

Testimony of Mr. James Fisher in OPPOSITION to SB 990 *An Act Concerning Smoking Policies and Prohibiting Smoking in Certain Areas*

March 15, 2013

Senator Gerratana, Representative Johnson and Members of the Public Health Committee, my name is James Fisher and I'm the Chief Operating Officer of The Hartford Club, a private club that is comprised of over 640 Members from all over the State of Connecticut.

I am before you today to testify in opposition to SB 990, *AN Act Concerning Smoking Policies and Prohibiting Smoking in Certain Areas*.

As currently written this bill would make smoking in private clubs an illegal act. As you are aware, there are numerous private clubs throughout Connecticut, VFW, American Legion, Polish American Clubs, the Elks, Golf Clubs, and, The Hartford Club, to name a few. These clubs are self-governed by revolving boards and committees representative of the membership. They are highly responsive to the changing needs and desires of their members, including club polices on smoking.

While being cognizant of the issue of second hand smoke, The Hartford Club has been proactive in building a separate, members-only smoking lounge that includes a free standing state of the art ventilation system. Our members-only smoking lounge accomplished an important goal of creating a comfortable smoking section for those members who choose to smoke, while meeting the desires of non-smokers to have a smoke-free environment throughout the rest of the building. There have been zero complaints from members, guests or groups using our banquet facilities about smoke from the designated smoking area. Indeed, one of the primary reasons The Hartford Club designed and paid over \$200,000.00 for a sophisticated ventilation system in the designated smoking area, was so guests of the Club would be able to enjoy our smoke-free banquet facility areas.

Several members have joined and use the Club solely for the access they are provided to a private smoking area. Should this proposal become law, their need for the Club facilities will be greatly reduced and the Club would likely suffer a significant loss of membership. If Club members lose interest or no longer agree with leadership or membership-wide decisions, regardless of the subject, they simply don't renew their membership.

As mentioned, members of all clubs are empowered directly and through periodic elections to change or modify their internal smoking policies and understandably believe that it is unnecessary for the State to involve itself with that decision making process. We believe this recognition of the power of members to shape their own policies was one of the key reasons that the General Assembly exempted private clubs when the original ban on smoking in public places was first enacted.

While this proposal before you doesn't expressly prohibit smoking in private clubs, the provision regarding number of employees would encompass The Hartford Club and thus prohibit smoking in the Member's Smoking Lounge.

The Hartford Club certainly doesn't question the State's interest in the health issues of tobacco consumption and should the Committee choose to favorably report this bill out of Committee, it would be my hope that you would consider adding language that would continue the private club exemption as defined by current law.

I welcome the opportunity to work with the Committee on this issue and to provide any additional information that would be helpful and will be happy to answer any questions.

James Fisher
Chief Operating Officer
The Hartford Club