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Editorial: Lawmakers deserve kudos, questions on smoke ban vote

The issue: Wisconsin's new smoke-free workplace law.

Our view: Some area legislators should get credit for supporting clean air; others should be asked why they didn't act to snuff out secondhand smoke.

Amid the depressing headlines about the state's dire fiscal situation, an uplifting turn of events in the Capitol hasn't gotten the attention it probably deserves: Last week, Gov. Jim Doyle signed a statewide workplace smoking ban into law.

It would be shortsighted to minimize the state's multibillion-dollar budget gap or the pain that repairing it will entail. Yet such dark news makes it all the more important to celebrate when a ray of light emerges from the Legislature. In the case of the smoking ban, lawmakers from both parties in both houses crafted a bill that will protect the lungs of workers and patrons statewide beginning in July 2010.

Many people deserve credit for the legislation, including groups such as SmokeFree Wisconsin and the state branch of the American Cancer Society, as well as Doyle, who has spent years pushing for such a law. Likewise, west-central Wisconsin legislators of both parties should be recognized for voting in favor of clean air: Reps. Kristen Dexter and Jeff Smith, both D-Eau Claire; Rep. Mary Hubler, D-Rice Lake; Rep. Kitty Rhoades, R-Hudson; Sen. Sheila Harsdorf, R-River Falls; and Sen. Pat Kreitlow, D-Chippewa Falls.

But it's also important to note that half of our region's legislators voted against the bill and in favor of the status quo, under which workers and patrons of restaurants, taverns and other businesses in many communities are subject to the deleterious - and potentially deadly - affect of secondhand tobacco smoke. Those who voted "no" include Rep. Chris Danou, D-Trempealeau; Rep. John Murtha, R-Baldwin; Rep. Mark Radcliffe, D-Black River Falls; Rep. Scott Suder, R-Abbotsford; Rep. Jeff Wood, I-Bloomer; and Sen. Kathleen Vinehout, D-Alma. While constituents deserve explanations from all of these lawmakers, Vinehout's vote is particularly troubling, considering she once taught health administration as a university professor and has proposed a universal health insurance program, Healthy Wisconsin. If all state residents deserve health coverage, don't they deserve healthy environments too?

Lawmakers and others who opposed the new law inevitably will argue that it infringes on individual rights. They are welcome to search the U.S. Constitution for a right to smoke. They won't find one. As a New York court wrote in 1990 while upholding one of that state's antismoking laws, "There is no more a fundamental right to smoke cigarettes than there is to shoot up or snort heroin or cocaine or run a red light."

- Tom Giffey, editorial page editor