

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

2003-04

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on
Colleges and
Universities
(AC-CU)

(Form Updated: 11/20/2008)

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 ... HR (bills and resolutions)

** **03hr_ab0207_AC-CU_pt01**

➤ Miscellaneous ... Misc

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Vote Record

Committee on Colleges and Universities

Date: 4/8/2003

Moved by: Schuch
SMOKING

Seconded by: Underheim

AB 207 SB _____ Clearinghouse Rule _____

AJR _____ SJR _____ Appointment _____

AR _____ SR _____ Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

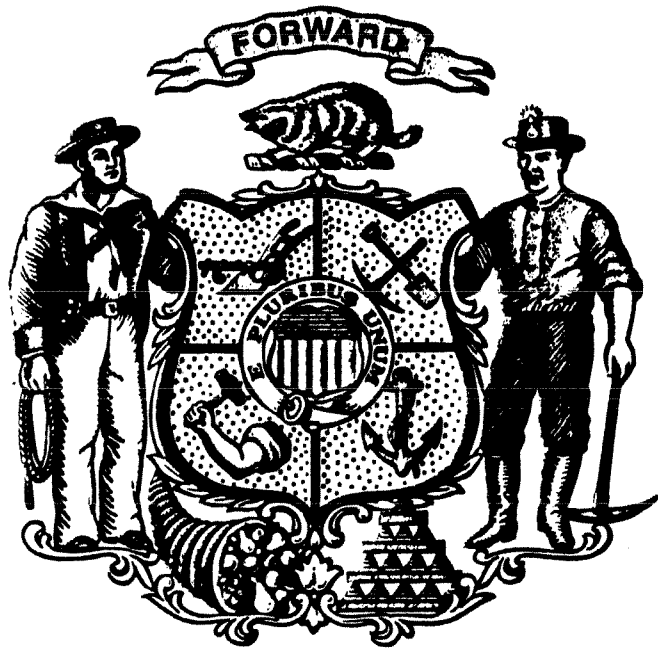
A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- Passage Adoption Confirmation Concurrence Indefinite Postponement
 Introduction Rejection Tabling Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Representative Rob Kreibich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mark Gottlieb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Gregg Underheim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Stephen Nass	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Suzanne Jeskewitz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Judy Krawczyk	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Debra Towns	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Jennifer Shilling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Spencer Black	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Marlin Schneider	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>10</u>	<u>2</u>	_____	_____





To: Chair, Representative Kreibich
Members, Committee on Colleges and Universities

From: Jill Ness, Director of Grassroots Development, SmokeFree Wisconsin

RE: Prohibiting smoking in University of Wisconsin System residence halls
and dormitories.

Date: April 8, 2003

Thank you for hearing testimony today on the issue of smoke-free residence halls and dormitories in the University of Wisconsin System. SmokeFree Wisconsin supports this policy and encourages each of you to vote in favor of this legislation.

Our primary reason for supporting this policy is straightforward: smoke-free spaces save lives.

Credible studies demonstrate that secondhand smoke is lethal. In fact, the Center for Disease Control identifies secondhand smoke as the third leading cause of preventable death in the country. The Environmental Protection Agency classifies secondhand smoke as a Class A carcinogen, which means that there is no safe level of exposure. Secondhand smoke contains more than 4,000 chemicals; more than 200 are identified poisons, and more than 50 are known carcinogens. This is why SmokeFree Wisconsin supports policies that protect people from exposure to secondhand smoke.

When communities implement policies that prohibit smoking in shared spaces, non-smokers are protected from unnecessary exposure to toxins, and smokers are encouraged to cut back or quit. And most smokers, even college-age smokers, want to quit. The end result of smoke-free policies is that fewer people breathe smoke, either directly or secondhand, and the community becomes healthier.

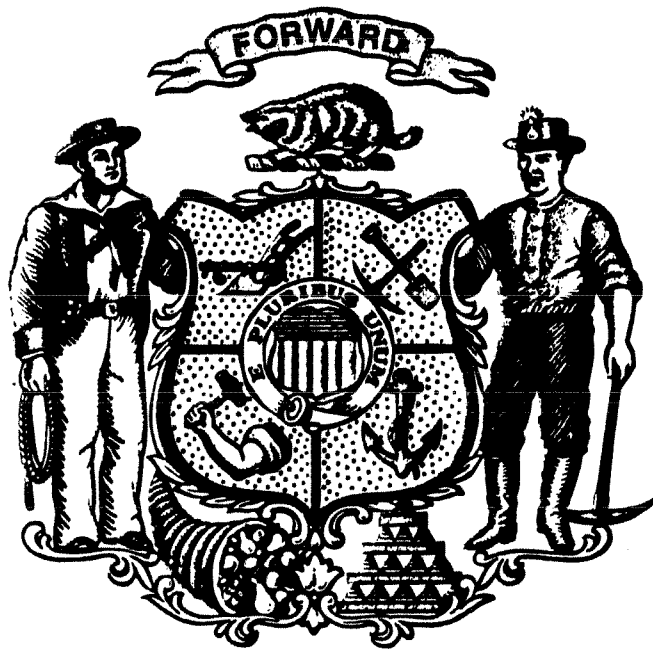
This point was demonstrated quite vividly recently in Helena, MT. In 2002, that community enacted a smoke-free worksite ordinance for six months before the ordinance was challenged and smoking was again allowed. A study of medical records from that timeframe shows a 60% decrease in the number of Helena residents who had heart attacks during the time that the ordinance was in effect; the rate of heart attacks increased to pre-ordinance levels when smoking was reintroduced. This illustrates that smoke-free communities get healthy, and that they do so relatively quickly.

In your consideration of this legislation, you will likely hear two arguments against it: First, that separation and ventilation can accommodate smokers and non-smokers. Second, that it is inappropriate to regulate private living space, such as dorm rooms.

No building, even equipped with the best ventilation technology, can claim to be smoke-free if smoking is allowed in even one room. Ventilated areas may seem more pleasant because some of odors can be removed. But the toxins remain in the air and continue to circulate throughout the building. For this reason, ventilation manufacturers do not make any health claims for their products. To protect people from the health effects of secondhand smoke, the building must be smoke-free.

Regarding regulation of private living space, this is not an unreasonable or unusual thing to do. Living spaces, whether privately owned or rented, are often regulated in order to create a safer, more livable community. Further, landlords often regulate rental properties in order to maintain high property value—no pets, no waterbeds. Real estate agents and landlords say that it is more difficult to sell or rent a property that a smoker has lived in. Many landlords now have smoke-free policies because of the added cleaning and maintenance costs created by smoking—burned marks, stained walls and ceilings, odors in curtains and carpets. If private landlords are creating smoke-free policies to protect their property values, it is reasonable for the state to do so, too.

Thank you again for the opportunity to testify, and I encourage you to vote in favor of this legislation that sets a healthy standard of living in our university and college communities. This is a great way to invest in the health of our state's future leaders.



**Assembly Committee on Colleges and Universities Public
Hearing**

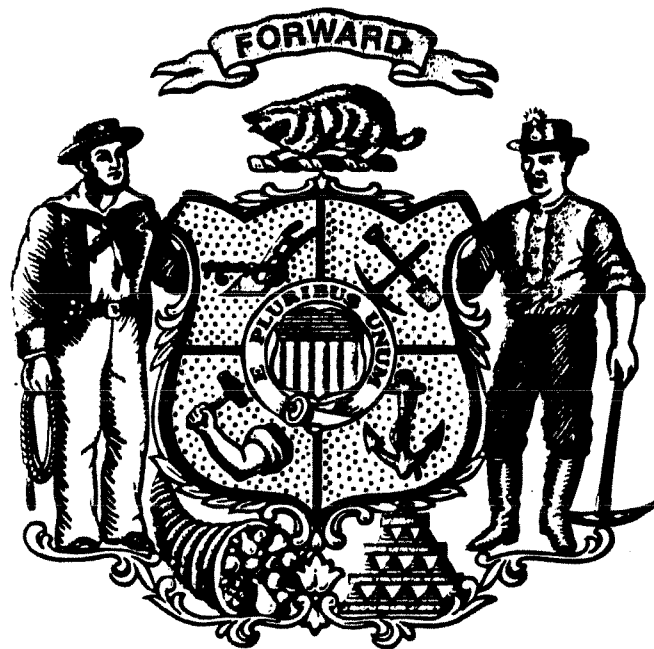
9:30 am, Tue, Apr 8, 225-NW.

**AB-207. Bans smoking in and around UW System residence
halls and dorms.**

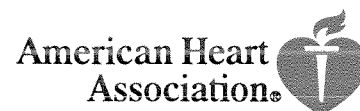
Good morning Mr. Chairman and distinguished committee members. I am Mary Jane Gengler Executive Director for the Wisconsin Alliance for Fire Safety. I represent a nonprofit organization with a mission to make Wisconsin fire safe through fire and burn prevention programming. I am here this morning to compliment the Wisconsin legislature in drafting Assembly Bill 207, banning cigarette smoking in and near Wisconsin's college dorms. It is too well documented that the careless use of smoking materials annually starts fires that kill our nation's youth.

Parents do not send their treasured student/child off to a new environment away from their security to die. Parents want their student/child to have a chance to enjoy adulthood. They don't want them to hear or be witness to such events, much less be a victim to them.

The statewide membership of my organization is the fathers, mothers, grandparents, siblings and friends of college students living on campuses. Passage of this legislation can take away one opportunity to the tragedy caused by the habit and carelessness of cigarette smoking. Too many of the above have suffered already. The State of Wisconsin Legislature can make the change to prevent the pain of losing a child to the careless use of smoking materials. Thank you for your patience and attention.



If you have warning signs of heart attack or stroke, call 9-1-1 immediately! New treatments can make a difference if you act fast



Fighting Heart Disease and Stroke

Northland Affiliate

2850 Dairy Dr., Suite 300

Madison, WI 53718-6751

608-221-8866

Fax 608-221-9233

americanheart.org

April 8, 2003

TO: Members of the Assembly Committee on Colleges and Universities

FROM: Maureen Cassidy, Vice President of Advocacy

SUBJECT: AB 207 -- Smoke Free Dormitory Legislation

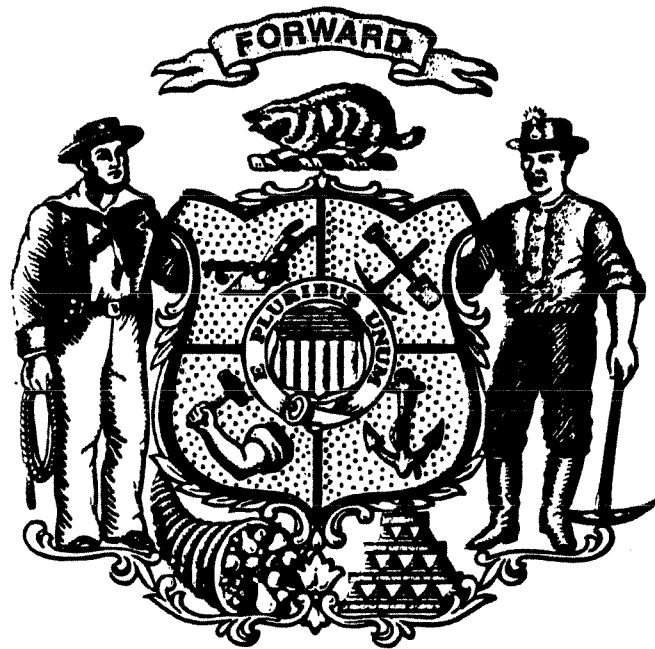
The American Heart Association supports Assembly Bill 207, requiring that all University of Wisconsin campus dormitories be smoke free. This legislation will improve the health and safety of students, workers and visitors to these facilities.

Heart disease is the number one killer in Wisconsin and in the country. More than 18,000 people die annually in Wisconsin from all forms of cardiovascular disease. While we have known for many years that smoking is a risk factor for heart disease, more recent science over the past decade has also indicated a strong link between second hand smoke and heart disease.

In fact, a study released just last week at the annual meeting of the American College of Cardiology showed the direct correlation between secondhand smoke policy change and the impact on heart disease. In this study, hospital admissions for acute myocardial infarction (AMI), or "heart attack" decreased by **60 percent** in the six months after a smoke free restaurant ordinance was enacted in Helena, Montana. While obviously there is a difference in community impact between a smoke free restaurant ordinance and smoke free dorm legislation, the connection to reducing heart disease through smoke free policies remains valid.

College students are also the new favorite target of the tobacco industry. Having lessened their stronghold on the younger children due to a combination of factors including: terms of the master settlement agreement; the impact of comprehensive tobacco programs in states like Wisconsin, Massachusetts and California; and other policy changes; the industry has set its sights on young adults. Research shows that when the number of places available to smoke are reduced, smokers tend to quit in greater numbers and, thus, smoking rates decrease. Enacting this legislation will have a direct impact on this newly targeted population of young people in our state – both the smokers and the non-smokers.

The American Heart Association thanks the authors and the sponsors of this important public health legislation and urges the committee's support of AB 207. Please do not hesitate to contact me with any questions.





2003 Assembly Bill 207
Assembly Committee on Colleges and Universities
Representative Rob Kreibich, Chair
April 8, 2003

Testimony of Paul Evans, Director, University Housing
UW-Madison

Representative Kreibich and members of the committee, thank you for providing me with the opportunity to speak on Assembly Bill 207, which bans smoking in and around University of Wisconsin residence halls. My name is Paul Evans. I am the Director of University of Housing at UW-Madison, a position I have held since 1998. I am completing my 25th year with University Housing at UW-Madison.

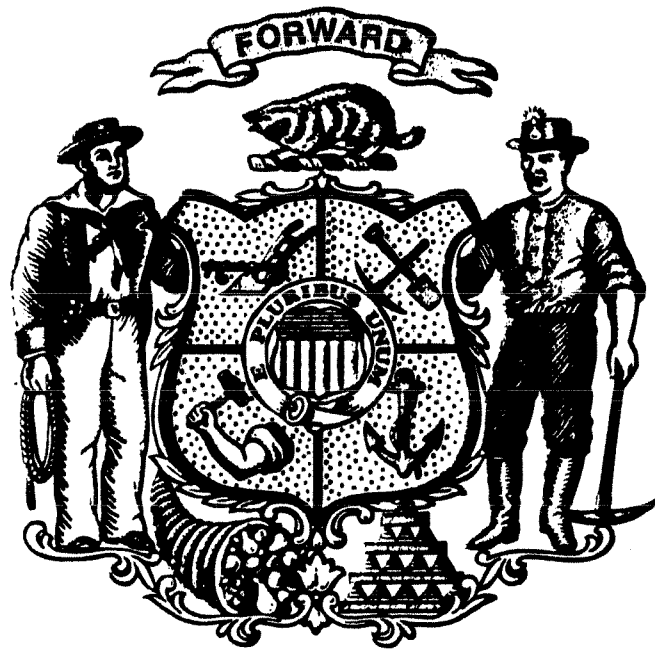
I am here today to testify for information only. Assembly Bill 207 would ban smoking at University of Wisconsin residence halls, and within 25 feet of those residence halls. This is the current policy at UW-Madison with one exception. The current UW-Madison policy does permit smoking within 25 feet of one designated entrance. The designated entrance cannot be a main entrance. UW-Madison has had campus smoking bans of some sort in place since 1991. In 1991 smoking was prohibited in all residence hall common areas. Hallways, lobbies, and lounges are some examples of common areas. Smoking was permitted in resident rooms as long as the roommates had both requested such a room. Starting in 1992 we began to gradually increase the number of smoke-free spaces. By 1998 at total of 60% of our spaces were smoke-free. During the 1998 fall semester, working with our resident advisory board, we decided to go completely smoke-free beginning with the 1999 – 2000 academic year.

I should point out that while smoking is now completely banned in our residence halls, it is still allowed in designated on-campus apartment housing. We do permit smoking in designated University Apartments (Eagle Heights). Smoking is not permitted in any apartment building common areas or the Community Center and the 25 foot rule is enforced as well. The 1200 University Apartments house graduate students, faculty, and staff and their families. Obviously the design of the apartments and apartment buildings is significantly different than a residence hall and can better accommodate a more flexible restriction. It would be very difficult to enforce a smoking ban in this kind of housing and it would make it difficult to rent all of these apartments. We add designated smoke-free buildings as the demand increases. The apartments resident advisory board has not asked us to change our current policies. I appreciate Representative Kreibich's recognition in his bill that there are other types of campus housing for which this ban would not be feasible or practical.

I hope this information is useful as the committee considers this legislation. I would be happy to answer questions you may have about how the ban was implemented at UW-Madison and our experience with it.

Division of University Housing

Slichter Hall 625 Babcock Drive Madison, Wisconsin 53706-1213
608/262-2522 Fax: 608/262-4082 TTY: 608/262-6830 www.housing.wisc.edu





Wisconsin Medical Society

Your Doctor. Your Health.

TO: Representative Rob Kriebich, Chair
Members, Committee on Colleges and Universities

FROM: Elizabeth A. Schumacher, Legislative Counsel

DATE: April 8, 2003

RE: Support: AB 207

On behalf of nearly 10,000 physician members of the Wisconsin Medical Society, thank you for this opportunity to testify in support of AB 207, a bill that would ban smoking in and around University of Wisconsin System residence halls and dormitories. The Wisconsin Medical Society strongly supports this bill. Not only does this bill promote tobacco prevention, but it will also prevent tobacco related diseases for students who smoke, or are exposed to, second hand smoke, in UW dormitories and residence halls.

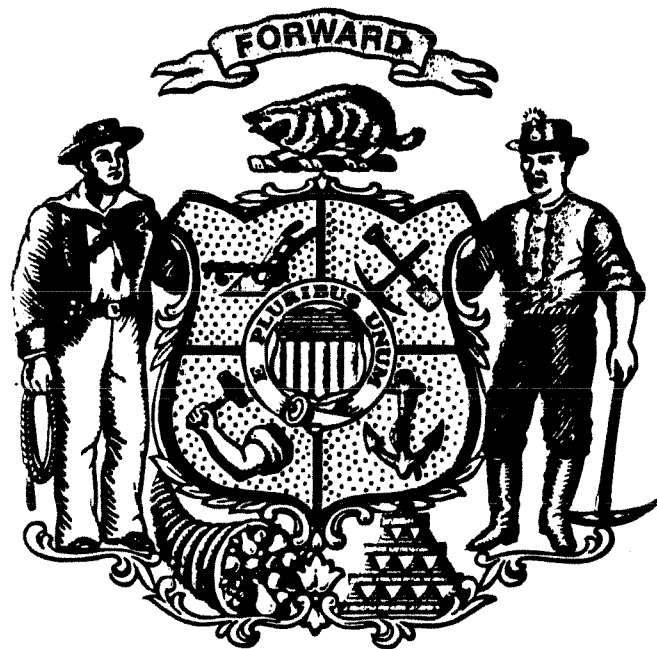
According to the *Journal of the National Cancer Institute*, non-smokers who live with smokers are exposed to cancer causing tobacco smoke carcinogens. Specifically, non-smokers who lived with smokers had six times higher elevated levels of cancer causing compounds that are only derived from tobacco smoke. Non-smoking roommates also have elevated levels of nicotine and cotinine, smoking related chemicals. Other studies have shown that environmental tobacco smoke increases the risk of lung cancer for non-smokers who work where cigarette and cigar smoking is common, such as bars or taverns. Additionally, studies have shown that children living in the homes of smokers have a higher incidence of asthma and other respiratory problems.

Cigarette smoking also costs significant amounts of health care dollars that could be spent on prevention. The costs associated each year with smoking in Wisconsin are staggering.

- More than \$3 billion per year in health care expenses and lost productivity.
- *Seventeen* percent of all deaths in Wisconsin are attributed to smoking.
- More than \$100 million per year are attributable to second hand smoke treatment.

While tobacco addiction mostly occurs in minors, it is important to take any possible measures available to prevent tobacco smoking among our adults. People begin to smoke in their teens when peer pressure is at its greatest. Once addicted, smokers find it tremendously difficult to quit as the physical dependence upon nicotine rivals that of many controlled substances. Limiting tobacco smoking in college housing may significantly decrease smoking rates among Wisconsin college students.

Thank you for your time and consideration. Please contact Liz Schumacher at ljs@wismed.org or 608-442-3769 for further information.





University Relations

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1220 Linden Drive
Madison, Wisconsin 53706
(608) 262-4463
(608) 262-3985 Fax

email: dmiller@uwsa.edu
website: <http://www.uwsa.edu>

**Assembly Committee on Colleges and Universities
Assembly Bill 207
Testimony of David L. Miller
Assistant Vice President, UW System
April 8, 2003**

Good morning Chairman Kreibich and members of the committee. My name is David Miller and I am the Assistant Vice President for University Relations at UW System. Thank you for allowing me to speak for information on this legislation.

To provide you with an up-to-date picture of smoking policies in UW System residence halls, and at the Chairman's request, I surveyed the UW campuses and compiled the attached table. The survey indicates that ten of the fourteen campuses have implemented no smoking policies in their residence halls. Two campuses will implement smoke-free policies this coming fall semester. Of the remaining two, UW-Milwaukee residence halls are arranged in groups of rooms and all residents in that group must agree before smoking is permitted. At UW-Stout, the campus limits smoking to certain floors chosen by student demand.

Regarding the outdoor policies, eleven of the campuses, either already meet or exceed the 25 feet minimum, or could easily adjust their regulations to comply. Only UW-Eau Claire, UW-River Falls and UW-Milwaukee do not have a policy in place currently.

In conclusion, Mr. Chairman, implementing Assembly Bill 207 would not pose a burden on the campuses because the majority have already have or will implement no smoking policies.

I have with me today, Mr. Paul Evans, Director of Housing at UW-Madison who can address how these policies work on a campus level.

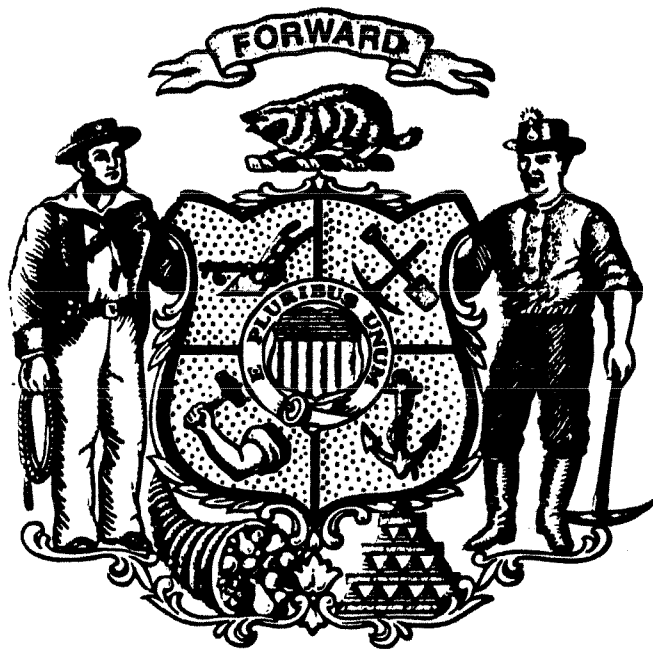
Thank you.

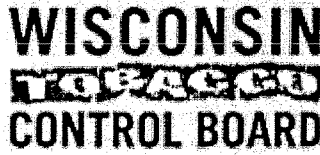
UW System Campus Smoking Policies

Institution	Policy Inside Residence Halls	Policy Outside of Buildings
Eau Claire	Beginning in September 2003, smoking will be prohibited in all residence halls. In 2002-03, smoking was allowed in 2% of the 1,900 rooms.	No policy
Green Bay	All residence halls are smoke free. (since 1996)	Effective fall 2003, smoking will be prohibited within 15 or 25 feet of entrances.
La Crosse	All residence halls are smoke free.	Smoking is prohibited within 20 feet of entrances.
Madison	All residence halls are smoke free and have been for several years.	Smoking is prohibited within 25 feet of entrances.
Milwaukee	Smoking is permitted within individual rooms in a group, with the approval of all residents within that group. The residence hall student advisory body recently recommended that the halls be completely smoke free. That recommendation is being forwarded to the Physical Environment Committee.	No policy
Oshkosh	All residence halls are smoke free.	Smoking is prohibited within 25 feet of entrances. (This is difficult to enforce due to close proximity of buildings.)
Parkside	Residence hall is smoke free. 50 of the 53 University Apartments are smoke free.	Smoking is prohibited within 10 feet of entrances. The campus is considering 25 feet.
Platteville	All residence halls are smoke free.	Smoking is prohibited within 25 feet of entrances.
River Falls	All residence halls are smoke free and have been for a few years.	No policy, but the residential living committee has been discussing this.
Stevens Point	Effective fall 2003, all residence halls will be smoke free.	Effective fall 2003, smoking will be prohibited within 35 feet of entrances.
Stout	Allows smoking in on some floors in 3 of the 9 residence halls, (6 floors of the 35 total floors). Stout wishes to continue this policy, to serve the requests of all students.	Smoking is prohibited within 25 feet of ½ of the entrances. Residence hall governments to determine which ones.
Superior	All residence hall rooms are smoke free. One hall has a smoking lounge in the basement that the Residence Hall Association may vote to close.	Smoking is prohibited within 25 feet of entrances.
Whitewater	All residence halls are smoke free.	Residence Hall Association passed a resolution to consider 25 feet.
Marathon County	The residence hall is smoke free.	Designated smoking area is 75 feet away from entrances.

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Smoke-Free College Campus Fact Sheet

College campuses, especially dorms and student facilities, should be smoke-free because smoke-free environments:

Prevent Immediate and Long-Term Health Impacts

- Smoking is the most preventable cause of premature death in our society, killing more Americans than alcohol, car accidents, suicide, AIDS, homicide and illegal drugs.
- Cigarette smoking is a major cause of cancers of the lung, larynx, oral cavity, pharynx and esophagus and is a contributing cause in the development of cancers of the bladder, pancreas, uterine, cervix, kidney, stomach, and some leukemias. It is also a major cause of heart disease, bronchitis, emphysema, stroke and contributes to the severity of colds and pneumonia.
- Students entering college as non-smokers are 40 percent less likely to take up smoking when they live in smoke-free dorms.

Harvard School of Public Health, New Harvard Studies on College Campus Smoking, March 22, 2001. <http://www.hsph.harvard.edu/press/releases/press3222001b.html>

Prevent Campus Fires

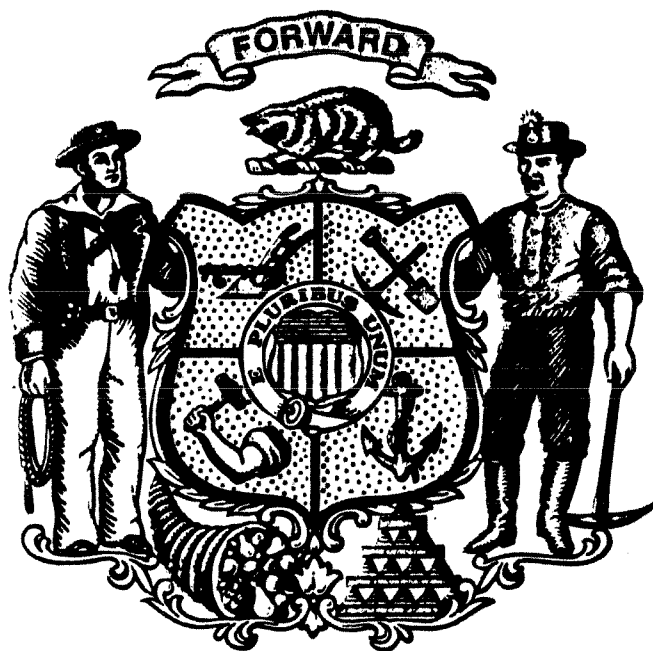
- Smoking is the number one cause of fatal fires in the nation.
College Fire Safety Forum, Final Report, United States Fire Administration, National Fire Protection Association, 1999. www.usfa.fema.gov
- Smoking is the third most frequent cause of dorm fires. Nationwide, flames or toxic smoke from smoldering mattresses and sofas kill 1,500 people annually, injuring another 7,000.
College Fire Safety Forum, Final Report, United States Fire Administration, National Fire Protection Association, 1999. www.usfa.fema.gov

Support Social Norms around Tobacco Use

- Students' perception of peer smoking is higher than the actual rate. For example, a survey conducted at the University of Washington showed that students thought that 94.4% of the student body were smokers. In reality, only 34.4% of the student body smoked.
University of Washington Student Affairs Office, Student Life and Substance Abuse Survey, 1999.
- Only 27 percent of colleges prohibit smoking in dorms.
Harvard School of Public Health, New Harvard Studies on College Campus Smoking, March 22, 2001. <http://www.hsph.harvard.edu/press/releases/press3222001b.html>

Counter Tobacco Company Advertising Targeted at Young Adults

- Tobacco companies spend over \$182 million in Wisconsin alone and have recently shifted their marketing strategies to target college students.
Adler RK, Lewis MJ, Slade JD. Tobacco Marketing to the College Aged Population: A Cross-Sectional Analysis. Boston, MA: American Public Health Association Conference Presentation. November 15, 2000.
- Cigarettes are the tobacco product of choice for college students.
Rigotti NA, Lee JE, Wechsler H. US College Students' Use of Tobacco Products: Results of a National Survey. Journal of the American Medical Association. 2000; 284:699-705.




SMOKE Free Dorms - LRB 06/15/1

Deadline: March 8th - Fri

Extended to 14th

Representatives

- MARK Miller
- MAELIN Schneider
- JA Hines
- AL O'H
- Sam ^{Boyle} Kerkman
- Greg Huber
- John Lehman
- Sheldon WASSERMAN
- Carol Owens
- Ladwig
- John Hinsworth
- Freese
- Scott Gundersen
- Bies
- TOWNSEND
- Johnnie Morris
- VRAKAS 

Senators

- MARY LAZICH
- Fred RISSER
- BROWN (co-auth)
- Carol Roessler
- ~~LHSEE~~
- SEN SCHULTZ