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LORETTA J. FUDDY, A.C.S.W., M.P.H.
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STATE OF HAWAII
DEPARTMENT OF HEALTH
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In reply, please refer to:
File:

HOUSE COMMITTEE ON ECONOMIC REVITALIZATION & BUSINESS

HB2306, RELATING TO CHAPTER 328J, HAWAII REVISED STATUTES

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health**

**February 16, 2012
8:30AM, Rm. 312**

1 **Department's Position:** The Department of Health is in strong opposition to this measure.

2 **Fiscal Implications:** While there are no appropriations or immediate impacts to the general fund there
3 will likely be future increased health care costs, particularly to our medicaid budgets resulting from
4 diseases caused by exposure to secondhand smoke.

5 **Purpose and Justification:** The Department of Health is in strong opposition to this bill which
6 proposes to create an exemption for bars and nightclubs with a liquor license to allow smoking by
7 posting "smoking permitted" signs and provides that no county ordinance shall prohibit or restrict
8 smoking in these establishments, effective January 1, 2013.

9 Smoking and tobacco use are Hawaii's and the nation's leading cause of preventable illness and
10 death. In Hawaii, this relates to over 1,100 resident deaths annually and impacts the state approximately
11 with \$630 million each year for medical, health care, and lost productivity costs.

12 In 2006, the Hawaii State Legislature enacted the current law which prohibits smoking in any
13 enclosed or partially enclosed worksite or public place. This measure has created a minimum level of
14 protection from involuntary exposure to tobacco smoke for all businesses. The Legislature's intent was
15 to create a 'pro-business' measure that was in line with the best public health science, practice, policy,

1 and public norms. This measure was designed to reduce health care costs to business resulting from
2 exposure to secondhand smoke which has both an immediate and long-term impact on a person's health.

3 The United States Surgeon General's Report on "The Health Consequences of Involuntary
4 Exposure to Tobacco Smoke" (2006) found that: secondhand smoke causes premature death and disease
5 in children and adults who do not smoke; exposure of adults to secondhand smoke has immediate and
6 adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer; the
7 scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke; and
8 recommends eliminating smoking in indoor spaces to fully protect nonsmokers from exposure to
9 secondhand smoke.

10 This measure, by providing an exemption for bars and nightclubs, would be a step back in time
11 for the public's health. It would create an unequal playing field whereby an employee would need to
12 choose between a job and their health, and could result in greater health care costs. Further, the proposed
13 measure would preempt county governments from enacting any ordinance that might restrict smoking in
14 a bar or nightclub. This is a very dangerous provision that has been often used by the tobacco industry to
15 subvert home rule. Fortunately in Hawaii these measures have been recognized as tobacco lobby tactics
16 and have been defeated.

17 Adults in Hawaii smoke at very low rates, only 14.5 percent reported smoking in 2011 and
18 Hawaii adults support the current Smoke Free Workplace and Public Places law. A February 2011 poll
19 found that 87 percent of adult voters reported being in support of the law. The Department believes that
20 there is no need to change the current statute.

21 The Department of Health strongly urges the committee to hold this measure.

22 Thank you for the opportunity to testify



LATE TESTIMONY

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February 15, 2012

House Committee on Economic Revitalization & Business
Representative Angus McKelvey, Chair
Representative Isaac Choy, Vice Chair

Hearing:

State Capitol Room 312
February 16, 2012, 8:30 a.m.

HB 2306 - RELATING TO CHAPTER 328J, HAWAII REVISED STATUTES

Thank you for the opportunity to testify in opposition to HB 2306, which would provide for exemptions for bars and nightclubs (dispensers and cabarets) from Hawaii's smoke-free law.

The American Cancer Society is the nationwide, community-based, voluntary health organization dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives, and diminishing suffering from cancer, through research, education, advocacy, and service. Part of our mission is to advocate for smoke-free laws to protect people from the dangers of second-hand smoke.

We believe this is a public health issue, one that will bring second hand smoke back into businesses and workplaces. We would like to address the dangers of second-hand smoke.

Second-hand smoke affects public health. Here are some facts: Second-hand smoke contains over 4000 substances, more than 60 of which are known or suspected to cause cancer.¹ Three of these substances, which are carcinogens -- arsenic, benzene, and vinyl chloride -- are regulated in the United States as hazardous air pollutants. Two of the bladder carcinogens -- 2-naphthylamine and 4-aminobiphenyl are banned for use in dye manufacturing.

As the committee may well be aware, continued exposure to these chemicals will increase a person's risks for lung cancer, asthma, and other chronic health diseases. While

¹ Environmental Protection Agency: Health Effects of Exposure to Secondhand Smoke.
<<http://www.epa.gov/smokefree/healtheffects.html>>

there are some people who claim exposure has little or no effect on health, are we willing to take that chance? Are we willing to risk exposure to *known* toxic chemicals?

Protecting people from second-hand smoke is an important public health concern. We strongly believe that people should not be exposed to *known* chemicals, which could lead to the onset of cancer and other chronic diseases, to reduce incidences of cancer and allow for a healthier community and State.

Thank you for allowing us the opportunity to provide testimony on this measure.

Sincerely,

A handwritten signature in black ink that reads "Cory Chun". The signature is written in a cursive style with a horizontal line at the end.

Cory Chun
Government Relations Director

5



LATE TESTIMONY

American Heart Association | American Stroke Association

Learn and Live.

Serving Hawaii

Testimony in strong OPPOSITION to HB 2306

The American Heart Association strongly opposes HB 2306. There can be no compromise when it comes to protecting the health of Hawaii's workers, or its public.

- During 2000 to 2004, cigarette smoking resulted in an estimated 443,000 premature deaths each year due to smoking-related illnesses in the nation, and about 49,000 of these deaths were due to secondhand smoke. In adults ≥ 35 years of age, a total of 32.7% of these deaths were related to cardiovascular diseases.
- Each year from 2000 to 2004, smoking caused 3.1 million years of potential life lost for males and 2 million years for females, excluding deaths due to smoking-attributable residential fires and adult deaths due to secondhand smoke.
- Direct medical costs (\$96 billion) and lost productivity costs (\$97 billion) associated with smoking totaled an estimated \$193 billion per year between 2000 and 2004.

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. In Hawaii one person dies of cardiovascular disease every three hours.**

Evidence is strong 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, exposure to tobacco smoke – even occasional smoking or secondhand smoke – causes immediate damage to your body that can lead to serious illness or death, according to a report released in 2010 by U.S. Surgeon General Regina M. Benjamin. The comprehensive scientific report - Benjamin's first Surgeon General's report and the 30th tobacco-related Surgeon General's report issued since 1964 - describes specific pathways by which tobacco smoke damages the human body and leads to disease and death.

The report, *How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease*, finds that cellular damage and tissue inflammation from tobacco smoke are immediate, and that repeated exposure weakens the body's ability to heal the damage. Even brief exposure to secondhand smoke can cause cardiovascular disease and

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**"Building healthier lives,
free of cardiovascular
diseases and stroke."**

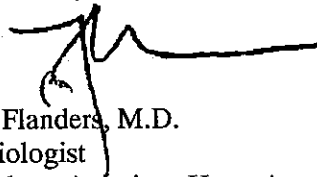
could trigger acute cardiac events, such as heart attack. The report describes how chemicals from tobacco smoke quickly damage blood vessels and make blood more likely to clot. The evidence in this report shows how smoking causes cardiovascular disease and increases risks for heart attack, stroke, and aortic aneurysm.

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. As of December 31, 2010, 25 states, including Hawaii, and the District of Columbia had laws that prohibited smoking in indoor areas of worksites, restaurants, and bars; no states had such laws in 2000. As of December 31, 2010, an additional 10 states had laws that prohibited smoking in 1 or 2 but not all 3 venues. These changes have come about as state leaders recognize not only the ravaging effects of smoking on public health, but also on public dollars.

The costs of not restricting smoking in workplaces are staggering. According to the American Heart Association's 2010 Statistical Update, the total direct and indirect cost of CVD and stroke in the United States for 2007 is estimated to be \$286 billion. 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. **Smoking-caused health costs and productivity costs to Hawaii combined total \$656 million annually.**

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 2306.

Respectfully submitted,



Jone Flanders, M.D.
Cardiologist

President, American Heart Association Oahu Metro Board of Directors

LATE TESTIMONY

To: Representative Angus L.K. McKelvey, Chair
Representative Issac W. Choy, Vice Chair
House Committee on Economic Revitalization & Business

Re: **Opposition to HB2306**
Committee on Economic Revitalization & Business
Hearing; February 16, 2012 at 8:30 AM; Room 312

My name is Megan Chan and I am a Tobacco Treatment Specialist for the HEALTHY Program located at Kapi'olani Women & Children's Medical Center. I strongly oppose HB2306 that threatens our smoke-free workplace law.

Permitting bars and clubs with liquor licenses to allow smoking in their facilities would be a huge step backwards in the progress we have made in Hawaii. Passing this bill means that bars and clubs could expose their employees to **secondhand smoke**, which in itself **contains more than 7,000 chemical compounds**, of which more than 250 of these are known to be harmful, and **at least 69 are carcinogenic**.

But this law reaches farther than just bars and clubs.

Third-hand smoke is a toxic mix of residual nicotine, chemicals, and carcinogens that are left on surfaces that were exposed to tobacco smoke. Studies have shown that **these carcinogens linger on our own bodies including our hair, skin, and clothes, even long after smoking has stopped**.

HB2306 affects everyone. **Protect employees and their ohana by keeping bars and nightclubs smoke-free**. Renew our confidence and keep second and third hand smoke OUT of our workplaces.

Mahalo,

Megan Chan of Nuuanu, Oahu
Tobacco Treatment Specialist

4924 Wa'a Street
Honolulu, HI 96821-1446

To: Representative Angus L.K. McKelvey, Chair
Representative Issac W. Choy, Vice Chair
Members, House Committee on Economic Revitalization & Business

From: Clifford Chang

Hearing: Committee on Economic Recovery and Business; February 16, 2012; 8:30 a.m.,
Room 312

Re: Opposition to HB 2306: Relating To Chapter 328J, Hawaii Revised Statutes.

Chair McKelvey, Vice Chair Choy and members of the House Committee on Economic Revitalization and Business, thank you for the opportunity to testify in strong opposition of HB2306: Relating to Chapter 328J, Hawai'i Revised Statutes, which would allow smoking in bars that post "smoking allowed" signs.

I am Clifford Chang, and I am submitting this testimony as a current Board member of the Coalition for a Tobacco Free Hawai'i. I have previously worked as the Tobacco Program Officer with the Hawai'i Community Foundation, and the Director of the Coalition for a Tobacco Free Hawai'i.

In 2006 this Legislature, with strong concern for the health of the people of Hawai'i, passed the Smoke free Workplace Law which protects all workers, including those working in restaurants and bars from exposure to tobacco smoke. The Coalition was actively involved in supporting the passage of the law which protects ALL workers in their workplace. Nothing has changed since then regarding the very harmful effect of exposure to tobacco smoke; in fact the evidence regarding second hand smoke exposure is even more compelling now, and there is a much clearer understanding of the dangers from exposure to what is being called "third hand smoke"—the residual nicotine, other chemicals and compounds left on a variety of indoor surfaces by tobacco smoke. The evidence is irrefutable: there is no risk-free level of contact with secondhand smoke; even brief exposure can be harmful to health.

According to the Centers for Disease Control and Prevention, for non-smoking adults, exposure to second hand smoke can cause heart disease and/or lung cancer.

Heart Disease

- For nonsmokers, breathing secondhand smoke has immediate harmful effects on the cardiovascular system that can increase the risk for heart attack. People who already have heart disease are at especially high risk.
- Nonsmokers who are exposed to secondhand smoke at home or work increase their heart disease risk by 25–30%.
- Secondhand smoke exposure causes an estimated 46,000 heart disease deaths annually among adult nonsmokers in the United States.

Lung Cancer

- Nonsmokers who are exposed to secondhand smoke at home or work increase their lung cancer risk by 20–30%.
- Secondhand smoke exposure causes an estimated 3,400 lung cancer deaths annually among adult nonsmokers in the United States.

Regarding third hand smoke, the residue left behind from smoking can react with common indoor pollutants to create a toxic mix. This toxic mix of third-hand smoke contains cancer-causing substances, posing a potential health hazard to nonsmokers who are exposed to it. Studies show that third-hand

smoke clings to hair, skin, clothes, furniture, drapes, walls, bedding, carpets, dust, vehicles and other surfaces, even long after smoking has stopped. In the case of “smoking allowed” bars, as proposed by this bill, even though the venue itself may be restricted to adults, the clothes of the workers and patrons in the establishment will carry the third hand smoke residue home with them, exposing their children and loved ones to dangerous compounds. People are at risk of tobacco-related health problems when they inhale, ingest or touch substances containing third-hand smoke.

Third-hand smoke residue builds up on surfaces over time and resists normal cleaning. Third-hand smoke can't be eliminated by airing out rooms, opening windows, using fans or air conditioners, or confining smoking to only certain areas. Third-hand smoke remains long after smoking has stopped.

The only way to protect nonsmokers from second and third-hand smoke is to create a smoke-free environment. Given the preponderance of evidence regarding these serious health hazards, I fail to understand why the Legislature would chose to weaken Hawai'i's existing model law that protects workers in ALL workplaces. The posting of a sign indicating that smoking is allowed in a particular establishment in no way protects either the patrons or workers in such establishments. Sure, customers can choose not to patronize any establishment that posts a “smoking allowed” sign; I know that I, as a nonsmoker, already do not patronize businesses that allow smoking when I am travelling away from Hawai'i. And while I have heard the argument many times by proponents of “smoking allowed establishments” that employees are also free to choose not to work in an establishment that allows smoking, while this may be true in principle, we all know that, particularly now with the downturn of the economy, the “choice” of leaving one's job is not such a simple one.

When the smoke free workplace law was being considered by this Legislature in 2006, one of the arguments used by those opposed to the legislation cited fears that this would negatively affect restaurants and bars once smoking was no longer allowed. Those opposed claimed this would also affect Hawai'i's tourism business. With 5 years of experience here in Hawai'i following the implementation of the smoke free workplace law, and the experience of and evidence from now 23 states (including Hawai'i), Puerto Rico and the US Virgin Islands, and over 493 municipalities across the country with 100% smoke free workplace (including all restaurants and bars) laws in place, clearly demonstrates that such smoke free laws do not, in fact hurt businesses.

Numerous careful scientific and economic analyses show that smoke-free laws do not hurt restaurant and bar patronage, employment, sales, or profits. At worst, the laws have no effect at all, and they sometimes even produce slightly positive trends. For example:

- A 2010 analysis of economic outcomes of smoke-free laws stated, —there is clear evidence that smokefree legislation does not hurt restaurant or bar businesses, and in some cases business may improve.
- In 2009, the International Agency for Research on Cancer (IARC) examined the extensive literature on the economic impact of smoke-free policies on the hospitality sector. The analysis noted that methodologically sound research studies consistently conclude that smoke-free policies do not have an adverse economic impact on the business activity of restaurants, bars, or establishments catering to tourists, with many studies finding a small positive effect of these policies. These studies analyzed official reports of sales, employment and the number of restaurant and bar establishments.
- A comprehensive examination of smoke-free laws published in 2007 concluded that, —the vast majority of scientific evidence indicates that there is no negative economic impact of clean indoor air policies, with many studies finding that there may be some positive effects on local businesses.
- The Surgeon General's 2006 Report on The Health Consequences of Involuntary Exposure to Tobacco Smoke examined numerous studies from states and local communities across the country. The report concluded that, —Evidence from peer-reviewed studies shows that smoke-free policies and regulations do not have an adverse economic impact on the hospitality industry.

- A study in the journal Tobacco Control (in 2003) offered a comprehensive review of all available studies on the economic impact of smoke-free workplace laws and concluded that: —All of the best designed studies report no impact or a positive impact of smoke-free restaurant and bar laws on sales or employment. Policymakers can act to protect workers and patrons from the toxins in secondhand smoke confident in rejecting industry claims that there will be an adverse economic impact.

Attached is a summary of such studies from around the country.

One last point, a poll conducted by Qmark for the Coalition for a Tobacco Free Hawai'i in February 2011 found that 87% of Hawaii residents support the current smoke-free workplace law. There is no good reason to weaken the current law. I ask you to remain committed to the health of our workers and the public and hold HB 2306 in Committee.

Thank you for this opportunity to testify.



SMOKE-FREE LAWS DO NOT HARM BUSINESS AT RESTAURANTS AND BARS

In recent years a groundswell of support for smoke-free restaurant and bar laws has developed from states and localities across the country. As of December 2010, more than 60 percent of the U.S. population, or nearly 195 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.¹ Strong smoke-free restaurant and bar laws are important because:

- There is overwhelming scientific evidence that secondhand tobacco smoke causes lung cancer, heart disease and lung and bronchial infections.²
- Smoke-free laws help protect restaurant and bar employees and patrons from the harms of secondhand smoke.³
- Smoke-free laws help the seven out of every ten smokers who want to quit smoking by providing them with public environments free from any pressure or temptation to smoke.⁴

Accompanying the growth in smoke-free laws nationwide has been a parallel increase in false allegations that smoke-free laws will hurt local economies and businesses.⁵ In fact, numerous careful scientific and economic analyses show that smoke-free laws do not hurt restaurant and bar patronage, employment, sales, or profits.⁶ At worst, the laws have no effect at all, and they sometimes even produce slightly positive trends. For example:

- A 2010 analysis of economic outcomes of smoke-free laws stated, “there is clear evidence that smokefree legislation does not hurt restaurant or bar businesses, and in some cases business may improve.”⁷
- In 2009, the International Agency for Research on Cancer (IARC) examined the extensive literature on the economic impact of smoke-free policies on the hospitality sector. The analysis noted that methodologically sound research studies consistently conclude that smoke-free policies do not have an adverse economic impact on the business activity of restaurants, bars, or establishments catering to tourists, with many studies finding a small positive effect of these policies. These studies analyzed official reports of sales, employment and the number of restaurant and bar establishments.⁸
- A comprehensive examination of smoke-free laws published in 2007 concluded that, “the vast majority of scientific evidence indicates that there is no negative economic impact of clean indoor air policies, with many studies finding that there may be some positive effects on local businesses.”⁹
- The Surgeon General’s 2006 Report on *The Health Consequences of Involuntary Exposure to Tobacco Smoke* examined numerous studies from states and local communities across the country. The report concluded that, “Evidence from peer-reviewed studies shows that smoke-free policies and regulations do not have an adverse economic impact on the hospitality industry.”¹⁰
- A study in the journal *Tobacco Control* (in 2003) offered a comprehensive review of all available studies on the economic impact of smoke-free workplace laws and concluded that: “All of the best designed studies report no impact or a positive impact of smoke-free restaurant and bar laws on sales or employment. Policymakers can act to protect workers and patrons from the toxins in secondhand smoke confident in rejecting industry claims that there will be an adverse economic impact.”¹¹

In addition to the comprehensive analyses listed above, the experience of many states and communities demonstrates that smoke-free laws protect health without harming business.

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- Data from ten **Minnesota** cities (published in 2010) found that local smoke-free laws had no negative impact on bar and restaurant revenue. This was true for total taxable sales as well as revenue from alcohol sales.¹² Another study found no significant changes in bar or restaurant employment (in both rural and urban regions of the state) after implementation of Minnesota's statewide smoke-free law.¹³
- In 2008, the **Washington** State Department of Revenue noted that businesses posted strong gains in gross income in 2007. Bars and taverns, which the Department noted feared being hit hard by the smoke-free law, generated 20.3 percent more gross income in 2007, compared to a .3 percent gain in 2006, the first full year after the law went into effect in December 2005. Their average growth rate was stronger in the two years after the smoke-free law than in the years preceding the voter-approved ballot initiative.¹⁴
- A study published in 2007 assessed the economic impact of a smoke-free law in **Lexington-Fayette County, Kentucky**. The study found that, "No important economic harm stemmed from the smoke-free legislation over the period studied, despite the fact that Lexington is located in a tobacco-producing state with higher-than-average smoking rates." An analysis of employment data found restaurant employment grew after the smoke-free law went into effect (employment remained unchanged in bars). A comparison of restaurant and bar openings and closings showed no significant difference before and after the law (regardless of whether or not the establishment served alcohol).¹⁵
- A July 2006 report on The Health and Economic Impact of **New York's** Clean Indoor Air Act found that, "the law has not had an adverse financial impact on bars and restaurants."¹⁶ The report examined sales tax receipts from 1999 to 2004 from a sample of vendors who had filed a tax return for each quarter. The analysis showed that, "the CIIA had no apparent effect on sales tax receipts for bars or full service restaurants or on totals from all retailers in New York City or New York State."
- **California** was the first state to implement smoke-free restaurant (1995) and bar laws (1998). A 2005 study analyzed how the smoke-free laws affected the distribution of revenues between bars and restaurants. Critics of smoke-free restaurant and bar laws have often claimed that a prohibiting smoking reduces restaurant and bar revenues. Using tax revenue data from 1990 to 2002, the study authors note that, "our analysis suggests that the actual effect is just the opposite: the 1995 smoke-free restaurant law is associated with an increase in restaurant revenues, while the 1998 smoke-free bar law is associated with an increase in bar revenues."¹⁷
- A study conducted by researchers at the Harvard School of School of Public Health of the Commonwealth of **Massachusetts'** comprehensive statewide smoke-free law that took effect July 5, 2004 found that, "Analyses of economic data prior to and following implementation of the law demonstrated that the Massachusetts state-wide law did not negatively affect statewide meals and alcoholic beverage excise tax collections. Furthermore, the number of employees in food services and drinking places and accommodation establishments, and keno sales were not affected by the law."¹⁸
- A study conducted by research economists at the University of **Florida's** Bureau of Economic and Business Research found that the state's voter-approved smoke-free law, which took effect July 1, 2003, has not hurt sales or employment in the hotel, restaurant and tourism industries (the Florida law exempts stand-alone bars). In addition to analyzing total sales, the study also examined restaurant revenue as a percentage of total retail revenue in order to account for underlying economic conditions in the state. The proportion of retail sales by Florida's restaurants, lunchrooms, and catering services increased by 7.37 percent after the smoke-free law went into effect.¹⁹
- On March 30, 2003, **New York City** implemented its comprehensive smoke-free workplace law prohibiting smoking in all of the city's restaurants and bars. A March 2004 report issued by the New York City Department of Finance, Department of Health and Mental Hygiene, Department of Small Business Services, and Economic Development Corporation noted, "One year later, the data are clear. . . Since the law went into effect, business receipts for restaurants and bars have increased, employment has risen, virtually all establishments are complying with the law, and the number of new liquor licenses issued has increased—all signs that New York City bars and restaurants are prospering."²⁰ The report noted that business tax receipts for restaurants and bars increased 8.7 percent from April 1, 2003, to January 31, 2004 compared to the same period in 2002-2003.

Employment in New York City restaurants and bars increased by 10,600 jobs (about 2,800 seasonally adjusted jobs) from the implementation of the smoke-free law in March 2003 to December 2003.²¹ The 2004 Zagat New York City Restaurant Survey provides additional evidence that New York City's smoke-free law is not hurting business. The survey of nearly 30,000 New York restaurant-goers found that 23 percent of respondents said they are eating out more often because of the city's smoke-free workplace law, while only four percent said they are eating out less. Zagat's press release concludes, "The city's recent smoking ban, far from curbing restaurant traffic, has given it a major lift."²²

- In **Delaware**, business remained steady one year after the state's Clean Indoor Air Act went into effect in November 2002. Data from the Delaware Alcohol Beverage Control Commission show that the number of restaurant, tavern and taproom licenses increased in the year since the law took effect. Data from the Delaware Department of Labor show that employment in the state's food service and drinking establishments also increased in the year since the smoke-free law went into effect.²³
- A study released by the U.S. Centers for Disease Control and Prevention (CDC) found that a comprehensive smoke-free policy in **El Paso, Texas** did not affect restaurant and bar revenue in the year after it took effect in January 2002.²⁴ The CDC and the Texas Department of Health analysis found no statistically significant changes in overall restaurant and bar revenues, bar liquor sales, or restaurant and bar revenue as a percentage of total revenue. The latter finding refutes arguments often made by opponents of smoke-free laws that, even if bar and restaurant revenues grow after such laws take effect, they do not grow as fast as the rest of the economy.
- Earlier studies of sales tax data from 81 localities in six states have consistently demonstrated that ordinances restricting smoking in restaurants had no effect on restaurant revenues.²⁵
- Studies of local smoke-free policies in Massachusetts (before the statewide law went into effect) showed no substantial impact on aggregate restaurant sales. In addition, the adoption of local smoke-free restaurant policies did not cause any statistically significant change in town taxable meal revenue.²⁶

Key Restaurant and Business Leaders Support Smoke-Free Laws

Members of the business community, including restaurant and bar owners, are becoming increasingly supportive of smoke-free laws, recognizing that these laws can have a positive impact on public health and the health of their business.²⁷

- The 2008 Zagat Survey: America's Top Restaurants of 132,000 Americans noted that, "The verdict on smoking is overwhelming with 77% of diners saying they'd eat out less if smoking were permitted in local restaurants, and only 2% saying they'd dine out more."²⁸ In 2009, the release of the Zagat Report remarked, "In New Orleans and Las Vegas, two of the last major cities not to have banned smoking, this is still a major issue. Recent smoking bans will offer welcome relief to health-conscious diners."²⁹
- In October 2010, Nicole Griffin, Executive Director of the Connecticut Restaurant Association remarked to WestportPatch Online that the smoking ban was a big issue for restaurateurs when it was implemented in October of 2003, but that today, "[t]he smoking ban is not an issue at all for restaurants." She continues, "When it first passed, restaurateurs were really nervous that once the ban was put into effect people wouldn't come out to eat and drink, and that's not what happened. Seven years later, customers are really happy to go out to bars and to eat and drink and not be in an atmosphere of smoke."³⁰
- Michael O'Neal, former president of the New York State Restaurant Association: "I feel strongly that it is pro-business and pro-health to eliminate smoking in all workplaces, including restaurants. Smoke-free workplace legislation does not hurt business . . . Smoking prohibitions in California, Utah, Vermont, Maryland and Maine as well as in hundreds of cities all over the country prove that smoke-free-workplace legislation is good for all businesses, including the restaurant business. That shouldn't be a surprise. Even smokers prefer to breathe clean air."³¹

- A July 2006 editorial in Nation's Restaurant News stated, "The argument against smoking in public indeed has become more compelling, and this could be an appropriate time for operators and associations to reassess their positions on the issue." The editorial noted that the Pennsylvania Restaurant Association (PRA), "long an opponent of stricter smoking prohibitions – did an about-face and urged state lawmakers to ban smoking in all public workplaces, including restaurants, bars and casinos."³²
- Support for New York's law has grown even among bar and restaurant owners. James McBratney, President of the Staten Island Restaurant and Tavern Association, was quoted in the Feb. 6, 2005, issue of The New York Times saying "I have to admit, I've seen no falloff in business in either establishment [restaurant or bar]." According to The Times, "He went on to describe what he once considered unimaginable: Customers actually seem to like it, and so does he."³³
- Across the country, state and local chapters of business associations like the Chamber of Commerce are endorsing smoke-free laws. Chambers of Commerce in a number of states and communities, including Kentucky, Washington, Utah, Anchorage (AK), Beaumont (TX), Philadelphia (PA) and Manchester (NH) all supported smoke-free laws. In January 2011, Kentucky Chamber of Commerce President and CEO Dave Adkisson joined state legislators and health advocacy groups to speak in favor of a statewide smoking policy. In a survey of Kentucky Chamber members, 86 percent of respondents said they favored a smoke-free policy for public buildings in Kentucky. "Smoking is not only killing us in Kentucky, it's bankrupting us," Adkisson said at the Capitol. "Business leaders have come to the conclusion that we have got to discourage smoking in this state." In announcing their position, Chris Williams, Vice President of the Greater Manchester Chamber of Commerce, stated, "Over the past two months, an overwhelming number of our members have told us that they support a statewide smoking ban and believe the Chamber should publicly support it as well. What you may find interesting is the fact that 75% of our restaurant owners who are Chamber members agreed with this school of thought." Williams said that the Chamber of Commerce supported a statewide smoke-free law because, "The health of our employees is important to us as business owners" and "The economic health of the restaurant industry will not suffer from a smoking ban."³⁴ See <http://www.no-smoke.org/goingsmokefree.php?id=538> for additional information on business leaders supporting smoke-free laws.
- David E. Garth, President and CEO of the San Luis Obispo Chamber of Commerce in California: "I must admit that, at the time the [San Luis Obispo smoke-free bar and restaurant] ordinance was presented, we were extremely wary of it. We feared that the ban on smoking would cost the community revenue, jobs, tax dollars, tourists and tourist-generated income. We ended up coming out in support of the ordinance, seeing it as a leap of faith that wouldn't hurt businesses. Suffice it to say, our initial fears were unfounded and today, I'm pleased to report that the effects have been extremely positive."³⁵
- A 2002 survey of California bar owners, managers, assistant managers and bartenders found overwhelming support for the state's smoke-free bar law, with more than eight in ten bar managers and employees (83%) saying they think the smoke-free workplace law protects their health and the health of other bar employees, and 77 percent of bar managers and employees saying that complying with the law has been "very" or "fairly" easy.³⁶

The Campaign for Tobacco-Free Kids, January 14, 2011

¹ Figures based on ordinances recorded by Americans for NonSmokers Rights (ANR), <http://www.no-smoke.org/lists.html>

² U.S. Department of Health and Human Services (HHS), *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*, Atlanta, GA: HHS, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006, <http://www.surgeongeneral.gov/library/secondhandsmoke/report/>.

³ HHS, *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*, Atlanta, GA: HHS, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006, <http://www.surgeongeneral.gov/library/secondhandsmoke/report/>.

⁴ Fiore MC, Bailey WC, Cohen SJ, et al., *Treating Tobacco Use and Dependence*. Clinical Practice Guideline, HHS Public Health Service, June 2000. ANR, *Economic Impact of Clean Indoor Air Policies*, January 15, 2000. Internal Philip Morris document that states that the "financial

impact of smoking bans will be tremendous ... Three to five fewer cigarettes per day per smoker will reduce annual manufacturers profits a billion dollars plus per year," July 1, 1993, Bates No. 2025771934/1995.

⁵ KPMG Peat Marwick for the American Beverage Institute, "Effects of 1998 California Smoking Ban on Bars, Taverns and Night Clubs," 1998; InContext for the Massachusetts Restaurant Association, "Massachusetts Restaurant Association Study," 1996; InContext for the Empire State Restaurant & Tavern Association, "Restaurant Jobs in New York City, 1993 Through First Quarter 1996, and the Restaurant Smoking Ban," 1996.

⁶ See, e.g., ANR, *Economic Impact of Clean Indoor Air Policies*, January 15, 2000.; Glantz, S, "Smoke-Free Restaurant Ordinances Do Not Affect Restaurant Business. Period.," *Journal of Public Health Management and Practice* 5:1, January 1999; Scollo M, et al., "Review of the quality of studies on the economic effects of smoke-free policies on the hospitality industry," *Tobacco Control* 12:13-20, 2003.

⁷ Hahn, EJ, "Smokefree Legislation: A Review of Health and Economic Outcomes Research," *American Journal of Preventive Medicine* 39(6S1):S66-S76, 2010. <http://www.clearwaymn.org/vertical/Sites/%7BF1680E9A-EF78-41E7-8793-6913CF57DBAB%7D/uploads/%7B8274B71A-3B37-46D7-8320-E457C961A736%7D.PDF>

⁸ International Agency for Research on Cancer (IARC), "Evaluating the effectiveness of smoke-free policies: IARC Handbooks of Cancer Prevention, Tobacco Control, volume 13," World Health Organization (WHO), IARC, 2009, <http://www.iarc.fr/en/publications/pdfs-online/prev/handbook13/handbook13-0.pdf>.

⁹ Eriksen, M & Chaloupka, F, "The Economic Impact of Clean Indoor Air Laws," *CA: A Cancer Journal For Clinicians* 57:367-378, 2007. <http://caonline.amcancersoc.org/cgi/content/full/57/6/367>.

¹⁰ HHS, *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*, Atlanta, GA: HHS, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006, <http://www.surgeongeneral.gov/library/secondhandsmoke/report/>.

¹¹ Scollo, M, et al., "Review of the quality of studies on the economic effects of smoke-free policies on the hospitality industry," *Tobacco Control* 12:13-20, 2003.

¹² Collins, N, et al., "Effects of Clean Indoor Air Laws on Bar and Restaurant Revenue in Minnesota Cities," *American Journal of Preventive Medicine* 39(6S1):S10-S15, 2010. <http://www.clearwaymn.org/vertical/Sites/%7BF1680E9A-EF78-41E7-8793-6913CF57DBAB%7D/uploads/%7B51B38485-15E2-4BAD-8FB5-97C4BF1BC056%7D.PDF>

¹³ Klein, E, et al., "Employment Change for Bars and Restaurants Following a Statewide Clean Indoor Air Policy," *American Journal of Preventive Medicine* 39(6S1): S16-S22 (2010). <http://www.clearwaymn.org/vertical/Sites/%7BF1680E9A-EF78-41E7-8793-6913CF57DBAB%7D/uploads/%7BA88787F7-9736-4C44-ADB1-F5D87490F128%7D.PDF>

¹⁴ Washington State Department of Revenue Press Release, "Businesses bounce back from smoking ban," June 10, 2008, <http://dor.wa.gov/content/aboutus/newsroom/html/smokingban.aspx>.

¹⁵ Pyles, M, et al., "Economic effect of a smoke-free law in a tobacco-growing community," *Tobacco Control* 16:66-68, 2007.

¹⁶ New York State Department of Health, "The Health and Economic Impact of New York's Clean Indoor Air Act," July 2006, http://www.health.state.ny.us/prevention/tobacco_control/docs/ciaa_impact_report.pdf.

¹⁷ Cowling, DW & Bond, P, "Smoke-free laws and bar revenues in California: the last call," *Health Economics* 14(12):1273-1281, 2005.

¹⁸ Connolly G, et al., *Evaluation of the Massachusetts Smokefree Workplace Law: A Preliminary Report*, Division of Public Health Practice, Harvard School of Public Health, Tobacco Research Program, April 4, 2005, http://www.globalink.org/documents/Smoke-free_Workplace.pdf.

¹⁹ Dai, C, et al., *The Economic Impact of Florida's Smoke-free Workplace Law*, Bureau of Economic and Business Research, Warrington College of Business Administration, University of Florida, June 25, 2004, <http://www.tobaccoscsm.ucsf.edu/pdf/109-Florida+Economic+Impact+Final+Report.pdf>.

²⁰ NYC Department of Finance, NYC Department of Health & Mental Hygiene, NYC Department of Small Business Services, NYC Economic Development Corporation, "The State of Smoke-Free New York City: A One-Year Review", March 2004, <http://www.nyc.gov/html/doh/downloads/pdf/smoke/sfaa-2004report.pdf>. See also New York City Department of Health and Mental Hygiene, Press Release, "Workers, Owners, City Officials, And Health Groups Toast One-Year Anniversary Of The Smoke-Free Air Act," March 29, 2004, http://www.nyc.gov/html/doh/html/press_archive04/pr031-0329.shtml.

²¹ NYC Department of Finance, NYC Department of Health & Mental Hygiene, NYC Department of Small Business Services, NYC Economic Development Corporation, "The State of Smoke-Free New York City: A One-Year Review", March 2004, <http://www.nyc.gov/html/doh/downloads/pdf/smoke/sfaa-2004report.pdf>.

²² Zagat, Press Release, "Zagat 2004 New York City Restaurant Survey Finds Local Dining Economy in Comeback Mode," October 20, 2003.

²³ Meconi, Vincent, Secretary of the Delaware Department of Health and Social Services, "Secondhand Smoke Deserves Regulations," *Delaware State News*, December 30, 2003. See also, American Lung Association of Delaware, "Delaware's Clean Indoor Air Act – The 1st Anniversary Story."

²⁴ U.S. Centers for Disease Control and Prevention (CDC), "Impact of a Smoking Ban on Restaurant and Bar Revenues --- El Paso, Texas, 2002," *Morbidity and Mortality Weekly Report (MMWR)* 53(07), February 27, 2004, <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5307a2.htm>

²⁵ Glantz, S, "Smoke-Free Restaurant Ordinances Do Not Affect Restaurant Business. Period.," *Journal of Public Health Management and Practice* 5(1), January 1999.

²⁶ Bartosch, WJ & Pope, GC, "The Economic Effect of Smoke-Free Restaurant Policies On Restaurant Business in Massachusetts," *Journal of Public Health Management and Practice* 5(1):53-62, 1999.

²⁷ For a six-minute video of restaurant and bar owners discussing the positive impact of smoke-free laws and other related resources, visit http://www.tobaccofreekids.org/what_we_do/state_local/smoke_free_laws/. ANR features quotes from restaurant and bar owners across the country on their website <http://no-smoke.org/document.php?id=260>.

²⁸ Zagat Press Release, "ZAGAT RELEASES 2008 AMERICA'S TOP RESTAURANTS SURVEY."

²⁹ Zagat Press Release, "2009 ZAGAT AMERICA'S TOP RESTAURANTS SURVEY IS OUT; ECONOMIC DOWNTURN LEADS TO CHANGES IN DINING HABITS."

³⁰ Torrieri, M, "Smoking Ban: Seven Years Later, Dramatic Changes in Fairfield County Bars." *WestportPatch Online*, October 23, 2010. <http://westport.patch.com/articles/smoking-ban-seven-years-later-dramatic-changes-in-fairfield-county-bars-5>.

³¹ O'Neal, M, "Butt Out: - The Industry Shouldn't Need Laws To Make Us Clear The Smoke From Restaurants," *Nation's Restaurant News*, April 16, 2001.

³² Frumkin, P, "Winds of change: Latest report, attitudes should fan smoking debate down new path", *Nation's Restaurant News* Editorial, July 24, 2006.

³³ Rutenberg, J & Koppel, L, "Almost Two Years Into Cigarette Ban, New York City Bars Thrive and Many Smokers Shrug," *New York Times*, February 6, 2005.

³⁴ Williams, C, Vice President of the Greater Manchester Chamber of Commerce, Chamber Insight, March 10, 2006.

³⁵ Garth, D, President/CEO of the San Luis Obispo (CA) Chamber of Commerce, Letter To Washington DC Council In Support of Smoke-Free legislation, November 3, 2003.

³⁶ Field Research Corporation, "Bar Establishment Survey," conducted September – October 2002 for California Department of Health Services.

LATE TESTIMONY

From: Jenny Hausler [jenhausler@hotmail.com]
Sent: Wednesday, February 15, 2012 6:43 PM
To: ERBtestimony
Cc: repbrower@capitol.gov
Subject: LATE TESTIMONY - HB 2306

As a former smoker and bar owner, I am well aware of both the health risks and economic impact of smoking in bars and restaurants and am very opposed to HB2306. My husband is now dying from emphysema directly related to smoking and no amount of economic benefits will allow him a longer life.

Please do not allow Hawaii's citizens to be exposed once again to the terrible effects of smoking!

Very truly yours,

Jennifer Hausler
Former owner JJ's Tavern
1429 Kuloko St.
Pearl City, HI 96782

808 4553242
[Jenhausler@hotmail.com](mailto:jenhausler@hotmail.com)

Sent from my iPad

Jessanie Marques
P.O.Box 82
Pahala, Hi 96777

LATE TESTIMONY

February 14, 2012

To: Representative Angus L.K. McKelvey, Chair
Representative Issac W. Choy, Vice Chair
Members, House Committee on Economic Revitalization & Business
Re: **In opposition to HB 2306**
Committee on ERB; February 16, 2012 at 8:30 a.m., Room 312

Thank you for allowing me to submit testimony in opposition to HB 2306.

My name is Jessanie Marques, I am a great grandmother, wife, retired nurse, an asthmatic and serve as a volunteer health educator with Ka'u Rural Health Community Association, Hawaii Island Rural Health Association, Tobacco Free Coalition East Hawaii and American Cancer Society.

I oppose HB 2306 as it would erode the law and place employees at risk for exposure to secondhand smoke. Exposure to tobacco smoke – even occasional smoking or secondhand smoke – causes immediate damage to your body that can lead to serious illness or death, according to a report released by U.S. Surgeon General Regina M. Benjamin.

A poll conducted by Qmark for the Coalition for a Tobacco-Free Hawaii in February 2011 found that 87% of Hawaii residents support the smoke-free workplace law. With such strong support for this law, we ask you to remain committed to the health of our workers and the public. Please hold HB 2306 in Committee.

Thank you for your support and kokua to help keep Hawaii's Smoke Free Workplace Law intact.

Sincerely,
Jessanie Marques

LATE TESTIMONY

From: Lauren Levine [llevine@cc.hawaii.edu]
Sent: Wednesday, February 15, 2012 3:00 PM
To: ERBtestimony
Subject: LATE TESTIMONY - Opposition to HB2306

Representative Angus L.K. McKelvey, Chair Representative Issac W. Choy, Vice Chair House Committee on Economic Revitalization & Business

Re: Opposition to HB 2306

Thank you for allowing me to submit testimony in opposition to HB 2306.

The 2006 Smoke-Free Workplace law currently protects all workers from exposure to secondhand smoke. This law should remain intact as is.

I oppose HB 2306 as it would erode the law and place employees at risk for exposure to secondhand smoke. Exposure to tobacco smoke – even occasional smoking or secondhand smoke – causes immediate damage to your body that can lead to serious illness or death, according to a report released by U.S. Surgeon General Regina M. Benjamin.

Hawaii's smoke-free law has been one of the best pieces of public health legislation our Legislature passed. Because of it, the next generation will see less smoking around them.

Please continue to do the right thing to keep Hawaii smoke free. Please hold HB 2306 in Committee.

Mahalo,

Lauren Levine
677 Ala Moana Blvd STE 200
Honolulu, HI 96813

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 15, 2012 6:06 PM
To: ERBtestimony
Cc: antonchris10@gmail.com
Subject: LATE TESTIMONY - Testimony for HB2306 on 2/16/2012 8:30:00 AM

Testimony for ERB 2/16/2012 8:30:00 AM HB2306

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Chris Anton
Organization: Individual
E-mail: antonchris10@gmail.com
Submitted on: 2/15/2012

Comments:

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 15, 2012 6:26 PM
To: ERBtestimony
Cc: redkoi555@woh.rr.com
Subject: LATE TESTIMONY - Testimony for HB2306 on 2/16/2012 8:30:00 AM

Testimony for ERB 2/16/2012 8:30:00 AM HB2306

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Rebecca Rogers
Organization: Individual
E-mail: redkoi555@woh.rr.com
Submitted on: 2/15/2012

Comments:

My husband and I recently retired and would love to visit Hawaii. However, we have decided against it because of the smoking ban. We already have a ban in Ohio and we don't like it at all. We will choose to take our vacation in a smoke friendly state that values private property. Hopefully, Hawaii will have a state that is friendly to everyone in the near future.

Repectfully,

Rebecca Rogers
Dayton, OH 45426

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2, 15, 12

I Brenton Purdy

support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

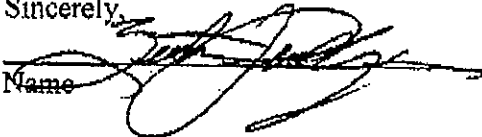
This makes no economic sense. To control smoking the legislature put patrons outside beyond our legal boundaries, those who had been inside and supervised. The result is ongoing legislation to limit the bar and club industry. These however are often the key industries that attract tourism. They provide the nightlife and entertainment that brings tourists back and provides a valued vacation with fun in the equation.

This legislation has also resulted in a more difficult atmosphere to acquire new licenses. This limits the number of businessmen who will enter the business. When a bar or club now closes we often lose it forever. Regrettably the state and counties also lose the income from that bar. What income? Besides the loss of employment you lose the property taxes, income taxes, excise taxes on all sales, the loss of concurrent sales from peripheral industries such as suppliers and their taxes. We lose the permitting fees and liquor, tobacco and other fees and taxes. We lose Tourism dollars and we lose their repeat business. You lose the contributions the industry makes to unemployment and health benefits and you put those employees and entertainers in the unemployment rolls thus amplifying the costs to government.

Please aid our state economic recovery allow exemptions for class 5 and class 11 licensees and put the patrons back in the bar where they belong. This will alleviate the continued oppressive legislation on the nightlife industry and will assure that Hawaii remains as a desired vacation destination.

Please support HB2306.

Sincerely,


Name

Barman
occupation

Personal Comments Here:

Smoking & Drinking go together

Testimony in Support of HB2306

LATE TESTIMONY

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/15/12

Jennifer Heede

I support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306

Sincerely,

Name

occupation

Personal Comments Here:

Adult activity in an adult environment.

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2, 15, 12

I Dexter Maunakea

support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,



C&C Roads DFM

Name

occupation

Personal Comments Here:

SMOKING GOES W/DRINKING!
NO IF WHATS OR BUTS.

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/14/12

Samuel Hailu Sr.

support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please aid our state economic recovery allow exemptions for class 5 and class 11 licensees and put the patrons back in the bar where they belong. This will alleviate the continued oppressive legislation on the nightlife industry and will assure that Hawaii remains as a desired vacation destination.

Please support HB2306.

Sincerely,

Samuel Hailu Sr.

RETIRED

Name

occupation

Personal Comments Here:

Testimony in Support of HB2306

LATE TESTIMONY

Dear Honorable Chair and members of the
Committee on Economic Revitalization and Business

2, 19, 12

I Alisa Nomura support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

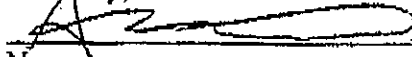
This makes no economic sense. To control smoking the legislature put patrons outside beyond our legal boundaries, those who had been inside and supervised. The result is ongoing legislation to limit the bar and club industry. These however are often the key industries that attract tourism. They provide the nightlife and entertainment that brings tourists back and provides a valued vacation with fun in the equation.

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Please aid our state economic recovery allow exemptions for class 5 and class 11 licensees and put the patrons back in the bar where they belong. This will alleviate the continued oppressive legislation on the nightlife industry and will assure that Hawaii remains as a desired vacation destination.

Please support HB2306.

Sincerely,


Name

Store Manager
occupation

Personal Comments Here:

I feel as it is someones choice to enter a bar, if they allow smoking the consumer has the choice to stay at that bar or move to another. It should be a decision of the bar owner. whether the consumer is allowed to smoke. Everyone who enters a bar is of legal age, and has the legal choice to stay in the bar or not. By disallowing owners the right to make this decision feels unjust to the owner's business.

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/14/12

I Tyronn Responia

support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please aid our state economic recovery allow exemptions for class 5 and class 11 licensees and put the patrons back in the bar where they belong. This will alleviate the continued oppressive legislation on the nightlife industry and will assure that Hawaii remains as a desired vacation destination.

Please support HB2306.

Sincerely,

Tyronn Responia Sales Associate
Name occupation

Personal Comments Here:

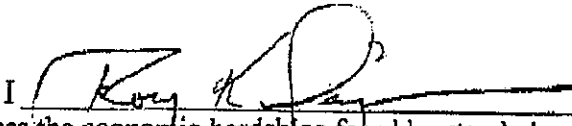
I feel that smoking and drinking go together. So its up to the owner to decide if allowing smoking in the bar helps them attract more customers.

Testimony in Support of HB2306

LATE TESTIMONY

Dear Honorable Chair and members of the
Committee on Economic Revitalization and Business

2/15/12

I  support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

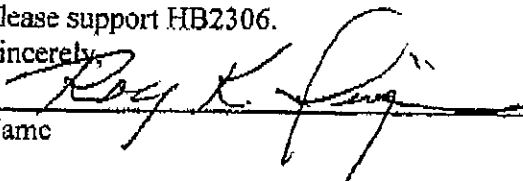
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Please aid our state economic recovery allow exemptions for class 5 and class 11 licensees and put the patrons back in the bar where they belong. This will alleviate the continued oppressive legislation on the nightlife industry and will assure that Hawaii remains as a desired vacation destination.

Please support HB2306.

Sincerely,

 Owner
Name occupation

Personal Comments Here:

Testimony in Support of HB2306

LATE TESTIMONY

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

I Shane Bisher 2/15/12

support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Shane Bisher
Name

Construction
occupation

Personal Comments Here:

Testimony in Support of HB2306

LATE TESTIMONY

Dear Honorable Chair and members of the
Committee on Economic Revitalization and Business

2/15/12

I April Buck

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Please support HB2306.

Sincerely,

April Buck

BarTender

Name

occupation

Personal Comments Here:

No smoking costs business and costs our potential wages as well.

Testimony in Support of HB2306

LATE TESTIMONY

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/15/12

I Sean Aylward

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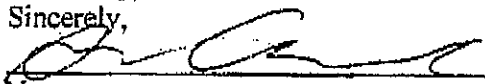
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Please support HB2306.

Sincerely,



Short Order Line Cook

Name

occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/15/12

I Paul Anderson

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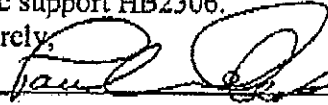
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Please support HB2306.

Sincerely,



2-15-12

Aircraft Mechanic

Name

occupation

Personal Comments Here:

Testimony in Support of HB2306

LATE TESTIMONY

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2,15,12

I Amber Lindstrom support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,


Name

House cleaner
occupation

Personal Comments Here:

Testimony in Support of HB2306

LATE TESTIMONY

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/15/12

I Laurell Kuekahiko support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Laurell Kuekahiko Smoker.
Name occupation

Personal Comments Here:

Testimony in Support of HB2306

LATE TESTIMONY

Dear Honorable Chair and members of the
Committee on Economic Revitalization and Business

I Harry DeMello 2/15/12

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Please support HB2306.

Sincerely,

Harry DeMello Crane Oper
Name occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/15/12

I Leila Koaue-Aiko support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

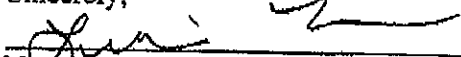
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Please support HB2306.

Sincerely,


Name

OTS

occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

I Sam Garza 2, 16, 12

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Please support HB2306.

Sincerely,

Sam Garza Deportation Specialist
Name occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/15/12

I Kelly Garcia support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Kelly Garcia
Name

Team Lead
occupation

Personal Comments Here:

FEB-16-2012 02:57AM FAX: ID:REP CHDY

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/15/12

I Henrietta K. Thompson support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Henrietta K. Thompson
Name

Customs Service Specialist
occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/15/12

I PROVINCIA BROWN AINS support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,



Name

SALLES

occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/15/12

I Shane DeLaseo

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Please support HB2306.

Sincerely,

Shane DeLaseo
Name

Military
occupation

Personal Comments Here:

Testimony in Support of HB2306

LATE TESTIMONY

Dear Honorable Chair and members of the
Committee on Economic Revitalization and Business

2/15/12

I Courtney Upton support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Courtney Upton
Name

student
occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the
Committee on Economic Revitalization and Business

2,15,12

I Ariel Dunn

support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

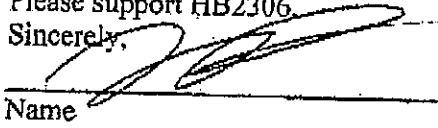
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Please support HB2306

Sincerely,


Name

Shift Manager
occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the
Committee on Economic Revitalization and Business

2, 15, 12

I TRACEY SILVA support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

This makes no economic sense. To control smoking the legislature put patrons outside beyond our legal boundaries, those who had been inside and supervised. The result is ongoing legislation to limit the bar and club industry. These however are often the key industries that attract tourism. They provide the nightlife and entertainment that brings tourists back and provides a valued vacation with fun in the equation.

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Please aid our state economic recovery allow exemptions for class 5 and class 11 licensees and put the patrons back in the bar where they belong. This will alleviate the continued oppressive legislation on the nightlife industry and will assure that Hawaii remains as a desired vacation destination.

Please support HB2306.

Sincerely,

Tracey Jo Silva Self Employed
 Name occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the
Committee on Economic Revitalization and Business

2, 15, 12

I Matua Tuao support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Matua Tuao
Name

Army National Guard
occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/15/12

I Amber Reimers support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Amber Reimers
Name

Bartender
occupation

Personal Comments Here:

I feel that as a bartender of this establishment that there are more smokers than non smokers in this bar. There are many other bars in Kailua, and I think that it was like that before and no one complained. It should be the owners choice whether to say yes or no to allow smoking.

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the
Committee on Economic Revitalization and Business

2, 15, 12

I Nikki Spears support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Nikki Spears
Name

Student
occupation

Personal Comments Here:

Testimony in Support of HB2306

LATE TESTIMONY

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/15/12

I Tanya Watson support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Tanya Watson
Name

Food- Food Mng.
occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/15/12

I Wade Chandler support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Wade Chandler

Taco Bell

Name

occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/14/12

I Noranne Pang support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Noranne Pang
Name

Realtor
occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

Brenda TABADERO 2/15/12

I support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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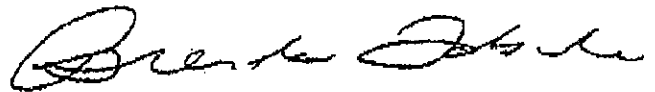
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Please support HB2306.

Sincerely,

02-15/2012
Name



occupation

Personal Comments Here:

Testimony in Support of HB2306

LATE TESTIMONY

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

Doug Olson

2,15,12

I _____ support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Doug Olson _____
Name occupation

Personal Comments Here:

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the
Committee on Economic Revitalization and Business

2, 15, 12

I JARED K. LEE

support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

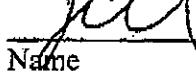
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Please support HB2306.

Sincerely,


Name

POLICE OFFICER - HONOLULU PD
occupation

Personal Comments Here:

JARED K. LEE 
THIS LEGISLATION INFRINGES ON THE
RIGHTS OF THE ESTABLISHMENT OWNER!

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

__02__ / __15__ / 2011__

I Byron E Chalfont support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Byron E Chalfont _____ Bar Owner : Honolulu Tavern
Name occupation

Personal Comments Here: I set up a smoking and non-smoking side to my bar before the ban. Since the ban I have had to deal with many problems not only because my patrons are harassed by street thugs while they are outside, but also a certain owner in my building now uses the fact that my patrons are outside as an excuse to harass me for all cigarette butts left by passerbyes and any problem by the "street people" who try to hang out and confront my customers. If I could keep my customers inside, I could solve this problem.

LATE TESTIMONY

From: Jo Ann Ikehara [jikehara@lava.net]
Sent: Wednesday, February 15, 2012 8:45 PM
To: ERBtestimony
Subject: LATE TESTIMONY - Opposition to HB2306

Representative Angus L.K. McKelvey, Chair Representative Issac W. Choy, Vice Chair House Committee on Economic Revitalization & Business

Re: Opposition to HB 2306

Thank you for allowing me to submit testimony in opposition to HB 2306.

The 2006 Smoke-Free Workplace law currently protects all workers from exposure to secondhand smoke. This law should remain intact as is.

I oppose HB 2306 as it would erode the law and place employees at risk for exposure to secondhand smoke. Exposure to tobacco smoke – even occasional smoking or secondhand smoke – causes immediate damage to your body that can lead to serious illness or death, according to a report released by U.S. Surgeon General Regina M. Benjamin.

Hawaii's smoke-free law has been one of the best pieces of public health legislation our Legislature passed.

Please continue to do the right thing to keep Hawaii smoke free. Please hold HB 2306 in Committee.

Mahalo nui loa!

Jo Ann Ikehara
2515 North School St
2515 North School Street
Honolulu, HI 96819
808-222-0466

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 15, 2012 9:02 PM
To: ERBtestimony
Cc: darbyinhawaii@yahoo.com
Subject: LATE TESTIMONY - Testimony for HB2306 on 2/16/2012 8:30:00 AM

Testimony for ERB 2/16/2012 8:30:00 AM HB2306

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Patrick McGrail
Organization: Individual
E-mail: darbyinhawaii@yahoo.com
Submitted on: 2/15/2012

Comments:

Dear Representatives,

Thank you for proposing a bill that makes sense. This bill could repeal the knee jerk non-smoking law imposed on the public. First I'd like to say is I am a non smoker, but believe in the rights of this minority group Is there any minority group asked to pay more? Anytime more money needs to be raised the answer seems to be tax those smoking sinners. Is there any minority more ostracized? We make them feel like lepers and ask them to hide in filthy corners and feel shame. If their minority was a color the law would be racist. If their minority was religion or sexual orientation the law would be a hate crime. The government treats them less than human, but is the first with their hands out requiring more. That is hypocritical.

The bill at hand would give bar owners the choice of smoking or non smoking. It also gives the patron a choice of which establishment they would like to go to. Isn't that the foundation of a democracy, having a choice and a voice. The owner of the place should have a say about what goes on in his establishment. What is next? Is the government going to tell a person what they can do in their own home? That is a very slippery slope.

The law as it is now underestimates two groups ability to think on there own. First, to smoke you need to be 18, to drink you need to be 21. That being the case allowing smoking in bars would be a choice someone makes who is 21. Plenty old enough to weigh the pros and cons. A side effect of allowing smoking in bars, is no children would be exposed to the patrons smoke. Walk through waikiki and you will see parents having to bring their toddlers and babies by the smokers forced outside. Secondly when the law was passed, testimony was given alluding to the cognitive ability of workers in the service industry. To paraphrase it said most workers where lightly educated and wouldn't have the ability to get a resume together for a place like the Hilton. This gentleman insinuated because of the employees diminished cerebral processes, we had a duty to protect them. These people are smart enough to think for themselves. I believe if you polled the populace, they would overwhelmingly state that service industry people had more wherewithal and brains than most government workers do.

Finally we are taking about a legal substance. A substance that on the surface we condemn, but depend on to stuff the coffers. If you truly cared about the health and well being of your constituents you would try to outlaw it. Since it will never be made illegal, get off your moral high ground. Put some common sense back into government and pass this bill into law.

Thank you for your time.

LATE TESTIMONY

Testimony in Support of HB2306

Dear Honorable Chair and members of the

Committee on Economic Revitalization and Business

2/13/12

I, Bill Comerford, Spokesperson for the Hawaii Bar Owners Association support this bill because it addresses the economic hardships faced by stand alone bars due to the effects of the smoking ban. The unintended consequence of the smoking ban was to put patrons on the street at all hours of the night, essentially all the legal hours to operate bars and nightclubs. This has resulted in ongoing complaints and specific legislation against our industry. These complaints had not been extensive in the past but have been amplified by the presence of unsupervised patrons on public property beyond the legal limits of bar and club boundaries.

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Please support HB2306.

Sincerely,

Bill Comerford
Spokesman
Hawaii Bar Owners Association
10 Marin Lane
Honolulu, HI 96817
808-223-3997
bill@ejlounge.com

LATE TESTIMONY

From: Ululani Moniz [2b_ulu@clearwire.net]
Sent: Thursday, February 16, 2012 7:25 AM
To: ERBtestimony
Subject: LATE LATE TESTIMONY - Opposition to HB2306

Representative Angus L.K. McKelvey, Chair Representative Issac W. Choy, Vice Chair House Committee on Economic Revitalization & Business

Re: Opposition to HB 2306

Thank you for allowing me to submit testimony in opposition to HB 2306.

The 2006 Smoke-Free Workplace law currently protects all workers from exposure to secondhand smoke. This law should remain intact as is.

I oppose HB 2306 as it would erode the law and place employees at risk for exposure to secondhand smoke. Exposure to tobacco smoke – even occasional smoking or secondhand smoke – causes immediate damage to your body that can lead to serious illness or death, according to a report released by U.S. Surgeon General Regina M. Benjamin.

Hawaii's smoke-free law has been one of the best pieces of public health legislation our Legislature passed. Because of it, I now work in a place that is smoke free. And the next generation will see less smoking around them. It's so nice to go out and not have to smell the smoke from smokers. It's nice to go out and not smell like a smoke pit when I leave. My lungs are clean and I feel clean as well.

Please continue to do the right thing to keep Hawaii smoke free. Please hold HB 2306 in Committee.

Mahalo,

Ululani Moniz
PO Box 2521
Ewa Beach, HI 96706

LATE TESTIMONY

From: Abby Brown-Watson [abbykailua@gmail.com]
Sent: Thursday, February 16, 2012 9:48 AM
To: ERBtestimony
Subject: LATE LATE TESTIMONY - Opposition to HB2306

Representative Angus L.K. McKelvey, Chair Representative Issac W. Choy, Vice Chair House Committee on Economic Revitalization & Business

Re: Opposition to HB 2306

Thank you for allowing me to submit testimony in opposition to HB 2306.

The 2006 Smoke-Free Workplace law currently protects all workers from exposure to secondhand smoke. This law should remain intact as is.

My daughter is a bartender, and has not had a cold since the law against smoking in bars was enacted.

PLEASE PLEASE don't endanger her by allowing smoking in bars.

I was a smoker and my parents smoked. I finally wised up and with great difficulty found a way to quit back in 1974. I feel lucky to have reached the age of 72.

I oppose HB 2306 as it would erode the law and place employees at risk for exposure to secondhand smoke. Exposure to tobacco smoke – even occasional smoking or secondhand smoke – causes immediate damage to your body that can lead to serious illness or death, according to a report released by U.S. Surgeon General Regina M. Benjamin.

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Please continue to do the right thing to keep Hawaii smoke free. Please hold HB 2306 in Committee.

Mahalo,

Abby Brown-Watson
769 N. Kainalu Drive
Kailua, HI 96734
808 262-5295