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Governor signs smoking ban

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Gov. Jim Doyle signed a statewide smoking ban into law Monday, less than two months after Verona became the 37th community in the state to restrict smoking.

The law pre-empts all local bans on smoking outdoors on private property, meaning that when it takes effect next year, two existing outdoor patios at restaurants will be legal for smoking again after two partial summers being smoke-free. It also will remove Verona's prohibition on smoking within 15 feet of the main entrance of workplaces and will institute a formal system of penalties, including \$100 fines.

What it won't change is Verona's ban on smoking in city parks and on city property, a first for the state.

The bill is exactly the same as the one the state Senate passed out of committee almost two weeks ago, when the state's Health, Health Insurance, Privacy, Property Tax Relief and Revenue Committee struck a between anti-smoking groups and the Tavern League of Wisconsin. It went through the Senate rather quickly but sparked an intense debate in the Assembly, lasting late into the evening last Wednesday.

The Assembly proposed 25 amendments to the bill, but none was successful.

Sen. Jon Erpenbach, the chair of the Senate health committee, was generally credited for the compromise, and he hailed the passage of the bill in a column submitted to area newspapers last week.

"I remain concerned about local taverns struggling with business anyway in this economic downturn, but I know that the hodge-podge of local ordinances was just as difficult and the local fights had become exhausting," he wrote.

Verona had one of those fights, and the inconsistency of local bans in the area was a big part of it.

Had Verona not passed a ban, it would have by this summer been surrounded by communities with smoking bans. Oregon and Belleville will be the closest places with no regulation come August.

However, two establishments in Fitchburg on the edge of Verona were exempt until 2011, and that riled local businesses who saw Verona's ban putting them at a disadvantage. In addition, Verona's Common Council made significant changes to the agreement its own local tavern and smoking groups had come up with, upsetting some people in the business community.

Verona also was only the second community in the state to outlaw smoking in all hotel rooms, but the state ban will spread that prohibition everywhere.

By all accounts, the bill was a high priority of the governor's during this biennial session of the Legislature.

"A smokefree Wisconsin will save money in health care costs, improve public health and save lives," Doyle said in a statement Monday. "I wish the ban would be implemented sooner, but I am proud the state is embracing the healthy direction the world is going."

The Verona Common Council discussed the likelihood of the state ban when it began working on its own local ban in January, but alders made it clear they did not want to wait for the state, which in its previous session had discussed a three-and-a-half-year implementation time.

Verona's ban begins Aug. 15, the same day as Dane County's.

Erpenbach told the Verona Press last week that with local ordinances popping up all over the place, he was fairly certain the Legislature would pass a bill one way or another this term, it was just a matter of setting the terms.

"This thing's been kicking around for four or five years," he said.

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