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State's failure makes city smoking ban necessary

The failure of the state Legislature to pass a statewide ban on workplace smoking has left health-minded civic leaders with a conundrum: Do they wait until next year, hoping a new Legislature will come to agreement and pass a ban? Or do they take action on a critical health issue themselves and prohibit smoking in restaurants, taverns and other workplaces?

Eau Claire City Council members Dave Duax and Hal Davis have decided to take the latter approach, pursuing a citywide workplace smoking ban. The measure, which the City Council will discuss Tuesday, would extend the current restaurant smoking ban to taverns and other businesses in the city.

When elected officials put restrictions on otherwise legal activities, they better have good reasons for doing so. In this case, they do: Despite the smokescreen (pardon the pun) thrown up by pro-tobacco forces, secondhand smoke is an undeniable health risk. According to a 2006 study by the state Division of Public Health, the University of Wisconsin and the American Cancer Society, there are more than 8,000 tobacco-related deaths in Wisconsin annually. More than 10 percent of these - 853 - can be blamed on secondhand smoke.

Despite the health benefits, public support and the fact numerous other states have passed similar bans, the Legislature has failed to reach a compromise that puts a ban in place in a timely fashion. One version wouldn't take effect for more than three years. As Duax noted in Friday's Leader-Telegram, "We're talking about people's health here, and we can't continue to just look the other way."

It is for these reasons that - while we acknowledge city-by-city smoking bans aren't ideal - we believe they have become necessary.

Some of those opposed to a timely ban argue that certain taverns - particularly small "mom-and-pop" operations that depend on a smoking clientele - need time to prepare for the loss of business that might accompany a statewide ban.

As the saying goes, they should be careful what they wish for. Because a statewide ban has been delayed, these businesses now face the possibility of a patchwork of local bans, which could harm their businesses more than a statewide ban would. For example, if smoking is prohibited in a small tavern on Eau Claire's east side, it's conceivable smoking patrons might drive a few blocks to drink at establishments in Altoona, where they'd still be allowed to light up their cigarettes.

The possibility of harming these businesses is unfortunate. However, the outlook isn't necessarily bleak: Eau Claire's restaurant smoking ban, passed in 2000, didn't kill the city's restaurant scene. In fact, eateries seem to be thriving. There's also the possibility that the 80 percent of us who don't smoke might be more likely to enjoy a beer in a tavern if it didn't come with a side of lung-irritating stench.

Ultimately, if state lawmakers want to prevent possible harm to small businesses - and inevitable harm to Wisconsinites' health - they'll pass a statewide ban pronto.

- Tom Giffey, editorial page editor