

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

**COMMITTEES ON CONSUMER PROTECTION & COMMERCE
& JUDICIARY**

HB 2691, RELATING TO SMOKING

**Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health
February 9, 2010**

1 **Department's Position:** The Department of Health does not support this measure to create an
2 exemption in Chapter 328J, HRS allowing for smoking to be permitted in certain liquor dispensing
3 establishments with licensing fees to go towards organ donation education.

4 **Fiscal Implications:** The DOH would annually remit moneys collected under 328J to be deposited into
5 the Hawaii Organ and Tissue Education Special Fund. Potential revenues from license fees to: 1) Organ
6 and Tissue Education Special Fund, and 2) up to 10% of fees collected by the Department of Taxation.
7 It is not known how much would be collected at this time as a result of this proposal.

8 **Purpose and Justification:** This bill would amend Chapter 328J, Hawaii Revised Statutes, to allow
9 smoking under a new class of liquor license for dispensers, clubs, or cabarets, now prohibited under the
10 law. The bill would remove the protections against exposure to secondhand smoke put in place by the
11 2006 Legislature and place both employees and patrons of this portion of Hawaii's workforce at risk for
12 exposure to a known carcinogen.

13 The purpose of the original legislation was to create equal protections for all employees, in every
14 sector of the economy, across the state. For the vast majority of the businesses which have supported

1 the law both in principle and in practice, these protections are working. There is appropriate signage,
2 employees and customers know that smoking is not permitted, and there are designated smoking areas
3 beyond the twenty foot perimeter from doorways and windows. As a result of the law, businesses have
4 encouraged workers who smoke to consider quitting, and there have been an increase in calls to the
5 Hawaii Tobacco Quitline.

6 The Department of Health has worked diligently, since passage of the Smoke Free Workplace
7 Law, to both inform and to educate Hawaii businesses about the law. Media and materials were
8 developed, outreach was conducted and knowing that the liquor dispensing sector would be the most
9 challenging, a special packet of materials was provide to each licensee. The department has consistently
10 made itself available to these businesses and has helped with plans to implement the law.

11 This bill represents a costly step backwards in public health. To now create an exemption for
12 liquor dispensing licensees would be to acknowledge that secondhand smoke was somehow less harmful
13 than what the U.S. Surgeon General's Report advises and would go back on the promise made by the
14 Legislature for a work environment free from tobacco smoke to Hawaii's workers. This bill does not
15 represent a forward step in improving the health for Hawaii's workers and would place more employees
16 and more patrons at risk for tobacco-related illnesses.

17 Thank you for the opportunity to testify.

LINDA LINGLE
GOVERNOR

JAMES R. AIONA, JR.
LT. GOVERNOR



KURT KAWAFUCHI
DIRECTOR OF TAXATION

STANLEY SHIRAKI
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF TAXATION
P.O. BOX 259
HONOLULU, HAWAII 96809

PHONE NO: (808) 587-1510
FAX NO: (808) 587-1560

**HOUSE COMMITTEES ON CONSUMER PROTECTION & COMMERCE AND
JUDICIARY
TESTIMONY REGARDING HB 2691
RELATING TO SMOKING**

*****WRITTEN TESTIMONY ONLY*****

TESTIFIER: KURT KAWAFUCHI, DIRECTOR OF TAXATION (OR DESIGNEE)
DATE: FEBRUARY 9, 2010
TIME: 2:00PM
ROOM: 325

This measure, among other things, requires the Department of Taxation to administer a smoking establishment permit based in Chapter 328J, Hawaii Revised Statutes.

The Department of Taxation (Department) **opposes** the requirement that it administer this program.

DEFERAL TO DEPARTMENT OF HEALTH ON THE POLICY—The Department defers to the Department of Health on the policy of this measure, namely whether smoking should be allowed in certain establishments that pay a permit fee.

OPPOSED TO ADMINISTERING A HEALTH REGULATION—The Department is fundamentally opposed to administering a program that is better left to an agency with subject matter expertise. The Department administers the tobacco tax and tobacco retail permits, which are both tax provisions. *See* Chapter 245, HRS. The Department does not administer general laws regulating the health and safety of Hawaii residents. Also, this regulation is not contained in Title 14, Hawaii Revised Statutes. As such, many of the Department's powers and authorities (contained in Chapter 231, HRS), are not present and could impact the Department's ability to effectively administer these permits.

THE DEPARTMENT WILL BE UNABLE TO ADMINISTER THIS REQUIREMENT GIVEN CURRENT RESOURCES—As a practical matter, the Department must oppose this measure because it simply doesn't have the resources to administer this program without additional resources, although the bill allows the Department to keep 10% of the fees to cover costs. These costs would still require an appropriation that is well outside the Executive Budget priorities for this legislative session to implement the program before any fees are collected or if there are not enough fees to cover the actual costs. This program would also refocus the Department's general fund tax collection priorities, which could negatively impact the general fund.

The American Heart Association mission is: Building healthier lives free of cardiovascular diseases and stroke..



American Heart Association | American St Association

Learn and Live...

Serving Hawaii

Testimony in strong opposition to HB 2691

The American Heart Association strongly opposes HB 2691. There can be no compromise when it comes to protecting the health of Hawaii's workers, or its public.

Heart disease is the leading cause of death in the United States, according to the Centers for Disease Control and Prevention (CDC). An American has a coronary event (heart attack) nearly every 25 seconds, resulting in death about every minute. Smoking is the leading risk factor for heart disease.

Evidence suggests that exposure to secondhand smoke also can result in adverse health effects, including heart disease in nonsmoking adults. Secondhand smoke, also known as environmental tobacco smoke, consists of a mixture of gases and particles including smoke from burning cigarettes, cigars, pipe tobacco, and exhaled mainstream smoke. Smoking bans are making progress at reducing involuntary exposure to secondhand smoke in workplaces, restaurants, and other public places in the United States and abroad. Such legislation has also provided the opportunity to study the effects of smoking bans on the health of smoking and nonsmoking adults.

Cardiovascular disease is a major public health concern. Study results consistently indicate that exposure to secondhand smoke increases the risk of coronary heart disease by 25 to 30 percent. Furthermore, the 2006 surgeon general's report found that **"the evidence is sufficient to infer a causal relationship between exposure to secondhand smoke and increased risks of coronary heart disease among both men and women."**

In 2008, the CDC asked the Institute of Medicine to assess the relationship between secondhand-smoke exposure and effects on the heart. They concurred with the previous Surgeon General's view. The evidence that exists about smoking restrictions and heart attacks, including the 11 studies analyzed in their report, supports an association between smoking restrictions and a decrease in heart attacks. Remarkably, all of these publications showed a decrease in the rate of heart attacks after smoking restrictions were implemented. These decreases ranged from six percent to 47 percent, depending on the study and the form of analysis. Basic science has shown effects of secondhand smoke on the cardiovascular system, such as inflammation in blood vessels and increased blood clots. In addition, secondhand smoke contains some of the same components as smoke and air pollution, such as particulate matter. Both smoke and air pollution have been associated with heart attacks. An association between secondhand-smoke exposure and heart attacks, therefore, is biologically plausible, providing further confidence in the effects seen in the observational studies

Based on its review of the available literature, the Institute of Medicine concluded that smoking restrictions reduce heart attacks. Given the prevalence of heart attacks, and the resultant deaths, smoking restriction laws save thousands of lives each year in the U.S. alone. The savings, as measured in human lives, is undeniable.

Alternatively, the costs of not restricting smoking in workplaces are equally staggering. According to the American Heart Association's 2009 Statistical Update, the estimated direct and indirect cost of cardiovascular diseases for 2008 is \$475 billion. The CDC estimates that smoking is responsible for direct medical costs of \$96 billion and lost productivity costs of \$97 billion, or a total estimated \$193 billion per year. Some estimates have put the annual costs of excess medical care, mortality and morbidity caused by second-hand smoke alone at more than \$10 billion.

The American Heart Association strongly urges Hawaii legislators to support the existing law which has proven to be a success from both a health and a business standpoint, and to fulfill their pledge to uphold the State Constitution in which Article IX, Section 1 states, "The State shall provide for the protection and promotion of the public health." Please oppose HB 2691.

Respectfully submitted,

Ralph Shohet, M.D.
Cardiologist and Director of Cardiovascular Research
University of Hawaii John A. Burns School of Medicine
President, American Heart Association Oahu Metro Board of Directors

Please remember the American Heart Association in your will.

Serving Hawaii since 1948

For information on the AHA's educational or research programs, contact your nearest AHA office, or visit our web site at www.americanheart.org.

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February 8, 2010

Committee on Consumer Protection & Commerce
Representative Robert Herkes, Chair
Representative Glenn Wakai, Vice Chair

Committee on Judiciary
Representative Jon Riki Karamatsu, Chair
Representative Ken Ito, Vice Chair

Hearing:

2:00 P.M. Tuesday, February 9, 2010
Hawaii State Capitol, Room 325

RE: HB2691 – Relating to Smoking

Testimony in Strong Opposition

Chairs Herkes and Karamatsu, and members of the Committees on Judiciary, and Consumer Protection & Commerce. Thank you for the opportunity to testify in strong opposition to HB2691 which would allow smoking in permitted liquor establishments, and would create a smoking establishment permit fee with proceeds to go towards organ donation education.

The American Cancer Society Hawaii Pacific Inc. is a community-based, voluntary health organization dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives, and diminishing suffering from cancer. This mission includes advocating for legislation that promotes the public health, and opposing legislation that would lead to increased cancer rates and deaths.

In 2006, Hawaii passed its Smoke-Free Workplace law (Act 295) which became the “gold standard” that other states modeled their anti-smoking legislation law. As of January 1, 2010, thirty eight states have passed work and public places no-smoking statutes. Of these only a very small handful exempted bars.

As a result of Act 295, we are now seeing across the board decline in smoking-related disease rates. However tobacco use is still the number one cause of cancer deaths in Hawaii and the United States.

We ask the Legislature not to be fooled by the faulty arguments put forward by the proponents of this bill, specifically; “that the bar industry is losing money as a result of the no-smoking law”, or “workers should be able to decide for themselves if they want to work in a smoking environment.”

As of 2008, there is no evidence that bars are losing revenue due to the no smoking law. However, there is stronger evidence that businesses throughout Hawai'i are losing revenue due to these very difficult economic times. Passing HB2691 will be a step backwards and will take away health protections from workers who are now not being exposed to second-hand smoke.

It is important that the legislature reject attempts to gain exceptions to our smoke-free law, we strongly urge the committees to hold this bill.

Mahalo, for the opportunity offer our testimony in opposition here today.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Massengale", written in a cursive style.

George S. Massengale, JD
Director of Government Relations

Oahu
680 Iwilei Road, Suite 575
Honolulu, HI 96817
Tel: (808) 537-5966
Fax: (808) 537-5971
lung@ala-hawaii.org

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Tel: (808) 244-5110
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Improving Life One Breath at a Time

Founded in 1904, the
American Lung Association
includes affiliated associations
throughout the U.S.



**TO: House Committee on Consumer Protection & Commerce
House Committee on Judiciary**

FOR: Hearing scheduled for 2:00 pm, Tuesday, February 9, 2010

**RE: TESTIMONY IN STRONG OPPOSITION TO HB 2691 REALTING TO
SMOKING**

Chairs Herkes & Karamatsu, Vice Chairs Wakai & Ito, and Committee
Members

The American Lung Association in Hawaii strongly opposes HB 2691. Our mission is to save lives by preventing lung disease and improving lung health. We are dedicated to fighting for clean air both indoors and outside. Everyone has a right to breathe clean air no matter where they work, dine or are entertained.

When State legislators enacted the 2006 public places smoking ban, they did so knowing that, as the Surgeon General Report states, there is no risk-free level of exposure to secondhand smoke. Some businesses now claim the law has harmed them. Whether or not that's true, the law's overriding public benefit is that smoke no longer damages the health of employees and patrons alike.

Over 175,000 people in Hawaii - or nearly 13 percent of our population - that's more than all those on Maui and Kauai combined - suffer from some type of lung disease, which is made worse with exposure to secondhand smoke. I have spoken to entertainers who, prior to the 2006 law had to perform in smoke-filled rooms in order to make a living. Some of these suffer from asthma and had to use medication following performances.

We strongly disagree with those who say smoking licenses should be available to willing establishments and that employees would be informed as a condition of employment that smoking is allowed. Employers can never know if their employees agree to work in a smoking environment because they are doing so freely or because they are fearful of losing their job.

As a society, we strive to improve working conditions and eliminate threats to health and safety. The no-smoking law has done that for all Hawaii residents and must stay intact to protect everyone ... and **everyone means everyone!**

Respectively Submitted,

Jean Evans, MPH, Executive Director

HMSA



Blue Cross
Blue Shield
of Hawaii

An Independent Licensee of the Blue Cross and Blue Shield Association

February 9, 2010

The Honorable Robert N. Herkes, Chair
The Honorable Jon Riki Karamatsu, Chair
House Committees on Consumer Protection and Commerce and Judiciary

Re: HB 2691 – Relating to Smoking

Dear Chair Herkes, Chair Karamatsu, and Members of the Committees:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify in opposition to HB 2691 which would weaken Hawaii's comprehensive Smoke-Free Workplaces Law by allowing smoking in certain establishments.

HMSA is dedicated to controlling Hawaii's health care costs through the provision of quality, affordable health plans. Smoking and involuntary exposure to tobacco smoke are strongly associated with cancer-related illnesses, heart disease, respiratory disease, asthma and other debilitating and costly medical conditions. These diseases cause considerable personal and family suffering and directly contribute to the rising cost of health care.

Each year, HMSA pays a large amount of our members' dollars in claims payments toward the treatment of smoking related illnesses. Given the huge costs attributable to these diseases, we strongly urge the Committees to hold this measure and ensure the continuation of the smoking ban in all Hawaii workplaces.

Thank you for the opportunity to provide testimony on HB 2691.

Sincerely,

Jennifer Diesman
Vice President
Government Relations



**Testimony to the House Committees on Consumer Protection and Commerce and Judiciary
Tuesday, February 9, 2010 at 2:00 p.m.
Conference Room 325, State Capitol**

RE: HOUSE BILL NO. 2691 RELATING TO SMOKING

Chairs Herkes and Karamatsu, Vice Chairs Wakai and Ito, and Members of the Committees:

My name is Jim Tollefson and I am the President and CEO of The Chamber of Commerce of Hawaii ("The Chamber"). The Chamber opposes House Bill 2691 relating to Smoking.

The Chamber is the largest business organization in Hawaii, representing more than 1,100 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

This measure allows smoking in properly permitted liquor establishments not to include restaurants. The bill also requires collection of smoking establishment permit fee with proceeds to go towards organ donation education.

The law as currently implemented has been a success. Allowing some businesses to again expose their workers and entertainers to Class A carcinogen and toxins, will make the workers more susceptible to heart disease, stroke, or other threatening diseases.

Permitting smoking in establishments would lead to increased healthcare costs for all businesses caused by increased smoking and second-hand smoke exposure. It would also lead to confusion among the public about where smoking is allowed indoors and where it is restricted. When second-hand smoking puts other's health and safety at risk, it should be restricted. Hawaii's smoke-free workplace law does not ban smoking, it only insures the safety of Hawaii's workers by requiring those who wish to smoke to do it in areas that don't endanger others. Furthermore, studies show no economic losses to tourism and hospitality industry attributable to the Smokefree Law.

In light of the above, The Chamber of Commerce of Hawaii believes that we cannot allow erosion of the progress we have made for smoke-free workplaces. Therefore, we oppose HB 2691. Thank you for the opportunity to testify.



COALITION FOR A
TOBACCO-FREE HAWAII

To: The Hon. Robert N. Herkes, Chair, Committee on Consumer Protection & Commerce
The Hon. Jon Riki Karamatsu, Chair, Committee on Judiciary
The Hon. Glenn Wakai, Vice Chair, Committee on Consumer Protection & Commerce
The Hon. Ken Ito, Vice Chair, Committee on Judiciary
Members, Joint Committee on Consumer Protection & Commerce and Judiciary
From: Trisha Y. Nakamura, Esq., Policy and Advocacy Director
Date: February 8, 2010
Hrg: Committee on CPC/JUD; February 9, 2010 in Rm 325 at 2:00 p.m.
Re: **Strong Opposition to HB 2691 Relating to Smoking**

The Coalition for a Tobacco-Free Hawaii strongly opposes HB 2691 Relating to smoking; we ask that you hold it in Committee.

The Coalition for a Tobacco-Free Hawaii (Coalition) is the only independent organization in Hawai'i whose sole mission is to reduce tobacco use through education, policy and advocacy. Our organization is a nonprofit organization of over 3,000 organizations and members working to create a healthy Hawaii through comprehensive tobacco prevention and control efforts. In 2006, the Coalition and its partners worked to pass the Smoke-Free Workplaces Law—HRS 328J. Hawaii became the 14th state to adopt a comprehensive statewide law to address dangerous secondhand smoke exposure in workplaces. This law ensures that workers and patrons are free of second-hand smoke in enclosed and partially-enclosed areas open to the public.

The measure before you today will undermine some of the protections guaranteed to workers and those who patronize businesses—the right to breathe air free of tobacco smoke. This measure will allow bar owners to purchase a “smoking establishment permit” from the Department of Taxation to allow smoking in their bar. This is a step in the wrong direction. Eroding our strong Smoke-Free Workplaces Law opens the door to more businesses seeking exemptions from the Smoke-Free Workplaces Law. **Our public deserves the right to smoke-free air. And, it is the role and responsibility of lawmakers to regulate business when the health and safety of the public is concerned.**

I. The Smoke-Free Workplaces Law Is Necessary for Workers and the Public's Health

The measure provides no protections for workers. Workers employed and placed in a bar that elects to purchase a smoking establishment permit will be exposed to second-hand smoke and the numerous risks associated with it—for some, the health threats are so serious that they will be forced to quit or worse suffer with life-threatening harms to earn their wage. In fact, the only

way to protect workers and patrons from involuntary second-hand smoke exposure is to prohibit smoking in enclosed and partially enclosed areas as we have now. The World Health Organization states that “[s]cientific evidence has firmly established that there is no safe level of exposure to second-hand tobacco smoke (SHS), a pollutant that causes serious illness in adults and children. There is also indisputable evidence that implementing 100% smoke-free environments is the only effective way to protect the population from the harmful effects of exposure to SHS.”¹

II. Second-Hand Smoke is a Serious Health Threat and Can be Lethal

Second-hand smoke, or involuntary or passive smoking, is a known cause of lung cancer, heart disease, low birth-weight births, and chronic lung ailments. The CDC notes that 50,000 Americans die each year from lung cancer and heart disease attributable to secondhand smoke exposure.² The Institute of Medicine (“IOM”) most recently reported in “Secondhand Smoke Exposure and Cardiovascular Effects: Making Sense of the Evidence” on conclusive evidence that secondhand smoke causes heart disease, including heart attacks. The IOM committee of scientific experts concluded “there is a causal relationship between smoking bans and decreases in acute coronary events” and “the evidence reviewed by the committee is consistent with a causal relationship between second-hand smoke exposure and acute coronary events, such as acute MI (myocardial infarction).”

III. Neighboring Businesses and Their Workers and Patrons Would Also Be Exposed to and Not Protected from Second-Hand Tobacco Smoke

HB 2691 focuses on bars as smoking establishments. We must not look at this measure in isolation. The bars and cabarets that this measure would allow to purchase a “smoking establishment permit” may be next-door or located in a building with other tenants. If there is smoking in a bar, the neighboring units and their employees and patrons will be exposed to second-hand smoke—without notice.

¹ World Health Organization, “Protection from Exposure to Secondhand Tobacco Smoke – Policy Recommendations,” 2007. Available at http://www.who.int/tobacco/resources/publications/wntd/2007/PR_on_SHS.pdf.

² Centers for Disease Control, “Annual Smoking-Attributable Mortality, Years of Potential Life Lost, and Productivity Losses – United States 2000-2004,” MMWR 57(45), November 14, 2008. Available at <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5745a3.htm>.

IV. Smoke-Free Workplaces Laws Do Not Harm Businesses

One year after Hawaii's Smoke-Free Law when into effect, "there is no evidence to suggest that the Hawaii Smokefree Law has harmed the hospitality or tourism industries as a whole"³ according to the Roswell Park Cancer Institute. Additionally, the Surgeon General reported that "[e]vidence from peer-reviewed studies shows that smoke-free policies and regulations do not have an adverse economic impact on the hospitality industry."⁴

V. An Overwhelming Majority of Hawaii Residents Favor the Smoke-Free Workplaces Law

In 2007, 82 percent of Hawaii residents supported the law. In 2008, that number grew to 85% a majority of Hawaii's residents. Additionally, Hawaii residents care about the health of workers. In 2007, 77% of Hawaii residents strongly agreed that all workers in Hawaii should be protected from exposure to secondhand smoke in the workplace. In 2008, that number increased to 82% of a majority of residents supporting protections for workers.

The Legislature must maintain our Smoke-Free Workplaces law. It is effective public health policy. It is fair and equal to all business owners. It protects worker and the public. It improves our health and saves lives. Please remain committed to the health of our workers and the public. We ask that you hold this measure in Committee. Thank you for the opportunity to comment on this matter.

³ Hyland, Andrew et. al., "One Year After the Hawaii Smokefree Law: Tourism and Hospitality Economic Indicators Appear Unaffected," available at http://hawaii.gov/health/about/reports/year_after_smoke.pdf.

⁴ U.S. Department of Health and Human Services. The Health Consequence of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General. 2006. Available at <http://www.surgeongeneral.gov/library/secondhandsmoke/report/>.

Testimony
of
Tony L. Sagayadoro

Before
Honorable Jon Riki Karamatsu, Chair; Honorable Ken Ito, Vice Chair
and the Honorable Members of the HOUSE COMMITTEE ON JUDICIARY

Honorable Robert Herkes, Chair; Honorable Glenn Wakai, Vice-Chair
and Honorable Members of the HOUSE COMMITTEE ON COMMERCE AND CONSUMER
PROTECTION

Public Hearing
2:00P.M. Tuesday, February 9, 2010 Conference Room 325

RE: Testimony in strong opposition of HB 2691 – Relating to Smoking; Smoking
Exemption and Organ Donation

**Hon. Jon Riki Karamatsu; Hon. Robert Herkes, Chair; and members of the House
Committee on Judiciary and House Committee on Commerce and Consumer
Protection**

I am Tony L.Sagayadoro, Program Coordinator of MOTTEP of HONOLULU (Minority Organ
Tissue Transplant Education Program) and a kidney transplant recipient, 2000. I am testifying
on behalf of the MOTTEP of Honolulu Advisory Board. I appreciate the opportunity to express
our views regarding HB 2691 which allows smoking in properly permitted liquor
establishments not to include restaurants. Requires collection of smoking establishment
permit fee with proceeds to go towards organ donation education.

**WE strongly opposed the passage of HB 2681. We do not encourage or support any
initiatives that will jeopardize the health of any individuals, like smoking.**

**While WE applaud the introduction of HB 2691, if the intent were to increase the number of
organ for transplant, however, WE cannot take any part in activities/initiatives that
jeopardize the health and welfare of other people.**

WE fully support the stand of Organ Donor Center of Hawaii that strongly opposed the
passage of bill HB 2691.

WE therefore, humbly ask you NOT TO PASS HB 2691.
Thank you.

Respectfully,

Tony L. Sagayadoro
(808) 368-8753

UNITE HERE!

LOCAL 5 HAWAII

Eric Gill, Financial Secretary-Treasurer

Hernando Ramos Tan, President

Godfrey Maeshiro, Senior Vice-President

Monday, February 08, 2010

Representative Robert Herkes, Chair - CPC

Representative Jon Riki Karamatsu, Chair - JUD

Members, Joint Committee on Consumer Protection & Commerce and Judiciary

Testimony regarding HB2691; *relating to Smoking*

Chairs Herkes & Karamatsu, and members of the joint Committee on Consumer Protection & Commerce and Judiciary:

I submit this testimony on behalf of UNITE HERE! Local 5 – a local labor organization representing nearly 11,000 hotel and health care workers throughout our State.

I hereby register our organization's opposition to HB 2691.

HB 2691 will weaken Hawaii's comprehensive Smoke-Free Workplaces Law. Our current law ensures basic protections for workers and the public—freedom from exposure to second-hand smoke. This bill would amend the Hawaii Smoke-Free Workplaces Law to allow smoking in bars and nightclubs. Our state cannot afford to compromise workers and the public's health.

Sincerely,



Cade M. Watanabe
Community/Political Organizer



OAHU FILIPINO COMMUNITY COUNCIL

P.O. Box 17531 • Honolulu • Hawaii 96817

Strong Opposition to HB 2691

Relating to Smoking

**Committees on Consumer Protection & Commerce & Judiciary
February 9, 2010 • Hawai'i State Capitol • Room 325 • 2:00 p.m.**

February 8, 2010

Unit Organizations

Alliance of Residential
Carehome Administrators
Aloha Saguibsib Cultural
Foundation, Inc.
Annac ti Bado iti Hawaii
Annac ti Batac
Annac ti Caoayan 2002
Annak ti Kailokuan iti
America
Annak ti Sinait iti Hawaii
Asingan Organization of
Hawaii
Badoc-Pinili Aid
Association of Hawaii
Banna Association of
Hawaii
Bannatiran Association of
Hawaii
Batangas Association of
Hawaii
Bulacan Circle of Hawaii
Caballeros de Dimasalang
Cabugao Sons & Daughters
of Hawaii
Candonians of Hawaii
Caoayan ISAH
Cavitinians of Hawaii
Dingras Association of
Hawaii
Divine Word College
Alumni Association
FilAm Sports USA
Fil American Citizens
League
Filipino Business Women's
Club
Filipino Nurses Organization
of Hawaii
Filipino Women's Civic
Club
GUMIL Hawaii
GUMIL Oahu
Hawaii Filipino Women's
Club
Hawaii Council of Bilingual
Educators
ILAH
Ilocos Nortenians of
America
INCAT Alumni Association
of Hawaii
International Filipino
Society of Hawaii
Kalayaan Phil.-Hi. Int.
La Union Circle of
Hawaii
Lingayen Gulf Club of
Hawaii

To:

**Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
Vice Chair Ken Ito, Committee on Judiciary
Members, Joint Committee on Consumer Protection & Commerce and Judiciary**

My name is Danny Villaruz, president of the Oahu Filipino Community Council. OFCC is an umbrella organization that represents a network of non-profit civic groups with a unified vision to improve the lives of our Filipino communities. Thank you for the opportunity to provide testimony in opposition to HB 2691.

OFCC is opposed to HB 2691 because it will dismantle Hawaii's comprehensive Smoke-Free Workplaces Law. Filipinos make up a large segment of Hawai'i's service industry labor force in restaurants and bars, where workers are at risk for secondhand exposure to cigarette smoke.

The right to work in a smoke free workplace is a social justice issue. Filipino men bear a disproportionate lung cancer burden, with a doubling of cancer rates between 1995-2000, when lung cancer cases for all other groups declined.

Please protect our workers, who have diligently helped to build Hawai'i's economy. Please do not pass HB 2691 Relating to Smoking.

Sincerely,

**Danny Villaruz
President
Oahu Filipino Community Council**

Unit Organizations

Magsingal Association of
Hawaii
Narvacan/San Antonio Club o
Hawaii
Nueva Vizcaya Association of
Hawaii
Pasuquinos Association of
Hawaii
Philippine Cultural Foundatio
Philippine Nurses
Association of Hawaii
Piddig Association of Hawaii
Sanchez Mira Association of
Hawaii
San Manuel Pangasinan
Association of Hawaii
San Nicolaneos USA
San Nicolas Goodwill
Foundation
San Nicolas Teachers of
Hawaii
Santa Lucia Association of
Hawaii
Sarrat Association of Hawaii
Sarrat International Inc.
Sinait Nt. High School Alumn
of Hawaii
Solsona of Hawaii
Tarlac Mutual Club of Hawaii
TPCP
Kalihii Ballroom, Inc.
Sadiri ti San Nicolas iti Hawai
Samar Leyte Association of
Hawaii
Sampaguita/Sunflower Club o
Hawaii
San Juan Association of
Hawaii
San Nicolas Nat. High
Santa Marians of Hawaii
School Alumni
Santa Nicolas Nat. High
School Bingao Annex
Tagalog Association of Oahu
United Bacarreneos of Hawaii
United Group of Home
Operators
United Pangasinan of Hawaii
United Urdaneta Club of
Hawaii
United Vintarinians of Hawaii
Vigan Association of Hawaii

Committee on Consumer Protection & Commerce
Judiciary Committee

Feb. 9, 2010, 2 p.m. Hawai'i State Capital, Conference Rm. 325

February 8, 2010

Amy Agbayani, Ph.D., Co-Principal Investigator
Reginald Ho, MD, Co-Principal Investigator
Reuben Guerrero, MD, Clinical Director
Miles Muraoka, PhD, Research Director
Charlene Cuaresma, MPH, Community Director
Asian American Network for Cancer Awareness, Research and Training
A National Cancer Institute Community Network Program
University of Hawai'i SEED Program
2600 Campus Road QLCSS Rm. 413
Honolulu, HI 96822

Dear Chair Herkes, Chair Karamatsu, Vice Chair Wakai, Vice Chair Ito,
and Committee Members,

The Asian American Network for Cancer Awareness Research and Training (AANCART) strongly opposes this bill. My name is Reginald Ho, co-principal investigator with Amy Agbayani, PhD. AANCART is a Community Network Program of the National Cancer Institute established to address cancer disparities among Asian Americans through research, education, training, and advocacy. I am an oncologist at Straub Clinic and Hospital. I also served as the first national president of Asian descent for the American Cancer Society.

AANCART is in strong opposition because Hawai'i's comprehensive Smoke-Free Workplaces Law must not be overturned. The legislature must safeguard workers from lung cancer risks due to secondhand smoke exposure. On an average day, wait help workers in restaurants and bars are at risk for inhaling an equivalent of 3.5 packs of cigarettes. One third of cancer deaths can be prevented with smoke free measures.

The right to work in a smoke free workplace is a social justice issue. Immigrants, minorities, and Filipinos who comprise the bulk of wait help jobs in restaurants and bars are at greatest risk for lung cancer. Thank you for the opportunity to provide you with this cancer information and testimony. Please oppose this bill to uphold good public health practices in Hawai'i's worksites, for Hawai'i's people.

Very Sincerely,

Reginald Ho, MD; Amy Agbayani, PhD
Miles Muraoka, PhD; Reuben Guerrero, MD; Charlene Cuaresma, MPH



UNITED FILIPINO COUNCIL OF HAWAII

P.O. BOX 498, Honolulu, Hawaii 96809-0498

Strong Opposition to HB 2691 RELATING TO SMOKING

Consumer Protection & Commerce Committee
Judiciary Committee
February 9, 2010
Hawai'i State Capitol, Room 325, 2:00 p.m.

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
Vice Chair Ken Ito, Committee on Judiciary
Members, Joint Committee on Consumer Protection & Commerce and
Judiciary

FROM: Eddie Agas, President, United Filipino Council of Hawaii

Dear Rep. Herkes, Rep. Karamatsu, and Committee Members:

I submit this testimony to strongly oppose this bill. My name is Eddie Agas. I am the president of the United Filipino Council of Hawaii (UFCH). We are an umbrella organization with member civic groups from six island councils. UFCH membership is comprised of nearly 5,000 individual members.

UFCH has adopted a resolution to address public health disparities, including cancer disparities. For Filipinos, lung cancer is the leading cancer. It is a social injustice to allow secondhand smoke exposure in bars, which will increase the risk of lung cancer for workers. Service workers in restaurants and bars make the lowest wages and face risks of catastrophic health care bills with costs that will shift to the government and tax payers. Fostering toxic work environments is not a prudent way to boost our ailing economy.

Thank you for the opportunity to oppose this bad bill. Please vote no and protect the health of our workers.

Respectfully submitted,

Eddie Agas
President
United Filipino Council of Hawaii



Papa Ola Lokahi
Nana I Ka Pono Na Ma

Papa Ola Lokahi

894 Queen Street
Honolulu, Hawaii 96813

Phone: 808.597.6550 ~ Facsimile: 808.597.6551

Papa Ola Lokahi

is a non-profit Native Hawaiian organization founded in 1988 for the purpose of improving the health and well-being of Native Hawaiians and other native peoples of the Pacific and continental United States.

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Hoola Lahui Hawaii

Hui No Ke Ola Pono

Hui Malama Ola Na O'iwi

ALU LIKE

Ke Ola Mama

E Ola Mau

University of Hawaii

Hawaii State Department of Health

Na Puuwai

Office of Hawaiian Affairs

Ex-Officio Members

Hawaii Primary Care Association

Ke Alaula

Executive Director

Hardy Spoehr

TESTIMONY:

HR 2691, Relating to Smoking

**February 9, 2010, 2:00 P.M.
State Capitol Building, Room 325**

Hardy Spoehr, Executive Director

Aloha Chairs Herkes and Karamatsu and Members of the Joint Committee on Consumer Protection & Commerce and the Judiciary. Thank you for the opportunity to provide testimony in strong opposition to HB 2691.

HB 2691 will weaken Hawaii's comprehensive Smoke-Free Workplaces Law. Our current law ensures basic protections for workers and the public; freedom from exposure to second-hand smoke. This bill would amend the Hawaii Smoke-Free Workplaces Law to allow smoking in bars and nightclubs. Our state cannot afford to compromise the health of workers and the public. Bars and nightclubs are not assessed the untold millions of dollars it costs the state to treat cancers attributed to smoking and exposure to second-hand smoke. Owners of bars and nightclubs are not left with the responsibility of counseling hundreds of people annually who have lost loved-ones to cancer and heart disease through smoking and/or exposure to smokers. We are particularly concerned because Native Hawaiians have one of the higher, and in some cases the highest, incidences of cancers and the highest incidence of mortality due to heart disease in the state.

Hawai'i's Smoke-Free Workplaces Law is a model for the nation. Why at this time when many states across the nation view this law as a model for their own adoption, we in Hawai'i are basically considering a repeal. Smoke-Free Workplaces make good public health policy. We need to continue this effort. We ask that you hold this bill in committee.

Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

From: Tracy A Ryan
Sent: Friday, February 05, 2010 9:58 AM
To: CPCtestimony
Subject: testing
Attachments: image001.jpg

The Libertarian Party of Honolulu County
c/o 1658 Liholiho St #205
Honolulu, HI 96822

TESTIMONY

RE: HB 2691 to be heard Tuesday, February 9, 2010 at 2:00 PM in conference room #325

To the Members of the House Committees on Judiciary and CP&C

The Libertarian Party of Honolulu supports the intent of HB 2691. It allows business owners and property owners to make up their own minds as how to best serve their customers. We would prefer a bill that simply repealed all the anti-smoking ordinances the State has passed that violate the rights of individuals as specified in our State Constitution.

The Libertarian Party believes in the rights guaranteed to Hawaii residents under our State Constitution. Under Article I, Section 2. Individuals are described as free by nature and equal in their inherent inalienable rights; rights that include life, liberty and the pursuit of happiness, and the acquiring and possessing of property.

Sincerely:



Tracy Ryan
Oahu County Chair, The Libertarian Party of Hawaii

WAKANE B...

From: [REDACTED]
Sent: Sunday, February 07, 2010 6:57 PM
To: CPCtestimony
Subject: testimony HB-2691

Testimony for the committees on Consumer Protection and Judiciary

Tuesday Feb. 9th conf. rm 325

**Jacob A. Knolls
1925 Kalakaua
Honolulu HI, 96815**

HB-2691 (relating to smoking ban exemptions)

Strong Support of this excellent bill!

It's about time that we fix the smoking ban for the better. It's hurt our tourism industry and it has hurt and in some cases even caused bars to close. Adults have the right to CHOOSE where and how they relax on private property.

Sincerely, Jacob Knolls

From: Tim Lemke [REDACTED]
Sent: Sunday, February 07, 2010 7:35 PM
To: CPCtestimony
Subject: CPC-JUD committee testimony

Testimony is Support of House Bill 2691

Dear CPC and JUD committees,

I'd first like to say that I'm a lifelong non-smoker. I'm displeased personally that my friends I once went out to bars with don't want to go anymore because they can't smoke. Also I can't understand why it seems to be our legislature's policy to deny more and more civil liberties instead of increasing them.

While I'm in 100% support of smoking exemptions for bars, I would not support a complete repeal of smoking restrictions. I think places such as the inside areas of family restuarants, banks, hospitals, aircraft, and air conditioned malls should remain "no smoking". Currently HB2691 keeps these places non-smoking and **the bill should be passed "as is"**.

In addition, organ donation should be increased in Hawaii. This bill can help.

Thank You for your kind attention to my testimony,

Tim Lemke
758 Kinau street
Honolulu, HI 96813
timlemke20@yahoo.com

Francois Ponce
Kama Mai Drive
Pearl City, Hawaii

Testimony@Capitol.hawaii.gov

HB-2691 Smoking License exemption for Bar Owners

Position: Strong Support

Honorable Committee Memebers:

I think people should have a choice whether to smoke or not in bars. I love the smoking ambience. Smoking should be tolerated.

Not every bar should be non-smoking. This offers no diversity in choice for the citizens of our Island state. The U.S. government are the biggest producers of cigarettes, either directly or indirectly, so they should be responsible for what they have done and what they continue to do.

AMEN!
Francios Ponce

Dean Aity
Waikiki

Dean.aity@gmail.com
Testimony

RE: HB-2691 Smoking License exemption for bar owners

Position: Support

Honorable House committee members of CPC and JUD:

As an Project Engineer, it is my responsibility to oversee construction workers. My business carries certain inherent risks. As a businessman, those risks are freely assumed, as it should be. No unnecessary governmental intrusions!

Businesses as a general rule do not like to exist on government entitlements. It is not their purpose. They innately want to thrive in the free market place, this is and has always been the American way, that was until the new smoking ban laws went into effect.

By passing this bill, you accomplish the righting of a grievous wrong that has been done to the Bar Service Industry. Business people set the standards of an industry, OSHA plays a role in deciding acceptable risk levels. These levels have never been proven to be exceeded by the opponents of this exemption. I urge you to seriously consider giving the free market and the individual's rights and responsibilities as to freedom of choice concerning legal products an adult activities. This all boils down to freedom of choice and individual rights.

Thank you for considering my opinion on this matter.

Respectfully,
Dean Aity

Craig J. King
King Street
Honolulu, Hawaii

Testimony
HB 2691 Exemptions of bar owners
Position: Strong Support

Honorable Members of the Health Committee:

I wouldn't smoke around someone who is ill, or at a restaurant. Proper signage is all that's required to keep the people who are adverse to Tobacco smoke, well away from those who chose to enjoy it. Why shouldn't there be compensation for a business that has suffered financial harm from the current legislation. With that in mind, why not allow businesses to chose which clientele they want to service. It's a small Island, but there is more than enough room and venues to offer diversity in their services.

Sincerely,
Craig King

Erin Harty
Honolulu, Hawaii

Hotmailataoldotcom@Yahoo.com

Testimony@capitol.hawaii.gov

Re: Support for HB2691 Smoking Exemption License for Bar Owners

Honorable Committee Members:

I am a server in Waikiki. Freedom of choice for smokers and employee's. I do not tell people to smoke, don't try to tell me not to.

No one is forced to work in a bar; if an employee doesn't like the smell of smoke, then don't work at a bar that allows smoking and drinking where people like to hang out and party with legal substances; There are plenty of other places to work.

If a customer doesn't like Tobacco Smoke, they should go to another bar, one that the owners have chosen to designate as a non-smoking bar.

I go to bars to relax, part of that relaxation, for me, is smoking; again I don't tell other how they should relax, so please don't try to tell me how to do the same.

If you were truly worried about your health, you should try reading a label on a bottle of liquor. That stuff is bad for you too! So let's stop this draconic prohibition and bring back some sanity and sanctity to our civilized society.

Thank you for your time.
Erin Harty

David Walfish
Honolulu, Hawaii

haolepono@gmail.com
Testimony
HB2691 Exemption

Position: Support

Members and Chair of the House JUD and CPC committees:

I am an American. I love to smoke cigars. I need a place to go, in public that will allow me to express myself, legally.

Please do the right thing.
David Walfish

Bruce Paternoster
Pacific Heights Rd
Honolulu, Hawaii

Testimony

RE: HB2691 Allowing Smoking license exemption for bar owners

Position: Strong Support

Honorable member of the Health Committee:

I, Bruce Paternoster, a United States of America citizen since 1962, declare that the smoking ban is wrong, unethical and unconstitutional. I believe it is wrong to illegalize smoking in any establishment. If a person wants to smoke, he or she should be allowed as long as the owner of the place, whether that be public or private says it ok. Not the Government.

Sincerely,
Bruce Paternoster

Steven Pochop Jr.
Ala Poha PI.
Honolulu, Hawaii

testimony@Capitol.hawaii.gov
CPC/JUD committee hearing

RE: HB 2691 Smoking Exemption for Bar Owners

Position: The strongest of Support for Sensible Legislation

Honorable Committee Members:

I am writing to address the issue of the ban on smoking in local restaurants and bars. When people go out to enjoy the nightlife of Hawaii, they want to enjoy the freedom of the liberties they enjoy at home, in public. Business revenues have been severely affected by this intrusive limitation.

The bill of rights expresses in no uncertain terms the equality of mankind which also implies the equalities of the liberty they enjoy.

Freedom is the ability to choose religion, democracy, the pursuit of happiness, etc.

Allow people the choice to smoke in public places. When I go to a bar, I accept there will be smokers, drunkards, loud music and sometimes, foul language. Singling out smokers is a discrimination. If we are banning those things that are unpleasant, let's entertain prohibition and overturn ROE VS. WADE.

History teaches us not to repeat the past. Do not make the mistake of Government interfering in the personal freedoms of its people again!

Respectfully,
Steven Pochop Jr.

David Maguire
Honolulu, Hawaii

Pugatori007@yahoo.com

HB 2691 Smoking license Exemption for Bar Owners

Position: Strong Support

To the Honorable members of the Committees:

I have been a bartender for over 15 years, and I work in a smoking bar. I have chosen this line of work, I like my customers, even though they are smokers. They have given me a proven, viable livelihood for many years, and I do not believe the over exaggerated claims of SHS exposure. I have been around smokers my entire life, and I'm still here. The passage of HB2691 smoking license exemption, would allow me to do my job, service my customers and continue to provide me with an income that in Hawaii's high cost of living keeps me off the government entitlement roles. Thank you for your consideration of my opinion of the matter.

Regards,
David Maguire

Eric Alkyhi
Nuuanu Avenue

RE: HB2691 smoking exemption license for bar owners

Position: I support this Bill

Honorable committee members of CPC/JUD:

The love of freedom is the love of peace! Pass this bill.

Eric Alkyhi

Keaki Fujinaka
Box 73391
Honolulu, HI

Testimony@capitol.hawaii.gov

RE: smoking license exemption HB2691

I strongly support this legislation

I am borrowing this story from my friend Kekoa Taliaferro, but it just made perfect sense to me. The only other thing I would add is the current smoking ban laws are discriminatory in nature and only afford Choice to those individuals who are adverse to Tobacco.

"I think the smoking ban in it's current form infringes on the rights of the people of our society to choose their own acceptable risk levels, if any. For the people who choose to work in smoky environments, I.e. bars or yakiniku restaurants, they can always choose to work somewhere else if they personally believe that this is a health issue. By the way, have any of you been to Camelia's yakiniku house lately? You come out smelling like Kal Bi. But no one seems to mind that stench. In fact, I have never been in a bar that smoky in my entire life."

I dare you to go there for lunch and sit among the 50 burning yakiniku grills. See how well those employee's are being protected from SHS, and let's not forget the children who are sitting in all that Carbon Monoxide and chemical filled toxic, but oh so *ono* smelling air.

It is simple, Individual proprietors should choose their smoking policies. Not the government.

Regards,
Keaki Fujinaka

Lynn Hughs
Kahuhipa St
Kaneohe, Hawaii

Testimony@Capitol.Hawaii.gov

RE: Smoking License Exemption HB2691

Position: Strong Support

Honorable House Members of the Committees:

If smoking is legal, then smokers should be allowed to smoke wherever private property owners allow it. This means Bars, Restaurants, or private residences for that matter.

If someone is against that basic freedom, then they can choose to go to like-minded establishments, there are thousands to choose from here in the State.

Not every Bar will be a smoking bar, but then again, not every bar would have to be the completely one-sided desire of the Anti-Smoking Special Interest Groups.

Sincerely,
Lynn Hughs

John Leahy
520-241-6501
Testimony@Capitol.Hawaii.gov

**Smoking Exemption License
Strong Support
HB2691**

Honorable members of the Committees:

I chose to smoke. Patrons who enter an establishment that allows smoking also make a choice.

If smoking offends you, then it is your choice if you want to spend your money and time in a place that allows this activity.

It is not the governments place to make these choices for us. Instead of placing a ban on smoking, leave it up to the business owner to decide their own policy. People are more than capable of deciding for themselves as to what they allow themselves to be exposed to.

Respectfully,
John Leahy

Testimony for the House CPC/JUD committee
Feb 9, 2010 , Rm 325 2:00 pm

HB2691 relating to badly need smoking exemptions for bars)

Position; STRONG SUPPORT

Dear Honorable committee chairs and members.

This bill is just what we need. Bars should not have to choose between the law and giving their customers what they want to stay in business.

Since the smoking ban of 2006 the bar industry has lost millions. The situation would be even worse if some of the hardest hit places hadn't become "smokeasies". In addition we **lost \$180 million in Japanese tourist spending in the first year of the ban alone** per the Department of Health's own study. Then the highly biased Department of Health blew off the problem by simply saying "it's just trend".

The health claims of the anti-smoking lobby never happened. They still claim that their EPA environmental tobacco smoke study is creditable even though it was found to be a biased and unscientific fraud in federal court. Their claims of heart attack rate reductions do not occur in large unbiased studies, only in hand picked anomalous small samples done by highly biased individuals. For example the heart rate went up 15% not down when smoking was banned in Hawaii restaurants in 2003 and stayed the same for the 2006 ban.

The purpose of the anti-smoking lobby is simple. Make your constituents and our visitors miserable in the hopes that they might quit. Let's let people choose for themselves and show aloha to all. Bigotry is not good for business.

Lastly I support HB2691 because it is a revenue generator and a large part of that money goes to a good cause.

Please pass this bill.

Mahalo, Michael Zehner
750 Amana St. #608
Honolulu, HI 96814
808-952-0275

[REDACTED]

From: Lisa Oshiro [REDACTED]
Sent: Monday, February 08, 2010 11:53 AM
To: CPCtestimony
Subject: testimony hb2691

To; House Committee hearing CPC/JUD
on 2-9-10 in room 325

From; Lisa Y. Oshiro
411 Hobron Ln.
Honolulu, HI 96815
lisayoshiro@gmail.com

HB-2691

Testimony in very strong support

Dear Committees,

House Bill 2691 is the right thing to do. People who happen to smoke need somewhere to enjoy themselves as much as anybody else. When visitors come to this island and get kicked out into the parking lot or the curb it makes them feel unwelcome. The smoking ban in bars is bad for business, bad for tourism, and bad for our liberty.

Please let folks be folks and make the choice for themselves, not some closed minded bully at the health department. House Bill 2691 needs to become law.

Thank You, Lisa

From: [REDACTED]
Sent: Monday, February 08, 2010 12:10 PM
To: CPCtestimony
Subject: HB 2691 Testimony

House Bill 2691 Testimony in Total Support

Committee hearing of JUD and CPC on Febuary 9th at 2:00 pm

It's about time the legislature does something to fix our painfull and failed smoking ban.
It's about time that this second hand smoke hoax is exposed.
It's about time that we encourage our Japanese visitors to return and spend money.
It's about time we let the business owner of a bar do what the majority of his or her customers want,
It's about time to help increase organ donation.
It's about time to treat all people fairly.

It's time to say YES to House Bill 2691.

Respectfully,
Kevin Kapahu
85-175 Farrington Hwy.
Waianae, HI 96792

[REDACTED]

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 08, 2010 12:16 PM
To: CPCtestimony
Cc: RYoshi@mail.com
Subject: Testimony for HB2691 on 2/9/2010 2:00:00 PM

Testimony for CPC/JUD 2/9/2010 2:00:00 PM HB2691

Conference room: 325
Testifier position: support
Testifier will be present: No
Submitted by: Bob Yoshimura
Organization: Individual
Address: 98-410 Koauka Lp. Aiea, HI
Phone:
E-mail: [REDACTED]
Submitted on: 2/8/2010

Comments:

This bill would help increase tourism, in particular from Asia. The fact that smokers have zero hospitality venues to go to makes them want to go to other vacation spots.

HB-2691 should pass.

wakai2-Daniel

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 08, 2010 4:38 PM
To: CPCtestimony
Cc: fred@ejlounge.com
Subject: Testimony for HB2691 on 2/9/2010 2:00:00 PM

Testimony for CPC/JUD 2/9/2010 2:00:00 PM HB2691

Conference room: 325
Testifier position: support
Testifier will be present: Yes
Submitted by: Fred Remington
Organization: Individual
Address: 92-1353 Hoalii St Kapolei
Phone: 808-479-0782
E-mail: fred@ejlounge.com
Submitted on: 2/8/2010

Comments:

Please vote in support of HB2691 as this is a fair and equal bill for smokers and non-smokers alike. It is a win win bill for all parties concerned.

Janice C. Marsters, Ph.D.
2675 Hillside Avenue, Honolulu, Hawaii 96822
(808) 371-8504 • janicem@lava.net

February 8, 2010

EMAILED TESTIMONY IN OPPOSITION

**Hearing Date: Tuesday, February 9, 2:00 p.m., Conference Room 325
(House Committee on Consumer Protection & Commerce and House Committee on Judiciary)**

Honorable Representative Robert N. Herkes, Chair (Consumer Protection & Finance) and Honorable John Riki Karamatsu, Chair (Judiciary), and members of the Committees:

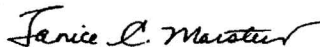
Subject: **HB 2691, Relating to Smoking**

Dear Chairs Herkes and Karamatsu, and Committee Members,

I **strongly oppose HB 2691, Relating to Smoking**. I see this bill as a great step backward in our sensible smoking ban for restaurants and bars. This must be considered a workplace safety issue. We control the environmental contaminants workers may be exposed to through OSHA regulations, and workers in the service industry must similarly be protected from environmental contaminants contained in tobacco smoke. It may be tempting to say that a worker can find another job if they don't want to breathe dangerous second-hand smoke, but this is not the standard we hold for workers exposed to other environmental contaminants, and why should we allow a different standard for second-hand smoke. Second-hand smoke is a clearly documented carcinogen and workers in our service industry deserve protection. Having the "smoking establishment permit fee" go towards organ donation education is not appropriate justification for the personal health risk to our service industry workers.

I appreciate the opportunity to provide testimony regarding HB 2691. Please do not hesitate to contact me should you have any questions regarding my testimony.

Respectfully submitted,



Janice C. Marsters

FAX 800 535-3859

February 8, 2010

**To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
Vice Chair Ken Ito, Committee on Judiciary
Members, Joint Committee on Consumer Protection & Commerce and Judiciary**

Re: Strong Opposition to HB 2691 Relating to Smoking
Hearing: CPC/JUD, February 9, 2010 in Room 325 at 2:00 p.m.

My name is Charles E. Roessler and I am a resident of Kilauea, Kauai. I would like to thank you for the opportunity to provide testimony in opposition to HB 2691, a misguided bill that would allow smoking in bars and nightclubs with a special license.

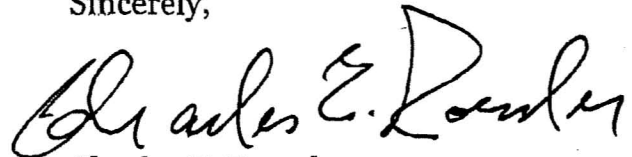
As a person who has witnessed the debilitating effects of tobacco use on many relatives and friends, I urge you to reject this "Trojan horse" compromise that kow-tows to a misguided segment of the bar population that shows little respect for its workers. No matter how these folks express love and concern for their employees, I would ask any of them if they would knowingly expose their children to regular hours in a cancer-causing environment – because that is what they are asking their employees to do. I believe I know what an honest answer would be.

HB 2691 weakens Hawaii's comprehensive Smoke-Free Workplaces Law. Our current law ensures basic protections for workers and the public—freedom from exposure to second-hand smoke. For multiple reasons, our state cannot afford to compromise workers and the public's health.

Please keep in mind this one salient fact: there is no risk-free level of exposure to second-hand smoke.

I am requesting that you hold this bill in committee.

Sincerely,



Charles E. Roessler
4725 Kuawa Rd.
Kilauea, HI. 96754

Testimony on HB2691
House Committees on Consumer Protection and Commerce & Judiciary
Tuesday, February 9, 2010 at 2:00 PM in Rm 325

Date: February 8, 2010

To: Rep. Robert N. Herkes, Chair, Com Consumer Protection & Commerce
Rep. Glenn Wakai, Vice Chair, Com Consumer Protection & Commerce
Rep. Jon Riki Karamatsu, Chair, Com on Judiciary
Rep. Ken Ito, Vice Chair, Com on Judiciary

From: Jo Ann Ikehara, BS, RRT 2515 North School St. Hono, HI 96819
RE: HB2691 Relating to Smoking

Honorable Chair and Committee Members:

I am strongly opposed to HB2691 that will weaken Hawaii's comprehensive Smoke-Free Workplaces Law. The current law ensures basic protections against second-hand smoke for workers and the public. This bill would amend the Smoke-Free Workplaces Law to allow smoking in bars and nightclubs. Our state cannot afford to compromise the health of workers and the public at large.

Second hand smoke is proven to cause lung cancer and heart disease. In addition, it irritates the airways of persons with allergies and asthma and can cause acute, life-threatening flares in those who are sensitive. As a respiratory therapist for over 35 years, I have seen first hand what years of smoking does to people and what accidental and acute exposure to smoke causes. Living breathless, dependent on inhalers to treat and control symptoms of often irreversible lung damage. This can be costly in terms of early disability, loss of personal income, increase in health care utilization (meds, doctors visits, hospitalizations), premature death and to our community, a decrease in tax-paying workforce.

A smoke-free environment is important to me because I care about the air that I, friends, family and others around me breathe. Please don't jeopardize the health or jobs of employees by returning to the way things were before the Smoke-Free Workplace Law was enacted. Don't risk the future health of employees who in this economic climate may not be able to seek or find other employment to avoid the second-hand smoke. It would not be as simple for them as it would for me if the law were changed. I would stay home or meet my friends at clubs and eateries that offer a Smoke-Free venue.

Mahalo for the opportunity to share my opinion.

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
Vice Chair Ken Ito, Committee on Judiciary
Members, Joint Committee on Consumer Protection & Commerce and Judiciary

Re: Strong Opposition to HB 2691 Relating to Smoking
Hearing: CPC/JUD, February 9, 2010 in Room 325 at 2:00 p.m.

Thank you for the opportunity to provide testimony in opposition to HB 2691.

I am opposed to HB 2691 that will weaken Hawaii's comprehensive Smoke-Free Workplaces Law. Our current law ensures basic protections for workers and the public—freedom from exposure to second-hand smoke. This bill would amend the Hawaii Smoke-Free Workplaces Law to allow smoking in bars and nightclubs. Our state cannot afford to compromise workers and the public's health.

Second hand smoke is proven to cause lung cancer and heart disease. For some, it is deadly. In 2006, the U.S. Surgeon General in "The Health Consequences of Involuntary Exposure to Tobacco Smoke" noted that the "scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke."

Our Smoke-Free Workplaces Law is important to me because it protects
patron to business, staff employee's job/business,
youth proactive messages not to smoke; decrease
illness associated w/ secondhand smoke & decrease
cost to health care costs,

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,

Ann Jimenez McMillan
Ph or email asmzsub@aol.com
Address 58-118 Iwa Place
Haleiwa, HI 96712

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
Vice Chair Ken Ito, Committee on Judiciary
Members, Joint Committee on Consumer Protection & Commerce and Judiciary

Re: Strong Opposition to HB 2691 Relating to Smoking
Hearing: CPC/JUD, February 9, 2010 in Room 325 at 2:00 p.m.

Thank you for the opportunity to provide testimony in opposition to HB 2691.

I am opposed to HB 2691 that will weaken Hawaii's comprehensive Smoke-Free Workplaces Law. Our current law ensures basic protections for workers and the public—freedom from exposure to second-hand smoke. This bill would amend the Hawaii Smoke-Free Workplaces Law to allow smoking in bars and nightclubs. Our state cannot afford to compromise workers and the public's health.

Second hand smoke is proven to cause lung cancer and heart disease. For some, it is deadly. In 2006, the U.S. Surgeon General in "The Health Consequences of Involuntary Exposure to Tobacco Smoke" noted that the "scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke."

Our Smoke-Free Workplaces Law is important to me because 2 of my parents
have lung cancer related to 2nd hand smoke only
1) Worked Attorney General Office 2) Worked as a
bartender for major hotel in Maui

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,

Christine Fukui

Ph or email chrisfukui md @ gmail . com

Address 380 Haleki St

Honolulu HI 96822

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
Vice Chair Ken Ito, Committee on Judiciary
Members, Joint Committee on Consumer Protection & Commerce and Judiciary

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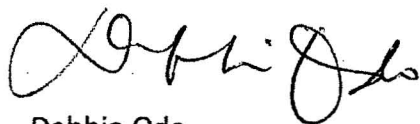
I am opposed to HB 2691 that will not protect workers and the public from secondhand smoke. The amendment will weaken Hawaii's comprehensive Smoke-Free Workplaces Law. Our current law ensures basic protections for workers and the public—freedom from exposure to second-hand smoke. This bill would amend the Hawaii Smoke-Free Workplaces Law to allow smoking in bars and nightclubs. Our state cannot afford to compromise workers and the public's health.

Second hand smoke is proven to cause lung cancer and heart disease. For some, it is deadly. In 2006, the U.S. Surgeon General in "The Health Consequences of Involuntary Exposure to Tobacco Smoke" noted that the "scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke."

Our Smoke-Free Workplaces Law is important to me because I enjoy going to a restaurant and not having secondhand smoke in my food and on my clothing. I also have family, friends and co-workers who would be affected by the drifting smoke due to having asthma or Chronic Obstructive Pulmonary Disease (COPD). The drifting tobacco smoke would trigger an asthma attack or cause the person with COPD to have a difficult time breathing.

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,



Debbie Odo
95-045 Waikalani Drive
Mililani, Hawaii 96789
(808) 383-3142

[REDACTED]

From: Kim Swartz [REDACTED]
Sent: Monday, February 08, 2010 7:59 AM
To: CPCtestimony
Subject: Strong Opposition to HB 2691 Relating to Smoking

Thank you for the opportunity to provide testimony in opposition to HB 2691.

I am opposed to HB 2691 that will weaken Hawaii's comprehensive Smoke-Free Workplaces Law. Our Smoke-Free Workplaces Law is important to me because I want to breathe fresh air. I do not want to come home from somewhere smelling like a chimney and coughing away. If I worked in a bar or nightclub, I would not want to be smelly and cough every time I came home from work. People don't go to bars and nightclubs to smoke. Most people I know, including smokers, enjoy smoke-free workplaces.

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Aloha,

Kim Swartz
Research Associate
Cancer Research Center of Hawai'i
University of Hawai'i
677 Ala Moana Blvd., Suite 200
Honolulu, HI 96813
Phone: (808) 441-3488
Fax: (808) 586-3077

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
Vice Chair Ken Ito, Committee on Judiciary
Members, Joint Committee on Consumer Protection & Commerce and Judiciary

Re: Strong Opposition to HB 2691 Relating to Smoking
Hearing: CPC/JUD, February 9, 2010 in Room 325 at 2:00 p.m.

Thank you for the opportunity to provide testimony in opposition to HB 2691.

My name is Hye-ryeon Lee and I live at 3094 Kaloaluliki Street in Manoa valley. I am a health communication researcher and on the faculty at the University of Hawaii at Manoa. I am opposed to HB 2691 that will weaken Hawaii's comprehensive Smoke-Free Workplaces Law. Our current law ensures basic protections for workers and the public—freedom from exposure to second-hand smoke. This bill would amend the Hawaii Smoke-Free Workplaces Law to allow smoking in bars and nightclubs. Our state cannot afford to compromise workers and the public's health.

As a public health professional, I have reviewed the Environmental Protection Agency and California Environmental Protection Agency reports. And, there is no question in my mind about the harmful effects of secondhand smoke. This is a workplace safety issue as much as exposure to any other dangerous chemicals such as lead and asbestos in the workplace is a safety issue. The 2006 U.S. Surgeon General's Report entitled "The Health Consequences of Involuntary Exposure to Tobacco Smoke" noted that the "scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke."

I know that some people express a concern that a smoke-free policy may have negative impact for businesses. However, many scientific studies from various jurisdictions (e.g. California, New York City, Rhode Island etc.) have clearly demonstrated that this concern is unwarranted. As a result, more and more jurisdictions across the nation are adopting comprehensive smoke-free policy.

As of January 2010, more than 60 percent of the U.S. population, or more than 190 million people, live in areas that have passed strong smoke-free laws covering restaurants and bars – a figure that has nearly doubled in size in three years. It is absolutely fitting for the great state of Hawaii, known for its superior health care and beautiful and healthy environment, to have a strong smoke-free workplace policy.

There are many benefits of a smoke-free policy. Data from my own study conducted in Arizona where I used to work also showed that the smoking ban in public places contributed to increasing number of smoke-free homes. The fact that the government was serious about protecting people from the harmful effect of secondhand smoke was clearly noted by citizens. And, people followed suit and adopted smoke-free policies for their homes. Now, many more children and non-smokers breathe clean air not only in restaurants but also at their homes. Public health implication for such a society-wide change is enormous.

Once, after I spent some time talking about the dangers of tobacco use to a group of middle school students, a student walked up to me and said, "I know what they say about smoking, that it is bad for your health and that it can cause bad disease that can kill you. But, I don't really believe it, because if it is really that dangerous, I think our government would have done something about it."

I was at a loss to how to answer the question. Wouldn't you?

The Smoke-Free Workplaces Law is a good public policy from a public health perspective, from a civil rights perspective, from an economics perspective, and from a plain old majority opinion perspective. You did the right thing in the first place by adopting the law, and should NOT weaken the law. Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hye-ryeon Lee', with a stylized flourish at the end.

Hye-ryeon Lee, Ph.D.
3094 Kaloaluiki Street
Honolulu, HI 96822

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
Vice Chair Ken Ito, Committee on Judiciary
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Second hand smoke is proven to cause lung cancer and heart disease. For some, it is deadly. In 2006, the U.S. Surgeon General in "The Health Consequences of Involuntary Exposure to Tobacco Smoke" noted that the "scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke."

Our Smoke-Free Workplaces Law is important to me because I, my brother and my parents have asthma. BEING AROUND SMOKE REALLY BOTHERS ALL OF US and can make us need extra medication very quickly! Being around smoke is especially dangerous for folks like my mother, who also suffers from emphysema; it can cause her to have a flare-up that could send her to the hospital.

I have helped at the Hawaii COPD Coalition's 2007 COPD Education Day and seen and heard some of the many people in Hawaii whose lives have been harmed by tobacco. We need to help keep our state as smoke-free and tobacco as possible, for everyone! Our family is glad to be able to dine and go out without worrying about being exposed to second-hand smoke, which was always a huge danger before the smoke-free law was passed in Hawaii!

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,

Amanda Chang
Amanda Chang
5639 Kawaikui Street
Honolulu, HI 96821

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
Vice Chair Ken Ito, Committee on Judiciary
Members, Joint Committee on Consumer Protection & Commerce and Judiciary

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Second hand smoke is proven to cause lung cancer and heart disease. For some, it is deadly. In 2006, the U.S. Surgeon General in "The Health Consequences of Involuntary Exposure to Tobacco Smoke" noted that the "scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke."

Our Smoke-Free Workplaces Law is important to me because it protects the health of all workers, as well as the general public, who may have cause to be at a particular workplace. Please keep in mind that being exposed to secondhand smoke or being around smokers is often not a matter of choice, for example, the musician who does not smoke, but makes his living from playing in a bar or nightclub, like Hawaii's own Joe Recca, who after years of being exposed to smoking patrons was diagnosed with cancer.

Hawaii's Smoke-Free Workplaces Law is a significant health policy that should not be diminished in any way. It has been an example, especially for young people, that you can live and have fun without using detrimental substances that negatively impact your life and others, evening causing death.

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

`O wau iho no,
LorrieAnn Santos
Phone 808-258-5811
Address 45-415 Loli'i Street
Kane`ohe, HI 96744

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
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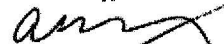
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Our Smoke-Free Workplaces Law is important to me because as an attorney and taxpayer, I am concerned about the rights of employees and especially workers compensation claims that could increase for those workers forced to work in environments filled with tobacco smoke. I have already been exposed to decades of second-hand smoke before the smoke-free workplaces law became effective and am relieved to be able to breathe clean air, especially in the many sealed office buildings that share and re-circulate air throughout all offices! The very cost to the health of our workers and the public far outweighs any benefit of this proposed legislation.

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,



Arthur Fong, JD
733 Bishop Street, Suite 1550
Honolulu, HI 96813
(808)528-2889

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
Vice Chair Ken Ito, Committee on Judiciary
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Second hand smoke is proven to cause lung cancer and heart disease. For some, it is deadly. In 2006, the U.S. Surgeon General in "The Health Consequences of Involuntary Exposure to Tobacco Smoke" noted that the "scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke."

Our Smoke-Free Workplaces Law is important to me because I, my sister and parents are all asthmatic. We used to have to be very careful about where we dined (especially if there was a bar) because smoke could make us all have difficulty breathing. I also know how tough it is these days finding a job as many of my friends are struggling in their job searches and would not have the ability to leave if they worked in a place that allows smoking. I know how hard it is to breathe when asthma flares up and know that being in smoky places increases this risk.

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,


J. Chang
5639 Kawaiiki Street
Honolulu, HI 96821

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
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Our Smoke-Free Workplaces Law is important to me because I have helped at the Hawaii COPD Coalition's 2009 COPD Education Day and seen and heard some of the many people in Hawaii whose lives have been harmed by tobacco. We need to help keep our state as smoke-free and tobacco as possible, for everyone! I am glad to be able to bars and nightclubs, without worrying about being exposed to second-hand smoke!

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,



Ms. Katherine Alicia Tsou
1039 Ikena Circle
Honolulu, HI 96821

[REDACTED]

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2010 7:45 PM
To: CPCtestimony
Cc: [REDACTED]
Subject: Testimony for HB2691 on 2/9/2010 2:00:00 PM

Testimony for CPC/JUD 2/9/2010 2:00:00 PM HB2691

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: Margaret Peary
Organization: Individual
Address:
Phone:
E-mail: [REDACTED]
Submitted on: 2/4/2010

Comments:

Dear Judiciary Committee Members:

I know our State is looking for ways to generate revenue but a smoking tax? While I'm all for educating the public re. organ donations and I am personally a registered donor ... I cannot support legislation that would make money from establishments that allow smoking.

Please think about the employees who work in those establishments. The medical costs for potential illnesses (cancer, emphysema, etc) to those workers exposed to the second hand smoke may far outweigh the tax benefits derived by such legislation.

I don't want to be exposed to smokers ... not in a bar ... not in an establishment that serves food but also serves alcoholic beverages ... not even in a public park.

If businesses require smokers to be a minimum 25 feet away from their entrance (as I currently understand the law) ... then why in the world would we allow, for the right price, smoking to occur anywhere inside a business?

Please vote NO in committee on this poorly conceived piece of legislation.

Mahalo,

Margaret Peary

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
Vice Chair Ken Ito, Committee on Judiciary
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Second hand smoke is proven to cause lung cancer and heart disease. For some, it is deadly. In 2006, the U.S. Surgeon General in "The Health Consequences of Involuntary Exposure to Tobacco Smoke" noted that the "scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke."

Everyone has the right to work in a safe environment. We protect Hawai'i's workers from falls and other accidents, from asbestos and other hazardous materials – why not continue to protect them from secondhand smoke? Our Smoke-Free Workplaces Law does just that RIGHT NOW. Allowing any exception to this law will provide convenience for very few (smokers) at the expense of the health of Hawai'i's workforce, and that just isn't acceptable.

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,

Crissy Terawaki Kawamoto

(808) 734-2686

2022 10th Ave.

Honolulu, HI 96816-2930

February 7, 2010

To: Committee on Consumer Protection & Commerce, and
The Committee on Judiciary

From: Douglas Lum
94-712 Kalae Street
Honolulu, HI 96797

Re: HB2691 Testimony in Opposition

Chair Herkes and Chair Karamatsu.

I am in strong opposition to HB2691. This is one of the worse bills I've ever seen come out of the legislature.

We should not go back to smoke filled workplaces. I do not want to see Hawaii's no-smoking law rolled back. My daughter works in a bar that lets the customers smoke. She has complained to the owner, who told her she can always leave and work somewhere else.

I worked as a musician for 30 years in many of the nightclubs in Waikiki before I developed lung cancer in 1998, from all the second hand smoke. Needless to say I consider myself very lucky to have lived this long.

I do not want to see other workers develop cancer from second hand smoke or smoking. Allowing bars and clubs to allow smoking again would be taking a step backwards.

In closing I want say, why are we even wasting time on this bill? We have other important things to do. First, we need to take care of our state finances. Then the students by getting rid of furlough days. Then pay the hospitals the money we owe them. Then 500 other things before we look a silly things like this.

Please do not pass this bill.

Mahalo.

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
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Second hand smoke is proven to cause lung cancer and heart disease. For some, it is deadly. In 2006, the U.S. Surgeon General in "The Health Consequences of Involuntary Exposure to Tobacco Smoke" noted that the "scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke."

Our Smoke-Free Workplaces Law is important to me because I really hate going to restaurants/bars or other indoor areas where there is smoking. I have been so happy to be able to eat out and not get sick from smoke. I feel really bad for people who work there, too!

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,

Stacey Krenelka, LCSW

Ph or email 808-264-0257

Address 172 Waipaho St
Kihei, HI 96753

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
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Our Smoke-Free Workplaces Law is important to me because every employee in Hawaii has a right to work in a healthy safe environment. In these times of high unemployment, individuals will be forced to work in these atrisk bars.

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,

Steven G. Pavao

Ph or email pavaos032@hawaii.rr.com

Address 570 Akolea Rd,
Hilo, HI 96720

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
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Our Smoke-Free Workplaces Law is important to me because as a grass roots,
lay person, I have, on my own, successfully got my father to quit
smoking. But I still have family who, each day, smoke their life away.
And so I look to the legislature to do everything in their power to
help my individual efforts so they won't be futile. Thank you.
Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,

JAMIE FELICITAS

Ph or email JFELICIT@GMAIL.COM

Address 94-1003 Halekua St.

Waipahu, HI 96797

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
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Our Smoke-Free Workplaces Law is important to me because it saves lives!

Second-hand smoke kills 50K + yearly. Hawaii should be an example to other states by supporting smoke-free workplaces. I am concerned that ~~making a change~~ ^{making a change}

to the law will unfortunately undermine it & increase workplace smoking.
Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,

Jennifer L. De Costa

Ph or email _____

Address

64-5283 Hohola Dr.
Kamuela, HI 96743

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
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Our Smoke-Free Workplaces Law is important to me because staff and ~~family~~ customers
members put their health at risk from second-hand
smoke. One most precious to me is my health conscious
daughter who has been so pleased with the smoke free
workplace after 12 years of being contaminated by second hand smoke.
Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,

Abby Brown Watson

Ph or email abby.kailua@gmail.com

Address 769 N. Kaimalu Dr.

Kailua HI 96734

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
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Hearing: CPC/JUD, February 9, 2010 in Room 325 at 2:00 p.m.

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I am opposed to HB 2691 that will weaken Hawaii's comprehensive Smoke-Free Workplaces Law. Our current law ensures basic protections for workers and the public—freedom from exposure to second-hand smoke. This bill would amend the Hawaii Smoke-Free Workplaces Law to allow smoking in bars and nightclubs. Our state cannot afford to compromise workers and the public's health.

Second hand smoke is proven to cause lung cancer and heart disease. For some, it is deadly. In 2006, the U.S. Surgeon General in "The Health Consequences of Involuntary Exposure to Tobacco Smoke" noted that the "scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke."

Our Smoke-Free Workplaces Law is important to me because Adult cessation rates continue to drop because of the comprehensive ways that are provided to Adults to seek help to quit tobacco. Many former tobacco users enjoy & continue to use these smoke-free establishments.

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,

Leimani Shearer

Ph or email

Address

8 Puukohae St
Hilo HI 96720

February 8, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
Vice Chair Ken Ito, Committee on Judiciary
Members, Joint Committee on Consumer Protection & Commerce and Judiciary

Re: Strong Opposition to HB 2691 Relating to Smoking
Hearing: CPC/JUD, February 9, 2010 in Room 325 at 2:00 p.m.

Thank you for the opportunity to provide testimony in opposition to HB 2691.

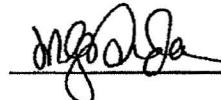
I am opposed to HB 2691 that will weaken Hawaii's comprehensive Smoke-Free Workplaces Law. Our current law ensures basic protections for workers and the public—freedom from exposure to second-hand smoke. This bill would amend the Hawaii Smoke-Free Workplaces Law to allow smoking in bars and nightclubs. Our state cannot afford to compromise workers and the public's health.

Second hand smoke is proven to cause lung cancer and heart disease. For some, it is deadly. In 2006, the U.S. Surgeon General in "The Health Consequences of Involuntary Exposure to Tobacco Smoke" noted that the "scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke."

Our Smoke-Free Workplaces Law is important to me because although I enjoy going out
with my friends I will always choose my ^{safety} first and I know my friends feel the same way.
Please, don't take our right to clean air away. Smoking is a choice, ^{please} keep it that
way by keeping workplaces smoke free.

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

Sincerely,



Megan Imada

Ph or email

225-3039

Address

45-533 Kalani Pl

Kaunohi, HI 96744

wakai2-Daniel

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 08, 2010 12:10 AM
To: CPCtestimony
Cc: [REDACTED]
Subject: Testimony for HB2691 on 2/9/2010 2:00:00 PM

Testimony for CPC/JUD 2/9/2010 2:00:00 PM HB2691

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: [REDACTED]
Organization: Individual
Address:
Phone:
E-mail: [REDACTED]
Submitted on: 2/8/2010

Comments:

I would prefer to please remain anonymous if this testimony is used in the hearing. ✓

I have spent 15 years working in the bar business. I was a long time smoker when the non-smoking ban passed in Hawai'i. I was elated when it passed because I saw it as an opportunity to try to quit smoking. My attempts at quitting had failed in the past simply because of the exposure and accessibility of cigarettes in my work place. I decided get acupuncture to quit smoking with 9 of my coworkers when we heard the ban had passed because we all thought it would be easier to quit if no one was smoking around us in the bar. Luckily for me, I am the only one of the ten of us who were successful at quitting, but it was quite a difficult feat and it was not for lack of temptation.

I worked for business owners who did not adhere to the non-smoking ban. They "did not like to be told how to run their business" (is how they put it). They blatantly disobeyed the laws because there was no one to enforce it. They understood that the ban was a Dept. of Health issue and the police did not find it to be their responsibility to enforce the ban. The owners of the establishment that I worked for encouraged the bar staff to provide ashtrays to customers and hide them away when enforcement agencies or government representatives came in. They put their employees at risk with no concern. Any of their employees who protested against their policy was told to "just quit," as if it were that easy.

I am a single mother with low level education and few job skills. My bar job was the only job I could maintain that provided me such a good income. It was not as simple as "just quitting" because I didn't like what the environment did to my health; I had a child to raise and I had few alternatives. My daughter would not come near me after I returned from work because of the way the second hand smoke made me smell. On top of that, I began to experience labored breathing and have since been diagnosed as asthmatic.

Allowing smoking in an enclosed space is irresponsible. Laws are in place to protect society. We do not get to interpret it to fit our needs. Smoking is deadly, addictive habit. Allowing smoking exemptions for bars will also cause conflict with neighboring, law abiding business owners who don't have a problem obeying the rules. Allowing smoking in bars will also put employees at risk that may have little or no alternative of employment, especially during these difficult economic times.

February 9, 2010

To: Chair Robert N. Herkes, Committee on Consumer Protection & Commerce
Chair Jon Riki Karamatsu, Committee on Judiciary
Vice Chair Glenn Wakai, Committee on Consumer Protection & Commerce
Vice Chair Ken Ito, Committee on Judiciary
Members, Joint Committee on Consumer Protection & Commerce and Judiciary

Re: Strong Opposition to HB 2691 Relating to Smoking
Hearing: CPC/JUD, February 9, 2010 in Room 325 at 2:00 p.m.

Thank you for the opportunity to provide testimony in opposition to HB 2691.

I am opposed to HB 2691 that will weaken Hawaii's comprehensive Smoke-Free Workplaces Law. Our current law ensures basic protections for workers and the public; freedom from exposure to second-hand smoke. I strenuously oppose this bill that would amend the current Hawaii Smoke-Free Workplaces Law to allow smoking in bars and nightclubs. I believe that our state cannot afford to amend this law that was enacted to protect the workers and the public's health.

Second hand smoke is proven to cause lung cancer and heart disease. For some, it is deadly. In 2006, the U.S. Surgeon General in "The Health Consequences of Involuntary Exposure to Tobacco Smoke" noted that the "scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke."

Our Smoke-Free Workplaces Law is important to me because I have witnessed first hand the consequences of exposure to tobacco products, both as a family member and as a nurse. Further, in **2009, the Institute of Medicine committee on scientific experts concluded that:**

- "there is a causal relationship between smoking bans and decreases in acute coronary events."
- "it is biologically plausible for a relatively brief exposure to secondhand smoke to precipitate an acute coronary event."

The World Health Organization in 2007, in its report, "Protection from Exposure to Secondhand Tobacco Smoke—Policy Recommendations" stated:

- "Scientific evidence has firmly established that there is no safe level of exposure to second-hand tobacco smoke (SHS), a pollutant that causes serious illness in adults and children."

Smoke-Free Workplaces Law Has Not Hurt Business. The Roswell Park Cancer Institute conducted a study a year after the Smoke-Free Workplaces Law that indicated, **"Based on the available data, there is no evidence to suggest that the Hawaii Smokefree Law has harmed the hospitality or tourism industries as a whole."**

Please hold this bill in committee. Thank you for the opportunity to provide testimony in strong opposition to HB 2691 Relating to Smoking.

email
Address

Sincerely,
Stephanie P. Martin, RN, BA
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Honolulu, Hawaii 96817