

While I look forward to the input from the Chamber of Commerce members, their feedback will only be a small factor in the final decision, not the determining factor. After all, asking restaurants and bars about smoking regulations is like asking a fox about the hen house. I agree with the Mayor of Breckenridge Colorado when he said “I don’t want to be responsible, frankly, for even one person getting lung cancer because I decided to look on the economic side rather than the health side.”

To answer concerns that business should be able to choice their clientele: Businesses are certainly free to set business practices as they wish until it affects public health and safety or public policy, then regulations are needed. Some issues are too important to the public to be left to the free market. For example, we would never allow restaurants to voluntarily decide make their restaurants accessible to the handicapped. We would never allow restaurants to voluntarily decide to serve all customers, rather than discriminate against blacks and other minorities by serving whites only. Those issues are too important to be left up the individual restaurants, or the free market, to decide. Smoking is no different. We should not allow restaurants to voluntarily decide to provide clean, safe air in their restaurants anymore than we would allow them to voluntarily decide to provide clean, safe food or water. Some issues are too important to the public to be left to the free market.

To answer concerns about smoking being a legal activity: If I hit a baseball around in my yard or in an open field at the public park, that would be considered a legal activity. However, if I hit a baseball in a crowded park around little kids and other innocent bystanders, that would no longer be considered a legal activity because of the danger to the public. Smoking is no different. Smoking a cigarette is a perfectly legal activity in your home or in your car, but once it starts to affect others, then it should no longer be considered a legal activity because of the danger to the health of innocent bystanders. “Smokers have the right to poison themselves, they don’t have the right to poison other people.”

To answer concerns about the right of patrons to go to another restaurant: In the baseball example, if one of the innocent bystanders complained about my hitting a baseball in the crowded park, the answer would not be that since my activity was legal in a different context, that the bystander would have to leave the public park (after all, they could go to another public park - unless someone was hitting a baseball there as well then they would have no public place to go) or stay at the public park at their own risk of injury from the baseball. Smoking is no different. If someone smokes a cigarette in a restaurant and starts to spread dangerous secondhand smoke (consisting of 4,000 chemicals, 200 poison, and 69 cancer-causing carcinogens, including tar, carbon monoxide, formaldehyde, acetone, methanol, manure, and hydrogen cyanide which is used in the gas chamber) into the air for innocent bystanders to breathe, the answer is not to force the innocent bystanders to leave the public place, the answer is to force the person bringing the danger into the public space to stop the danger. “When smoking infringes on the health of others, that’s when government restrictions should come into effect.”