

**LATE**

**SCR 161 /**

**SR 118**

**Testimony of Professor Mark A. Levin in strong support for SCR 161 / SR 118**

**Encouraging the University of Hawai'i Administration to Establish and Implement  
a Tobacco-Free University Policy for all University Campuses and Facilities**

**Senate Committees on Higher Education and on Health  
April 11, 2013**

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*Chair Taniguchi, Vice-Chair Kahele, and members of the Committee on Higher Education:*

*Chair Green, Vice-Chair Baker, and members of the Committee on Health*

Aloha. My name is Mark Levin. I am a Professor at the William S. Richardson School of Law. My testimony is based on nearly twenty years of engagement with tobacco control law and policy locally and globally. Among my activities in this field, I have published in leading journals and worked as a temporary advisor on tobacco control policy for the World Health Organization. Locally, I have served on the Hawai'i State Tobacco Prevention and Control Trust Fund Advisory Board and volunteered for many other tobacco control related roles.

I am also the principal author of the University of Hawai'i Executive Policy E10.102 on Tobacco Products, established by President Evan Dobbelle in January 2003, which is essentially identical to the current policy established in April 2012.

When I drafted a proposed revision for Executive Policy E10.102 for President Dobbelle in December 2002, the University's policy was woefully out of date. We made a significant step forward with the policy change then and it has substantially improved the learning and working environment on our state's university campuses. I am proud to have been a part of that initiative, working closely then with many others in the administration, faculty, staff, and students.

Unfortunately, over ten years have passed since Executive Policy E10.102 was last meaningfully revised. We have once again fallen behind the times.

As the pending resolutions note, United States Assistant Secretary for Health, Dr. Howard Koh, launched on September 12, 2012, the national Tobacco-Free College Campus Initiative. Moreover, since the American Nonsmokers' Rights Foundation updated its lists last week, the count is now 783 colleges and universities in the United States already prohibit smoking and all forms of tobacco use everywhere on campus with no exceptions. These including the University of Arkansas, all universities in the University of California system, the University of Florida, the University of Guam, the University of Kentucky, the University of Massachusetts - Amherst, the University of Michigan, the University of Montana,

the University of North Dakota, all public universities in the state of Oklahoma, and the University of Oregon. Though all K-12 public schools in Hawai'i are tobacco-free, ANRF's list has no institution of higher education in Hawai'i. (Of 50 US states, Hawai'i is one of ONLY six no-show *pukas* in that list!)

Tobacco-free campus policies do not only benefit public health aims. They reduce numerous fiscal burdens for the university administration and alleviate the campus' impacts on surrounding land and water environments. In this regard, a tobacco-free policy would further the mission of the University of Hawai'i system to "ensure the survival of present and future generations with improvement in the quality of life," support core values concerning *malama 'aina* sustainability, and represent sound financial resource stewardship.

In conclusion, *because the current policy at UH is out of date, unpopular, and unwise*, important constituencies have expressed their support for tobacco-free campuses including the Associated Students of the University of Hawai'i at Mānoa and the Mānoa Faculty Senate. As the University of Hawai'i is an instrument of our State's Executive Branch, it amply suits your legislative responsibility to express the strong policy statement encouraging prompt action for policy revision and effective policy implementation that SCR 161 and SR 118 represent.

*Mahalo.*

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Affiliations are given for identification purposes only. Opinions presented here are personal views and not the official views of the University of Hawai'i or any other organization or entity.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, April 11, 2013 12:49 PM  
**To:** HRETestimony  
**Cc:** kmulligan@hgea.org  
**Subject:** Submitted testimony for SCR161 on Apr 11, 2013 14:45PM  
**Attachments:** S.C.R. 161 - HRE-HTH - UH Smoking Ban.pdf

**SCR161**

Submitted on: 4/11/2013

Testimony for HRE/HTH on Apr 11, 2013 14:45PM in Conference Room 414

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kevin Mulligan	HGEA	Support	Yes

Comments: Support with amendments

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LATE

The Twenty-Seventh Legislature, State of Hawaii  
Hawaii State Senate  
Committee on Higher Education  
Committee on Health  
Testimony by  
Hawaii Government Employees Association

April 11, 2013

S.C.R. 161/S.R. 118 – ENCOURAGING THE UNIVERSITY OF  
HAWAII ADMINISTRATION TO ESTABLISH AND IMPLEMENT A  
TOBACCO-FREE UNIVERSITY POLICY FOR ALL UNIVERSITY  
CAMPUSES AND FACILITIES

The Hawaii Government Employees Association supports the purpose and intent of S.C.R. 161 and S.R. 118 with certain amendments. The Hawaii Government Employees Association recognizes the dangers presented by second hand smoke and that there is no safe level of exposure to environmental tobacco smoke. We also recognize the actions taken by the Associated Students of the University of Hawaii at Manoa and Manoa Faculty Senate in 2012 calling upon the University of Hawaii at Manoa administration to prohibit smoking and all forms of tobacco use everywhere on campus.

The Legislature in 2006 passed a Healthy Air and Workplaces Law (S.B. 3262, C.D. 1, SLH 2006), which took effect in November 2006. It is designed to protect the health and wellbeing of people who do not want to be subjected to secondhand smoke. Smoking is prohibited under this law in places that are open to the public. This includes private businesses and places of employment. So the University of Hawaii administration has the authority to establish and implement a tobacco-free policy for all of its campuses and facilities.

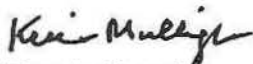
Our primary concern is with the implementation of this policy. Cigarette smoking and other forms of tobacco use are an addiction and quitting the use of these products is often very difficult. Therefore, we recommend that the University of Hawaii administration develop a well thought out plan that assists the substantial number of tobacco users on the various campuses to stop smoking or using other tobacco products. More specifically, such a ban on smoking needs to be implemented with enough lead time to provide smoking cessation programs for students and staff at each campus. It cannot and should not be done quickly. We would respectfully suggest that a lead time of at least three months before actual implementation is necessary to help those who are addicted to tobacco products.

S.C.R. 161/S.R. 118 –  
Committee on Higher Education  
Committee on Health  
April 11, 2013

In addition, we request that University of Hawaii administration consult with the HGEA on the implementation of this significant policy as required under Chapter 89, HRS (Section 89-9 (c), HRS) and our collective bargaining agreements.

Thank you for the opportunity to testify in support of S.C.R 161 and S.R. 118 with the suggested amendments.

Respectfully submitted

  
for Randy Perreira  
Executive Director

LATE

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**From:** DEBRAH TRANKEL [dtrankel@queens.org]  
**Sent:** Friday, April 12, 2013 8:19 AM  
**To:** HRETestimony  
**Cc:** jlamyuen@hawaii.edu; kehl@hawaii.edu; kristen@hawaii.edu; annie@tobaccofreehawaii.org  
**Subject:** SCR 161/SR 118

Aloha~

Please accept my apologies for late testimony, and thanks for letting me testify at the hearing. Per your request I am sending this written information. A group of Graduate Nursing Students including myself, developed a project which could be implemented by this Fall Semester to make UH Tobacco Free. We included in it's development the communications that would be included to all students, the public, parents and other key stakeholders. We created a template adopted from Stanford's policies which were implemented in 2007 to make that campus Tobacco Free.

We worked with Faculty Senate, UH Health Services, UH Student Government and Tobacco Free Coalition, as well as School of Dental Hygiene. We are grad students in the Nursing Executive Leadership Masters Program. We were essentially "blocked" from receiving an appointment to present to Chancellor Apple... refused by the secretary. Same thing happened, no appointment to present our project allowed by President Greenwood's office staff! I also applied for a grant from Tobacco settlement money to pay for the \$ 50,000 worth of signage needed. I was told my application was late, however if the Tobacco free campus actually happened, they will still allocate the money !

We did a petition and had ~500 students and faculty sign supporting Tobacco Free campus at the Great American Smokeout event held at the student center. Students are very vocal and upset about having to walk through smoke to get to classes, and as a student I can tell you it happens frequently. Even if you try to walk around it, you can still smell it on your clothing and hair. I also don't want my 3 kids to have to be exposed when they attend UH! Or any of the colleges, like LCC.

Windward College is having problems with the patient's from the State hospital going there to smoke, as there is no smoking allowed on State Hospital Campus. Then they are having issues with disruptive behavior etc on their campus! And, additional grounds keeping costs due to all the trash and butts, and it's stinky!

THESE ARE PUBLIC SCHOOLS, BUT AS UH IS THE LEADER, I BELIEVE THE OTHERS WOULD FOLLOW SUIT, AND WE COULD BE LIKE CALIFORNIA AND BE THE TOBACCO FREE CAMPUSES STATE. WE SHOULD BE, AS WE ARE SUPPOSED TO BE THE HEALTHY STATE! Also, it will save our state over a BILLION dollars in healthcare costs!

Thanks for your consideration,  
Debrah Trankel, RNC, BSN, CLC, IBCLC  
Grad Student @ UH [dtrankel@hawaii.edu](mailto:dtrankel@hawaii.edu)  
President of Breastfeeding hawaii

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SCR161/SR118

RELATING TO ENCOURAGING THE UNIVERSITY OF HAWAII ADMINISTRATION TO  
ESTABLISH AND IMPLEMENT A TOBACCO-FREE UNIVERSITY POLICY FOR ALL  
UNIVERSITY CAMPUSES AND FACILITIES

Senate Committee on Higher Education

Senate Committee on Health

Public Hearing – April 11, 2013

2: 45 p.m., State Capitol, Conference Room 414

I **strongly support** SCR 161/SR18, which encourages the University of Hawaii Administration to establish and implement a tobacco-free university policy for all university campuses and facilities.

Numerous studies have documented the dangers associated with second hand smoke, which can linger in the air and cling to hair and clothing. Secondhand smoke contributes to health problems such as lung disease, heart disease, and cancer.

The university setting is where students prepare to enter the workforce. Businesses across the nation continue to adopt strategies to ban or restrict the use of tobacco in the workplace. With few exceptions, students who plan to seek employment in a public establishment in Hawaii would not be able to smoke at their place of work. University campuses should be aligned with the tobacco-free policies of employers.

As a professional in the health care industry for over 19 years, I am highly encouraged by the recent legislative efforts to ban and/or restrict the use of tobacco in public areas.

Thank you for the opportunity to provide testimony.

Sincerely,

Tanya A. Peacock, FACHE, CFAAMA  
PhD Student, Shidler College of Business  
University of Hawaii at Manoa

References:

<http://www.mayoclinic.com/health/secondhand-smoke/CC00023>

<http://www.hawaiismokefree.com/>

<http://www.tobaccofreehawaii.org/>