RESOLUTION

RESOLUTION OPPOSING SENATE BILL 202 AND ASSEMBLY BILL 414 WHICH WOULD PROHIBIT MUNICIPALITIES FROM ADOPTING NO-SMOKING ORDINANCES THAT ARE MORE STRINGENT THAN STATE LAW.

WHEREAS, current Wisconsin law allows local governments to enact ordinances that protect the health and comfort of the public if those ordinances or policies comply with the purpose of state laws regulating smoking; and

WHEREAS, the Eau Claire City Council has enacted a local ordinance, in compliance with current state law, which prohibits smoking in indoor areas of restaurants located within the City of Eau Claire; and

WHEREAS, the Eau Claire ordinance was enacted by the City Council after considerable public discussion and input regarding the dangers of secondhand smoke; and

WHEREAS, proposed state legislation SB 202 and AB 414 would invalidate the City of Eau Claire ordinance provisions and replace it with a state statute which is less restrictive than the regulations contained in the City’s ordinance prohibiting smoking in indoor areas of restaurants; and

WHEREAS, the City Council believes local elected officials should have the ability to enact legislation that addresses specific community needs and concerns;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eau Claire that the City Council opposes Senate Bill 202 and Assembly Bill 414 which, if passed, would preempt an existing City of Eau Claire ordinance dealing with the prohibition of smoking in indoor areas of restaurants and replace it with state provisions which are less restrictive than existing City regulations.

Adopted,
June 28, 2005

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Motion to adopt the resolution.
Hal Davis

Seconded by:
Kerry J. S. Kincaid

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