

Four bills proposed Laws to limit smokers

United Press International
AUSTIN — When the smoke clears from the House and Senate floors at the end of the 1979 Legislature, one issue may still be smoldering — anti-smoking laws.

Bills to limit or prohibit smoking have been introduced each session since the first no-smoking bill was passed by state lawmakers in 1975, and this year is no exception.

Sen. Jack Ogg, D-Houston, sponsored the original Texas anti-smoking bill and has introduced similar legislation this session.

Under the current no-smoking law, the penalty for conviction of the Class C misdemeanor is a fine not to exceed \$200. Smoking is disallowed in areas such as libraries, elevators, theaters, museums, hospitals and buses.

Ogg's three new no-smoking bills would place successively stricter limits on where smokers may light up. One bill adds grocery stores and retail establishments to the list of no-smoking areas, the next includes public buildings where public records are kept and the third prohibits smoking in any state building except in hallways or stairwells.

Ogg said he is aware the bills will be controversial, especially for legis-

lators who could be prohibited from smoking on the House and Senate floors. He included a provision in the last bill that would allow the executive director or chief administrator to designate rooms or areas in state buildings where smoking would be allowed, and he said this may make the bill more appealing to legislators who smoke.

"The Senate or the House could be designated a smoking area," Ogg added.

The Houston senator said he expects some opposition from tobacco lobbyists who recently helped defeat anti-smoking bills in California, and from smokers who will complain of excessive governmental interference in citizens' lives.

"I think society has an interest in anything that deals with health, welfare and public safety," Ogg responded, and said taxpayers ultimately are charged for smokers' illnesses and accidents.

"I am a non-smoker," Ogg said. "Your right to smoke ends at my nose. I don't care if you smoke, but I don't want to have to breathe it."

The leader of Texans United for Rights of Non-Smokers and a staunch supporter of no-smoking legislation, Dorothy Richter of Aus-

tin, agreed with Ogg. She approached the senator about the public records bill after being disturbed by smokers in a records room of the Travis County Courthouse.

"There are three or four obvious reasons for prohibiting smoking in these areas where documents are kept," Richter said.

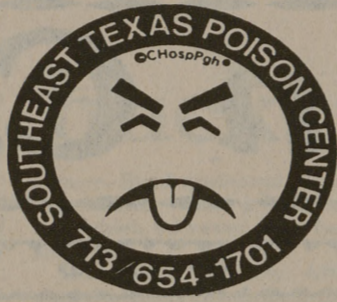
"First there is the danger of ashes falling and burning holes in the documents, then there is the deteriorating effect of smoke on the papers — many are old parchment. There is always the fire hazard and also the public, non-smokers, are there and are bothered by the smoke."

Rep. Lance Lalor, D-Houston, introduced a bill to prohibit smoking in grocery stores, nursing homes or any retail establishments.

The president of the Texas Nursing Home Association, Sid Rich, said his group opposes Lalor's bill because it is another attempt to regulate nursing home residents.

"In the process of trying to provide a safe facility to protect the patients, we are regulating them into unhappiness," Rich said.

Lalor's bill will be heard in the House Committee on Health Services; Ogg's bill will go before the Senate Subcommittee on Civil Mat-



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3-tier beer industry established in Texas if Clements signs bill

United Press International
AUSTIN — The House Thursday passed a bill allowing the sale of beer in 7-, 8- and 16-ounce containers, despite arguments by an orange legislator that the measure served the special interests of large breweries.

The bill, passed 97-29, already cleared the Senate and now needs only Gov. Bill Clements' signature before becoming law.

The bill by Rep. Gib Lewis, D-Fort Worth, would establish a three-tier beer industry in Texas and would require brewers to sell only to wholesalers and wholesalers to sell only to retail outlets.

But Rep. Wayne Peveto, D-Orange, argued the bill was the biggest and largest special interest measure of the 66th Legislature and would guarantee a monopoly for large beer distributors.

"You're guaranteeing the distributors of this state a complete monopoly," he said. "There will be no competition left in the beer industry."

The beer industry is a good one, but they ought to be ashamed to come before the House of Representatives and the Senate and ask for a complete monopoly."

The House also defeated an amendment by Rep. Ron Bird, D-San Antonio, permitting breweries to sell beer for personal con-

sumption to its employees.

A bill by Rep. Lynn Nabers, D-Brownwood, giving the trucking industry immunity from federal antitrust laws was given tentative approval by the House, despite objections by two freshman members. The measure also would allow the trucking business to set its own recommended rates before submitting them to the Railroad Commission for final approval.

Reps. Tom Delay, R-Simonton, and Ted Lyons, D-Mesquite, argued a similar law passed recently in Georgia had been successfully challenged by the U.S. Department of Justice.

The House also passed a bill by Sen. Carl Parker, D-Port Arthur, that would allow persons suffering from epilepsy to obtain medical approval before obtaining a driver's license. The bill also calls for the term "mentally incompetent" to be substituted for the words "idiot, insane, feeble-minded and imbecile" in state statutes.

Finally, the House passed on voice vote a bill increasing the financial requirements for a pawnshop business in Texas and setting a \$1,500 licensing fee in some instances. Opponents of the bill had argued it was an attempt by pawnbrokers to hold down competition by making it difficult for new businesses to open.

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