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WISCONSIN STATE
LEGISLATURE ...
PUBLIC HEARING
COMMITTEE RECORDS

2007-08

(session year)

Senate

(Assembly, Senate or Joint)

Committee on
Public Health, Senior
Issues, Long Term
Care and Privacy



(SC-PHSILTCP)

(FORM UPDATED: 07/02/2010)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL ...

- Appointments ... **Appt**
 -  **Name:**
- Clearinghouse Rules ... **CRule**
- Hearing Records ... bills and resolutions
(**ab** = Assembly Bill)
(**ar** = Assm. Resolution) (**ajr** = Assm. Joint Resolution)
(**sb** = Senate Bill)
(**sr** = Sen. Resolution) (**sjr** = Sen. Joint Resolution)
- Miscellaneous ... **Misc**
 -  **Details:**

2007 SB 150

Dated Single-Page Testimonies
(May 30-31, 2007)



Columbia-Marquette Tobacco Free Coalition

PO Box 564
626 E. Slifer Street
Portage, WI 53901

Office: (608)742-8811, ext. 243
cmtfc@hotmail.com

SB 150 ?

May 30, 2007

Dear Members of the Senate Public Health Committee:

The Columbia-Marquette Tobacco Free Coalition would like to take this opportunity to share with you information on secondhand smoke and the benefits of a 100% smoke-free workplace law for Wisconsin.

According to the 2006 Surgeon General's report

- Secondhand smoke is a serious health hazard that causes premature death and disease in nonsmoking adults and there is no risk free level of exposure.
- Breathing even a little secondhand smoke can have immediate adverse effects on the cardiovascular system, interfering with the normal functioning of the heart, blood, and vascular systems in ways that increase the risk of heart attack.

Secondhand smoke also affects those who work in the hospitality sector

- Food service workers have a significantly greater risk of dying from lung cancer than the general public, due in part to their continuous exposure to secondhand smoke at work.
- Evidence from smoke-free communities show smoke-free policies improve restaurant and bar workers' health. For example, within several months of going smoke free, Madison bartenders saw a significant reduction in respiratory symptoms like wheezing, cough and eye/nose irritation.

Twenty states including our neighbors Illinois and Minnesota as well as Washington, D.C. have enacted comprehensive smoke-free workplace laws that cover all restaurants and taverns. Wisconsin bar and restaurant workers deserve the same protection from secondhand smoke that employees in these states already enjoy.

Polls show that almost two-thirds (64%) of Wisconsin voters support a comprehensive smoke-free workplace law that includes all restaurants and bars. There is also support from the business sector, the Wisconsin Restaurant Association along with several tourism and visitor bureaus from throughout the state support a statewide comprehensive law.

Protecting our right to breathe clean air is a health and safety issue and should be no more optional than ensuring our food, water and public facilities are safe.

Thank you,

Jill McCormick, Coordinator
Columbia-Marquette Tobacco Free Coalition

Mission Statement

The Columbia-Marquette Tobacco Free Coalition supports the Wisconsin Department of Health and Family Services, Division of Public Health's mission of aggressively pursuing the elimination of tobacco use by partnering with communities to prevent tobacco use among youth, promote cessation, and eliminate second-hand smoke.

May 30, 2007

Dear Members of the Committee on Public Health, Senior Issues, Long Term Care and Privacy,

My name is Beth Longley and I am a resident of Green Bay.

I am here today to honor the memories of my parents, Carl and Marlyn. They both died within the past two years of smoking related diseases, lung and colon cancer. I look back now and remember how slowly and awful their health deteriorated. It was so hard to visit them even in the end because of the second-hand smoke. They were both so addicted to tobacco that they didn't stop smoking until they ended up in the hospital.

After they both died, it was my family's job to take care of their affairs. One of those jobs was to clean their house of the remaining personal belongings and put the house up for sale. The amount of time and effort that it took to wash the walls, floors and the cupboards was very overwhelming. My parents had smoked in that house for several decades and nobody realized how damaged the house had become from the second-hand smoke. The smell when you entered the house is something that I will never forget. It had a distinct awful smell. We did have to throw out many things that just couldn't be used because of the smell. Keepsakes and belongings, thrown away because of the damage from the second-hand smoke. This was very sad and traumatic because I only have their memories. I don't have item to pass down to their grandchildren or great-grandchildren.

Knowing what my parent's house looked like after years of smoking in it, I can only imagine what the walls and floors are like in bars and restaurants look like. A smoke-free Wisconsin will reduce youth from starting to use tobacco and a smoke-free Wisconsin will allow for everyone to be a part of a healthier community. Hopefully the next generation won't have to face tobacco related diseases. Hopefully there will be clean air wherever they work, eat and hang out. That is why it is important for you to support the Breathe Free Act – SB 150. This will make all worksites smoke-free – NO EXPEMPTIONS!

Thank you for your time.

Sincerely,

Beth Longely
1515 Eastman Avenue
Green Bay, WI 54302
920-432-8460

May 30, 2007

Members of the Committee on Public Health, Senior Issues, Long Term Care and Privacy,

My name is Danielle DuFour and I am Miss Green Bay Area 2007. I live at 1155 Sandhill Drive in Green Bay, WI. This fall I will be a senior at St Norbert College in De Pere, WI. My Senator is Robert Cowles.

I am writing to ask for your support of SB 150, the Breathe Free WI act what will make all worksites smoke free with no exceptions.

When I decided to run for Miss Green Bay Area 2007 I did not have to think about what my platform would be...a tobacco free Wisconsin. My father and aunt, who are brother and sister, died from cancer caused by tobacco use. Losing a parent is never easy, no matter what age or stage of life. To lose a father at 15 years old, an extremely vulnerable age, is something I never want another child to go through. If there had been fewer places that tolerated smoking perhaps my father would have been able to successfully quit smoking one of the many times he tried.

I am one of the 31,000 children that are left fatherless yearly because of tobacco. .This number must be decreased. The Breathe Free WI Act is a step in the right direction to preventing others from starting to smoking and helping current smokers quit. This is not taking into consideration the people who desire to live tobacco free lifestyles but are unable to do so because of their employment. In fact, I worked at a bar and grill restaurant for half a year and had to quit because of the health issues I was experiencing from the 50+ hours of exposure to tobacco smoke a week. I was extremely disappointed that I had to quit a job I enjoyed and needed, but risking my health was not worth it.

In memory of the fathers that have been lost to tobacco use, and the children who lost those fathers, I strongly believe it is only fair that Wisconsin acts to make all workplaces smoke free.

Thank you for the opportunity to testify.

To: Members of the Committee on Public Health, Senior Issues, Long Term Care and Privacy
From: Craig Worthington
Re: Breathe Free Act – SB 150

May 30, 2007

There will be many letters and statements regarding the health issues concerned with smoking. If this issue was about public safety rather than business concerns and tax revenues this whole topic would be moot. I would like our state government to know that I will be working to unseat any of the Representatives that vote to allow smoking in public places. To me it is the same as allowing drunk drivers on the road; somebody will die because of lack of action.

The Federal government has limited the liability of cigarette manufacturers. Smart lawyers will be looking to sue someone for the death of a second hand smoke victim. Let it be the bar owner who employed the waitress or bartender who got cancer on the job. Let it be the State for its lack of action after being presented with all the evidence.

I am a new resident of Wisconsin. I came from California where smoking has been banned in public for years and you will be surprised to know that restaurants and bars are still in business and smokers are still smoking. Though smokers complained initially, they have adjusted to the law just as they will here in Wisconsin. As business owners seem to be overly concerned with the loss of business if smoking is banned, let them be aware that they are losing mine and other's business because we can not stand the stench of tobacco, let alone the health aspect.

The issue here is to do what is right or live in fear of a *perceived loss of income* that *may happen* if the restriction goes into place. The fact is that State after State is opting for the protection of the many. State after State, the population is adjusting and it is working for everyone. It seems to me that the only way a public servant could not agree to smoke free public areas is if they are getting paid to vote against it by a private party.

This is not about taking the right to smoke away from someone. I have a son, a brother and a sister-in-law that smoke but are courteous and considerate of others and smoke outside. They even choose to have their homes and cars smoke free. They know the retail value of their property is greater when people know it has been tobacco free.

I believe this is not a question of why we want smoke free public areas since this question has been answered. The real question is, why hasn't our government done this on their own? I would like a member of my coalition to get a personal reason for the record, of any representative who opposes this quality of life issue; one that I consider as important as abortion since the loss of life is the true determining factor.

Craig Worthington
1006 Mt. Mary Drive
Green Bay WI, 54311
920-544-9471

May 30, 2007

Dear Members of the Committee on Public Health, Senior Issues, Long Term Care and Privacy,

My name is Marty Adams and I am a Public Health Sanitarian for Brown County. My job is to license and inspect bars / taverns, restaurants, grocery stores and motel/hotels in the area around Lambeau Field. The majority of these locations fall under Senator Robert Cowles district.

During the workweek, there are many days that I go home with plugged sinuses, headaches and smelling of smoke. These are the days where I am in smoke-filled environments for a good portion of my day. The days that I am not in the smoky environments my symptoms are not present. Therefore, I know that the smoke is the source of the problem. You know it is bad when you go home and your significant other and children complain of the smoke odors minutes of walking in the door.

This past year about 20% of the bars/taverns in my district went out of business or had a new owner take over the business. This trend is fairly normal. The tavern owners continue to say that they will be run out of business if the smoking ban goes into effect in Wisconsin. Again, about 20% change ownership every year with smoking allowed. Bars / taverns and restaurants are licensed to sell food and various forms of drinks. Some are alcoholic beverages and some are milk, soda, and juices. I will bet that 100% of Wisconsinites will still continue to eat and drink today, tomorrow and next year whether a smoking ban is put in place or not. Who is going to stop eating or drinking because they can not smoke in a bar / tavern or restaurant? Will we see mass starvation? Is happy hour going to end at the bars? The answer is NO. All bars and restaurants will still be able to serve their great food, ethnic dishes or just a plain cold beer.

I have worked in the food industry for 23 years. Bars / taverns and restaurants go out of business due to poor service, poor food, prices that are too high for the product received or poor location of the business. The owners/managers have control of all these items.

It is about time Wisconsin joins Illinois, Minnesota and about 20 other states to ban smoking in all workplaces... no exemptions! Level the playing field for all communities in Wisconsin and businesses will continue to succeed. Look at Appleton and Madison, there are waiting lists for liquor licenses! Businesses will continue to thrive in Wisconsin.

For the health of all Wisconsinites, now is the time to be able to breathe clean air. Please vote for the Breathe Free Act – SB 150.

Sincerely,



Marty Adams
1848 Mill Road
Greenleaf, WI 54126
920-532-5057

May 30, 2007

To: Committee Members
From: Julia A. Steiner
PO Box 245
Webster, WI 54893

SB 150?

To Whom It May Concern:

My name is Julia Steiner; I am an RN, and a resident of Burnett County. Although I am a contracted employee of Burnett County, working in Tobacco Control, I would like to make it known that I have taken the day off to attend this meeting today.

I am a former smoker, I started smoking off an on when I was in about 2nd grade. By the time I was a teenager, I was hooked. I decided to quit while I was pregnant with my oldest daughter, but by this time, I was smoking a pack an a half a day. With many tears, I was able to kick the habit. I tell this because at one point in my life, I also struggled with tobacco addiction.

Over the past 25+ years I have had several working positions that allowed smoking in the workplace, including washing dishes as a young teenager, the back storerooms of the grocery stores, and yes, even smoking at the nurse's station in hospitals and nursing homes.

Already we have come a long way! You can no longer smoke on school property; stores have prohibited smoking in the buildings. Patients and families would probably be appalled if a nurse were sitting at the nurses station smoking, we are even going as far as making hospitals smoke free properties.

It concerns me that several family members and friends work in restaurants/taverns, some working their way through school; others have been a waitress for several years. However, all are exposed to second hand smoke several times a week.

My husband and I, as well as several of our friends enjoy going out, and I feel we would go out more often, but are forced not to due to being sensitive to second hand smoke. The headache, stuffiness, coughing and wheezing the next day or two is not worth it.

Second hand smoke increases the risk of heart disease and lung cancer. The Surgeon General has concluded that no amount of second hand smoke is safe to breathe. By separating smokers from nonsmokers and ventilating buildings, we can not eliminate the hazards of second hand smoke.

Minnesota and Illinois have both recently announced they will become smoke-free! I believe in Wisconsin and the right to breathe clean indoor air!

Thank you for your time in this matter.

Thomas Conville & family

4779 County Rd Q
Wisconsin Rapids, WI 54495

May 30, 2007

SB 150?

Dear Committee on Public Health, Senior Issues, Long term Care and Privacy,

Our family would love to see the non smoking in all public places law passed. On countless occasions we have entered family dining establishments only to turn around and leave because the air was thick with second hand smoke. This smoke is extremely harmful to my baby and children not to mention my husband and myself. Smoking sections in restaurants make little difference; the smoke lingers throughout the establishments. Please pass this law and make public places healthier for all.

Sincerely,

Thomas Conville + family

Thomas Conville

Michelle Conville

Children:

Serena, Nolan, Joah Jack and Luella

May 30, 2007

To all members of the Committee on Public Health, Senior Issues, Long Term Care & Privacy:

Please support our Governor as he attempts to improve the health of Wisconsin citizens. We all want to decrease premature sickness and death of our citizens. I know that you want to protect our children from health risks and provide affordable health care for as many Wisconsinites as possible.

To assist with this, we need a smoke-free state. If smoking is not allowed in any workplace the health quality will drastically improve among our citizens. This will turn out to be more than just a health benefit. Business will also benefit because workers will be sick less, more productive and their health care costs will decrease.

Only 21% of Wisconsinites smoke, yet we are all paying for the cost of smoking and secondhand smoke exposure.

Thank you for supporting Senate Bill 150, legislation that will improve the quality of life for all Wisconsinites.

Sincerely,

Professor John Harrington
Dept. of Physical Education
UW Marshfield/Wood County

Home address:
221 South Hickory Court
Marshfield, WI 54449

SB150?

May 30, 2007

Dear Honorable Member of the Senate Public Health Committee,

Tobacco smoke in the air at any workplace is placing Wisconsin residents at risk for death and disease. Secondhand smoke is a major public health issue and I welcome the Wisconsin legislature discussing these concerns.

Smokers have a right to smoke, but that right ends when they blow that smoke into the air that I breathe. The facts are clear, and the scientific evidence as presented in June of 2006 by the Surgeon General's report states that there is no risk-free level of exposure to secondhand smoke. Government has a responsibility to protect the public from harm, why are you letting tobacco exposure get a pass?

A statewide comprehensive smoke-free air law ends the confusion of whether a community is safe. It's time for a smoke-free law that protects all workers from the damaging effects of secondhand smoke.

Thank you,



Dianna Forrester
3005 Newark Drive E
West Bend, WI 53090

Date: May 30, 2007

To: Senate Committee on Health, Senior Issues, Long-Term Care and Privacy Committee

Re: SB 150

From: Brian Harrison, M.D. Affinity Health System Appleton, WI

Working people in Wisconsin are being harmed today and everyday by an uncontrolled workplace toxin - second hand smoke. It causes more work related illness and death in our state than all other airborne toxins combined. Neighboring state legislatures have eliminated this threat to working people in their states. They acted decisively to do what needs to be done. And, what needs to be done is easy and straightforward: tell the public that "it doesn't kill anybody to smoke outside."

In my office just yesterday I was caring for a tavern manager from a town contiguous to Appleton. He is suffering from degenerative disc disease, one of the dozens of conditions which are worsened by cigarette smoke. He wants to quit smoking, has wanted to for years, but has been prevented from doing so by heavy second hand smoke in his workplace. He told me, "I wish our business was in Appleton. Then I could have quit smoking by now." He is right. Since he can't move his business to Appleton, please extend the smoke free workplace ordinance of that city to the rest of the state. It has been a striking success.

Brian D. Harrison MD

Certified by the American Board of Preventive Medicine and the American Board of Family Practice

Fellow of the American College of Occupational and Environmental Medicine

May 30, 2007

Melody Bockenfeld BSN, MPH
4341 N. Woodridge Drive
Appleton, WI 54911

To the Honorable Members of the Senate Public Health, Senior Issues, Long Term Care and Privacy Committee,

Thank you for the opportunity to express my support for the Breathe Free Wisconsin Act (SB 150). I live in Appleton and worked as a volunteer for the 100% smoke-free workplace referendum, which was affirmed by Appleton voters in three elections. During that process I talked with hundreds of voters, and the vast majority were supportive and excited about smoke free workplaces. SB 150 allows all residents and workers in Wisconsin to experience the same protection we enjoy in Appleton.

Communities across the state have mobilized support for local ordinances through grassroots efforts. The time has come for a statewide policy to eliminate exposure to secondhand smoke. I am a registered nurse and a public health professional. Throughout my career I have watched the scientific evidence documenting the health risks of smoking and exposure to secondhand smoke build. The conclusions are irrefutable, and the public is convinced. Nearly two-thirds of Wisconsin voters support a law that makes all workplaces, including restaurants and bars, smoke-free.

Supporting SB 150, without exemptions, provides you with the opportunity to have a positive impact on the health of thousands of individuals, and allows Wisconsin to join other states at the forefront of protecting the public's health.

Sincerely,

A handwritten signature in cursive script that reads "Melody Bockenfeld".

Melody Bockenfeld

May 30, 2007

SB150?

Dear Senate Public Health, Senior Issues, Long Term Care and Privacy Committee,

As a public health nurse, I have witnessed first hand the devastating effects of smoking on the incidence of chronic health problems such as heart disease and asthma. I believe with a statewide smoke free air law, we would begin to see an improvement in these, and other chronic illnesses.

Personally, I appreciate the ability to socialize in public places in a smoke free environment where I do not have to worry about the short and long-term effects of second hand smoke on my health.

I am a definite proponent of the statewide smoke free law.
Thank you for your consideration in this matter.

Sincerely,



Deborah Zernicke
404 N Madison Street
Bonduel, WI 54107

SB 150?

PCHHS

Portage County Health & Human Services

RAY PRZYBELSKI, DIRECTOR
(715) 345-5350 FAX (715) 345-5966
E-MAIL: przybelr@co.portage.wi.us

RUTH GILFRY HUMAN RESOURCES CENTER
817 WHITING AVENUE
STEVENS POINT, WI 54481-5292

May 30, 2007

Honored Members of the Senate Public Health, Senior Issues, Long Term Care and Privacy Committee:

Due to a speaking commitment I am not able to testify today. I would like to take this opportunity to share my experience as the Portage County Health Officer on clean indoor air legislation efforts. At the request of three municipalities, I have worked with various committees and boards to enact clean indoor air policy; one municipality passed an ordinance without assistance from the health department. In each of these efforts a number of common themes arose:

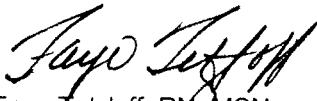
- Strong community support for comprehensive legislation (an ordinance that includes all workplaces) to minimize exposure to second-hand smoke in buildings open to the public.
- Recognition that exposure to second-hand smoke is a health issue. The intent of local ordinances is founded on the belief that government must protect the health of citizens.
- Despite recognition that a comprehensive ordinance is the most effective, the adopted ordinance includes compromises for certain industries that feel they will be economically impacted by comprehensive laws. These compromises weaken the intent of the ordinance and create confusion about which entities the ordinance applies to.
- A request that the "State" pass comprehensive legislation that "levels the playing field" for all parties.

These time-consuming efforts have resulted in four different ordinances within central Portage County. One of which did not require any business to change its practice because of the numerous exemptions.

Each of these ordinances required a great deal of time and resources. Resources that could be used for interventions and strategies identified by the Centers for Disease Control to: help citizens, especially youth, quit smoking; educate youth about the risks of tobacco to prevent the initiation of smoking; and eliminate tobacco related disparities. Comprehensive State legislation would eliminate exposure to second-hand smoke and re-direct health efforts toward prevention and cessation that will continue to offer healthy and cost-effective results.

Thank you for your consideration.

Sincerely,



Faye Tetzloff, RN, MSN
Portage County Health Officer

Where Government Serves the Community

May 30, 2007

SB 150?

To the Health, Senior Issues, Long-Term Care and Privacy Committee

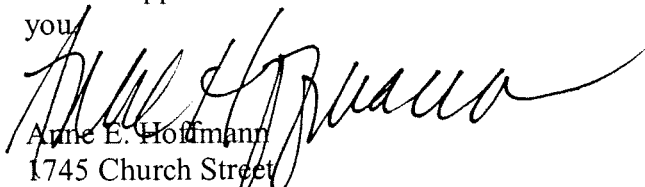
As a Wisconsin citizen since 1991 and as a health promotion practitioner at the University of Wisconsin-Stevens Point, I strongly encourage your committee to support the WI bill to prohibit smoking in all indoor places. I actively support this bill and ask that you support it for several reasons.

First, legislation prohibiting smoking in indoor environments in Wisconsin should be *applied equally* so that everyone is guaranteed protection from secondhand smoke. I am fortunate to work in a building that is entirely smoke-free. All of my friends and family members should be afforded that same opportunity. Further, the college students that I serve often work in restaurants and taverns because the hours are flexible with their schedules. Restaurant and tavern workers deserve the same health protections that I do.

Second, smoke-free spaces are *good for health and quality of life*. Similar legislation passed in other states has led to immediate health improvements. In a study of bartenders, reducing their exposure to secondhand smoke reduced their incidence of illness. Also, as a result of community volunteering, I have had the chance to get to know several elderly people in my community. Avid bowlers most of their lives, they have lost their active, social life because their health conditions demand that they avoid smoke-filled places. Their quality of life suffers as they have no where to go to be active and engage with their life-long friends! They cannot "go for coffee" in their favorite café with friends because of the smoke. These WI citizens should not have to choose between their health and their social connectedness--both are critically important.

Third, there is *no safe level of exposure* to secondhand smoke. Ventilation and air filtration cannot completely eliminate all the poisons and toxins in secondhand smoke. Government health agencies, numerous air filtration companies (such as The Sharper Image, Oreck, IQAir North America, and United Air Specialists), and the American Society of Heating, Refrigerating and Air Conditioning Engineers agree that the only effective way to eliminate the smoke is to make indoor areas 100% smokefree. Nonsmoking sections and separate smoking rooms do not eliminate nonsmokers' exposure to secondhand smoke.

Please support this bill and contribute to the health and wellness of all WI citizens. Thank you.


Anne E. Hoffmann
1745 Church Street
Stevens Point, WI 54481
715-340-4291

SB 150?

30 May 2007

Dear Members of Senate Public Health, Senior Issues, Long Term Care and Privacy Committee,

Thank you for discussing the issue of creating a smoke-free state. I know you will make the right decision regarding a statewide smoking ban. This is a difficult issue due to pressure from both smokers against the ban and non-smokers in favor of a smoke-free environment.

I served as chairman for the City of Wausau's committee to write a no smoking ordinance, after a referendum passed in favor of a smoking ban. I can empathize with you regarding the difficulty in making a decision on this issue.

In the written ordinance, taverns were exempt from the smoking ban. This was the compromise reached after a lengthy discussion between committee members, the Tavern League and the County Health Dept. Shortly after the issuance of the ordinance, a young single mother of two children spoke to the committee regarding the lack of protection this ordinance gave to herself as a bartender and other tavern employees. This young mother graduated from high school, but had no marketable skills. She tried working in a factory on a full time basis, but the majority of her salary paid child care expenses, not leaving enough for living expenses. Due to her lack of skills, she became a bartender. The amount of money she earned, plus family help with childcare, allowed her to earn a living wage without dependency on the state welfare system. She was appalled at the unfairness of the ordinance to protect factory workers and other business and public employees, but not employees of the tavern businesses. This woman felt she had no choice of employment options in order to provide for her family, therefore so choice about protecting herself from the health risks of second hand smoke. Second hand smoke is just as deadly for a non-smoker as smoking is for a smoker. The difference is a matter of choice. Non-smokers, who have to breathe smoke, have no choice. A smoker makes a choice to take the health risks caused by smoking.

I urge you to consider a statewide smoking ban, which will occur at every business and public domain in this state. Thank you for your time and consideration in this matter.

Sincerely yours,
Edward f. Gale
Aldersperson for the City of Wausau



DATE: May 31, 2007
TO: The members of the Committee on Public Health, Senior Issues, Long Term Care and Privacy
FROM: Didi Heisler,
6632 Boulder Lane, Middleton, WI 53562
(608) 831-8518
RE: The Breathe-Free Wisconsin Act (SB150)

I feel that the Senate Bill 150 is crucial to protect ALL workers from second hand smoke. As smoking has been banned in all other places of employment, we now have a situation in which bar and tavern employees are an employed underclass, the ONLY group of workers who are not protected from these toxic, carcinogenic substances. The health affects of second-hand smoke are incontrovertible. Just as we would not allow some patrons in a bar to put poison in the drinks, it makes no sense to allow some patrons to put poison in the air.

Second-hand smoke affects children, causing asthma and increasing the risk of cancer. I have lived in 8 states and the District of Columbia. This is the only place I have lived where children are allowed in bars. If we are going to allow children to accompany adults into bars, then I believe we are OBLIGATED to protect their delicate bodies by making these bars and taverns smoke free.

Finally, my grandfather quit smoking 40 years before he died struggling to breathe from the effects of emphysema (COPD). His doctor made it clear that it was second hand smoke (in the workplace in the 60s, 70s, and 80s and at home where my grandmother continued to smoke) that killed him. My grandfather was a loving and compassionate man who spoiled his daughters and granddaughters with attention. I remember him riding on the kiddy rollercoaster with me when I was too little to ride the big one with the older kids. I grew up with a single mother. It was my grandfather who came to pick me up from school if the nurse called home because I was sick. And when I was a teenager and started dating, it was my grandfather who waited up for me making sure that I got home safely. I remember him standing on the balcony hollering down to me as I got out of the car: "If you're going to get home this late, kiddo, you HAVE to call us!" My son is named after the great-grandfather he never met.

The effects of second hand smoke are not hypothetical. Though not immediate, the effects are devastating and preventable.

Again, I urge your support of this bill when it comes up for a vote. Thank you.

Sincerely,

Didi Heisler, DVM PhD

6632 Boulder Lane
Middleton, WI 53562
(608) 831-8518

DATE: May 31, 2007

TO: The members of the Committee on Public Health, Senior Issues, Long Term Care and Privacy

FROM: Darlene Murphy (4709 Splint Road, Madison, WI 53718)

RE: The Breathe –Free Wisconsin Act (SB150).

I would like to encourage you to support The Breathe –Free Wisconsin Act (SB150). As I'm sure you're aware, Minnesota passed a bill that will make all workplaces smoke-free beginning October 1, 2007; and Illinois passed a bill that will make all workplaces smoke-free beginning January 1, 2008. In addition, almost two-thirds (64%) of Wisconsin voters support a law that makes all workplaces and public places, including all restaurants and bars, smoke-free. (The Mellman Group/Public Opinion Strategies poll Feb. 2007).

I appreciate the smoke-free air in the city of Madison and hope you can help the entire state adopt this important legislation that improves quality of life and protects the health of all Wisconsin workers. Thank you!

May 31, 2007

Honorable Members of the Public Health, Senior Issues, Long Term Care and Privacy Committee;

As a registered nurse and an American Cancer Society Volunteer, I believe the scientific evidence is so compelling that passing a statewide ban on smoking in workplaces is absolutely the right thing to do for our Wisconsin workforce. It is also a smart thing to do to help reduce the burden of the high cost of health care.

SB 150 is much more about health and safety than it is about consumers' choices to smoke or not smoke or choices of employers to run workplaces as they see fit. Second-hand smoke is a serious health threat.

In 2006, in the most comprehensive study ever conducted on secondhand smoke, the Surgeon General concluded **there is no safe level of exposure.** "The debate is over," Dr. Richard Carmona reported, "**the science is clear. Secondhand smoke is not merely an annoyance but a serious health hazard that can lead to disease and premature death in children and nonsmoking adults.**" The report also indicates that people who are regularly subjected to second hand smoke are 25-30% more likely to suffer from heart disease and 20-30% more likely to develop cancer. Recent studies show that workers exposed to second hand smoke have increased symptoms such as congestion, and precursors to emphysema, heart disease, and cancer. When smoking is removed from the environment, symptoms begin to drop immediately and dramatically. I myself am affected whenever I am around second-hand smoke with sneezing, watery eyes, etc.

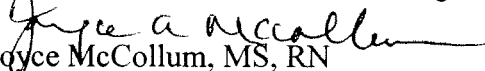
Our own Wisconsin Department of Health and Family Services reports that second hand smoke was responsible for 841 deaths in our state in 2005. That is 29 more deaths than were caused by traffic accidents in that year.

. A statewide work-place smoking ban would not be government's first regulation of private business nor would Wisconsin be the first state to implement it. We are behind many states and especially our neighboring states of Illinois and Minnesota. In fact, Wisconsin restaurants and bars are already among the most highly regulated establishments in existence. Everything from the temperature of the food served to the cleanliness of the plates is subject to standards far higher than those we hold for our own kitchens. If the level of 40-50 cancer-causing chemicals in the air at a "smoke-friendly" establishment were, instead, detected in food or drink, the place would likely be closed down until the problem was corrected. How can we justify allowing second-hand smoke in work places any longer?

All of us are paying for the increased health care costs due to problems caused by smoking and by second-hand smoke. We pay for it in our health care premiums, our deductibles, and in our taxes for programs like Medicare, Medicaid, and Badger-Care. That cost is huge.

It would be great if the marketplace would always take care of health and safety issues. But it hasn't done that in many instances. The "the marketplace" didn't institute drunk driving laws, hunting bans within city limits, mandatory fire exits and the other safety protections we count on to protect our health and lengthen our lives.

I believe supporting the state-wide workplace smoking ban is simply the right thing to do for Wisconsin, its children and future generations. It'll save lives and save money. It's time!


Joyce McCollum, MS, RN

American Cancer Society Volunteer

Brown County ACS Local Leadership Council, Chairperson

WI ACS State Advisory Council Member and Community Presence Comm. Chairperson

Midwest Division of the ACS Cancer Initiative Grants Workgroup Chairperson

Registered Nurse since 1963

1517 N. Bay Highlands Dr. Green Bay, WI 54311 mccollum@netnet.net

HEALTH DEPARTMENT

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JUDY FRIEDERICHS, R.N., B.S.N.

DIRECTOR

May 31, 2007

TO: Chairperson, Senator Tim Carpenter, and Members,
Committee on Public Health, Senior Issues, Long-Term
Care and Privacy

FROM: Judy Friederichs, RN
Director

RE: Support for SB 150, the Breathe Free Act

This is to express support for SB 150 with no exemptions.

The Brown County Board of Health at its April meeting voted in support of a statewide smoke-free workplace ordinance with no exceptions. A letter was sent out to all local legislators by Dr. Jay Tibbetts, Acting Chairperson. Additionally, the Brown County Board at its May meeting *failed to pass* a resolution opposing SB 150.

The adverse health effects of secondhand smoke are well documented. By now, you have heard much testimony detailing these effects, and quoting the most recent 2006 Surgeon General's report on secondhand smoke. One of the basic concepts in that report was that there is no safe level of secondhand smoke.

The risk of exposure is not only to the employees, but other employees whose work takes them into other businesses. Such is the case with health department inspectors, for example, who must do their work in licensed establishments daily.

One of the counter-arguments often expressed is concern for the intrusion on individual or business rights. First of all, the right to breathe clean air is a priority over the right to pollute. Also, regulations to promote health and safety are already integrated into our society. Some of these include codes related to inspecting licensed establishments, OSHA regulations, traffic laws, alcohol use laws, etc.

There have also been studies showing that clean indoor air policies do not have a negative impact on business beyond the normal rate of turnover in a given year. This data is available from the many states and municipalities who have had numerous years of experience with such an ordinance.

I don't believe that the trend is going to reverse itself to allowing more smoking in public places. Given this, why would we not want our citizens to enjoy improved health care and a related improvement in health care spending *sooner rather than later*?

31 May 2007

Sandy Bernier
831 Minnesota Ave
North Fond du Lac WI 54937

SB 150?

My name is Sandy Bernier and I live at 831 Minnesota Ave North Fond du Lac, I am the Tobacco Prevention Educator for the Fond du Lac County Health Department. I would like to thank all of the committee members for the opportunity to speak to you today about the "Breath Free Wisconsin Act".

As a tobacco prevention educator I can tell you the facts about secondhand smoke are clear and convincing, there is no safe level of exposure, and no ventilation system will protect workers and patrons from the exposure to the cancer causing agents. In 2006, the Surgeon General confirmed this fact stating "no level of secondhand smoke is safe." Service workers deserve the same protection from secondhand smoke that office workers enjoy, smokefree policies improve worker health, lower health care cost, and provide greater support and incentive for smokers who wish to quit.

As an ex-smoker, who has been tobacco -free for twenty -five -years, I understand tobacco addiction and I have compassion for those who are addicted. I also understand the benefits of being smokefree and the necessity to create smokefree environments that protect everyone from exposure to toxic chemicals like formaldehyde, arsenic, and ammonia., just to name a few. The Breath Free Wisconsin Act would be tobacco prevention at its best, giving everyone the right to breath clean air, eliminating exposure to secondhand smoke, and providing support and incentive for smokers who choose to quit.

Sandy Bernier
831 Minnesota Ave
North Fond du Lac WI 54937



Wisconsin Public Health Association
Wisconsin Association of Local Health
Departments and Boards



TO: Senate Public Health Committee Chair and members
FROM: Wisconsin Public Health Association & Wisconsin Association of Local Health Departments and Boards
DATE: May 31, 2007
RE: Support for Senate Bill 150 – The Breath Free Wisconsin Act

The Wisconsin Public Health Association and the Wisconsin Association of Local Health Departments and Boards would like to take this opportunity to urge you to support Senate Bill 150 – the Breath Free Wisconsin Act. The legislation would create a statewide smoking ban in any public indoor place or place of employment – including restaurants and taverns.

We believe your constituents deserve protection from the dangers of secondhand smoke, which is a proven human health hazard. In fact, the Surgeon General has confirmed that secondhand smoke leads to chronic disease and premature death, and the only way to protect non-smokers is to prohibit smoking in indoor environments.

Nineteen states, including our neighbors in Minnesota, have enacted smoke-free workplace laws that cover all restaurants and taverns. It's time for the citizens of Wisconsin to have those same protections. Just as your constituents expect to have clean drinking water and a safe food supply, they also have a right to breathe clean air. Not surprisingly, nearly two-thirds (64%) of Wisconsin voters support a statewide smoke-free workplace law.

Twenty years of scientific research that clearly illustrate the health dangers of secondhand smoke simply cannot be ignored. It's time to give all Wisconsin citizens the right to *Breath Free* and work in a smoke-free environment. Once again, the Wisconsin Public Health Association and the Wisconsin Association of Local Health Departments and Boards would urge you to support Senate Bill 150.

The Wisconsin Association of Local Health Departments and Boards is a statewide organization comprised of local boards of health members and health department administrators. The organization provides a unified forum for public health leadership, development, advocacy, education and forging of community partnerships to improve public health at the local level. WALHDAB represents over 800 local boards of health members and public health officers.

The Wisconsin Public Health Association is a statewide organization dedicated to protecting and promoting personal and public health through educational and scientific programs. As one of the state's largest associations of public health professionals, WPHA represents more than 350 members from public and private sector organizations. Members include individuals from local, regional and state public health agencies as well as hospitals, clinics, community-based organizations and academia.

Testimony on SB 150
Presented on behalf of a coalition of Madison tavern owners
By Jerry Deschane
May 31, 2007

We represent a small group of Madison tavern owners who are experiencing firsthand the economic impact of a partial smoking ban. It is a partial smoking ban because it only applies to the city of Madison, not surrounding communities. Smoking in public buildings, including taverns, is prohibited in Madison. It is not prohibited in taverns in communities adjacent to Madison. As a result of this ban, several “mom and pop” taverns in Madison have gone out of business. Other taverns have seen their business drop by 50-percent. At the same time, at least one tavern owner outside the city of Madison has reported a significant increase in that tavern’s business volume. An uneven playing field does not work.

Our appeal to the Legislature is for a level playing field. If you choose to pass a statewide smoking ban, make it a uniform smoking ban. If you choose to ban smoking in taverns, ban it in all taverns. On the other hand, if you exempt smoking in taverns, exempt it from all taverns.

Wisconsin is a state dominated by small towns. Madison is a small town. It only takes a couple of minutes more to drive from an in-town tavern to an out of town tavern. Those who prefer a tavern where smoking is allowed only have to go a few blocks or a couple miles down the road. The economic damage that has been done to many Madison taverns is proof that people can and will vote with their feet.

Government has the right to impose regulations that have a significant impact on business. However, government has a responsibility to recognize the economic effect of those regulations. Government also has a responsibility to impose regulations fairly. Similar treatment as their competitors is all Madison tavern owners are seeking.

May 31, 2007

To: The Senate Public Health Committee

From: Jim Christensen, Owner
Kurtz's Pub & Deli
Two Rivers, WI 54241
920-793-1222

I know there is strong opposition to the smoking ban from the Tavern League, of which I am a member. I strongly disagree with their narrow-minded position on this issue. The Board of Directors of the WRA recently voted overwhelmingly to support a statewide ban. They are correct in wanting to level the playing field. Both of our sister states, Illinois and Minnesota, have just passed smoking bans. We need to join them in the progressive tradition of Wisconsin and really make it a level playing field for all of us.

Tobacco kills 444,000 smokers every year in the U.S. and secondhand smoke inhaled by bystanders claims another 50,000 lives. ⁽¹⁾

The majority of people in Wisconsin clearly want a smoking ban. As legislators, you will be subject to a lot of pressure. Sometimes you just have to stand up, stiffen your backbone, and do the right thing for the majority of the people you have been elected to represent.

We all know how healthcare costs are spiraling out of control in this country. You now have an opportunity to save lives and save money for the future prosperity and well-being of this great state. Don't let this chance pass you by! Please support SB 150.

Sincerely,



Jim Christensen

(1) Source – New York Times editorial May 30, 2007

SB 150?

May 31, 2007

Dear Honorable Members of the WI Senate Public Health Committee:


For the past 7 years, I have been privileged to serve as the Coordinator for a local Tobacco Prevention and Control Coalition. I became involved in this Coalition because I lost both of my parents and my husband's parents all due to lung cancer caused by smoking, and all died before ever reaching the age of 60. I work in the field of tobacco control because I want to do whatever I can to prevent another generation from suffering from the burden of tobacco.

However, I am here today as a Citizen of the great state of Wisconsin and, more importantly, as a mother. One of my children is a life-long asthma sufferer. He is one of 450,000 Wisconsin residents (approximately 9% of the population) that live daily with asthma. A statewide, comprehensive smoke-free air law is an opportunity for all Wisconsin residents to "breathe free", but as a parent of an asthma sufferer eliminating the potential for secondhand smoke exposure for my son is a life and death experience.

I like to think that at the age of 18, my son is a fairly sturdy individual even though he lives with asthma. He is a four year Varsity football award winner at Cedarburg High School, and an all-conference selection for his tearing up the football field as a running back and defensive back. But, nothing cut him down faster than when he performed with his garage band classmates at a local bar/restaurant "battle of the bands" event last summer. Just one adult smoking at the bar area of this "family restaurant" in Cedarburg was enough to send my otherwise healthy son gasping for air and needing a hospital admission for inhalation therapy. Through his career in football, he has had several broken bones and even a spinal contusion running with the ball, but nothing frightened me more than seeing my son gasping for air because of exposure to someone else's tobacco smoke.

In one week, he will graduate from Cedarburg High School and will next fall be a student at UW-Milwaukee, a campus that went entirely smoke-free as of September 2006. It's time for everyone who lives and works in Wisconsin to have the same basic protections from secondhand smoke. A consistent, strong statewide policy eliminates the confusion of wondering "is this business truly smoke-free (forget designated areas or ventilation)" and establishes a statewide standard of eliminating exposure to secondhand smoke in public, indoor areas.

Thank you for putting the health of Wisconsin residents as a priority issue. Thank you for understanding that indoor exposure to other people's tobacco smoke is a life and death issue...especially a daily challenge for those Wisconsin residents who live with asthma and other lung diseases, like my son Ian.

Sue Marten 
2433 Dove Court, Cedarburg, WI 53012
262-675-2193 smartensw@wi.rr.com

May 31, 2007

The Committee on Public Health, Senior Issues, Long Term Care and Privacy

My name is David Benam and I am a senior at Bay Port High School in Green Bay. Today is my last day of High School and that is why I am not present today.

I am here to represent the youth of Brown County and Wisconsin. Also, I am a State Youth Board of Director for FACT (Fight Against Corporate Tobacco).

The "facts" tell us what will cause fewer teens to start using tobacco products. One very important solution is having smoke-free facilities. By having a smoke-free all employees are protected from the harmful effects of secondhand smoke.

Kids all over Wisconsin my age are seeking part time employment. Many teens will be working at jobs where they are exposed to the dangerous health effects from secondhand smoke, not because they want to but their options are limited.

To prevent youth from using tobacco and for the health of all Wisconsin residents please support the Breathe Free Act – SB 150 with no exemptions!

Thank you.

Sincerely,

David Benam
1110 Chaple Hill Circle
Green Bay, WI 54313

Date: May 31, 2007

To: Members of the Senate Committee on Public Health, Senior Issues,
Extended Care and Privacy

Re: SB 150

I live in rural Eau Claire County, and I support SB 150 as currently written. My reasons are simple:

- Everyone (even most smokers) knows that secondhand smoke is toxic and poses serious health risks. There's really no excuse for continuing to allow the release of a known human carcinogen inside our public buildings and businesses.
- Telling smokers to smoke outside isn't a hardship and doesn't "ban" smoking. Smokers are simply not allowed to harm the health of other people by smoking indoors. This is common sense.
- The 80% of us who don't smoke will once again be able to patronize our small town taverns and restaurants without jeopardizing our health. According to my math, this would mean more business for them, not less.
- All workers will have the same health protection now afforded primarily to people in white collar jobs. This is fair.
- Kids will see adults "walk their talk" that smoking is bad for health, and that can send a powerful message affecting generations to come.
- Wisconsin already lags behind many other states that have gone completely smoke-free (most recently Minnesota and Illinois). Wisconsin needs a clean indoor air law for the 21st century.

Sixty-four percent of Wisconsin voters support 100% smoke-free workplaces, including taverns and restaurants. Please listen to us and send SB 150 to the Senate without amendments that dilute or delay it.

Thank you.



Julie Marlette
E11005 Railroad Drive
Fall Creek, WI 54742

This is truly a pro-life issue D.L.
SB 150?

Honorable members of this committee. I am from Oshkosh WI. I have studied the issue of smoking for more than 20 years and received grants through the University of Wisconsin system and the American Lung Association to study patterns of adolescent smoking from 1986 to 1991.

Please make the Breathe Free Wisconsin Act apply to all indoor places of employment without exception. In April 2004 Oshkosh passed by citizen initiated ballot an ordinance mandating smokefree restaurants while exempting bars making 70 percent of their income from drinks. This has resulted in opposition from businesses wanting exemptions from the ordinance because their neighbors had exemptions under the ordinance.

Currently there are two restaurants in Oshkosh that have exemptions that are probably illegal under the Oshkosh ordinance. The remainder of over 100 Oshkosh restaurants are complying with the ordinance. By passing a universal law, differential compliance problems would be removed from the entire state. For example, there is currently on appeal in Ohio a judge's ruling that restaurants or bars passing themselves off as private clubs are breaking Ohio's smokefree law. The judge ruled these businesses were breaking the law because these so called private clubs had employees. Please protect all employees from secondhand smoke.

In my efforts to prevent adolescent tobacco addiction, I once a week during the school year go out to talk to kids smoking near Oshkosh West High School. Sometimes a kid will accept American Cancer Society's quit smoking tips from me. An occasional person has told me they have quit because of my efforts. On the other hand, kids have also told me that if smoking was as bad as the research says, they wouldn't be allowed to smoke. Currently in many parts of Wisconsin, kids are allowed to smoke even though it is illegal for them to possess tobacco.

According to the US Center for Disease control, Wisconsin has close to 1000 deaths yearly from secondhand smoke. American Cancer Society says more deaths than that. This is a higher total than we have of vehicle crash deaths. The most common fatal effect of secondhand smoke is sudden death by heart attack. Secondhand smoke is known to cause miscarriages, stillbirths, sudden infant deaths, birth defects, and attention deficit disorders in children. If we do not ban smoking in bars, to protect their offspring from secondhand smoke will we make it illegal for pregnant women to go to bars?

Please ban smoking in all indoor places of employment without exception.
Daniel Lynch, 310 S. Eagle St. Oshkosh WI 54902. 920-235-4942

Daniel Lynch 5-31-07

May 31, 2007

Stacy Brager
938 Water St. #202
Sauk City, WI 53583

SB 150?

Dear Dale Schultz and the Rest of the Wisconsin Senate,

As a voting citizen of Sauk County I take the Smoke-Free Workplace Bill very seriously. The clear fact is that smoking does cause cancer, heart disease, and several other illnesses. Knowing this fact I think it is your responsibility to protect the health of those people living in Wisconsin.

I know that some people will argue that smoking is a right and they should be able to do so wherever they please. The truth is that smoking is not a right is it a choice. People choose to smoke knowing the risk that they face by doing so. The people that choose to smoke do not have the right to endanger my health.

It will also be argued that non-smokers can simply choose to not enter places where people are smoking. I do choose to drive to Madison to go into bars and restaurants where smoking is not allowed. I do not choose to stay in Sauk City where the bowling alley is filled with a cloud of smoke; the same bowling alley where children go to bowl and have fun. I choose to make the right choice for my health. But, I should not have to drive a half hour simply to enter an establishment I feel is better for my health.

I choose to not smoke in order to protect my health and the health of my friends and family. I feel that it is not right or fair that someone else's choice directly affects my health. You have the power to directly affect the health of those people who live in Wisconsin. Are you going to use your power to protect your children, your family, your friends and constituents?

Sincerely,



Stacy Brager

Ladies and gentlemen, thank you for letting me speak today. My name is Caryn Nickels and I am from Manitowoc, Wisconsin. I am here today to impress upon you the need to pass senate bill 150.

Governor Doyle's proposal for all work places, such as offices, restaurants, bars, bowling alleys, and buildings where people work, to be smoke free, is the correct thing to do. Passing this bill will serve to protect the people of Wisconsin by creating a healthier work place environment.

Many of these work places also serve as places for social gatherings. I should have the right to socialize in a smoke free environment, free from the worries of health issues. I am sick and tired of the stench from someone else's habit. I hate waking up in the morning feeling ill with a parched throat and headache.

For 54 years I have dealt with my family and friends addiction and we have all come to realize this is not a healthy situation. Needlessly, too many have gotten sick and or died because of someone else's bad habit.

Please consider passing this bill for my health, the health of my children and my soon to be born granddaughter. I pray that they will not have to endure the dangers of second hand smoke ever again and you can make it a reality. Thank you.

Caryn Nickels
5/31/07

DaNita, Don, Presley & Peri Carlson
11621 80th Street South
Wisconsin Rapids, WI 54494
715-325-2596

Thursday, May 31, 2007

To all members of the Committee on Public Health, Senior Issues, Long Term Care & Privacy:

I'm here to ask for your support for Senate Bill 150.

My 10 year old daughter, Peri, has asthma. When she was diagnosed, I was upset for 2 reasons, one reason being the diagnosis and what negative implications it would have on her entire life; the other reason being, I knew the asthma could have been prevented. While I was pregnant with her, I was exposed to secondhand smoke for 40+ hours per week at my workplace. Science has now proven that secondhand smoke is damaging to a fetus. But even in 1996 I knew secondhand smoke was deadly. I knew it was not in my best interest or my unborn child's to be inhaling the carcinogens in the secondhand smoke.

At that time I wrote a letter to the administration at my workplace requesting a change with the smoking areas which were within feet of my work area. Their response was simply stated, "Cigarette smoke cannot be detected in your work area." And no change was made. I needed the job to support my family and carried the insurance for our family, so I was forced to continue working there. Now I believe my daughter must suffer the negative health consequences of my workplace exposure.

My husband, Peri's dad, is still exposed to secondhand smoke in his workplace day after day. He is a factory worker who works in the paper industry. As you know, the paper industry has been hit hard in the past few years. Our paper town, Wisconsin Rapids, has experience a massive amount of job losses. My husband cannot just "find another job" as some pro-tobacco people so arrogantly say. He is an unskilled laborer without a degree. His options are very limited. He makes a decent wage and now carries the health insurance for our family.

My husband has requested a change in the smoking areas in his workplace. Some small changes have been made, but the progress in making his workplace smoke-free is slow, to say the least. And while we patiently wait for a policy change to be made, my husband suffers from head aches and sinus problems due to his workplace exposure to secondhand smoke.

As a policy maker, your responsibility is to intervene when it comes to the health and safety of the public. You were voted into office to make these "tough decisions" that no one else has the guts to make. Also, when you see an initiative that makes good sense, you need to pass it. It is your duty to keep my child, my husband and all residents of Wisconsin free from secondhand smoke exposure.

Legislation prohibiting smoking in indoor environments should be applied equally so that everyone is guaranteed protection from secondhand smoke exposure. Restaurant, tavern and factory workers deserve the same health protections that people who work in an office building do. Senate Bill 150 can provide this protection.

If this bill would pass, my daughter would be safe from secondhand smoke exposure in public places and her dad would be safe from secondhand smoke exposure in his workplace.

It is imperative that this bill pass for the health and safety of all residents in Wisconsin.

Thank you for the opportunity to testify.

DaNita Carlson

May 31, 2007

Honorable members of the Senate Public Health, Senior Issues, Long Term Care and Privacy Committee:

As the mother of 2 children, wife, daughter and friend, I am here today to strongly urge you to support SB 150 to make Wisconsin's workplaces smoke-free.

Secondhand smoke, also known as environmental tobacco smoke, is classified as a "known human carcinogen" by the US Environmental Protection Agency (EPA). When nonsmokers are exposed to secondhand smoke it is called *involuntary smoking*. Sounds pleasant, doesn't it?

Smoking is associated with increased risk for at least 15 types of cancer. In Wisconsin, lung cancer was the leading cause of cancer deaths and killed more than 2,700 Wisconsin residents in 2003 - that's more than 7 people each and every day. That's close to the equivalent number of deaths of a 9/11 event every year in Wisconsin! **Nonsmokers** exposed to secondhand smoke were 25% more likely to have coronary heart diseases compared to nonsmokers not exposed to smoke.

According to the US Dept. of Health, levels of secondhand smoke in restaurants and bars were found to be **2 to 5 times higher** than in residences with smokers and 2 to 6 times higher than in office workplaces. I am privileged to have a smoke-free workplace - ALL Wisconsin residents should be able to earn their living in a smoke-free environment and not have to choose between their health and earning that living. Many of my musician friends are forced to earn their living in a smoke-filled environment that is hazardous to their health. My family and I would enjoy being able to go out to eat, or go bowling without having to consider our exposure to secondhand smoke. Secondhand smoke is the reason I say no when my children ask to go bowling.

A statewide smoke-free bill would make indoor air cleaner for Wisconsin residents in every community. My sister-in-law, the mother of 3 young children, moved to Green Bay from Eau Claire and was extremely disappointed to find that Green Bay is not smoke-free.

This is a matter of public health. There is no such thing as a non-smoking section in a public building. If smoking is allowed anywhere in a building, secondhand smoke is everywhere. Separating smokers from nonsmokers, cleaning the air, and ventilating buildings cannot eliminate exposures of nonsmokers to secondhand smoke. A minority of people should not be able to poison the air and ruin the health of the majority of Wisconsin's residents.

Making all workplaces smoke-free would make a huge impact on the health of TENS OF THOUSANDS of Wisconsin residents. Smokers would also have more incentive to quit since there would be fewer opportunities to smoke.

Thank you for your time and consideration for the health of all Wisconsin residents.

Sincerely,



Lynn Belongia
1485 West Marhill Rd.
Green Bay, WI 54313
920.494.3694

5/31/07

Dear Public Servants on The Committee on Public Health, Senior Issues, Long Term Care and Privacy,

I am writing this letter to request your support for SB 150. This particular bill is important to me if for no other reason than it *just makes sense*.

You and your political colleagues were elected by the citizens of Wisconsin to represent our best interests. One of the major concerns in our state and around the country is healthcare costs. Tobacco is directly responsible for \$2.02 billion dollars in health care costs in the State of Wisconsin. Passing SB150 would reduce the number of smokers and the impact they have on non-smokers and health care in general. That decrease could have a significant impact on costs related to healthcare in the state. Passing a bill that would impact an important constituent issue and further preserve your position as a representative of the voting public *just makes sense*.

Tobacco is directly responsible for 30% of cancer related deaths. For my own personal well-being, I choose not to use tobacco products. However, current laws allow for those who have not made that choice to affect our health and that of our family members. One person can negatively affect a whole room full of people who chose to live a healthy, smoke free lifestyle. Not letting a minority group of people negatively impact the lives of those who choose to live responsibly *just makes sense*.

My wife and I are just starting our lives together and have not yet had the pleasure of having children, something we are looking forward to doing. Growing up, I was always told that, "a parent will do anything to protect their child and to make sure they are safe." I cannot speak from experience, but my parents always told me I would understand better when I have children. I believe this to be true, and if we can pass a bill today that will protect our children from the negative effects of tobacco in the future, that *just makes sense*.

When I was 17 years old I watched my Grandmother go through a relapse of cancer. It started out that she was just weak and tired, so we couldn't visit for too long at the hospital. By the end of her battle with cancer, she was tiny, frail, covered in sores, and we couldn't hug her because the slightest touch would add yet another bruise to her already black and blue body. I felt ashamed that I no longer wanted to go visit her for fear that her current state would be all that I remembered. Instead of being sad, I was relieved when she died, because she would not have to suffer anymore. If we can pass a bill that would significantly reduce the chances that you and I, our spouses, our children, our friends and family would have to go through an experience like that, it *just makes sense*.

Thank you for your time and consideration on this truly life changing issue!

Best regards,

Adam Sutter
1773 Guns St.
Green Bay, WI 54311
(920) 469-2012

TO: The Committee on Public Health, Senior Issues, Long Term Care and Privacy
May 31, 2007 Committee Hearing

Submitted by: Kathryn M. Hansen
1240 Washington St
Wrightstown, WI 54180
920-532-4526

Members of the Committee on Public Health, Senior Issues, Long Term Care and Privacy:

Thank you for the opportunity to ask for your support of **Senate Bill 150**, the Smoke Free Workplace Act, also known as the Breathe Free Wisconsin Act.

First of all, let me tell you a little about myself. I am a former smoker who grew up in a home with parents who smoked. I am also a cancer survivor of 4 years. My mother was diagnosed with two kinds of cancer last year, and cancer caused her death. My father has heart disease and had cardiac bypass surgery in 1999. I have experienced the ravages of disease, both personally and as caregivers to my parents, and I care deeply about health related issues. Senate Bill 150, the Smoke Free Workplace Act, addresses a very real health issue.

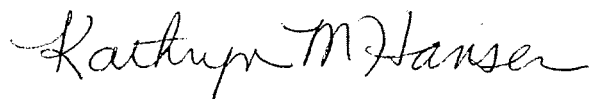
Smoking may be a personal choice, but being exposed to secondhand smoke is not, especially for people who are exposed in their workplaces. Workers, including those in restaurants and bars, should not have to choose between their jobs and their health. We have twenty years of scientific research proving that secondhand smoke is a serious health hazard that causes lung cancer, heart disease and serious respiratory illness in nonsmokers, leading to premature death. The only way to protect people is to eliminate their exposure to secondhand smoke.

I love Wisconsin and I enjoy traveling our beautiful state. I want to patronize restaurants and other business establishments without exposing myself to secondhand smoke. And my voice is but one of thousands, urging you to protect Wisconsin citizens and our right to breathe clean air. According to the Mellman Group/Public Opinion Strategies poll of February 2007, almost two-thirds (64%) of Wisconsin voters support a law that makes all workplaces and public places, including all restaurants and bars, smoke-free.

Twenty states and Washington D.C. have enacted comprehensive smoke-free workplace laws that cover all restaurants and taverns. Our neighboring states of Illinois and Minnesota have passed comprehensive smoke-free legislation as well, with the implementation dates to occur in the next year. Wisconsin needs to join this movement and let the people of our state breathe free.

As a volunteer with the American Cancer Society, I urge you to support SB 150 and ensure that all Wisconsin workplaces are smoke-free, with no exemptions or exceptions.

Thank you.



Kathryn M. Hansen

May 31, 2007

Dear Senators,

I want to speak out in support of SB150. It's time for the state Government of Wisconsin to ensure Safe air just like it ensures safe food + safe water.

I work in a hospital lab + part of my job involves drawing blood from ER patients. Most of the ER patients I see reek of cigarette smoke. The tragic cases are the small children + infants suffering from acute respiratory illness + they reek of smoke from their parents smoking.

Passing SB150 is an important step in de-normalizing tobacco use. Smoking needs to be made socially unacceptable so young people won't start + I won't have to draw their blood in the ER!

One other point - I live near Dodgeville. There is 1 bowling alley. Many kids have birthday parties there. My kids both have asthma. I won't allow them to go to a birthday party at the bowling alley. Is that fair to them? I don't think so. SB150 would allow my kids + the countless other kids with asthma to go bowling without endangering their health.

Thank you, Kathy Cahill
4176 Wilson Rd
Dodgeville WI
53533



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Suite 300
Madison, Wisconsin 53703-2715

608/267-2380
800/991-5502
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E-mail: league@lwm-info.org
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To: Senate Committee on Public Health, Senior Issues, Long Term Care and Privacy
From: Curt Witynski, Assistant Director, League of Wisconsin Municipalities
Date: May 31, 2007
Re: SB 150, Statewide Ban on Smoking in Places of Employment

The League of Wisconsin Municipalities supports SB 150, banning smoking in all places of employment statewide, including restaurants and taverns.

Last session, the League opposed legislation advanced by the Tavern League that banned smoking in restaurants but allowed it in taverns and other places, like bowling alleys. We opposed the bill because it overturned stricter bans adopted in Madison, Appleton and other communities. SB 150 would not preempt any local smoking bans because it mirrors the most stringent anti-smoking regulations adopted in communities like Madison and Appleton.

Municipalities support a uniform statewide ban on smoking to address the competition problems created for restaurants, taverns and other businesses when neighboring communities have different smoking bans in place.

For the above reasons we urge you to recommend passage of SB 150. Thanks for considering our comments.

Margy Davey
885 Portside Court
Oshkosh WI 54901
(920) 233-5055

SB 150?

TO: The Committee on Public Health, Senior Issues, Long Term Care and Privacy
FROM: Margy Davey
DATE: May 31, 2007
RE: Testimony

I want to share with you the reasons why I, personally, am so interested in living in a smoke free state.

Both my parents smoked when I was a child; that was 50 years ago, and at the time they didn't know they were hurting me. They didn't relate my croup, bronchitis, coughing, and tight chest to the second hand smoke that permeated our house and car. They didn't realize that their cigarettes were dooming me to a life of reduced lung function. No connection was made between my low phys ed scores and the second hand smoke I breathed day and night; I couldn't run as fast as my classmates because I had undiagnosed asthma.

Now we do know the dangers of second hand smoke. We have scientific proof that it increases the risk of bronchitis, pneumonia, ear infections, asthma, heart disease, and SIDS. We now know that there is no "safe" level of exposure to the 4000+ nasty chemicals in second hand smoke, and that ventilation systems may remove the smell, but cannot remove the carcinogens.

I believe we owe it to ourselves, our children, and future generations to eliminate tobacco use indoors; knowing the health risks involved, I cannot imagine how we can do anything else.

Because my parents' generation didn't know what we know now, I have asthma, COPD, and my lungs operate at about 40% of capacity on a good day. I do not, nor have I ever, smoked. It cost me over \$5000 out-of-pocket (and my insurance company much more) last year just to keep me breathing; finances notwithstanding, not breathing just isn't a viable option!

I don't wish my fate on anyone, and feel particularly bad for tavern employees without other job skills who must choose between feeding their family or protecting their own health. I'm just thankful that my mother didn't have to live with the knowledge of my diagnosis; she died of lung cancer and emphysema before my condition became known.

Please help Wisconsin join 20 states and several countries in becoming smoke free. It's the least we can do for ourselves and our children.

Testimony before the Wisconsin Senate Committee on Public Health-SB 150
May 31, 2007 – Bonnie Sumner

I would like to begin by thanking my Senator Alberta Darling for signing on as a co-sponsor of SB-150.

I am not here today to speak to you about the health effects of smoking and exposure to secondhand smoke. I have spoken to thousands of students in Wisconsin and I always tell them that if they don't know smoking is bad for them they have been living in a closet. We all know smoking is bad for you, so why do young people still light up and why has Wisconsin not passed a comprehensive smoke free law – the answer to both questions is the same – the tobacco industry. How do I know this? In 1998 the attorneys general of many states, including our now Governor Jim Doyle, signed an agreement with the major tobacco companies part of which forced them to open up their secret documents. These industry documents are now available to be studied and show us a pattern of deception and deceit going back many years. This industry, with the money gained from selling addiction, disease and death, have bought junk science studies, massive public relations campaigns, and the friendship of many elected officials. Anyone who is interested can see for themselves the planning that continues to allow us to tolerate the single largest preventable cause of death in this country. Why are tobacco companies allied with the Wisconsin Tavern League? Because they have convinced some members that they will go out of business if their patrons cannot smoke. Despite proof from other cities, states and entire countries to the contrary, this big lie is still believed by some. The second industry tactic is to convince the average citizen, as well as lawmakers, that the government has no business regulating smoking in any way. Although we all agree that the government has a right and duty to protect us from harm in many areas – traffic rules and food safety just to name two – somehow tobacco and secondhand smoke are to be exempt.

I urge you to look at the facts – the overwhelming number of credible studies on the positive economic benefits of being smoke free, the huge percentage of Wisconsin voters who want this legislation – and vote in favor of both health and business.

Please contact me for more specific information on these tobacco industry tactics.

Bonnie Sumner – 262-512-0672
2900 W, Range Line Ct., Mequon WI 53092

Member:

North Shore Tobacco Free Coalition

Tobacco Control Advisory Group to the Wisconsin Secretary of Health and Family Services



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May 31, 2007

Dear Members of Senate Public Health, Senior Issues, Long Term Care and Privacy Committee:

My name is Julie Willems Van Dijk and I am the Marathon County Health Officer. I am a public health nurse and have served the residents of Marathon County for 18 years, the last five as the leader of our organization.

Today I am here to explain why I have come to believe in the importance of the legislation that is before you—SB150, a 100% smoke free workplace law that includes all worksites, restaurants, bars and taverns.

As we began our work in tobacco control in Marathon County in the early 1990's, I was a complete believer in the power of education to encourage local businesses to enact smoke-free policies within their worksites. We made a lot of progress. Today it is hard to remember when smoking was allowed in schools, hospitals, government buildings or major corporations. We even saw some restaurants, particularly national franchises, going smoke-free.

It became clear, however, as we entered the new millennium that we had made about as much progress as we were going to make with a voluntary approach. And so in 2002-2003, our community launched a campaign to encourage local municipalities to adopt smoke-free policies. The City of Wausau was our leader and enacted a smoke-free restaurant policy in 2005.

At that time, I truly believed an incremental approach was the most prudent public policy path. I was certain if we included bars and taverns in our proposal that the local ordinance would be defeated. What I learned, in working with the City of Wausau to draft their ordinance, is how very difficult it is to define the difference between a restaurant and a bar. Our drafting process took over 20 hours to come to consensus on this definition.

And then last June, our nation's Surgeon General released his landmark report on secondhand smoke. It became clear to me at that point that the science was absolutely clear that secondhand smoke was a hazard to ALL employees. This evidence, plus the impracticality of writing definitions for exemptions, leads me to my position today—which is that to protect the health and well being of our state's citizens, we must have a 100% smoke-free worksite policy that includes all worksites, restaurants, and bars.

As a nurse and a government employee, I've been protected from second hand smoke in my worksite for almost twenty years. I now believe it's time to protect every employee—every waiter or waitress, every teacher, every mechanic, every doctor, every bartender, every corporate executive, every disc jockey, every laborer, every person who gets up every day to work hard to support their family.

Thank you.

Testimony on SB 150
Presented on behalf of a coalition of Madison tavern owners
By Jerry Deschane
May 31, 2007

We represent a small group of Madison tavern owners who are experiencing firsthand the economic impact of a partial smoking ban. It is a partial smoking ban because it only applies to the city of Madison, not surrounding communities. Smoking in public buildings, including taverns, is prohibited in Madison. It is not prohibited in taverns in communities adjacent to Madison. As a result of this ban, several “mom and pop” taverns in Madison have gone out of business. Other taverns have seen their business drop by 50-percent. At the same time, at least one tavern owner outside the city of Madison has reported a significant increase in that tavern’s business volume. An uneven playing field does not work.

Our appeal to the Legislature is for a level playing field. If you choose to pass a statewide smoking ban, make it a uniform smoking ban. If you choose to ban smoking in taverns, ban it in all taverns. On the other hand, if you exempt smoking in taverns, exempt it from all taverns.

Wisconsin is a state dominated by small towns. Madison is a small town. It only takes a couple of minutes more to drive from an in-town tavern to an out of town tavern. Those who prefer a tavern where smoking is allowed only have to go a few blocks or a couple miles down the road. The economic damage that has been done to many Madison taverns is proof that people can and will vote with their feet.

Government has the right to impose regulations that have a significant impact on business. However, government has a responsibility to recognize the economic effect of those regulations. Government also has a responsibility to impose regulations fairly. Similar treatment as their competitors is all Madison tavern owners are seeking.



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May 31, 2007

Dear Members of Senate Public Health, Senior Issues, Long Term Care and Privacy Committee:

My name is Rick Nevers, and I am the Vice President of Cardiovascular Services for Aspirus Wausau Hospital. I am here today to explain why I support, and urge you to support, SB150, a 100% smoke free workplace law.

Throughout the day today you will hear many different stories about this issue. Many of them are personal, and are intended to tug at the heartstrings of human emotion, and cover the gamut from protecting the public's health, to protecting personal freedoms. All are legitimate perspectives.

I am here today to present yet another perspective on this issue. This is also a story of sorts, but rather than tugging on the heartstrings of human emotion, I would like to focus on the purse strings of our state's economy.

The high cost of healthcare is indeed a hot topic, and as a 28-year veteran of the healthcare industry, I can tell you that the cost of healthcare is indeed high.

Chronic disease is the most costly category of disease that exists, and, is the number one preventable cause of morbidity and mortality. Heart disease, lung cancer, emphysema, and chronic obstructive pulmonary disease are all forms of chronic disease, and all are impacted by smoking and second hand smoke.

In Wisconsin alone, \$2.2 Billion per year is spent in direct medical expenses for smoking related illnesses, and lost productivity amounts to \$1.4 Billion annually. If you really want to have a meaningful, sustained impact on reducing the cost of healthcare, you must address the cause of illness and disease.

The landmark surgeon general's report from June 2006 stated that workplace smoking restrictions lead to less smoking among employees. Reduced smoking leads to less illness, which results in lower healthcare costs.

People complain about the high cost of healthcare, yet are often unwilling to take the steps necessary to improve their own health. Thus, government action is sometimes necessary. Government has a role, and indeed a responsibility, to help ensure the safety of its citizens. There are many examples of this, from auto safety and seat belt laws, to drinking water, and food safety. It is time government took action involving smoke free air.

We are all concerned about the cost of healthcare. The more we can do to reduce exposure to tobacco, the more illness we can prevent, and thus reduce healthcare costs. Thank you.

LINKS TO THE FULL REPORTS OR INFORMATION SHARED WITH YOU ON 5/31/07.

<http://www.surgeongeneral.gov/library/secondhandsmoke/secondhandsmoke.pdf>

A link to the cliff notes of the exhaustive report on the ill effects of second hand smoke as published by the US Surgeon General's Office.

<http://www.tobwis.org/index.php>

The Tobacco Control Resource Center for Wisconsin provides accurate, up to date, and evidence-based resources to support effective tobacco control.

<http://www.tobwis.org/uploads/media/AirQualityStudy04-07.pdf>

The following information was shared from the linked report above:

From December 2006 to February 2007, indoor air quality was assessed in 92 locations in 7 Northern and Central Wisconsin counties: Iron, Lincoln, Marathon, Oneida, Portage, Vilas, and Wood. Sites tested included bars, restaurants, supper clubs (restaurants with bars), bowling centers, and pool halls.

The concentration of fine particle air pollution, $PM_{2.5}$, was measured. $PM_{2.5}$ is particulate matter in the air smaller than 2.5 microns in diameter. Particles of this size are released in significant amounts from burning cigarettes, are easily inhaled deep into the lungs, and cause a variety of adverse health effects including cardiovascular and respiratory morbidity and death.

Key findings of the study include:

- The average level of fine particle indoor air pollution was 12 times higher in places with observed smoking compared to places that were smoke-free.
- Employees in Northern and Central Wisconsin establishments permitting indoor smoking have annual exposures to fine particle air pollution more than 2 times higher than safe annual levels established by the U.S. Environmental Protection Agency due to their occupational exposure to tobacco smoke pollution.

<http://www.uwm.edu/Dept/ETI/barriers/MilwaukeePrisonStudy.pdf>

This paper was prepared at the request of Legal Action of Wisconsin and the Private Industry Council of Milwaukee County to assess the legal and employment needs of prisoners released from Wisconsin correctional facilities. Released prisoners are a rapidly growing population in the City of Milwaukee, one which is seldom acknowledged except for media reports on the residences of sexual assault offenders. The sheer numbers and dramatic increases of the population make it one which merits attention. Previous Employment and Training Institute reports have examined the transportation, child care, and educational barriers to employment for low-income Milwaukee County residents. This analysis details barriers facing adults released from or currently in Wisconsin Department of Corrections (DOC) facilities.

May 31, 2007

To: The Senate Public Health Committee

From: Jim Christensen, Owner
Kurtz's Pub & Deli
Two Rivers, WI 54241
920-793-1222

I know there is strong opposition to the smoking ban from the Tavern League, of which I am a member. I strongly disagree with their narrow-minded position on this issue. The Board of Directors of the WRA recently voted overwhelmingly to support a statewide ban. They are correct in wanting to level the playing field. Both of our sister states, Illinois and Minnesota, have just passed smoking bans. We need to join them in the progressive tradition of Wisconsin and really make it a level playing field for all of us.

Tobacco kills 444,000 smokers every year in the U.S. and secondhand smoke inhaled by bystanders claims another 50,000 lives. ⁽¹⁾

The majority of people in Wisconsin clearly want a smoking ban. As legislators, you will be subject to a lot of pressure. Sometimes you just have to stand up, stiffen your backbone, and do the right thing for the majority of the people you have been elected to represent.

We all know how healthcare costs are spiraling out of control in this country. You now have an opportunity to save lives and save money for the future prosperity and well-being of this great state. Don't let this chance pass you by! Please support SB 150.

Sincerely,



Jim Christensen

(1) Source - New York Times editorial May 30, 2007