

Highlights:

- Allows smoking in cigar bars, cigar stores and private clubs
- Allows freedom of choice for consenting adults while protecting the general public
- This exemption **WILL NOT** overturn the existing smoking ban

Cigar Bar Exemption

**YES
1016**

Ballot Title

Statement of the Subject: Initiative Measure No. 1016 concerns smoking restrictions.

Concise Description: This measure would allow smoking in places of employment that are private facilities, except when such facilities are open to the public. It would also permit smoking in cigar stores and cigar bars.

Should this measure be enacted into law? Yes No

Ballot Measure Summary

This measure would define places of employment for the purposes of the law prohibiting smoking to exclude private facilities, except when such private facilities are open to the public. Under the measure, smoking would be permitted in places of employment that are private facilities, except that smoking would be prohibited when such facilities are occasionally open to the public. The measure would define cigar stores and cigar bars and exclude them from the smoking prohibition.

WARNING:

Every person who signs this petition with any other than his or her true name, knowingly signs more than one of these petitions, signs this petition when he or she is not a legal voter, or makes any false statement on this petition may be punished by fine or imprisonment or both.

Initiative petition for submission to the People

*To the Honorable Sam Reed,
Secretary of State of the State of Washington*

We, the undersigned citizens and legal voters of the State of Washington, respectfully direct that the proposed measure known as Initiative Measure No. 1016, and entitled, "Statement of the Subject: Initiative Measure No. 1016 concerns smoking restrictions. Concise Description: This measure would allow smoking in places of employment that are private facilities, except when such facilities are open to the public. It would also permit smoking in cigar stores and cigar bars. Should this measure be enacted into law? Yes No a full, true and correct copy of which is printed on the reverse side of this petition, be submitted to the legal voters of the State of Washington for their approval or rejection at the general election to be held on the 4th day of November, 2008; and each of us for himself or herself: I have personally signed this petition; I am a legal voter of the State of Washington, in the city (or town) and county written after my name, my residence address is correctly stated, and I have knowingly signed this petition only once.

Washington State voters please sign below. Statewide Initiative to the People.

Your signature won't count unless you print and sign your name clearly!

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	Printed Name of Voter	Signature of Voter	Your Home Address	City	County
0.	John Q Taxpayer	<i>John Q. Taxpayer</i>	1313 Mockingbird Lane	Olympia	Thurston
1.		Please sign as registered to vote.	Your address	City	County
2.		Please sign as registered to vote.	Your address	City	County
3.		Please sign as registered to vote.	Your address	City	County
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5.		Please sign as registered to vote.	Your address	City	County
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19.		Please sign as registered to vote.	Your address	City	County
20.		Please sign as registered to vote.	Your address	City	County

If you have already signed I-1016 please do not sign again.

VERY IMPORTANT!

NEW! Your petition WILL BE REJECTED by the government unless you fill out this portion of the petition. PLEASE FILL OUT THIS PORTION!

RCW 9A.46.020 applies to any conduct constituting harassment against a petition signature gatherer. This penalty does not preclude the victim from seeking any other remedy otherwise available under law.

I, (FIRST NAME) (LAST NAME)
swear or affirm under penalty of law that I circulated this sheet of the foregoing petition, and that, to the best of my knowledge, every person who signed this sheet of the foregoing petition knowingly and without any compensation or promise of compensation willingly signed his or her true name and that the information provided therewith is true and correct. I further acknowledge that under chapter 29A.84 RCW, forgery of signatures on this petition constitutes a class C felony, and that offering any consideration or gratuity to any person to induce them to sign a petition is a gross misdemeanor, such violations being punishable by fine or imprisonment or both.

Signature _____

Complete text of Cigar Bar Exemption I-1016

AN ACT Relating to smoking in public places; amending RCW 70.160.020; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 70.160.020 and 2006 c 2 s 2 are each amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly indicates otherwise.

(1) "Smoke" or "smoking" means the carrying or smoking of any kind of lighted pipe, cigar, cigarette, or any other lighted smoking equipment.

(2) "Public place" means that portion of any building or vehicle used by and open to the public, regardless of whether the building or vehicle is owned in whole or in part by private persons or entities, the state of Washington, or other public entity, and regardless of whether a fee is charged for admission, and includes a presumptively reasonable minimum distance, as set forth in RCW 70.160.075, of twenty-five feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited. A public place does not include a private residence unless the private residence is used to provide licensed child care, foster care, adult care, or other similar social service care on the premises.

Public places include, but are not limited to: Schools, elevators, public conveyances or transportation facilities, museums, concert halls, theaters, auditoriums, exhibition halls, indoor sports arenas, hospitals, nursing homes, health care facilities or clinics, enclosed shopping centers, retail stores, retail service establishments, financial institutions, educational facilities, ticket areas, public hearing facilities, state legislative chambers and immediately adjacent hallways, public restrooms, libraries, restaurants, waiting areas, lobbies, bars, taverns, bowling alleys, skating rinks, casinos, reception areas, and no less than seventy-five percent of the

sleeping quarters within a hotel or motel that are rented to guests. A public place does not include ((a private residence)) cigar stores or cigar bars. This chapter is not intended to restrict smoking in private facilities which are occasionally open to the public except upon the occasions when the facility is open to the public.

(3) "Place of employment" means any area under the control of a public or private employer which employees are required to pass through during the course of employment, including, but not limited to: Entrances and exits to the places of employment, and including a presumptively reasonable minimum distance, as set forth in RCW 70.160.075, of twenty-five feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited; work areas; restrooms; conference and classrooms; break rooms and cafeterias; and other common areas. A private residence or home-based business, unless used to provide licensed child care, foster care, adult care, or other similar social service care on the premises, is not a place of employment. "Place of employment" does not include cigar stores or cigar bars. This chapter is not intended to restrict smoking in private facilities which are occasionally open to the public except upon the occasions when the facility is open to the public.

(4) "Cigar store" means a business that is an establishment (a) open to the public; (b) where smoking is permitted; (c) designated

and clearly advertised as a place that sells tobacco; (d) where the primary activity of the business is the sale of tobacco products and accessories, other than cigarettes, and the sale of other products is incidental to the business; and (e) where persons under the age of eighteen are prohibited.

(5) "Cigar bar" means a business that is an establishment (a) open to the public; (b) where smoking is permitted; (c) that is a bar devoted to the sale and service of alcoholic beverages or on-premises consumption and where the service of food is only incidental to the consumption of such beverages; (d) advertised and engaged in the business of selling cigars; (e) and generates twenty-five thousand (\$25,000.00) or more of the business's annual gross income from the on-site sale of cigars.

NEW SECTION. Sec. 2. The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act.

NEW SECTION. Sec. 3. If any provision of this act or its applicatoin to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or curcumstances is not affected.

NEW SECTION. Sec. 4. This act may be known and cited as the cigar bar relief act.

Cigar Association of Washington (CAW)

Please get as many signatures as you can and mail this petition back to us as soon as possible (don't forget to print and sign your name above). Fold it, put it in an envelope, and mail it to us at:

➔ **I-1016, Cigar Association of Washington**
5963 Corson Ave. S. Suite 130 • Seattle, WA 98108
206-767-2048 PH 206-767-3629 FAX
info@cigarwa.com

To get more petitions, email us at: info@cigarwa.com, Or preferably: Download the Petition from our website: www.cigarwa.com and have your own copies made. Copy the .pdf (Adobe) file onto a memory stick or floppy disk (best method) and/or take the printed petition to any printer who can enlarge and print on 11" x 17" paper (FedEx, Kinkos, Office Depot, Staples, Sir Speedy, etc.) Copies cost about 30 cents each. Black & White is sufficient. If your printer is capable, it can be printed on 11" x 17" from the .pdf file. Both front & back must be photocopied and petition size must remain 11"x17". Deadline: June 30th. - The government only gives us until July 3rd, 2008 to gather 225,000 valid signatures.

Time is Short — ACT NOW!!!!