

## SMOKING: 'Why fight over this?'

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ing about a lawsuit filed to block a smoking ban in Teton County.

The Casper-Natrona County Board of Health recently declined to pursue a workplace smoking ban in part because of the Teton County lawsuit, which is pending.

"Why fight over this? Let's make the law very clear," Scott said.

Although cities have authority to adopt smoking bans, bars and restaurants located outside city limits are not covered.

"If you do it countywide, you can't do that," Scott said. "It makes more sense to do it on a countywide basis."

A statewide smoking ban would be better, he added, but the Legislature doesn't seem to be ready to take that step.

Rep. Elaine Harvey, R-Lovell, chairwoman of the House committee, and Rep. Dan Zwonitzer, R-Cheyenne, are co-sponsors of the bill.

Zwonitzer said Wednesday that he sponsored a similar bill in the 2007 legislative session but it lost in a House committee. That is probably why Scott asked him to co-sponsor the bill

this time, he said.

"As far as we know, nobody is bringing a statewide smoking ban this year" in the Legislature, he said.

The bill will be introduced in the Senate in the general session that opens Jan. 11.

The Teton County Board of Health last year adopted a rule restricting smoking in all places of employment, bars, restaurants and sports arenas. Under the rule, smoking cannot take place within 20 feet of: public establishments, outdoor serving areas of restaurants, seating areas in outdoor arenas and ski lifts.

Ban opponents filed suit last year claiming the Board of Health did not have the authority to pass a countywide prohibition on smoking. Lawyers in the case are awaiting a key ruling by 9th Judicial District Judge Timothy Day.

The bill proposed by Scott and his colleagues would clarify the authority of county public health boards.

Zwonitzer said he doesn't know how the bill will be received in the House, given the number of new members.

"This is a somewhat conservative local option for people who want to ban

smoking," Zwonitzer said.

The problem of smoking allowed in bars and restaurants located outside city limits was a hot issue in Cheyenne a few years ago and in Lovell, which has six bars in the city limits and three outside the city limits, Zwonitzer said.

Attempts to contact Harvey on Tuesday and Wednesday were unsuccessful.

The bill reads in part: "A board of county commissioners may adopt a resolution delegating to the county health department or joint city and county health department the authority to adopt regulations prohibiting smoking in enclosed public places within the county."

Scott, meanwhile, cited a study from Scotland that he said made a compelling case for the danger of second-hand smoke.

The study found a 17 percent decrease in the number of hospital admissions of heart attack patients after a smoking ban went into effect. Two-thirds of the heart attack patients were non-smokers.

"That gives us hard evidence that second-hand smoke is dangerous," Scott said.

# Smoking ban clarity sought

## Legislation would allow county commissioners to delegate authority

By JOAN BARRON

Star-Tribune capital bureau

CHEYENNE — Two key legislators are sponsoring a bill to allow county commissioners to delegate authority to local public health boards to impose countywide smoking bans.

The bill, favored by the two chairmen of the state Legislature's Labor, Health and Social Services committees, is aimed at answering questions about the authority of these boards to regulate smoking inside businesses within counties.

Sen. Charles Scott, R-Casper, chairman of the Senate committee, said he asked that the bill be drafted after read-