposing or strongly opposing such a law.

Holliman said he was confident there was enough support for the bill among House members but declined to speculate on its eventual fate.

"We'll carry the fight to the Senate when we pass the House," Holliman said.

Glen Baity can be reached at 249-3981, ext. 227, or glen.baity@the-dispatch.com.
