

## MINUTES OF THE MEETING

### PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

March 3, 1977

The twenty-first meeting of the Public Health, Welfare and Safety Committee was called to order in Room 405 of the State Capitol Building by Chairman Stan Stephens on Thursday, March 3rd, 1977, at approximately 11:00 A.M.

ROLL CALL: All members were present.

CONSIDERATION OF HOUSE BILL 173: Chairman Stephens turned the meeting over to Representative Polly Holmes, who presented her bill to the Committee by saying she came before them to undo something she supported in earlier sessions. At that time, she said, they were worried about the abortion problem. Now, however, it is the feeling of those working in the area that the law is not needed. Family counselors are doing an excellent job, as are pastors in the churches and other community resources.

Dr. John Anderson, Department of Health and Environmental Services, testified next, recalling for the Committee the section in SB355 (Family Planning bill) which dealt with "approved counselors" -- and the problem with that term. Anderson said that when his people got into the counselor approval, there were a variety of persons who were counselors of one form or another (examples of counselors given). Dr. Anderson said the idea of approved counselors is a fine idea, but not on a basis of "absolute" approval.

Dee Capp, also from the Department of Health and Environmental Services, testified in support of the bill and in support of the statements made by Dr. Anderson.

There were no opponents to this bill.

One question from Senator Lee, which made it clear to the Committee that the repeal proposed dealt only with abortion counseling, concluded the hearing.

ACTION ON HOUSE BILL 173: Senator Roberts made a motion HB173 BE CONCURRED IN - motion carried unanimously. A Committee member will carry this bill on Senate floor for the sponsor.

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CONSIDERATION OF HOUSE BILL 174: Representative Holmes again addressed the Committee, as sponsor of this bill. Holmes told the group this proposed legislation is not about smoking -- it's a bill about signs. In public places accommodating six or more persons (taverns excluded), non-smoking areas would be established and signs indicating the segregated areas would be erected. According to Rep. Holmes, many business people now would like to provide these areas but are afraid it would hurt business to do so of their own accord. Considering the fact that 65 percent of adult Americans and 90 percent of our children do not smoke, this legislation seems attractive and necessary. Those with allergies are harrassed by smokers in public places. Others, Holmes said, are simply offended by smoke. The penalty, for those managing/owning public places who do not comply with a sign, was explained by the Representative. Fire insurance rates are lower with designated smoking areas in public places. Less energy needed to operate air conditioners/air purifiers. Holmes testified she has hundreds of pages of documentation on harmful effects of smoking, both for the smoker and the non-smoker.

Representative Ellerd, co-sponsor of the bill, spoke to the Committee briefly, asking their serious consideration of this legislation.

Leonard Bates, ARRT, Chief Respiratory Therapist, St. Peter's Community Hospital, Helena, spoke next, saying the Montana Medical Association supports the bill. He also touched on various statistics relating to the negative effects of tobacco smoke on the human body, even on non-smokers who sit with people smoking. (See Exhibit "A".) Mr. Bates also submitted written testimony from Richard S. Buswell, M.D. (see Exhibit "B"). Bates also held up numerous books as reference to his statements regarding the adverse effects of cigarette smoke.

Bob Johnson, Lewis and Clark County health officer, testified in support of the bill. He did voice some doubts, however, about the enforcement of the law. Johnson said this law would greatly increase their duties. He said he would like to work with the Committee or Researcher to arrive at some substitute wording.

Dr. Anderson, Department of Health and Environmental Services, spoke in support of the bill, saying similar legislation has been proposed for three sessions. This bill, he said, has been so amended and watered down that it should not bother anyone. Anderson suggested that this bill be passed and come back in two years for another look at the results. The Health Department urged support of the bill.

Tim Berry, Montana Conference of Seventh-Day Adventists, supported the bill (see Exhibit "C").

Ralph Filcher, manager, funeral home, supported the bill in short testimony, saying the signs should be no problem at all.

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Blanche Roots, speaking for herself and other non-smokers, urged passage of the bill.

Linda Hays and Reuben Rutz both stood and identified themselves as supporting this legislation.

Opponents testifying were as follows:

Milt Vandeventer, D & R Vending, Bozeman  
Sam Jordan, Colonel's Restaurant, Bozeman  
Don Larson, Secretary-Treasurer, Holiday Inn  
Gene Phillips, Outlaw Inn, Kalispell  
John Bell, Holiday Inn, Bozeman  
Phil Strobe, Montana Innkeepers Association  
Tom Maddox, Montana Tobacco & Candy Distributors

Milt Vandeventer, leading off the testimony, said he is bothered by the enforcement part of the legislation. He felt it would be a costly law to enforce. Vandeventer said this bill is discriminating against smokers.

Sam Jordan testified this law would cause hardship to people in restaurant business, i.e., money for expansion for extra areas, extra ventilation systems. The Health official could be as tough as he liked in penalty. This is discrimination.

Don Larson read his statement (see Exhibit "D"). He said this is government trying to run a man's business. This is harrassment. The bill would make the restaurant manager/owner responsible for the patron's actions. Specific sections and lines in the bill were pointed out to the Committee as unacceptable, in Mr. Larson's opinion.

Gene Phillips testified that his people do not oppose it except the workability of the law. Questioned the placing of signs. Bill raises the question of practicality.

John Bell asked that the bill not be passed as written because air filtering systems would have to be changed in restaurants. He also said if you measured smoke pollution in smoking area of a room, against the air pollution in non-smoking area, you would not find that much difference. Small restaurants would be hardest hit by this law. Bell said he would prefer it to be a matter of respect for other humans.

Phil Strobe said the way this bill is written, it's impossible to live with, pointing out specific points in the legislation his people object to.

Jerri Kanthack, Helena's Colonial Inn presented the Committee with written testimony (see Exhibit "E").

Don Forge of Haufbrau, Bozeman, Wally Solen of Glasgow Restaurant Association ("We might as well close our doors"), Paul Erb of the Great Falls Restaurant Association, all stood in opposition.

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Also opposing the bill by merely standing and giving their names were: F. E. Leggs of Wally's Cafe, Harlem; Frank Bishop of Sheehen's of Helena, Inc.; Steve Solongn of Overland Express Restaurant; and John French, Livingston.

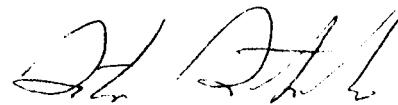
Tom Maddox testified that a case in Louisiana courts concerning a similar law as HB174 was dismissed on the grounds that it was unconstitutional. Maddox offered four works to the Committee as reference materials. He also submitted a booklet with miscellaneous press releases to the Committee (see Exhibit "F") as well as "The Tobacco Observer" (see Exhibit "G"). Mr. Maddox had amendments to the bill but did not give them to the Committee at this time.

Representative Holmes took a few minutes to reiterate previous testimony.

Questions from the Committee pointed out the breakdown of the 12 cent tax on cigarettes; "public places" definition; "adequate portion" discussed; difference between a "tavern" and "restaurant"; what the penalty would be to the restaurant manager if he posted the sign, but did not enforce it; how the very small coffee houses, etc. would divide their booths, stools; how many other states have similar legislation (35, with total of 60 laws on the books, many of which ban smoking altogether in certain areas or buildings).

The hearing was concluded on HB174, with NO ACTION being taken.

ADJOURNMENT: With no further business at this time, the meeting was adjourned at 12:30 P.M.



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STAN STEPHENS, Chairman

R O L L C A L L

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date 3-2-77 Bill No. 173 Time \_\_\_\_\_

NAME S:

YES

NO

	YES	NO
LEE, Robert	✓	LEE
RASMUSSEN, Tom	✓	RASMUSSEN
OLSON, Stuart	✓	OLSON
HIMSL, Matt	✓	HIMSL
WATT, Robert	✓	WATT
ROBERTS, Joe	✓	ROBERTS
NORMAN, Bill - V. Chm.	✓	NORMAN
STEPHENS, Stan - Chairman	✓	STEPHENS

Joyce (Kelly) Allen  
Secretary

STAN STEPHENS  
Chairman

Motion: \_\_\_\_\_

Roberts moved, he concurred in

(include enough information on motion—put with yellow copy of

# STANDING COMMITTEE REPORT

MARCH 3

19 77

MR. **PRESIDENT**

We, your committee on **PUBLIC HEALTH, WELFARE AND SAFETY**

having had under consideration **HOUSE BILL** Bill No. **173**

**HOUSE BILL**

Respectfully report as follows: That..... Bill No. **173**

BE CONCURRED IN

~~DO NOT SIGN~~

*J. L.*

ROLL      CALL

PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

45th LEGISLATIVE SESSION - 1977

DATE: 2/8

[illegible]

DATE April 11COMMITTEE ON Senate Health CommitteeBILL NO. 174 113

## VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppose
<del>John</del>	<del>Conrad Nat'l Bank</del>		
Ralph Fleher	Self - (non smoker)	✓	
<del>Walter</del>	<del>Stinson's Wash. House</del>		✓
Frank H Bishop	Shelton's of Helena Inn		✓
James Karstbach	Chenier's (4111 Ave)		✓
J.E. (Jo) Lipp	Wally's Cafe Harlem		✓
Ralph A. Halin	Waffran Helena		✓
<del>John J. Solomons</del>	<del>Overland Cyano Rest</del>		✓
ROBERT W MOON	MT DEP'T OF HEALTH	✓	
<del>John</del>	<del>MT Conference of S.D.M.</del>		
Leonard Buttes	Mont. Soc. for Resp. Therapy		
Ruben Reif	Self (non smoker)	✓	
Laureen France	Coin Machine Operators Assoc.		✓
Tom Maddox	Tobacco Candy Distributors Assn		✓
Robert H. Ellard	Myself	✓	
Ronald P. Richards	Montana Medical Assn	✓	
Linda Sandman	Nat. women's Political Council	✓	
Frank H Bishop	Shelton's of Helena		✓
Linda Hays	Self. Nonsmoker	✓	
Barbara Gerking	MT Dept Health	✓	



# TESTIFYING

NAME:

REPRESENTING:

ON BILL #

SUPPORT,  
OPPOSE OR  
AMEND?

(Please leave any prepared statement with Secretary)

Blanche Kutz	Myself & friends	HB 174	Support
John Bulligan	Holiday Inn	HB 174	oppose
David Faye	Waybore		
Paul R Erb	Howard's Pizzeria Inc St Falls Restaurant Assoc	HB 174	oppose
John B French	French's Ashw Junction, Mt.	HB 174	oppose
Sam S. Jordan	Colonel's Rest Bozeman Mt.	HB 174	oppose
MILT Vandeventer	D & R Vending	HB 174	oppose
J. W. Larson	Jorgensen's Holiday	HB 174	Oppose
Gene Phillips	Outlaw Inn	HB 174	Oppose
Ralph Filcher	Myself	HB 174	For
ROBERT W MOON	SELF	HB-174	SUPPORT
Del Capps	St Dept of Health	HB-173	Support
Phil Stroppe	Mont Smokehouse Ass	HB 174	Oppose
Jerry Kuntzsch	Colonial Inn	HB 174	Oppose
Wally Salmon	Jennie Cafe & Lounge Fish Ave.	HB 174	oppose

E X H I B I T "A"

Testimony Supporting HB 174

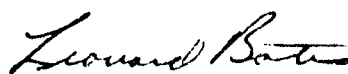
A typical cigarette smoker inhales only 1/7 of his cigarette's smoke, while the other 6/7 are given off into the atmosphere as side-stream or secondary smoke. In a room 10ft. by 15 ft. with typical air circulation ( an average office), a cigarette smoked in four minutes will raise the level of tar particulates to 36 times the level considered safe according to clean air standards. ( Science Vol 182, p 336)

Studies have repeatedly shown that in enclosed areas where tobacco is being smoked, CO levels reach 50-80 ppm. The standard set by the federal government for a 40 hour work week is 50 ppm. ( The Health Consequences of Smoking, a report to the Surgeon General: 1972 pp 121-128 )

In a smoke-filled room, a non-smoker can take into his body the equivalent of one cigarette per hour in CO. ( Lancet Vol. 1, 1973 p. 576 )

Secondary smoke causes a notable health hazard for people with asthma, hay fever, sinusitis, bronchitis, heart disease, emphysema, and allergies. It also poses a hazard to relatively healthy people. ( ibid: pp. 121-131 )

In view of this evidence I give my wholehearted support to HB 174.



Leonard Bates ARRT  
Chief Respiratory Therapist  
St. Peter's Community Hospital  
Helena, Montana

*calification*  
*1. diplomat & fellow X X 1*  
*member, Am. Acad. of Arts & Sciences*  
*advising Board on Int'l Law & Peace*

E X H I B I T "B"

TESTIMONY RELEVANT TO HB 174

The adverse effects of tobacco smoke on the health of smokers has been well documented and include in part, cancer of the respiratory and gastrointestinal tract, bronchitis, emphysema, coronary heart disease, stroke, ulcers, and adverse effects on the fetus of a pregnant woman.

More relevant to HB 174 are the adverse effects of tobacco smoke on non-smokers. There are as follows:

1. Numerous investigations have now shown that in rooms, railway carriages, cars, and other confined spaces which are poorly ventilated, noxious agents in tobacco smoke may be present in quantities which substantially exceed various nationally recommended occupational air quality safety levels (Ref 15-20). Among these noxious agents is carbon monoxide. In a Department of Health, Education, and Welfare Report to the Surgeon General, it was stated that the level of carbon monoxide may be sufficient to impair psychomotor performance (such as car driving) and prejudice cardiac function of people with coronary heart disease. Ref: U.S. Dept. HEW. Health consequences of smoking. A report to the Surgeon General. HEW published #72-7516, 1972.
2. A number of investigations have shown that allergic individuals may develop clinical symptoms such as cough, congestion, wheezing, and respiratory distress after exposure to tobacco smoke (ref 30-34). Again, in the aforementioned report to the Surgeon General, the statement is made that attacks of asthma are not infrequently precipitated by an atmosphere contaminated with tobacco smoke.

E X H I B I T "C"

Testimony in Supporting of HB 174

Submitted by

Timothy D. Berry

Representing the Montana Conference of Seventh-day Adventist

and

The 5-Day Stop Smoking Plan - Helena Branch, Director

Dear Mr. Chairman and Committee Members,

I do not question the fact that each person has the right to smoke. However, I do question the fact whether each Montana citizen is being given the right to abstain from the effects of smoking within a public place while smokers are present.

While I do not wish to take away the "priviledge" of smoking from any individual, I would like to point out what would appear to be several inconsistancies in our state social structure, especially as they pertain to the rights of non-smokers:

- 1) On the one hand, it has been scientifically shown that smoking is harmful to health - while on the other hand, we (as a nation) have increased our smoking habits: 1950 - 20.6/100,000 U.S. males  
1970 - 52.1/100,000 U.S. males  
1950 - 4.4/100,000 U.S. females  
1970 - 10.3/100,000 U.S. females

CA - A Journal for Clinicians, Vol. 25, No. 1 Jan/Feb. 1975, p.8

- 2) On the one hand - we teach our Montana youth the importance of healthful living, while on the other hand, they learn more by our example of increased smoking and thus begin to associate our established social teachings with double standards - thus producing a very harmful @ommunication gap between the establishment and the youth.

EXHIBIT "D"

STATEMENT BY DONALD W. LARSON, SECRETARY-TREASURER OF JORGENSEN'S HOLIDAY INN, HELENA, MONTANA, BEFORE THE SENATE PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE, MARCH 3, 1977.

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OUR FIRM HAS BEEN IN THE FOOD SERVICE BUSINESS AT ITS PRESENT LOCATION FOR 18 YEARS AND I SPEAK TODAY IN STRONG OPPOSITION TO HB174 FOR THE FOLLOWING REASONS, AS WELL AS OTHERS THAT TIME WILL NOT PERMIT ME TO RECITE.

WE HAVE HERE ANOTHER CLEAR ILLUSTRATION OF GOVERNMENT TRYING TO RUN A MAN'S BUSINESS AND IT IS APPALLING THAT WE MUST HAVE TO DEFEND OURSELVES AGAINST BILLS OF THIS NATURE WHICH HAVE ONLY ONE PURPOSE IN MIND AND THAT IS TO MAKE IT TOUGHER EACH DAY TO STAY IN OPERATION.

OF COURSE, THE MOST OUTRAGEOUS PART OF THIS BILL IS THE FACT THAT I, AS THE MANAGER, AM RESPONSIBLE FOR THE ACTIONS OF MY CUSTOMERS -- WITH NO PENALTY DIRECTED TOWARD THEM IF THEY VIOLATE THE LAW. THE AUTHORS OF THIS BILL BETTER BITE THE BULLET AND PUT THE ONUS ON THE REAL VIOLATOR, IF THAT IS WHAT THE INTENTION OF THIS BILL IS.

I DON'T FEEL THIS LEGISLATURE SHOULD SUCCUMB TO THE URGING BY SPONSORS OF THIS BILL TO "GET SOMETHING ON THE BOOKS" JUST SO THERE WILL BE A FOOT IN THE DOOR. TAKE A LOOK AT UTAH. THEY WENT ALONG WITH THAT KIND OF PRESSURE AND NOW THEY'RE BACK KNOCKING ON THE TREASURY DOOR, ASKING FOR 1/2 MILLION DOLLARS TO ENFORCE THEIR LAW. AND IT WILL HAPPEN HERE. IN 1975 THE LEGISLATURE GRANTED A 100% INCREASE IN LICENSE FEES TO THE DEPARTMENT OF HEALTH, WHICH WAS SUPPOSED TO BE USED TO COVER THE ADDITIONAL COST OF LOCAL ENFORCEMENT OF EXISTING LAWS. NOW, THIS BILL COMES ALONG AND PUTS MORE RESPONSIBILITY FOR ENFORCEMENT ON THE LOCAL LEVEL AND OBLIGATES THE STATE TO OVERSEE THE ENFORCEMENT. IF THEY'RE GOING TO OVERSEE LOCAL INSPECTION, THEY ARE GOING TO PROMULGATE RULES

E X H I B I T "E"

SENATE COMMITTEE ON PUBLIC HEALTH / IN OPPOSITION TO HOUSE BILL 174:

I AM JERRI KANTHACK OF HELENA'S COLONIAL INN. I AM ONE OF THE MANAGERS HOUSE BILL 174 SAYS WILL POST NO SMOKING SIGNS OR BE FINED \$50 A DAY, OR SAYS OUR RESTAURANTS CAN BE CLOSED DOWN. OUR COLONIAL INN PRINCIPALS APPEAL TO YOU TO KILL HOUSE BILL 174.

PLEASE CONSIDER THE DIFFICULTIES OF THIS BILL FROM THE VIEWPOINT OF ALL RESTAURANT PEOPLE WHO TRY HARD TO SERVE EVERYONE AS BEST WE CAN: OUR PRESENT POLICY IS TO SEAT PERSONS WHO SO REQUEST IN AN AREA OF THE RESTAURANT, WHERE PEOPLE ALREADY THERE ARE NOT SMOKING. WE AVOID SEATING PERSONS WHO DO SMOKE, WHO ARRIVE LATER, NEAR NONSMOKERS, UNLESS ABSOLUTELY NECESSARY DUE TO THE PRESS OF BUSINESS AT THE TIME.

ESTABLISHMENT OF A DEFINED AREA WOULD PROHIBIT US FROM GAINING MAXIMUM UTILIZATION OF OUR RESTAURANT. THIS IS DUE TO THE FLUCTUATING VOLUME OF PATRONS WHICH IS THE NATURE OF OUR BUSINESS. IN OUR GREATEST PRESSURE TIMES, IT WOULD BE POOR BUSINESS - WE BELIEVE IT WOULD BE UNPROFITABLE - TO ASK ANY PATRON TO WAIT IN LINE BECAUSE THE SMOKING AREA IS FILLED, WHEN HE CAN ACTUALLY SEE VACANT CHAIRS AND BOOTHS.

IT WOULD BE IN EVEN POORER TASTE TO TELL THEM THEY CAN BE SEATED IF THEY WILL PROMISE NOT TO SMOKE, SINCE THEIR SEATS ARE IN THE NO SMOKING AREA.

IF WE WERE TO BE FACED WITH SUCH LEGISLATION, IT WOULD SEEM APPROPRIATE - WITH SO MANY PATRONS WHO ENJOY SMOKING - TO LIMIT THE RESTAURANTS TO "SMOKERS ONLY."

WE APPEAL TO YOU TO KILL HOUSE BILL 174. THANK YOU FOR THIS

## EXHIBIT "F"

### Smoking and Nonsmokers:

#### What Is the Issue?

A new phenomenon has entered the smoking-health controversy: Well-meaning persons have been presented authoritatively with a doctored case of hazard to non-smokers from tobacco smoke and have innocently used this as a basis for public and private actions to prohibit smoking in certain places.

The instigator of this prohibitory movement, which has attracted a considerable number of followers in the past two years, is Jesse L. Steinfeld, M.D., who served as Surgeon General of the United States Public Health Service from 1968 to early 1973.

The so-called "passive smoking" issue was created on January 11, 1971, when, without documentation, the Surgeon General declared in a speech:

Evidence is accumulating that the nonsmoker may have untoward effects from the pollution his smoking neighbor forces upon him. . . It is high time to ban smoking from all confined public places such as restaurants, theaters, airplanes, trains, and buses. . . 1

Editorial comment on the Surgeon General's proposal included "to smoke or not is a right that should

# The Tobacco Observer

1776, K STREET, NORTHWEST, WASHINGTON, D. C. 20006 • (202) 457-4800

VOLUME ONE, NUMBER TWO, NOVEMBER, 1976

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## Stringent No-Smoke Law Failing?

MINNESOTA—The new anti-smoking law in this state has been a boon—at least to people who manufacture signs.

Public places almost everywhere in the state—restaurants, airports, offices, hotels—are partitioned into smoking and no smoking areas. Signs direct whether lighting up is legal.

The Minnesota Clean Indoor Air Act, which went into effect this summer, has a twist making it the most stringent state anti-smoking law. It bans smoking *everywhere* the public is, except for certain areas set apart for smoking.

For instance, a smoker at a shopping mall must find a designated area before lighting up. Retail establishments must ban smoking. Restrooms must be smoke free. Restaurants must have no smoking sections. If there isn't room in a public place for two sections, smoking is prohibited.

Violation is a misdemeanor, punishable by a fine up to \$100.

50 percent of all hotel rooms be for nonsmokers and no more than 50 percent of a restaurant be designated a smoking area.

And they asked that public places having intercoms "shall periodically announce over the system that smoking is not permitted except in designated areas."

The Tobacco Observer went to the Gopher State to see how the law, cited repeatedly by antis smokers as a model, is working.

### No Interest

The Haberdashery in St. Paul is a popular lunch-time stop. It has good burgers, draft beer and an easygoing ambience. Peanut shells litter the floor; baskets of them are on each table.

From the smoking section, The Observer's reporter had a clear view of the nonsmoking area. He noticed a trace of smoke.

"Someone is smoking in the non-smoking section," he told the waitress.

larger smoker's part of the restaurant was almost filled.

"I've come to take a break," Kuka said. "This is the only free area."

Restaurateurs interviewed by The Observer don't like the new law for a number of reasons, including:

- When the smoking section fills up, smokers have to wait, often in plain view of vacant tables in the nonsmoking area.

- If a smoker agrees to sit in the nonsmoking section, the restaurateur in effect becomes a policeman who would

have to interfere if the smoker lights up.

"One guy with a cigar became adamant," one owner related. "When I asked him to quit, he said his dinner tab had been \$125. Which it had. It can be embarrassing."

- The owners worry about what will come next. The law demands that either a barrier 56 inches high or a space of at least four feet separate the sections. But will the next legislature demand more stringent, and hence more expensive, barriers?

(Cont. on pg. 9)

## Moss, Brock Defeated; Congress Stable

An era in tobacco politics ended with the defeat this month of Sen. Moss (D-Utah), a key figure in smoking-

election. A third, Hartke of Indiana, was defeated.

Cannon of Nevada, who was re-elected in the next partying member A



## ***MANY REASONS WHY HB174 SHOULD BE KILLED***

1. Businesses such as restaurants and retail stores can voluntarily restrict or prohibit smoking now if they wish to, or if their customers demand it. Some have. To require by law segregation or complete prohibition is unfair, unworkable and unwanted except by a very tiny minority.
2. Studies show that where there is adequate ventilation, concentrations of tobacco smoke and other pollutants are so low as to be practical unnoticeable. It would be more reasonable to enforce adequate ventilation where the public gathers than to prohibit a practice so many people find pleasurable.
3. Cigarette and other tobacco taxes are vital to Montana's revenues. If HB174 would curtail smoking, would it not also reduce state revenues now running about \$24 million a biennium? Are nonsmokers ready to pick up the difference needed for state buildings?
4. Studies brand as false claims by antismokers that they are harmed by others' tobacco smoke. Results of these studies and the qualified sources have been conveyed to the Senate committee on public health for checking. Claims of harm reflect contrived conditions—not actual social conditions in everyday life.
5. Great gains have been made in the area of human rights. Limiting the rights of taxpayers who pay for use of a legal product would be a reversal of such gains.
6. Antismoking legislation is difficult to administer by the government, and would be costly to businesses adversely affected — restaurants which would have to increase food costs for all persons to compensate.
7. The antismoking movement is an artificially manufactured public relations gimmick. The dignity of the legislature demands that it not be taken in and that it should demand fullest presentations by both sides.
8. The real answer to this controversy lies in courtesy by smokers and tolerance by nonsmokers. No law teaches courtesy and tolerance.
9. Approximately 40% of the adult public smokes tobacco, including 7 to 10 % who smoke cigars and pipes. Don't be misled when antismokers claim only one in four persons smoke, or that all nonsmokers are antismokers.
10. Government has many more first priority issues to solve — crime, unemployment, drug traffic in our schools, welfare cheating, rising taxes, inflation, and many more vital matters.

Montana Association of Tobacco and Candy Distributors, offering assistance to all consumers who enjoy smoking tobacco products; P. O. Box 123, Helena MT 59601