

Effective July 1, 2010, Kansas will be smoke free

Before serving in the legislature, I was employed with the American Cancer Society. I had been working for four years with the legislature to initiate Clean Indoor Air legislation. I knew it would take several years to educate the lawmakers. I am proud to play a part in drafting the comprehensive bill. Last year, the Kansas Senate passed House Bill 2221. There were a few amendments that slightly weakened the bill, but overall the bill is still going to protect a large percentage of the population of Kansans. Despite significant support from representatives, the bill was tabled in House committee and essentially killed for the year. Then in January, Governor Mark Parkinson revived the debate and encouraged the Legislature to move forward with this initiative in 2010. In his State of the State Address, Governor Parkinson requested legislation that was not “full of loopholes” and that would satisfy the 75% of Kansans who want a “real public smoking ban.”

Because the bill carried over from last year, the House retained the opportunity to concur with the Senate bill. This legislative procedure is utilized on occasion when a bill with significant support gets “stuck” in a chamber. If enough members concur, the bill goes directly to the Governor with no opportunity for amendments. After hours of debate, the House voted to concur with House Bill 2221 at a vote of 68-54. I had spent much of this year on this legislation. I helped champion the debate on the House floor and am very proud to say it passed with more votes than needed considering there was a last minute effort to derail the issue once again. Personally, I would have rather had a bill without the senate amendments, but I am pleased at what we have sent to the Governor to sign.

Effective July 1st, the Kansas Indoor Clean Air Act will protect Kansans from harmful secondhand smoke by banning smoking in public places, any place of employment, including restaurants and bars, and access points of all buildings not exempted by the bill. Those buildings exempted include: private homes, outdoor areas with ventilation, gaming floors of lottery gaming facilities or racetrack gaming facilities, not to exceed 20% of hotel rooms designated as smoking rooms, and tobacco shops.

This is not perfect legislation and it is very possible that we will need to do more work on it next year. However, killing the bill would have delayed the advancement of any clean indoor air act for years. It was more efficient to press forward with the option of improving the legislation over time (as we do with many statutes), rather than delay any movement at all for the indefinite future.

Opponents can't believe we would prohibit the 20% of Kansans who smoke the ability to do so in enclosed businesses. How many of us remember smoking being allowed on airplanes? We don't think anything of that prohibition now—it is a way of life. Our grandchildren will one day be surprised to know that smoking was ever allowed in enclosed businesses.

I have served in the legislature for 14 years. I believe there will be no vote I have made that is more important to the health of my constituents. This is truly a once-in-a-lifetime legacy vote. Protecting the health and safety of Kansans is my number one priority in the Statehouse. There is no risk-free exposure to cigarette smoke. Tobacco-related diseases cost Kansas nearly \$200 million annually in Medicaid costs and are the number one cause of preventable death. Tobacco costs the state \$927 million annually when all is considered. Not only will a smoking ban protect innocent Kansans from harmful secondhand smoke, it will save our state millions of

dollars during a year when we have no dollars to spare. Health benefits aside, this is simply good public policy.