



May 10, 2009

## Editorial: What compromise?

### A compromise — of sorts

A compromise is a settlement resulting from concessions, according to Webster's Standard Dictionary.

A statewide smoking ban, which the Wisconsin Legislature and Gov. Jim Doyle are expected to approve this week, is being touted as a compromise between ban advocates and the state's Tavern League.

Although a smoking prohibition likely was inevitable, the organization representing tavern owners is understandably far from thrilled with the agreement.

It does give business owners who serve alcohol a 14-month grace period to ban smoking in their establishments, presumably an opportunity for the economy to improve enough by July 2010 to offset any loss of business they might incur.

It also allows bar and restaurant owners to continue to provide outside smoking areas for their patrons.

Beyond that, bars, restaurants, hotels and other workplaces no longer will have a choice. No smoking allowed — period.

That sounds like a compromise that produced winners and losers — with more complexity than might be apparent at the surface.

A statewide ban will replace the confusing array of local smoking ordinances now on the books. While business owners and their patrons no longer will have the freedom to light up, employees won't have to choose between their jobs and their health. People who have protected their health by avoiding establishments that force them to breath secondhand smoke will have an expanded selection of smoke-free watering holes from which to choose.

This issue for years has pitted the rights of individuals against the need to improve public health. Momentum built steadily on the side of health, although some feel that continuing to educate people about the dangers of smoking would have accomplished the same goal in the long run as a government-mandated smoking ban.

Smoking could be expensive under the new law. Smokers who violate the ban would be fined between \$100 and \$250. Bar owners would not be fined as long as they take steps to prevent smoking in their establishments such as posting signs and telling customers to stop.

Owners caught ignoring the ban would be warned the first time and fined up to \$100 for a second offense. Frankly, that penalty is not much of a deterrent.

We hope the money garnered from fines is targeted to smoking cessation and anti-smoking education efforts. That's where the state's tobacco settlement money of a few years back was supposed to go, until politicians diverted it to other budget "needs."

If we're going to ban smoking in Wisconsin's public places, let's at least be serious about helping people meet the letter of the new law.

