Here is a handy reference that “clears the air” in making the case for a statewide smokefree law in Wyoming. **IT IS TIME** for a statewide law, if you listen to science and ignore the smoke and mirrors.

### Blowing Smoke

**What they’re saying:**

This is an unfair taking of my property rights as a private business owner. Get the government out of the whole smoking/smokefree debate.

### Clearing the Air

**The facts:**

Government has a stake in regulating air quality in public places. Secondhand smoke contains proven carcinogens and causes coronary damage even in small amounts. A report by the U.S. Surgeon General in 2006 concludes secondhand smoke exposure causes disease and premature death in children and adults who do not smoke.

When public health and safety are at stake, the government can and should override the property rights of business owners. We do it with food handling and fire safety. We prohibit heating systems that vent carbon monoxide into the air inside an establishment. Removing known carcinogens and other health hazards from the air workers breathe is an appropriate role for government.

This is Wyoming, where we value our independent spirit.

### Blowing Smoke

This is an unconstitutional infringement on smoking rights.

### Clearing the Air

The Constitution does not guarantee the right to smoke. In a case of competing rights, a government and society decide which right takes precedence. There’s an old saying that one person’s right ends when it starts to hurt others. So, we prohibit people from driving under the influence or firing a gun in a crowded intersection.

A smokefree law represents the conclusion that our right to breathe clean air outweighs the right of smokers (who are 21 percent of Wyoming residents) to put carcinogens and other dangerous substances into the air inside public places.

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### Clearing the Air

Wyoming has a culture of leaving people alone if they aren’t hurting anyone. Secondhand smoke hurts others. A smokefree law is true to this culture.

It is fair to say activities must be done in a way that does not harm others.
Businesses are going smokefree anyway. Let the marketplace work. If people don’t like to breathe smoke, they can go somewhere else. Workers can get a job somewhere else.

All Wyoming businesses should provide clean air for their patrons and workers, and that shouldn’t be optional. There are plenty of small communities in Wyoming where there is no “marketplace” of businesses competing for customers and employees. Even in locations with competition, people who work in the hospitality industry deserve protection. It is unreasonable to tell them they must leave and find another job, if they want to breathe clean air. We’re talking about cancer and heart disease.

Cities and towns are going smokefree anyway. Let local government work.

A statewide law protects everyone everywhere. Relying on local ordinances produces a patchwork of inconsistent hit-or-miss protections across the state in an area of serious threat to people’s health. While cities and towns debate and pass ordinances, Wyoming citizens remain vulnerable. Even with ordinances, protections stop at the city and town limits.

Additionally, a statewide smokefree law has the effect of “leveling the playing field,” from one town to another and from town to county, so businesses everywhere are playing with the same rules and are competing based on the quality of goods and services. Businesses who fear losing patrons to other businesses would benefit from a statewide law.

Until the state enacts a consistent and comprehensive law, local governments should continue to protect citizens who work and live in the city limits.

Bar and restaurant business will drop 30 percent. Employees will lose tips.

All the scientific research from Wyoming and across the country concludes smokefree laws have no impact on restaurant and bar revenues. The "30% lost business" figure that is often tossed into this debate is not supported by sales tax analysis or other economic studies. We hear anecdotal stories, but no one ever provides credible data to back them up.

You want to control the rest of the world to suit yourself. Stop trying to dictate morality. “Your banning and outlawing is reminiscent of Nazi Germany,” wrote one opponent in an e-mail to a legislator.

This is about health and safety. No moralizing. Nothing personal. Tobacco smoke contains substances that cause cancer and heart disease. Smoking tobacco is inherently dangerous to all who inhale the smoke, whether they are the smokers themselves or people who breathe sidestream and secondhand smoke. Health and safety is the reason, and it’s the reason to pass this law now.
What next? Outlawing artery-clogging cheeseburgers? This is a “gateway law.”

A statewide smokefree law makes good sense. The law stands on its own merits, justified by the imperatives of health and safety. Future laws -- to restrict cheeseburger consumption or anything else -- will stand or fall on their own merits. It is nonsense to reject a reasonable law because of some unreasonable proposal that may or may not come later.

This makes smokers second-class citizens. Smokers will have to stay home and drink.

Smoking -- and all tobacco use -- is legal for anyone 18 years and over. A smokefree law does not change that. And nothing prevents smokers from continuing to patronize bars, restaurants and other public places. The law simply requires people to step outside to light up, because their secondhand smoke causes diseases in others. A smokefree law doesn’t require anyone to stay home or quit. However, smokefree laws help the seven out of every 10 smokers who want to quit.

Veterans have served their country and should be able to smoke wherever they want.

The two things are not connected. We value the service that veterans -- young and old -- have given to our country. They should step outside to smoke.

Exempt bars. People who go there are 21 and can decide for themselves. People who go to bars or work there don’t care.

All Wyoming citizens deserve protection from dangerous fumes, at all ages, in all public venues. Wyoming citizens deserve protection now. There is no good reason to build in exceptions and do things half-way.

What about refinery fumes, diesel fumes, etc.?

Yes, diesel fumes and refinery fumes are dangerous, and they are regulated by federal government agencies. Those fumes also should stay outside bars, restaurants and public work places.

We must proceed slowly, with restrictions gradually imposed.

There is no good reason to exclude certain places from the protection this law would provide. There is no reason to leave out some people. Why does an office worker deserve protection but the bar employee does not?
This will be hard to enforce.

This law is no more difficult to enforce than others. It also is nonsense to reject a necessary protection because enforcement may pose challenges. Do opponents suggest we have only laws that are easy to enforce?

I know someone who smokes/works around smokers, and he/she is fine.

The science is clear. An individual may be an exception. That is interesting. However, it is not evidence and cannot be used to refute solid scientific research and analysis.

This is just one more step in progress toward the “nanny” government

Government has a responsibility to protect health and safety. Further, government has a responsibility to restrict activities that increase Medicaid costs and otherwise consume health care resources in Wyoming. State Medicaid program total health expenditures caused by tobacco use is $37 million a year.

Smoking restrictions are an import element of an overall effort to reduce tobacco use, to stop youth from starting to smoke and to help people quit. In fact, an internal memo at cigarette maker Philip Morris warns that smoking bans are a major threat to profits. The other elements are increased cost (through taxes) and quit programs. All three are necessary. Although important, education will never be enough by itself to prevent tobacco use.

Use ventilation, or separate the smokers and nonsmokers.

There is no safe level of exposure to secondhand smoke. There is no acceptable ventilation for secondhand smoke, according to the American Society of Heating, Refrigeration and Air Conditioning Engineers and according to the U.S. Occupational Safety and Health Administration.

People don’t want this law.

PEOPLE DO WANT THIS LAW. A scientific survey of Wyoming voters in September 2007 found 66 percent supported a statewide smokefree law. Support was consistent from Republicans and Democrats, men and women, people of all ages. A survey of Laramie residents showed that once a smokefree ordinance went into effect, support increased and opposition dropped. A casual poll of one’s softball teammates or protests from some indignant smokers are not a gauge of statewide opinion.

This document was prepared by Smokefree Wyoming, a coalition of diverse groups that support a statewide smokefree law. A one-page summary of facts and a 16-page white paper expand and provide sources and citations for information contained here. Major sources include the U.S. Surgeon General and the Centers for Disease Control and Prevention. Contact Loretta Wolf of the American Cancer Society (307-637-3111) or Jan Drury of the American Heart Association (307-632-1746 x-12).