

Ash Canned: Lawmakers Set No-Smoking Policy

By David A. Lieb
Of The Associated Press

JEFFERSON CITY — Vivian Dietemann never sat in her legislator's office, never attended a committee hearing, never saw the House or Senate in action. Yet she has contributed to a major change in the Missouri capitol.

Dietemann has a rare hypersensitivity to tobacco smoke. Because of complaints from her and other nonsmokers, smoking is now banned in nearly all corners of the building. "It's good news for those individuals who are made uncomfortable by the direct exposure to tobacco smoke," Dietemann said.

For years, lobbyists, legislators, state workers and visitors smoked in hearing rooms, offices, the House and Senate chambers — even the House Lounge, with its unique Thomas Hart Benton mural. But after years of piecemeal transition, the final sweeping blow against capitol smoking occurred this month. When state employees returned from the New Year's holiday, they encountered scores of "NO SMOKING" signs.

The signs bar smoking in nearly all public places, including hallways, stairwells, restrooms, hearing rooms and elevators. Smoking already was off-limits in the House Lounge and in the House itself; the Senate adopted a similar ban last week. Now,

the only acceptable places to smoke are some legislators' offices and the basement parking garage.

The policy is the result of an increase in opposition to smoking, including letters sent last year by Dietemann to the state attorney general's office and the U.S. Department of Justice.

Dietemann, 44, of St. Louis, has never been to the capitol, because she knew of the smoking there. "This is my government," she said. "If I do not have access to my government, I do not have any representation."

Her letters caused concern among state officials about possible suits under the Americans with Disabilities Act. Officials decided it was time to ban smoking, said Keith Sappington, the House operations director, who coordinates the chamber's compliance with the federal law.

Other state buildings have had smoking bans for years. But political traditions — yes, smoke-filled rooms — aren't ended so easily.

As the session started last week, the senior legislative lobbyist, John Britton, made his rounds smoking a cigarette. Britton represents the tobacco industry, and his tongue was firmly in cheek — next to his unfiltered cigarette.

"This is the dawn of a new era — instead of exhaling smoke, tobacco and gunk, we're going to

be exhaling wisdom," he said with a grin.

But, Mr. Britton, what about that cigarette?

"If not the letter of the law, you have to at least obey the spirit of the law, and that's what I intend to do," he said — but didn't put out the cigarette. Instead he partly concealed it in his palm.

Others offered no mock discretion.

Sen. John Schneider, D-Florissant, strolled from his office to the Senate chamber on the session's opening day, trailing smoke from his pipe — without apology.

"No comment," said Schneider, senior member of the Senate. "I don't have anything I want to say about it."

Some smokers stood just inside the doorways of legislators' offices, letting wisps of smoke curl into the corridors.

Rep. Gary Witt, D-Platte City, declared his fourth-floor office a smokers' sanctuary. "I think it's just ridiculous," said Witt, who has a climate-controlled box of cigars on his desk. "Prohibition didn't work, and they're going the same direction with tobacco. "I may have to figure out how to put in an attic fan to blow that smoke into the hallway."

The nonsmoking majority, at long last victorious, couldn't help gloating.

"I love it!," said Sen. Joe Moseley, D-Columbia.