

EDITORIAL

The issue: Pending legislation to ban smoking in public places in Wisconsin.

Our view: The ban has been discussed for a long time, and business owners have had plenty of time to prepare for it; therefore, delaying its implementation for two or three years doesn't make sense.

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If smoking ban is good policy, don't delay it for years

It's never too early to start saving lives. Wisconsin lawmakers should keep that thought in mind as they consider legislation to ban smoking in public places.

That legislation moved forward — and backward — last week in the Capitol.

On Tuesday, a state Senate committee approved the bill, sending it to the full Senate. However, the committee did so only after approving an amendment postponing its implementation for taverns and restaurants until Jan. 1, 2010 — nearly two years from now. (Under the original bill, the ban would have gone into effect after seven months.)

Even the two-year delay wasn't good enough for some lawmakers. State Sen. Pat Kreitlow, D-Chippewa Falls, was among those on the committee who voted against the bill as amended. Kreitlow instead proposed an amendment (which failed) that would have postponed the ban until April 1, 2011 — a delay of more than three years.

In a subsequent press release, Kreitlow said his amendment was an attempt at finding “middle ground” between supporters and opponents. As amended, he said, the bill has “very little chance of becoming law.”

Perhaps he's right, but should a lawmaker vote only for measures he thinks will pass? If that were the case, no innovative — but initially unpopular — ideas would ever become law. And if the rest of us only voted for candidates who had a chance of winning, we could do away with elections entirely and let opinion polls pick our leaders. (For example, based on the polls, Hillary Clinton didn't have a chance of winning last week's New Hampshire primary.)

More to the point, if curbing secondhand smoke exposure — and thus improving public health and potentially saving lives — is a worthy policy goal, why delay it for three years, two years or even one year?

In an interview, Kreitlow explained that the ban would fall the hardest on small-business owners in small towns, particularly the owners of rural taverns, whose livelihoods — and retirement nest eggs — depend on patrons who while away the hours with their favorite brew and a pack of smokes. A 36-month delay would let barkeepers decide if they could survive a smoking ban, or if their customers would prefer to drink and smoke at home, he said.

“Let's give these entrepreneurs time to either get used to the idea or get out of the business,” Kreitlow said.

While we're sympathetic to the possible economic plight of tavern owners, it's not a good enough reason to delay critical public health legislation. According to a 2006 report by the U.S. Surgeon General, 50,000 Americans die annually as a result of secondhand smoke exposure. If even a fraction of Wisconsin's share of those deaths could be prevented by the Legislature, it should act sooner rather than later.

The explanation that business owners need more time doesn't withstand scrutiny. It's not as if the idea of prohibiting smoking in public places is new. Over the past decade, numerous states (from California to Colorado) and nations (from Ireland to France) have enacted bans. Gov. Jim Doyle proposed a ban in Wisconsin last January, so our state's business owners have had a year to prepare. And, as noted above, the original version of the ban would have gone into effect seven months after the bill passed. That would be plenty of time for business owners to hang up “No Smoking” signs and dispose of their ashtrays.

Each day the law is delayed is another day business owners are subjecting their patrons, employees and probably themselves to a slow poisoning by tobacco smoke.

— Tom Giffey, editorial page editor