

**YOUTH SLAIN AT
SUMMER SCHOOL**

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**RUDY AND JUDI
BUYING LOVE NEST**

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DAILY NEWS

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NEW YORK'S HOMETOWN NEWSPAPER

Friday, August 9, 2002

**REPS TO MARTHA:
COME ON DOWN!**



Two congressmen said yesterday they want to subpoena Martha Stewart and haul her in front of their committee investigating insider trading.

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MIKE: BUTTS OUT

**Mayor wants
to ban smoking in
bars & restaurants**

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Hey, take it outside!



Enjoying a smoke yesterday in city bars — possibly while they can as Mayor Bloomberg announced his plan to outlaw smoking in bars and restaurants — were Chris Maher (l), Sabrina Mobley and Edward Flanagan.

Mayor wants smoking ban in city's bars

By DAVID SALTONSTALL
DAILY NEWS CITY HALL BUREAU CHIEF

Last call for smokers!

Mayor Bloomberg is set to propose legislation next week that would ban smoking in city bars and restaurants, the Daily News has learned.

"This would be no exceptions," said one source with knowledge of the proposal.

The sweeping crackdown is aimed at protecting restaurant workers from the ill effects of secondhand smoke, the source said.

It would put New York, long the capital of the smoke-filled barroom, in the forefront of a growing anti-tobacco movement.

California and Delaware have adopted state-wide bans on smoking in bars and other public places, as have dozens of municipalities around the country.

But Bloomberg's smokeout, which would have to be approved by the City Council, would be the first total ban attempted in New York State, sources said.

Current laws permit smoking in stand-alone bars and taverns, in establishments with fewer than 35 seats and in restaurant bar areas that are ventilated separately from eating areas.

Anti-smoking laws faced stiff resistance from restaurant owners and the tobacco industry when they were pushed through by then-Mayor Rudy Giuliani in January 1995.

But that battle will likely be remembered as a mere tempest compared with the storm that Bloomberg's smokeout will stir.

The proposal comes six weeks after Bloomberg — in his crusade to stamp out smoking in New York — pushed through a \$1.42 increase in the city's per-pack tax on cigarettes. That pushed the cost to \$7.50, the highest in the nation.

A spokesman for tobacco giant Philip Morris vowed last night the company would resist any attempt to stamp out smoking in bars and restaurants.

"We believe a total ban goes too far and does not respect the rights of business owners," said spokesman Brendan McCormick.

Risk to workers

Bloomberg is expected to rely heavily on new research that focuses on the dangers of second-hand smoke to restaurant workers.

One study, for instance, found that bartenders who work an eight-hour shift inhale the equivalent of a half-pack of cigarettes a night. Another concluded that bartenders are 1½ to two times more likely to die of lung cancer than workers in smoke-free environments.

Restaurant officials said that because of Bloomberg's focus on workers, his proposal might be tough to stamp out.

"We are not going to dispute the health impacts of secondhand smoke," said Rick Sampson, president of the New York State Restaurant Association. "And if that's his argument, he has got a very hard one to dispute."

Sampson added that because the ban hits bars and restaurants equally, no one can argue it is forcing people to leave one place of business for another to smoke.

City Councilwoman Christine Quinn (D-Manhattan), head of the Health Committee, said she would support the measure.

"We will give everyone a chance to make their case," said Quinn. "But in the end, I hope we will be passing a bill that is as similar as possible."



PHOTOS BY MARIELLA LOMBARD

What a drag, say furious puffers

By JOSE MARTINEZ
DAILY NEWS STAFF WRITER

Butt out, Mr. Mayor: That was the message for Mayor Bloomberg yesterday from smokers who were blazing mad after hearing his plans to ban lighting up in bars and restaurants.

"We have to ask ourselves, 'How far does it go?'" griped William Flowers, somewhere inside a cloud of smoke at the Blarney Stone pub on W. 31st St. "Do we next need to ask permission to have sex in our own homes?"

"How is he going to enforce this new law anyway? It's ridiculous," said the pub's owner, Neil McGillion, 59.

Although the proposed ban drew cheers from anti-tobacco crusaders, it's another blow to the city's dwindling smoking section.

"It seems Giuliani-like in a way," complained Jonathan Aubry, 26, at Foodbar in Chelsea.

"He's out of order. He's totally wrong," railed electrician Brian Ferran, 42, a patron of the White Horse Tavern in Greenwich Village.

At the Gate pub in Park Slope, Brooklyn, manager Kristine Morfogen wished the mayor "Good luck. . . . I don't think he can possibly pass that in New York City, but hey, he can try."

Restaurant owners who cater to tobacco enthusiasts hoped the measure would be snuffed out.

At Frank's, a steakhouse on W. 15th St., owner Christopher Molinari built a glass-encased room with its own air conditioning for smokers.

"We went to great pains to build that space," sighed Molinari, 41.

One of the room's occasional visitors, he said, was Bloomberg's cigar-puffing predecessor, Rudy Giuliani.

With Julia Cosgrove, Elizabeth O'Brien and Mike Richman