

KAINE VISITS BEACH TO PUSH FOR STATEWIDE SMOKING BAN

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Virginian Pilot

Gov. Timothy M. Kaine called for a statewide ban Monday on smoking in restaurants and bars, framing his second effort for the legislation as a common sense New Year's resolution needed to improve health.

Flanked by lawmakers who said they will sponsor smoking-ban bills this year, Kaine made the announcement at Hot Tuna Bar & Grill, a smoke-free restaurant on Shore Drive.

"This year, we can make a meaningful resolution that we're going to live healthier," he said.

The proposal, which came two days before the start of this year's General Assembly session, probably will spark "healthy debate" among legislators, said Del. Kenny Alexander, D-Norfolk. Alexander said he would support a compromise such as allowing people to light up after posted nonsmoking hours.

At the same time, lobbyists for Virginia's tobacco producers are expected to oppose more smoking restrictions.

"Restaurants can already opt to do it on their own, so the argument would be, 'Is the ban really necessary?'" Alexander said. "It will be very tricky legislation, and we'll need to be careful in drafting it. I guarantee you, you'll see a lot of amendments to it."

While restaurant owners are lining up on both sides of the debate, most local city leaders and health advocates are behind Kaine.

In a parallel anti-smoking effort, officials from Virginia Beach, Chesapeake and Portsmouth are asking the General Assembly to give them the authority to ban smoking in their city's restaurants. Suffolk is planning to do the same. The Norfolk City Council voted last year to ban smoking in city restaurants but delayed the measure until March 31, giving other cities time to gain state approval for a ban.

Last year, lawmakers considered a bill that would have banned smoking in restaurants unless owners posted signs that smoking was allowed. Kaine amended that proposal, calling for a statewide ban in all restaurants. The House rejected Kaine's amendment 59-40, and Kaine vetoed the original bill.

A bill calling for the smoking ban is expected to be introduced in the House.

Sen.-elect Ralph Northam, D-Norfolk, is expected to introduce a similar bill in the Senate.

"I've always been a believer that the less government in our lives the better, but I believe the government has the responsibility to protect its citizens," said Northam, a pediatric neurologist, who also attended Monday's news conference.

Last year, Richmond-based Philip Morris USA orchestrated a lobbying effort to defeat Kaine's smoking-ban amendment. A ban still goes "too far," said Bill Phelps, a company spokesman. "We believe that business owners, particularly owners of restaurants, are the most familiar with how to

accommodate the needs of their patrons, and they should have the flexibility to determine their own smoking policy.”

Some restaurant owners said the ban is needed to protect workers from secondhand smoke.

“No one likes working in that environment,” said Matt Falvey, an owner of Hot Tuna, Shorebreak restaurant and bar and Peabody’s nightclub – all smoke-free Virginia Beach venues.

Still, Christopher Savvides, president of Black Angus Restaurant on Atlantic Avenue, worries about overregulation, especially when so many businesses already have snuffed out smoking. About 560 Virginia Beach restaurants have voluntarily gone smoke-free, according to Virginia Beach Restaurant Association officials who support a statewide ban.

Nat Stowe, owner of Nat’s Surf Sports Grill on Laskin Road, where smoking is allowed, said he and other owners should be able to make their own decisions.

“If we give them the right to do this, what’s next?” Stowe said. “I know that smoking is politically incorrect, but if the governor said red meat is bad for you and ordered that steak and hamburger be taken off the menu, everybody would be up in arms about it.”