

In state with tobacco ties, Kentucky House OKs smoking ban

February 13 2015, by Bruce Schreiner



This Nov. 18, 2014 file photo shows a row of burley tobacco at the tobacco warehouse in Danville, Ky. The Kentucky House has endorsed a statewide smoking ban in public buildings and most workplaces in a landmark vote in a state with historic ties to tobacco. Lawmakers on Friday, Feb. 13, 2015 debated individuals' right to light up versus public health concerns in a state with some of the nation's highest smoking, cancer and heart disease rates. (AP Photo/Dylan Lovan)

In a state where tobacco interests once had a firm grip on the levers of

politics, the Kentucky House of Representatives on Friday passed a ban on smoking in workplaces and indoor public places.

The legislation faces tougher odds in the Republican-controlled state Senate, but passage in the Democratic-led House marks a milestone for a proposal that previously had been snuffed out, year after year, in a state that leads the nation in burley tobacco production.

Years ago, cigarette smoke was ubiquitous during legislative sessions, in committee meeting rooms and in the Senate and House chambers.

On Friday, lawmakers debated individuals' right to light up versus public health concerns in a rural, conservative state with some of the nation's highest rates of smoking, cancer and heart disease.

Supporters said no one has the right to impinge on someone else's health.

"Your rights to liberty stop when you harm other people," said Democratic Rep. Susan Westrom of Lexington, the bill's lead sponsor. Westrom said about 950 people die every year in Kentucky due to secondhand smoke exposure.

"We're merely asking people who do smoke, when they're in a public enclosed place or a workplace, to step outside 15 feet to smoke," she said during the hour-long debate.

The measure passed the House, 51-46.

Gov. Steve Beshear hailed the House vote as "an extremely important and significant event."

"It sends a very strong statement ... that it is time to move in this

direction," Beshear said during a Friday appearance in Lexington. "It is just such a health problem and health issue in the commonwealth, so many of our chronic conditions relate directly back to smoking."

But the Senate may see things differently.

"I am personally not a fan of smoking, but I just don't believe it is the government's role to tell (a business) that you cannot have a facility that smoking takes place in—be it a pool hall a bar or restaurant," Senate President Robert Stivers said before the House vote.

Stivers, R-Manchester, said that position appears to be gaining support in the Senate.

"I don't see there being that type of support in the Senate to pass a bill like that," he said.

The House-passed bill would ban smoking in indoor public places and workplaces, replacing the current patchwork of local smoking bans in Kentucky.

Several dozen Kentucky communities have smoke-free ordinances, but broad swaths of the state have no such restrictions. The House amended the bill so it would not pre-empt local smoke-free ordinances already in effect. Westrom later said that language helped swing enough votes for passage.

The bill calls for fines for violations: \$25 for individuals and \$50 for businesses.

Opponents said the bill would restrict individual rights.

"In this conflict of principles, I'm going to stand with that individual

liberty which is so important and which is enshrined in our constitution," said Rep. Tim Moore, R-Elizabethtown.

Moore noted that tobacco remains a legal product, and that people who want to avoid smoking can do what he does and not frequent businesses that allow patrons to light up.

The bill also was amended Friday to exempt cigar bars, cigar clubs and tobacco stores. The exemption would also apply to private clubs.

While Kentucky remains the nation's top producer of burley tobacco, an ingredient in many cigarettes, production has dropped sharply in the past decade.

Republican Sen. Paul Hornback, a tobacco farmer from Shelbyville, sees the bill as an intrusion on private property rights to curtail tobacco consumption.

"We've been fighting that battle for years," he said. "Our skin's almost like leather on our backs."

It's one of many problems facing Kentucky's burley tobacco farmers, who have seen demand for their product drop sharply amid increased global competition, he said.

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