

KAINE RENEWS PUSH FOR BAN ON RESTAURANT, BAR SMOKING

By Seth McLaughlin

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Gov. Tim Kaine said yesterday he will again push for a statewide smoking ban in restaurants and bars, but will modify the proposal to avoid defeat again in the General Assembly.

"We all know ... the scientific evidence about the health risks associated with exposure to secondhand smoke is clear and convincing," Mr. Kaine, a Democrat, said outside the Hot Tuna Bar & Grill restaurant in Virginia Beach. "Recognizing the negative health effects and high public costs of secondhand smoke, Virginia must act to protect the workers and consumers in its restaurants."

The proposal is expected to be one of several contentious issues when lawmakers return tomorrow to Richmond for the 2008 General Assembly.

Legislators passed a bill last year that would have required restaurants that allow smoking to post a "smoking permitted" sign at the entrance. Mr. Kaine amended the bill to simply ban smoking in restaurants statewide, and the Republican-controlled House rejected his changes.

The new legislation defines a restaurant as any establishment in which food is available for sale and consumption by the public, but it excluded outdoor dining areas that cannot be enclosed.

Should the smoking ban pass, Virginia would join the District, which approved a ban two years ago, and more than 25 other states, including Maryland, which goes smoke-free in restaurants, bars and clubs on Feb. 1.

"It's a terrific idea that is long overdue," said Delegate David L. Englin, Alexandria Democrat. "I think most Virginia families want the ability to take their children to a restaurant and not expose them to secondhand smoke."

Mr. Englin also plans to push legislation that would give local governments the power to curb smoking.

That, however, could be a tough sell for other lawmakers.

"I just don't like the idea in America where the government tells a private citizen what to do," said Delegate David B. Albo, Fairfax County Republican.

Business activists and restaurant owners have expected the Assembly would address smoke-free legislation this year.

Barrett Hardiman, spokesman for the Virginia Hospitality and Travel Association, told The Washington Times last week the group is ready for more smoking-related proposals to be introduced and is still opposed to a smoking ban.

"It's a business issue for us," said Mr. Hardiman, whose group represents roughly 1,600 restaurants.

Virginia law now requires restaurants that seat 50 or more persons to designate no-smoking areas "sufficient to meet customer demand."

Mr. Kaine made his move after he signed an executive order in October 2006 that banned smoking in all state buildings and vehicles to improve the health of Virginia workers.

The Campaign for Tobacco Free Kids estimates Virginia spends \$124.9 million a year on health care expenditures related to secondhand-smoke exposure.