

Assembly

Record of Committee Proceedings

Committee on Health and Healthcare Reform

Assembly Bill 253

Relating to: prohibiting smoking in indoor areas, in sports arenas, in public conveyances, and at certain outdoor locations and providing a penalty.

By Representatives Richards, A. Ott, Seidel, Zigmunt, Milroy, Benedict, Parisi, Berceau, Black, Roys, Soletski, Gottlieb, Clark, Bernard Schaber, Mursau, Toles, Hilgenberg, Cullen, Sinicki, Townsend, Pope-Roberts, Smith, Pasch, Hintz, Spanbauer and Montgomery; cosponsored by Senators Risser, Ellis, Jauch, Miller, Darling, Robson and Coggs.

May 01, 2009

Referred to Committee on Health and Healthcare Reform.

May 6, 2009

PUBLIC HEARING HELD

Present: (13) Representatives Richards, Roys, Benedict, Shilling, Vruwink, Seidel, Pasch, Bernard Schaber, Vukmir, Rhoades, Stone, Strachota and Nygren.

Absent: (0) None.

Appearances For

- Fred Risser — Senator, 26th Senate District
- Jon Richards — Representative, 19th Assembly District
- Al Ott — Representative, 3rd Assembly District
- Karen Timberlake — Secretary, Department of Health Services
- Alan Schwartzstein, Oregon — Dr., Wisconsin Academy of Family Physicians
- Jeff Melby, Portage
- Hawk Schenkel, Madison
- Heather Betsinger, Onalaska — American Cancer Society
- Ami Elshareif, Madison
- Constance Olson, Appleton
- Carly Greenstein, Madison — American Cancer Society
- Luke Witkowski, Middleton
- Ed Lump, Madison — Wisconsin Restaurant Association
- Linda Wendt, Van Dyne — Wisconsin Restaurant Association
- Austin Hetrich, Madison
- Scott Davis, Shawano
- Zach Henderson, Marshall
- Kris Kovacic, Green Bay

- Lynn Hrabik, Appleton
- Pamela Wilson, Madison — Dr., American Lung Association
- Dave Wille, Marshfield — Breath Free Marshfield
- Cheri Modrow, Greenfield
- Kathi Kilgore, Madison — Wisconsin Innkeepers Association
- Pat Uckone, Superior — American Lung Association
- Ted Bobrow, Milwaukee
- Duane Marxen, Middleton
- Aria Duax, Milwaukee
- Taku Ronsman, Green Bay
- Marilyn Townsend, Madison
- Bev Jambois, Middleton — Middleton Smoke Free
- Lee Shaw, Milwaukee — Pastor, Saint Gabriel's Church of God in Christ
- Jill Lewandowski, Antigo — ASC CAN
- Sandy Bernie, North Fond du Lac — American Cancer Society
- Dave Weiss, Eau Claire
- Steve Anderson, Eau Claire
- Anita Solberg, Eau Claire
- Mary Welch Donovan, Greenfield
- Carolyn Tyler, Greenfield
- Paul Decker, Hartland — American Cancer Society
- Bruce Speight, Madison — WISPIRG

Appearances Against

- Rob Swearingen, Rhinelander — Tavern League of Wisconsin, President
- Pete Madland, Chetek — Tavern League of Wisconsin
- Dane Schaefer, Sheboygan — Epicure IIc
- Roger Westmont, Madison — Modern Specialty Company
- Robin Goldberg, Monona — Dream Lanes
- Pete Riopelle, New Berlin — Bowling Centers Association of Wisconsin
- Lori Frommgen, Sullivan — Concord Inn
- Schopen Randy, Johnson Creek — Tavern League of Wisconsin
- Jeff Steinbock, Wauwatosa — Cigar Store Alliance of Wisconsin/Uhle Tobacco Company
- Jeff Barta, Waukesha — CSAW and Nice Ash
- Joette Barta, Waukesha — CSAW
- Casey Barta, Waukesha
- Stephen Mahley, Madison — Tobacalena Perdomo
- Don and Mary Lynn Kane, Oconomowoc — Cigar Store Alliance of Wisconsin

- John Cummens, Wauwatosa — Jack's Tobacco C-Saw
- David Prudhom, West Allis — Havana Lounge and Cigar
- Kathryn Duppler, Wauwatosa — Havana Lounge and Cigar
- Bryant Schaefer, Monona — The Tasting Room of Monona
- Carol Thompson, Madison

Appearances for Information Only

- None.

Registrations For

- Michelle Mercure, Menomonee
- Michael Trudgeon, Wauwatosa
- Randy Radtke, Lake Mills — American Lung Association of Wisconsin
- Gina Dennik-Champion, Madison — Wisconsin Nurses Association
- Sonali Salusa, Madison
- Jason Jagodzinski, Madison
- Ketterer Amy, Stoughton — Holding Our Breath
- Raisa Ko Hun, Madison
- Tom Petri, Madison — Wisconsin Primary Health Care Association
- Carrie Amado, Greendale
- Heather Stonely, Greendale
- Sabrina Gentile, Madison — Wisconsin Council on Children and Families
- Dawn Berney, Madison
- Sara Sahri, Madison — American Cancer Society
- Kari Liotta, Madison
- Dianna Forrester, West Bend
- Stephen Kwaterski, Milwaukee — City of Milwaukee
- Chet Gerlach, Madison — Association of Wisconsin Tourism Attractions
- David Cullen — Representative, 13th Assembly District
- Jeremy Levin, Madison — Rural Wisconsin Health Cooperative
- Kathy Kuhn — Medical College of Wisconsin
- Lisa Davidson, Beaver Dam — American Cancer Society
- Marc Herstand, Madison — National Association of Social Workers
- Ryan Sheahan, Madison
- Diana Heisler, Middleton — Dr.
- John Reinemann, Madison — Wisconsin Counties Association
- Amy Boyer, Madison — Wisconsin Association of Convention and Visitor Bureaus

- Trisha Pugal, Brookfield — Wisconsin Innkeepers Association
- Elizabeth Sanger, Madison
- Mark Grapentine, Madison — Wisconsin Medical Society
- Sue Morte, Cederburg
- Deb Bruning, Mondovi
- Emily Reynolds, Madison
- Paul Merline, Madison — Wisconsin Hospital Association
- Darcie Galowitch, Madison
- Eric Schutt, McFarland — American Cancer Society
- Katherine Vaughn, Fitchburg
- Dona Wininsky, Brookfield — American Lung Association
- Maureen Busalacchi, Madison — Smoke Free Wisconsin
- Andrea Skalitzky, Madison — Wisconsin Association of Health Plans
- Jim Smith, Madison — American Cancer Society
- Cathy Peters, Harford
- Michael Welsh, Madison — Wisconsin Association of Local Health Departments and Boards
- Kevin Little, Madison — Greater Madison Chamber of Commerce
- Curt Witynski, Madison — League of Wisconsin Municipalities
- Luke Rollins, Sun Prairie — American Heart Association
- Maureen Candy, Madison
- Mickey Beil, Madison — Dane County
- Brian Dean, Madison
- Dawn Deprey-Garcia, Stoughton
- Allison Miller, Baldwin — American Cancer Society
- Erich Pitlher, Madison
- Jill Rogers, Duluth — Smoke Free Wisconsin
- Jill Ness, Madison
- Jane Zablocki — American Cancer Society
- Robert Phillips, Marshfield — Dr., Marshfield Clinic
- Eliz Greene, Fox Point — Embrace Your Heart
- Jeri Johnston Allen, Oconomowoc — American Cancer Society
- Kristen Grimes, Franklin — Children's Health Alliance of Wisconsin
- Warren Post — Dr.
- Tonette Walker, Wauwatosa

Registrations Against

- Jack Halink, Madison
- Steve Hepp, Watertown — Silver Eagle Saloon

- Tony Driessen, Madison — The Bowling Centers Association of Wisconsin and the Wisconsin Amusement and Music Operators Association
- Kathy Proffitt, Lake Mills — JAKS Korner Bar
- Mark Gubhurdt, Fort Atkinson — Lee Store
- Paul Groh, Hubertus — Metro Cigars, LLC

Registrations for Information Only

- None.

May 8, 2009

EXECUTIVE SESSION HELD

Present: (13) Representatives Richards, Roys, Benedict, Shilling, Vruwink, Seidel, Pasch, Bernard Schaber, Vukmir, Rhoades, Stone, Strachota and Nygren.

Absent: (0) None.

Moved by Representative Pasch, seconded by Representative Benedict that **Assembly Substitute Amendment 1** be recommended for introduction.

Ayes: (12) Representatives Richards, Roys, Benedict, Shilling, Vruwink, Seidel, Pasch, Bernard Schaber, Rhoades, Stone, Strachota and Nygren.

Noes: (1) Representative Vukmir.

INTRODUCTION OF ASSEMBLY SUBSTITUTE AMENDMENT 1 RECOMMENDED, Ayes 12, Noes 1

Moved by Representative Seidel, seconded by Representative Roys that **Assembly Substitute Amendment 1** be recommended for adoption.

Ayes: (11) Representatives Richards, Roys, Benedict, Shilling, Vruwink, Seidel, Pasch, Bernard Schaber, Rhoades, Stone and Nygren.

Noes: (2) Representatives Vukmir and Strachota.

ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 11, Noes 2

Moved by Representative Bernard Schaber, seconded by Representative Seidel that **Assembly Bill 253** be recommended for passage as amended.

Ayes: (11) Representatives Richards, Roys, Benedict,
Shilling, Vruwink, Seidel, Pasch, Bernard
Schaber, Rhoades, Stone and Nygren.

Noes: (2) Representatives Vukmir and Strachota.

PASSAGE AS AMENDED RECOMMENDED, Ayes 11, Noes 2

Jeff Kostelic
Committee Clerk