Testimony of State Representative Steve Wieckert

Senate Bill 150 – Statewide Smoking Ban

Senate Committee on Public Health, Senior Issues, Long Term Care, & Privacy
411 South – May 31, 2007

Good afternoon Chairman Tim Carpenter and committee members. I want to thank you for holding a hearing and allowing me to testify in support of Senate Bill 150, the Breathe Free Wisconsin Act, which will enact a statewide standard prohibiting smoking in all public places. I am the lead Assembly author of this bill.

I believe that this is truly a landmark piece of legislation for the state of Wisconsin in helping to keep our citizens healthier, reduce health care costs, create a level playing field for all businesses throughout the state, and allowing all of the people in Wisconsin to work and associate in public places in a smoke free environment.

I am the State Representative whose district includes most of Appleton. In April 2005, there was a voter referendum to determine whether Appleton should go smoke free. The referendum passed with over 55% of the vote. Then, some people in Appleton believed that the new requirements of smoke free workplaces were too strict. Twice smoking advocates for bars and restaurants created addition referendums to allow smoking in some public places. Both times, these efforts were voted down. In November 2006, the third referendum in favor of smoke free workplaces passed by over 57%, with the largest number of voters ever supporting it.

Many people really appreciate Appleton's smoke free public environment. Appleton's smoking ban, for the most part, works well. The one concern I do have is for restaurants and entertainment businesses that lose customers, as in some cases people walk across the street to another municipality, which causes Appleton companies to lose business. A statewide smoking ban would level the playing field for everyone across the state. **By adopting a uniform statewide set of rules on smoking in public, businesses across the state would be treated fairly and the health of Wisconsin's citizens would improve.**

Second Hand Smoke – the Problem:

Research has shown that secondhand smoke, the smoke other people inhale from being around people who smoke cigarettes, is indeed a serious and widespread health problem to non-smokers.

Recent reports from the Center for Disease Control and the Surgeon General of the United States have reported that 126 million non-smokers have measurable levels of a nicotine type compound. This is unfair because they are not smokers.

The good news is that the amount of people affected has actually been declining over the last 10 years because of restrictions on smoking in public areas. This trend needs to continue.

The affects of cigarette smoke on non-smokers can be deadly too:

The Center for Disease Control reports that about 46,000 people die of heart disease caused by smoking in the United States every year. In addition, 3,000 people die of lung disease caused by secondhand smoke, and approximately 400 deaths of young children are attributed to secondhand smoke each year.

As Wisconsin is an average sized state, about 1,000 Wisconsin citizens die each year because of secondhand smoke.

Health care costs:

High health care costs are public enemy number 1 in Wisconsin and around the country. The cost of smoking to the Wisconsin budget is enormous. It is estimated that $202 million of health care costs in the MA budget alone is used to treat smoking caused illnesses.

The cost is $2 billion for medical treatments of Wisconsin citizens for illnesses caused by smoking each year. While this number also includes illnesses from people who directly smoke and those who only receive smoke secondhand, clearly taxpayers are footing the bill to pay for health care costs of smoking related illnesses for people who don't even smoke. If we want to address health care costs, providing a statewide smoking ban is a step in that direction.

A level playing field for small businesses – restaurants and taverns:

Cities such as Madison and Appleton have already enacted such ordinances. Other communities and counties are considering doing so as well. This makes it very difficult for these small businesses to retain their customers and hurts local economies. Creating a statewide ban would treat all such businesses equally and level the playing field for all to compete on a similar basis.

It is very difficult to administer this type of ordinance in a patchwork manner from municipality to municipality. A statewide standard makes much more sense. Wisconsin has 1,922 different units of government. If each one adopts a different type of smoking ordinance, it would result in a very complex, confusing situation for businesses to comply with and for the public to understand.

The Wisconsin Restaurant Association, which supports the ban, has stated, "We feel that [a statewide smoking ban] is the only way to create a fair competitive environment for all eating and drinking establishments in Wisconsin."

Many states already have statewide smoking bans:

These states have already enacted a smoking ban:

- Arizona
- California
- Colorado
- Connecticut
- Delaware
- Maine
- Massachusetts
- Minnesota
- New Jersey
- New York
- Rhode Island
- Utah
- Washington

In addition, our neighboring state of Illinois is now in the final stages of passing their statewide smoking ban.

Facts, figures, and accuracy:

I believe the facts, accurately told, will make a convincing case for a statewide smoking ban. Care has been taken to ensure the facts are accurate, up-to-date, and not exaggerated. In each case, I have tried to use information sources that are of high credibility, such as the Center for Disease Control, the U.S. Surgeon General's Office, Legislative Fiscal Bureau, etc.

This is a bipartisan initiative modeled after the local Appleton and Madison smoking bans which have worked well and are very popular in these local areas. It seems clear that this is the direction that the rest of the country, and indeed many other countries worldwide, are headed.

I thank you again for your consideration of this landmark legislation to make Wisconsin smoke free in public places. I would be happy to answer any additional questions of the committee at this time.

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,

Melody Bockenfeld

Melody Bockenfeld

Dear committee member on Public Health, Senior Issues, Long Term and Privacy,

Good Afternoon, my name is Heidi Foster. I live at 829 Michael Ritger St. in the Village of Hortonville. I am here today to this committee with information of the impact of a statewide smoking ban, no exemptions.

My grandfather was a Lutheran Minister that was taught to smoke in the Seminary, as a way to rid the body of germs after meeting with the sick and elderly. It is no surprise to me today that my grandfather was deeply addicted to his cigarettes. He smoked until he died an agonizing death from Emphysema in 1991. My grandmother on the other hand, had never smoked in her life. However this past week she was diagnosed with her 3rd round of cancer, and this time treatment is not an option. Looking at all the possibilities, it appears that her 40 plus years of exposure to second hand smoke greatly contributed to her cancer diagnosis.

Beyond being a granddaughter, I am also a sister to 3 brothers. All of my brothers and I have spent some time as a bartender. It was a job that I loved, but I was forced to leave due to problems with my asthma. Currently my baby brother still bartends at a Supper Club in New London on the weekends. It is a profession he enjoys and makes good money doing. As his sister, it devastates me knowing that each night he goes to work he is being exposed to thousands of toxic chemicals that could someday kill him.

I understood why I lost my grandfather, he smoked. But I don't understand how we can let thousands of people die each year from secondhand smoke and not do our best to prevent it. I am asking you to take a step back and try to see things through my mother's eyes. What if your son or daughter didn't smoke, but someone else slowly took their life? What if your baby brother was working in an environment known to cause cancer? What if you were being the caretaker for someone struggling to breathe due to lung cancer, yet they never smoked?

You have the power to protect my brother, and all other workers. You have the power to prevent him from following in the cancer diagnosis of my grandparents. You have the power to prevent me from having to watch another loved one wither away from the effect of tobacco and secondhand smoke!

About a fifth of all health insurance costs in the state are used to pay for smoking-related diseases – and second hand smoke kills more people a year than traffic accidents. Reducing smoking is excellent health care policy and an excellent business practice. Cancer doesn't discriminate; it affects all walks of life. Everyone has the right to breathe smoke free air!

Sincerely,

Heidi Foster

Heidi Foster

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

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.

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

Unfortunately I am unable to attend the Public Hearing for SB 150, but I'd like to take this opportunity to offer a written testimony to show my support in favor of a 100% smoke free Wisconsin, no exemptions.

I have had mixed feelings about this issue in the past, however due to some recent personal experiences I felt compelled to speak out in favor of a SB150 and am asking you to do the same.

My father was a pastor who was taught to smoke in the seminary, as a way to rid the body of illnesses after meeting with the sick and elderly. It is no surprise to me today the impact of the tobacco industry had on my father's life. He smoked until he died a painful death from emphysema in 1991. My mother on the other hand, has never smoked in her life. However this past week she was diagnosed with her 3rd round of cancer, and this time treatment is not an option. Looking at all the possibilities, it appears that her 40 plus years of exposure to my father's secondhand smoke was a likely cause to her cancer.

Beyond being a daughter, I am also a mother to 4 wonderful children, all who have spent some time as a bartender. While you may say they had a choice to work at these professions, at the point in their lives, it was the best option for the money the made. Today I have 2 sons who continue to work part-time as bartenders on the weekends. It is a profession that they enjoy and make good money doing. However, as a mother I am devastated knowing that each time they go to work for the night; they are being exposed to thousands of toxic chemicals. Even in the Supper Clubs in New London, people are forced to wait in a smoke ridden Tavern while waiting for a table in the Smoke Free Dining area of the restaurant.

I understood why I lost my father, he chose to smoke. But I don't understand how we can let thousands of people die each day from secondhand smoke and not do our best to stop it! I am asking you to take a step back, and imagine how you would feel if you were in my shoes. What if your son or daughter didn't smoke, but someone else slowly took their life? How would you feel being a caretaker for someone struggling to breathe due to lung cancer, but they never smoked?

I am asking you to protect my children. I am asking that all smokers should go outside to smoke. I am asking you to prevent me from having to watch another loved one wither away from the effects of tobacco and secondhand smoke. I am asking you to vote in support of SB 150 and protect everyone's right to breathe clean indoor air!

Kathy Foster

Kathy Foster
N4728 Madden Rd.
New London, WI 54961
(920) 982-2386

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

Unfortunately I am unable to attend the Public Hearing for SB 150, but I'd like to take this opportunity to offer a written testimony to show my support in favor of a 100% smoke free Wisconsin, no exemptions.

As a resident of Hortonville, I have been fortunate to experience the smoke free bars in Appleton. Being 25 and recently out of college it has been very refreshing to be able to go out with my friends and not have to suffer the effects of secondhand smoke. I keep hearing that bar owners are afraid of losing business. I am out in the bars and that is simply not true. Every weekend the bars are packed with patrons wanting to be in the smoke free bars of Appleton. Even the workers would testify how nice it is. Anyone who is out in Appleton can clearly see SMOKING BANS DON"T HURT BUSINESS!!!

However Appleton is the only place to go out that's smoke free. Even in the Supper Clubs in New London, and Hortonville, people are forced to wait in a smoke ridden Tavern while waiting for a table in the Smoke Free Dining area of the restaurant. It's gotten to the point that I don't want to go out to the places that offer smoking... even if no one is smoking. The smell stays in the bars and restaurants long after a smoker has left. From my experience, I have seen **businesses that do not allow smoking are busier than those that do allow smoking**. I would like to go to the bars and restaurants closer to Hortonville, but until they are 100% smoke free, I refuse!

Please vote in support of SB150. Let's join Illinois and Minnesota and make Wisconsin 100% smoke free, no exemptions (especially for bars and taverns). I'd hate to see Wisconsin be the butt of the Midwest!

Brent Dusek
829 Michael Ritger St Apt 8
Hortonville, WI 54944

MINISTRY HEALTH CARE

Testimony of Joe Rohling
In Support of Senate Bill 150
Thursday, May 31, 2007
Senate Committee on Public Health, Senior Issues, Long-term Care and Privacy

Good afternoon, Chairman Carpenter and members of the Committee. It is a pleasure to be with you today, and I thank you for giving me the opportunity to testify in support of Senate Bill 150.

My name is Joe Rohling, and I am the Manager for Respiratory Therapy Services at Saint Clare's Hospital in Weston which is part of the Ministry Health Care system.

In my daily role as a Respiratory Therapy Manager, my duties not only include management but also direct patient care. My career spans over 26 years which started right here in Madison at the University of Wisconsin Hospital and Clinics. Over this time I have seen firsthand the deadly effects caused by smoking, including its effects on nonsmokers. Disease from smoking is insidious as it sneaks up on a person. The damage is not detected until it is too late. Over 53,000 people die per year from second-hand smoke. This is like having 176 jumbo jets with 300 passengers crash each year. It's time for Wisconsin to adopt statewide smoke-free legislation.

In my profession, we witness the ill effects of cigarettes on those who chose to smoke and those who are exposed involuntarily. While people don't choose to become sick, they **do** choose to smoke. And when they smoke, they cost **all** of us in healthcare dollars.

According to Ministry Health Care OB-Gyn Dr. Dorothy Skye, *"For my pregnant patients who smoked there were sometimes very negative outcomes for the baby, including low birth weight and even fetal death. My pediatric colleagues verify that children who survive the toxic effects of tobacco during pregnancy, but are exposed to second hand smoke after birth, are at greater risk of sudden infant death, ear and lung infections and asthma."*

According to the Burden of Tobacco report, in Marathon County, where my hospital is located, health care costs attributed to smoking were a stunning $50.5 million in 2003. In response, two years ago (July 20, 2005), restaurants in Wausau went smoke-free, after a public advisory referendum favored this approach. Now, we are working to create additional smoke-free environments in Marathon County. However, the county-by-county, municipality-by-municipality approach is only a

patchwork, and the most favorable health outcomes will occur after a statewide smoke-free plan is adopted.

Recently, Mary Krueger, the President of Saint Clare's Hospital, wrote a letter that included a powerful statement. Prior to her administrative career, Ms. Krueger was a longtime oncology nurse, where she painfully witnessed the deaths of non-smokers due to smoking related-illnesses. As she wrote, *"Smoking is as bad as someone poking you in the eye, only worse. People survive being accidentally poked in the eye. People inevitably suffer and die from smoking. Last year, one state resident died from eating E. coli-infected spinach. In response, the government banned spinach until assurances could be made that this vegetable supply was safe. However, thousands of people died in Wisconsin last year from smoking-related illnesses - more than from traffic accidents - yet there is no statewide ban on smoking (in public places). The time has come. No more patchwork quilt of local ordinances that confuse the question of whether smoking in public is OK. Let's get it done before one more Wisconsin person has to die from smoking-related illness."*

I would like to end with a quote from Dr. C. Everett Koop, former Surgeon General, who said, "The right of the smoker to smoke **ends** when their behavior affects the health and well-being of others: furthermore it is the smokers' **responsibility** to ensure that they do not expose nonsmokers to the harmful effects of tobacco smoke."

On behalf of Ministry Health Care, I am pleased to provide these comments in support of SB 150. Senators, I thank you for your consideration of this legislation, which gives you an opportunity to save and improve lives and to reduce health care expenses. I urge you to vote yes. At this time, I would be pleased to answer any questions you might have. Thank you.

*The following hospitals are included in the Ministry Health Care system:
Saint Joseph's (Marshfield)
Saint Michael's (Stevens Point)
Saint Clare's (Weston)
Our Lady of Victory (Stanley)
Door County Memorial (Sturgeon Bay)
Good Samaritan (Merrill)
Sacred Heart (Tomahawk)
Saint Mary's (Rhinelander)
Howard Young (Woodruff)
Eagle River Memorial (Eagle River)
Flambeau (Park Falls) *In partnership with Marshfield Clinic*
Saint Elizabeth's Medical Center (Wabasha, MN)
Affinity Health System: Saint Elizabeth's (Appleton)
Mercy Medical Center (Oshkosh)
Calumet Medical Center (Chilton)

TESTIMONY TO THE SENATE COMMITTEE ON
PUBLIC HEALTH, SENIOR ISSUES, LONG TERM CARE & PRIVACY
Regarding SB 150, the Breathe Free Wisconsin Act

Chairman Carpenter, Members of the Committee:

My name is Patricia Finder-Stone. I am a Registered Nurse and I live at 985 N. Broadway, De Pere, WI. I have spent much of my nursing career both in hospitals and hospice caring for people whose lives have been shortened or ended thanks to a tobacco environment. I urge your support for SB 150.

I serve on the Midwest Board of the American Cancer Society, and I'm a strong advocate for the American Heart Association, the American Lung Association, and the WI Nurse's Association as well. Our groups have worked diligently over the years to protect the public's health from the consummate corporate charlatans, the tobacco industry. It *does* like to lobby legislators! So we count on you to be strong and to do the right thing and to demonstrate your political will as you *promote clean, healthy air in all workplaces*!!

This is not a radical idea. Many countries, states, and hundreds of local governments have enacted 100% smoke free workplaces. We lag behind much of the nation in implementing policies protecting the public from 2nd hand smoke. If we can have 100% smoke-free workplaces, everyone gets to breathe clean air. It is good sound public health policy. I spoke with a bartender in Green Bay who told me how he detested the smoking environment in which he worked...and how he went home at night and shampooed and showered before he crawled in bed with his wife because he smelled so strongly of smoke. But it wasn't just the smell that bothered him! He was deeply concerned about the effects of the smoky atmosphere and what it was doing to his health...short term and long term! He was a non-smoker.

Make no mistake about it! Massive and conclusive evidence about the adverse effects of 2nd hand smoke were clearly documented in the Surgeon General's report just this past year and he stated, "There is NO safe level of second hand smoke...absolutely none!" WE CANNOT ALLOW THIS PUBLIC HEÅLTH HAZARD TO CONTINUE!

I note that the bill had no state fiscal estimate. It did not address the money WI can save in health care costs ...1.6 b. spent each year on health care costs of tobacco related illness ($422 m. in Medicaid costs alone)!!!

But the costs go beyond dollars...to disability and death. Just this month, the Institute of Medicine reported that for every 8 smokers who die from smoking, one non-smoker dies from secondhand smoke exposure. I speak to you with personal pain...having lost my entire birth family to diseases related to smoking. I miss them terribly! My dad didn't see me graduate to become an RN, or be present at my wedding. My parents never knew their beautiful grandchildren. And I can't share sibling memories because my only sister died from lung cancer. They suffered. And I still suffer! In closing, I urge you to do the right thing to promote a Healthier Wisconsin. Support SB 150!!! Thank you.

Patricia Finder-Stone, MS, RN...985 N. Broadway, De Pere
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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.

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

Unfortunately I am unable to attend the Public Hearing for SB 150, but I'd like to take this opportunity to offer a written testimony to show my support in favor of a 100% smoke free Wisconsin, no exemptions.

As a resident of Hortonville, I have been fortunate to experience the smoke free bars in Appleton. Being 25 and recently out of college it has been very refreshing to be able to go out with my friends and not have to suffer the effects of secondhand smoke. I keep hearing that bar owners are afraid of losing business. I am out in the bars and that is simply not true. Every weekend the bars are packed with patrons wanting to be in the smoke free bars of Appleton. Even the workers would testify how nice it is. Anyone who is out in Appleton can clearly see SMOKING BANS DON"T HURT BUSINESS!!!

However Appleton is the only place to go out that's smoke free. Even in the Supper Clubs in New London, and Hortonville, people are forced to wait in a smoke ridden Tavern while waiting for a table in the Smoke Free Dining area of the restaurant. It's gotten to the point that I don't want to go out to the places that offer smoking... even if no one is smoking. The smell stays in the bars and restaurants long after a smoker has left. From my experience, I have seen **businesses that do not allow smoking are busier than those that do allow smoking**. I would like to go to the bars and restaurants closer to Hortonville, but until they are 100% smoke free, I refuse!

Please vote in support of SB150. Let's join Illinois and Minnesota and make Wisconsin 100% smoke free, no exemptions (especially for bars and taverns). I'd hate to see Wisconsin be the butt of the Midwest!

Brent Dusek
829 Michael Ritger St Apt 8
Hortonville, WI 54944

May 31, 2007

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

Cooks, chefs, waiters, waitresses, busboys and busgirls, and bartenders have some of the worst exposure to toxins at their jobs – and it all comes from secondhand smoke. I'm here today to discuss with you an indoor air quality study that was conducted this year by seven counties in northern and central Wisconsin in partnership with the UW- Comprehensive Cancer Center. The study was designed to measure the indoor air quality inside:

- Smoking and non-smoking bars,
- Restaurants,
- supper clubs,
- bowling alleys and pool halls

After testing 92 establishments, it was found that the average level of fine particle indoor air pollution was **12** times higher in places that allowed smoking compared to places that were smoke-free and in comparison to rush hour traffic in Wausau.

The employees that work in these northern and central Wisconsin establishments that allow 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. This study also showed that the employees that work the busiest days and hours have the highest exposure.

I know that some special interests want to exempt bars from a statewide law. Our study demonstrated that bars, bowling alleys, and restaurants with bars, that allow smoking, had the highest amount of air pollution. The most dangerous workplace in this study was a bar in Iron County that had 67 times the pollution of facilities where no smoking was observed (736 micrograms per cubic meter). The owner of that establishment claimed that his ventilation system was taking care of the smoke. No one should be exposed to that level of indoor air pollution at work!

This is a health issue and decisions need to be made on that basis. If we're looking to protect the health of workers and citizens from the health effects of secondhand smoke, why would we consider exempting bars when they clearly have the highest levels of indoor air pollution caused from smoking?

This study confirms what numerous national studies have already shown; the air inside places that allow smoking is toxic to workers and the public. A comprehensive 100% smoke-free policy is the only way to protect all workers.

As I'm sure you're aware, the overwhelming majority of the hospitality industry recognizes the harm of secondhand smoke to their employees and the public- they support a comprehensive 100% smoke free ban. Now is the time for Wisconsin to move ahead to

provide clean air for all workers; bartenders and waiters/waitresses should no longer be looked at as exceptions to a healthy work environment.

For a complete report of the Indoor Air Quality study visit:
http://www.tobwis.org/uploads/media/AirQualityStudy04-07.pdf

Thank you,

Bobbi Bradley
3908 Lorraine Street
Stevens Point, WI 54481
(715) 544-0187

May 30, 2007

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

Testimony of Douglas B. Henderson, Ph.D., May 31, 2007
Professor of Psychology Emeritus, University of Wisconsin-Stevens Point
Licensed Wisconsin Psychologist, 1977-2001

Good Afternoon.

Though I am unable to be here in person today, I am grateful for the chance to have my testimony presented for me.

For my entire professional career, from the early 1970s until my retirement in 2001, I specialized in child development and behavior problems in children and adolescents. For over 30 years in Wisconsin I have been, and continue to be, involved in the public health and mental health areas. It is from this perspective, as a youth advocate, that I speak today.

In our society we protect our youth from danger until we believe they are old enough to make mature and healthy decisions on their own. We do not allow youth to drive, consume alcohol, handle guns, vote, or smoke, until they have reached a certain level of maturity, and/or have had certain required education or training. We require children and youth to be vaccinated against disease, knowing that this is a *good* choice they might not make for themselves until it was too late.

Unfortunately, despite our best intentions, many children and adolescents are involuntarily exposed to second-hand cigarette smoke at a time in their lives when they are not yet considered mature enough by society to make other such life-affecting decisions on their own. Their parents may make this decision for them by taking them into an environment where smoking is allowed. The decision to enter a smoke-filled environment may be made by the youth themselves for reasons such as just going along with their friends, fear of being different, desire to appear grown-up, rebellion from their family's values, or similar reasons, all of which we would hope are less likely to influence decisions they will later make as young adults.

However, unlike many other behaviors which society limits until maturity, at present, the decision to enter a smoke-filled environment, when it is left up to the youth themselves, is often made for the wrong reasons. For too many of our youth, choosing to spend time in a room full of second hand smoke is a *bad* choice they made too soon.

The unfortunate truth is that when many adults state "It is my right as an adult to choose to smoke wherever I wish," they are actually contributing to the negative health effects of second hand smoke on our youth.

One proven way to decrease the smoking behavior of all smokers, youth and adult, is to make smoking in ALL indoor environments over which the state has control, illegal. This is why I am urging you to support the 100% statewide smokfree bill (SB 150) as it is written, with no exceptions or delays.

As a youth advocate, I would ask you to join our neighbors in Minnesota and Illinois in making the decision of many youth to enter a smoke-filled environment just a little more difficult. A means to make smoking just a little more difficult. A means to perhaps delay decisions about smoking long enough so that more of our youth can make the *right* choice at the *right* time.

Thank You.

Doug Henderson
4308 Heffron Street
Stevens Point, WI 54481
(715) 345-1290

To Senator Schultz and Committee members re: SB150

My name is Judy Spring; I'm a resident of Sauk County. My training is in rehabilitation. I am very concerned about the fair treatment of people with alcohol and drug addictions.

Few people question the Surgeon General's findings about the health hazards of second hand smoke. It is widely agreed that smoking should be prohibited in public places, like restaurants and bowling alleys, as a means of decreasing the incidence of costly illnesses.

But, members of the Tavern League advocate allowing smoking in bars. This is where my concern about fair treatment of people with alcoholism comes in. Researchers have found that people with alcohol and drug disorders are more likely to die of tobacco caused diseases than from alcohol or drugs. Drinkers who smoke lose from 10 to 20 years of their expected life span. Drinking in smoky bars significantly increases the alcoholic's exposure to carcinogens. But, then, who cares?

If exposure to second hand smoke is a public health hazard, then why aren't people who suffer from alcoholism as deserving of smoke-free air as everyone else? Might it be they are regarded as a more disposable consumer base? It seems unsound business practice to object to something that would keep tavern patrons alive longer.

I suggest to the committee that, as a matter of fairness, people who frequent bars, including those who are alcoholics, are as deserving of the health benefits of clean indoor air as everyone else. The bill that comes out of this committee should be a comprehensive one that protects everyone, including people with alcoholism.

Judy Spring
E13119 Hwy 33
Baraboo WI 53913

To Senator Schultz and the Senate Committee considering SB150:

I am a Safety Director at an industry in Reedsburg. I routinely distribute nuisance dust masks for employees mowing lawn, cleaning with compressed air, or working with particulate powder in a process, and other protective applications. We have respirators, cartridge air purifiers and self-contained breathing apparatuses for the most contaminated air to protect our employees.

As an industry, we must do air quality measuring for a number of contaminants, including carbon monoxide, a major contaminant in cigarettes, along with informing our employees of what they are being exposed to, as per OSHA. We have a smoke-free policy in our workplace, and do not want to expose the rest of our workers to the numerous other contaminates and carcinogens caused by second hand smoke. So why should we be exposed to similar contaminates in bars, restaurants and other public places?

This past weekend I walked into a popular public restaurant in LaValle. Immediately upon entering, I noticed another customer smoking and using his plate as an ash tray. Prior to being served my own great Wisconsin breakfast, three more smokers lit up their cigarettes after making comments along the lines of, "That guy is smoking so it must be all right for us to smoke." I ask you, is this right? My eyes burned, my clothes stunk and, most of all, when I wiped my lips with a napkin it was like smelling an ash tray. Oh, and did I forget to add I forgot to bring along my respiratory protection. I ask your support in protecting us and making ALL public places smoke free.

Thank you and respectfully yours,
Bruce Zirk
S-1295 Summit Pt. Dr.
LaValle WI 53941

4193 Sixth Lane
Wis. Dells, WI 53965
May 29, 2007

Dear Senator Schultz:

I am writing in support of Senate Bill 150 that would prohibit smoking in public places, including bars and restaurants.

I have never smoked, but have had breathing problems all my life related to a birth defect that limits my lung capacity. These breathing problems have caused me to have to be very careful in deciding where I go in public as smoke from cigarettes causes me much distress. I love the grand Wisconsin tradition of the Friday night Fish Fry, but have had to consider very carefully where I will go for such an event due to the fact that many restaurants allow smoking. And as more restaurants have gone smoke-free, the problem has become that so many have bars, either attached or right in the middle of the restaurant, effectively rendering them a smoking restaurant.

In addition, bowling, a sport well within my physical capabilities, has often been out of bounds for me as the smoke from the other bowlers or the nearby bar, leave me feeling short of breath at that time or causes me problems the next day. Here in the Wisconsin Dells we now have a smoke-free bowling facility! This is wonderful, but I will have to pay "tourist prices" that are almost 50% more to have the privilege of being healthy the next day.

THIS SHOULD NOT BE!! People should be able to work and play in places that are not dangerous to their health!!

The passage of this bill will go a long way towards making ALL of Wisconsin a safe, smoke-free place to be. Please vote yes on this bill.

Sincerely,

Karen Torgerson

Karen Torgerson

To: Senator Dale Shultz and members of Senate Committee considering SB 150

People who drink alcohol and smoke are in the highest risk to get sick and die from tobacco-caused and related diseases according to researchers from the Centers for Disease Prevention and Control studying tobacco and health.

Tavern and bar operators have a stake in reducing these tobacco-caused deaths and disease. We know that many smokers are likely to die from lung cancer (90% of all lung cancer deaths.) They also get sick and die from other lung diseases like emphysema and heart disease. Many of these sufferers drink in our Wisconsin taverns and bars.

If they help support their customers to become tobacco free tavern and bar operators will have those customers for the extra years they will be alive to drink in their taverns. Drinkers who smoke lose from 10 to 20 years of their expected life span. Retaining present customers is easier than finding new customers.

Even drinkers who don't smoke get sick and die from second hand smoke and the fumes from cigarettes, cigars and pipes in smoke-filled taverns, bars and other places where there is smoking.

We are learning more about the harm from tobacco as government and medical scientists discover the facts. The best information we now have is that more than 420,000 Americans die each year from tobacco caused and related diseases. That means that 1,200 Americans are lost to tobacco each and every day.

Now we have information that about 200,000 of these deaths are people with substance abuse and mental health disorders. In Wisconsin this means that 270 of our people with these disorders die each and every month. That is more than 3 times as many American lives lost in the Iraq war every month. How important is that information?

Many of those lost to tobacco are customers of our Wisconsin taverns. Nobody knows how many of the tavern patrons have substance dependence or mental health disorders. We do know that those men who drink more than 2 drinks a day and women who drink more than one drink a day are

drinking irresponsibly according to the President of the American Society of Addiction Medicine, Michael Miller, M.D. and other medical authorities.

The link between smoking and drinking is well known. Patients who get help to quit smoking report they smoke more when they are drinking and they drink more when they are smoking. Bartenders and servers I have interviewed report the average number of drinks customers they serve is 3 to 4 an hour; that customers tend to drink for two or more hours depending on the time of day.

This suggests that while there are many customers who know their limit; many do not and over drink and have alcohol abuse and alcohol dependence disorders.

Dr. Hurt, from the Mayo Clinic, studied more than 800 patients with alcohol and drug dependence disorders treated by Mayo over many years. Dr. Hurt determined that the cause of death of those studied was significantly more from tobacco caused diseases than from alcoholism or drugs.

These findings suggest that the Wisconsin Tavern League can best serve their customers who drink and smoke by following the lead of the Wisconsin Restaurant Association to support state legislation to provide smoke-free workplaces for their employees and customers. The evidence to date documents that smoke-free facilities encourages smokers to quit. Higher prices for cigarettes and other tobacco products move smokers to quit. An active tobacco prevention and control program provides the education and treatment that helps smokers quit.

These are the measures Governor Doyle and public health advocates are proposing that creatively and wisely confront the real harm caused by tobacco that hurts those we love and care about. When the Wisconsin Tavern League joins the Wisconsin Restaurant Association, the tourism industry and the dozen of other advocates supporting these policies we can become leaders in saving Wisconsin lives; among them the customers of our Wisconsin taverns and bars.

David Macmaster, CSAC, TTS
199 Fieldstone Drive, #215
Wisconsin Dells, WI 53965
608-393-1556

Wisconsin Sate Senate

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

Re: SB 150

Smoking has become the number one issue in the United States and Europe, as it involves all people, not just smokers.

I recently lost a close friend to lung cancer. He was a long-time smoker ... over 40 years. The button he wore on his golf hat stated, "No One Deserves to Have Lung Cancer". That was a result of remarks made to him about being a smoker. Dave had no symptoms of lung cancer in his daily routine. It was discovered through a CAT scan to check for injuries after an automobile accident ... I guess that's why they call it the silent killer. He fought valiantly through several episodes of chemotherapy, but finally succumbed to it's lack of results.

My reason for mentioning this story, is to point out that all of the laws could not stop what happened to Dave. You see, it's not the law, it's the life ... it's an issue of public health. Every one of us has experienced the second hand smoke phenomena when we walk into a crowded bar or party area that is populated with smokers. All of those areas have employees, and those employees should be treated as well as an office worker, protected from second hand smoke.
I consider any area, where employees are asked to attend, must be considered a workplace, and not be exempted from regulations.

It is no longer a question of 'if', but 'when' Wisconsin join its neighboring states in banning smoking in all public areas and workplaces. The SB 150 that you are looking at, covers all the areas that I have been talking about and still does not preempt those local ordinances that people have wanted and passed, which may be more restrictive than the state's statute. Enforcement of these issues has not been a problem where these laws have passed. It has been noted that any encroachment has been self-regulated by the parties concerned.

Senator Dale Schultz and I have discussed these issues previously. I would like to remind you all that over 70% of your constituents are "non" smokers, and the majority of those support a total ban on smoking. This bill will also level the playing field for any objectors on the basis of economic effects.

Sincerely,

Donald J. Bauer
E12095 Grubers Grove Road
Prairie du Sac, WI 53578-9300
phone: 608-643-6701
e-mail: dbauer64@merr.com

Dear committee member on Public Health, Senior Issues, Long Term and Privacy,

Unfortunately I am unable to attend the Public Hearing for SB150 on May 31st, but I'd like to take this opportunity to offer a written testimony to show my support in favor of a 100% Smoke Free Wisconsin, with no exemptions.

My concerns regarding secondhand smoke came about because of the drastic health issues that have affected my family. I saw my mother die early in life due to lung problems associated with smoking. She never got to see her grandchildren grow up. I also married a smoker, not knowing in the fifties how smoking would affect my life. I watched and cared for my husband as he started having breathing problems, coughing, choking, not being able to breathe, and finally being put on Oxygen. My two children and I watched him die a horrible death from Emphysema. He too, died too young, and left me with a mentally handicapped daughter and son to bring up on my own.

I am now 70 years old, and have never smoked a day in my life. To my horrible surprise I now have been diagnosed with emphysema due to secondhand smoke.

This committee can take the first step in protecting other families from experiencing my family's health history. Please protect everyone's health, by a vote in favor of a Smoke Free Wisconsin without exemptions.

Thank you for your time.

Sincerely,
Susan Carpenter
1151 Lakeshore Drive
Menasha, WI 54952

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

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

Faye Tetzloff, RN, MSN
Portage County Health Officer

Where Government Serves the Community

St. Croix County Health and Human Services

MEMORANDUM

TO: Members of the Committee on Public Health,
Senior Issues, Long Term Care and Privacy
Senator Spencer Coggs
Senator Robert Cowles
Senator Tim Carpenter
Senator Pat Kriefiow
Senator Dale Schultz

FROM: Fred Johnson, Director
St. Croix County Department of Health and Human Services

DATE: May 21, 2007

RE: 2007 Senate Bill 150

The St. Croix County Health and Human Services Board met on May 16, 2007 and discussed the above noted Senate Bill. The committee passed a motion which indicates they support Senate Bill 150, also known as Breathe Free Wisconsin Act, with the following considerations:

- Support a uniform Wisconsin Statute change to ban smoking to include all indoor places but to exclude private passenger vehicles and any private residences.
- Smoking ban to exclude outdoor areas except as currently defined in Statute.
- That fines and penalties should not be increased.

Please contact me at 715/246-8223 if you have any questions.

CC:

Senator Fred Risser
Senator Alberta Darling
Representative Jon Richards
Representative Frank Boyle
Representative Spencer Black
Representative Alvin Ott
Representative Sheldon Wasserman
Representative Sandy Pope-Roberts
Senator Carol Roessler
Representative John Murtha
Governor Jim Doyle
Senator Mark Miller
Representative Steve Wieckert
Representative Mark Gottlieb
Representative Joseph Parisi
Representative Chuck Benedict
Representative Terese Berceau
Representative Leon Young
Representative Barbara Toles
Senator Sheila Harsdorf
Representative Ann Hraychuck
Representative Kitty Rhoades

RESOLUTION TO REDUCE YOUTH SMOKING AND SUSTAIN FUNDING FOR WISCONSIN'S COMPREHENSIVE TOBACCO CONTROL PROGRAM

Resolution No. 12(2007)

St. Croix County, Wisconsin

WHEREAS, every year over 16,400 Wisconsin children become addicted to tobacco, of whom more than one-third will die prematurely because of this addiction; and

WHEREAS, significantly increasing Wisconsin's excise tax on cigarettes would drastically reduce the number of children who become addicted to tobacco, save over a billion dollars in health care costs, and provide hundreds of millions of dollars per year in additional state revenues; and

WHEREAS, the St. Croix County Health and Human Services Board passed a similar resolution entitled "Wisconsin Children's Initiative – Resolution to Reduce Youth Smoking" dated May 13, 2005; and

WHEREAS, fully funding the State's Tobacco Prevention and Control Program would effectively reduce smoking rates through public education efforts, counter-marketing, community and school-based programs, and provide services to help persons quit smoking; and,

WHEREAS, tobacco used in St. Croix County costs $51 million in health care costs and loss productivity.

THEREFORE, BE IT RESOLVED that, in an effort to effectively reduce the number of Wisconsin children who become addicted to tobacco, the St. Croix County Board of Supervisors supports:

1. Increasing the Wisconsin excise tax on cigarettes by at least $1.25 per pack with the revenue generated being directed to fund the Medical Assistance Program and Wisconsin's Tobacco Prevention and Control Program.

2. In order to most effectively reduce the burden of tobacco, assuring that Wisconsin's comprehensive Tobacco Prevention and Control Program is funded at $31 million per year, which is equal to the Centers for Disease Control minimum funding recommendation.

STATE OF WISCONSIN
COUNTY OF ST. CROIX
I, Cindy Campbell, St. Croix County Clerk, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution # 12 (2007) adopted by the County Board of Supervisors at their meeting held May 15 2007

Cindy Campbell /AG
Cindy Campbell, St. Croix County Clerk

May 30, 2007

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

Deborah Zernicke
404 N Madison Street
Bonduel, WI 54107

5-29-2007

SENATE PUBLIC HEALTH, SENIOR ISSUES, LONG TERM CARE AND PRIVACY COMMITTEE

I SUPPORT THE 100% STATE WIDE SMOKEFREE AIR AND $1.25 PER PACK CIGARETTE TAX INCREASE PROPOSAL.

IT IS DIFFICULT TO UNDERSTAND OPPOSITION TO THESE ISSUES, WITH ALL THE INFORMATION AVAILABLE AS TO THE DETRIMENTS OF HEALTH, SECOND HAND SMOKE, AND EXPENSE RELATED ISSUES.

HOPEFULLY THE COMMITTEE WILL SUPPORT THESE ISSUES.

LAWRENCE GARSIDE
N5659 E CHANNEL DR
SHAWANO, WI 54166

Law Garside

Dear committee member on Public Health, Senior Issues, Long Term and Privacy,

Unfortunately I am unable to attend the Public Hearing for SB150 on May 31st, but I'd like to take this opportunity to offer a written testimony to show my support in favor of a 100% Smoke Free Wisconsin, with no exemptions.

There are many reasons to support this proposal. One point that I feel I can speak to is the exposure of secondhand smoke for those that work in bars and restaurants. My job requires that I make visits to several bars and restaurants almost on a daily basis. I may be at these establishments for several hours at a time and I am no doubt exposed to a great deal of secondhand smoke on many of these visits.

My work provides a service to support bars and restaurants. I love my job and I have developed many great relationships with the owners and employees of these establishments. If this law is passed it would greatly benefit the health of all those that work in bars and restaurants, as well as those that work in support of these establishments.

Please protect everyone's health, by a vote in favor of a Smoke Free Wisconsin without exemptions.

Thank you for your time.

Sincerely,

Jed Wohlt

Jed Wohlt
N4103 Laird Rd
Black Creek, WI 54106

MAY 31, 2007

TESTIMONY BEFORE THE COMMITTEE ON PUBLIC HEALTH, SENIOR ISSUES, LONGTERM CARE AND PRIVACY

SENATE BILL 150

GOOD AFTERNOON. I WOULD LIKE TO THANK THE COMMITTEE FOR ALLOWING ME TO SPEAK DURING THIS HEARING.

YOU HAVE HEARD FROM PROPONENTS OF SENATE BILL 150 THAT SECOND HAND SMOKE IS A HEALTH ISSUE. AND, YOU HAVE HEARD FROM OPPONENTS OF SENATE BILL 150 THAT IF PASSED AS WRITTEN IT WOULD BE A VIOLATION OF BUSINESS OWNER RIGHTS.

I AM A SUPPORTER OF THE BREATH FREE WISCONSIN ACT. I AM A DOCTORAL CANDIDATE AT WALDEN UNIVERSITY IN THE SCHOOL OF PUBLIC POLICY AND PUBLIC ADMINISTRATION. MY WORK EXPERIENCE INCLUDES EDUCATING AND MOBILIZING WISCONSIN PARENTS INTO DRUG PREVENTION ACTION AS STATE COORDINATOR FOR THE PARENT CORPS. I ALSO VOLUNTEER AS THE STATE DRUG DEMAND REDUCTION ADMINISTRATOR FOR THE UNITED STATES CIVIL AIR PATROL AIR FORCE AUXILIARY WISCONSIN WING.

I HAVE HEARD BUSINESS OWNERS CRY OUT ABOUT CONSTITUTIONALLY PROTECTED RIGHTS, AND FREEDOM AND JUSTICE FOR ALL. IT IS TIME FOR A CIVICS LESSON THAT IS NO LONGER TAUGHT IN OUR SCHOOLS.

FIRST, FREEDOM AND JUSTICE FOR ALL CAME OUT DURING THE CIVIL RIGHTS MOVEMENT. IT IS A PHRASE THAT IS NOT FOUND ANYWHERE IN OUR DECLARATION OF INDEPENDENCE, OR OUR UNITED STATES CONSTITUTION WITH AMENDMENTS. SECOND, THE IDEA THAT EVERYONE HAS INALIENABLE RIGHTS AND THEY ARE LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS IS A GOOD ARGUMENT. HOWEVER, THE DECLARATION OF INDEPENDENCE IS A LETTER OF INTENT FROM OUR FOUNDING FATHERS THAT WE WERE SEPARATING FROM THE TYRANNY OF KING GEORGE. THIRD, NO WHERE DOES THE UNITED STATES CONSTITUTION PROTECT A PERSON'S LIFESTYLE CHOICE. IT WAS NOT WRITTEN TO REFLECT THESE TYPES OF PROTECTIONS.

HOW DOES ALL THIS RELATE TO SENATE BILL 150? ANYONE CAN START A BUSINESS IN WISCONSIN. IF IT IS A FOR-PROFIT BUSINESS, THE PROPRIETOR MUST REGISTER WITH THE SECRETARY OF STATE, OR IF THE BUSINESS IS A CORPORATION OR NON-PROFIT, THE PERSON NAMED "THE FOUNDER" MUST REGISTER WITH THE DEPARTMENT OF FINANCIAL INSTITUTIONS. THEN, DEPENDING ON THE TYPE OF BUSINESS, THE

OWNERS MUST GO TO THEIR COUNTY AND LOCAL GOVERNMENTS TO FILE REQUESTS FOR LICENSES AS DEEMED BY LOCAL ORDINANCES, AND, IN SOME CASES, STATE LAW. THESE LICENSES DO NOT GIVE BUSINESS OWNERS RIGHTS, THEY GIVE THEM RESPONSIBILITIES. THE HIGHEST RESPONSIBILITY IS TO ENSURE THE SAFETY AND WELL-BEING OF THEIR EMPLOYEES AND THEIR CUSTOMERS. IN THE END, SENATE BILL 150 WILL HELP BUSINESS OWNERS MEET THEIR RESPONSIBILTY.

SECONDHAND SMOKE COSTS TAXPAYERS. IF A SMALL BUSINESS CANNOT PROVIDE HEALTH INSURANCE, THE BURDEN FALLS UPON THE TAXPAYERS. SECONDHAND SMOKE CAUSE DISEASES THROUGH THE CHEMICALS RELEASED IN THE SMOKE WHEN EXHALED. MANY OF THESE CHEMICALS ARE CARCINOGENS. THE SMOKE PUTS ALL WHO WORK AND PATRONIZE BUSINESSES AT RISK OF CONTRACTING LUNG DISEASES, ASTHMA, AND CANCER. SECONDHAND SMOKE KILLS. THIS IS NOT A SENSATIONALIZED STATEMENT, IT IS FACT THAT IS BACKED UP BY YEARS OF RESEARCH AND IS SUPPORTED BY THE UNITED STATES SURGEON GENERAL.

SENATE BILL 150 IS NOT ABOUT RIGHTS. IT IS ABOUT PUBLIC HEALTH, AND THE RESPONSIBILITY THAT BUSINESS OWNERS, PUBLIC HEALTH OFFICIALS, AND POLICY MAKERS HAVE TOWARD THE CITIZENS, AND VISITORS, IN WISCONSIN.

Donna R. Daniels

State of Wisconsin
Department of Health and Family Services

Jim Doyle, Governor
Kevin R. Hayden, Secretary

Thursday, May 31, 2007

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

FROM: Kevin Hayden, DHFS Secretary

RE: Senate Bill 150

Senator Carpenter and committee members, thank you for the opportunity to talk with you today about one of the most important health care and public health issues of our time – tobacco and secondhand smoke. I am pleased to represent Governor Doyle and the Department of Health and Family Services in support of Senate Bill 150.

I'd also like to introduce Dr. Mark Wegner who is with me today. Dr. Wegner is the Chronic Disease Medical Director in the Division of Public Health and is here to help answer questions you may have following my testimony.

I'm pleased to join many others here today to support efforts to make Wisconsin completely smoke free – a step that will save lives, save money in health care costs, and improve public health across the state.

This issue is not about parties and politics. It's not about smokers versus non-smokers. Tobacco is incredibly addictive and many people who smoke started in their teens. This bill will help protect our youth and *all* citizens of Wisconsin.

Having worked in health care for decades, I can recall no other single Legislative act that will have as profound, immediate and widespread an impact on public health as this proposed smoking ban.

Every person in this room knows somebody who has died from a tobacco-related disease. We know that 8,000 Wisconsin residents die each year from a tobacco-related illness. Tobacco is a major cause of the top five killer diseases in our country: heart disease, cancer, stroke, diabetes and chronic obstructive pulmonary diseases including emphysema and chronic bronchitis.

Tobacco use also costs billions in health care expenses and countless hours of lost productivity every year when people are sick.

1 West Wilson Street • Post Office Box 7850 • Madison, WI 53707-7850 • Telephone 608-266-9622 • dhfs.wisconsin.gov

Nobody should have to work or play in the presence of an EPA-classified "Group A carcinogen," a substance that contains more than 4,000 chemicals and almost 70 separate carcinogens.

Under SB 150, people in Wisconsin will never again be forced to risk their health to earn a paycheck or go out dinner.

Smoke-free workplaces and public places should be the right of all Wisconsinites, and bar and restaurant workers deserve the same protection from secondhand smoke that teachers, doctors, lawyers, and others already enjoy.

More than 50 percent of U.S. residents live in completely smoke-free communities. If the Legislature doesn't pass a statewide smoking ban now, we will be hearing about this issue for years to come, and municipal governments will be debating this often contentious and divisive issue community by community. A comprehensive statewide ban provides an equitable approach to address this crucial public health issue.

We all know the direction that history is going on this issue. It's only a matter of time before the whole country goes smoke free. Wisconsin should be leading the way, not following along with the pack.

As you know, Minnesota and Illinois states have already passed comprehensive statewide legislation, with Minnesota's law going into effect October 1st of this year. The time is now for Wisconsin to join the 22 states and commonwealths to protect the health of our residents through comprehensive smoke-free workplace laws that include all restaurants and taverns.

Every day we delay going smoke-free in Wisconsin is another day where more people are getting sick and more kids start smoking.

SB 150 will prevent non-smokers from getting sick from secondhand smoke, help smokers quit, and prevent kids from picking up the habit.

Last summer, the Surgeon General – the nation's top doctor – declared definitively that there is "no risk-free level of exposure to secondhand smoke." The Surgeon General's report (*The Health Consequences of Involuntary Exposure to Tobacco Smoke)* made it clear that secondhand smoke has long-term and immediate health impacts. This law will make sure nobody gets sick because of somebody else's decision or addiction.

Additionally, according to an Institute of Medicine report released just this week (*Ending the Tobacco Problem: A Blueprint for the Nation*) that smoke-free air laws help smokers quit, especially now that smoking levels have begun to level off.

However, not only will this law protect non-smokers from secondhand smoke and help current smokers quit, but SB 150 will also help change how our children view smoking.

Every child knows tobacco is bad for them – just ask any third grader and you'll know our educational systems have done their job. Unfortunately, education alone isn't enough.

We must assure our communities reflect what we teach our kids in school, which is that tobacco is deadly. When our children see smoking, they view it as an adult habit, and picking up a cigarette will continue to be what kids do to look and feel like adults. And once kids start, it's difficult to stop – just ask any adult smoker.

SB 150 will change the stark inconsistency between what we say and what we do in Wisconsin, and as a result, this legislation will improve the health of families and kids for decades to come.

Tobacco use is a critical public health issue and secondhand smoke is an unnecessary health threat and economic burden on our health care systems.

By supporting SB 150, you have a chance to save thousands of lives and millions in future health care costs.

On behalf of Governor Doyle and DHFS, I ask for your swift action on comprehensive statewide smokefree legislation. Thank you again for the opportunity to testify before the committee.

May 23, 2007

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

I have received notice of the public hearing scheduled for May 31, 2007 regarding Breathe Free Wisconsin Act. I will be unable to attend this hearing but wanted to write a letter indicating my support for SB150.

I grew up in a family where my mother, father and sister smoked. I have seen the health effects caused by smoking and secondhand smoke. I have made a choice with my own life that doesn't involve smoking. I do not like being around people who are smoking. I don't take my children places where people are smoking because of the risk of second hand smoke and the smell. I would appreciate Wisconsin being a smoke free environment so that this was not one of the things we needed to consider when we were going places. Please allow give everyone the right to breathe clean indoor air, by passing SB 150.

Sincerely,

Jodi Gunckel

Jodi Gunckel
1253 Snowdon Dr.
Oshkosh, WI 54904
920-379-8676

Axley
Attorneys Since 1885

AXLEY BRYNELSON, LLP

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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Aspirus Wausau Hospital is a MAGNET Hospital.

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.

COUNTY OF MARATHON

HEALTH DEPARTMENT

LAKEVIEW PROFESSIONAL PLAZA
1200 LAKE VIEW DRIVE, RM 200
WAUSAU, WI 54403-6797

TEL/TDD: (715) 261-1900
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www.co.marathon.wi.us

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.

Julie Willems Van Dijk

DEAR MEMBERS OF SENATE PUBLIC HEALTH, SENIOR SERVICES, LONG TERM CARE AND PROGRAM COMMITTEE,

MY NAME IS BETTYE NALL. I HAVE BEEN A MARATHON COUNTY BOARD SUPERVISOR FOR 19 YEARS AND CURRENTLY SERVE AS CHAIR OF THE MARATHON COUNTY BOARD OF HEALTH AND CHAIR OF THE HUMAN SERVICES COMMITTEE. IN THESE ROLES IT IS OUR DUTY TO ADDRESS HEALTH ISSUES OF COUNTY RESIDENTS AND EMPLOYEES OF THE COUNTY. WE HAVE BEEN WORKING WITH THE TOBACCO FREE COALITION TO PROMOTE INDOOR CLEAN AIR FOR SEVERAL YEARS, WITH SOME DEGREE OF SUCCESS.

MY PERSONAL EXPERIENCE WITH SECOND-HAND SMOKE IS VERY REAL; BEING IN THE PRESENCE OF SMOKERS CAUSES DIFFICULTY IN BREATHING. I CANNOT REMAIN IN A SMOKE FILLED ROOM OR AN ENCLOSED AREA WHERE SMOKING HAS BEEN ALLOWED SUCH AS A MOTEL ROOM OR AUTOMOBILE.

THE STATES OF ILLINOIS AND MINNESOTA WILL SOON BECOME THE 19TH AND 20TH STATES TO PASS COMPREHENSIVE SMOKEFREE LEGISLATION LEAVING WISCONSIN EVEN FURTHER BEHIND.

A STATEWIDE SMOKE FREE WORKPLACE LAW AS PROPOSED BY GOVERNOR DOYLE IS GOOD PUBLIC HEALTH POLICY1 IT WILL PUT ALL BUSINESSES ON AN EQUAL PLAYING FIELD AND CREATE A HEALTHY WORK ENVIRONMENT FOR ALL EMPLOYEES.

THE U.S. SURGEON GENERAL HAS CONCLUDED THAT ELIMINATING SMOKING IN INDOOR SPACES IS THE ONLY WAY TO FULLY PROTECT EVERYONE FROM THE DANGERS OF SECOND HAND SMOKE. IT HAS BEEN RECOGNIZED THAT SECOND HAND SMOKE IS A SERIOUS HEALTH HAZARD THAT CAUSES PREMATURE DEATH AND DISEASES IN NON-SMOKING ADULTS..

MANY YOUNG PEOPLE LIKE COLLEGE STUDENTS MUST FIND JOBS TO PAY FOR THEIR EDUCATION, SKILLS ARE LIMITED TO BEING RESTUARANT WAIT STAFF OR BAR-TENDING. THE NEED FOR A JOB PRECLUDES HEALTH CONCERNS. WE NEED TO PROTECT EVERYONE WHO LIVES AND WORKS IN THE STATE OF WISCONSIN FROM SECOND-HAND SMOKE IN THE WORKPLACE AND PUBLIC BUILDINGS.

I AM ENCOURAGING EACH OF YOU TO USE YOUR POSITION AS POLICY MAKERS TO PROTECT ALL OF WISCONSIN'S RESIDENTS FROM THE DANGERS OF SECOND-HAND SMOKE BY PASSING A 100% SMOKE FREE WORKPLACE LAW AS PROPOSED BY THE GOVERNOR!

THANKS.

Bettye Nall

COUNTY OF MARATHON

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WAUSAU, WISCONSIN 54403-5568

MARATHON COUNTY
BOARD OF SUPERVISORS
(715) 261-1500
FAX (715) 261-1515

May 31, 2007

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

On March 20, 2007, the Marathon County Board of Supervisors passed the attached resolution in support of Governor Doyle's proposal for the adoption of a statewide workplace smoking ban with no exceptions. A copy of this resolution was sent to Governor Doyle, members of the Joint Finance Committee, and all legislators who represent portions of Marathon County.

Smoke-free laws are gaining in popularity globally. Not only have many countries adopted smoke-free laws, but now Illinois and Minnesota will be the 19th and 20th states to enact a comprehensive statewide smoke-free law – including restaurants and taverns. The people in Marathon County want these same protections in the state of Wisconsin.

Employees in all venues of work have the right for basic protections from secondhand smoke. A state bill is the best way to protect employees and everyone who lives in Wisconsin.

Currently 33 Wisconsin communities have some sort of smoke-free air law. Although this is great for those who live and work in these 33 communities, it also means a large number of Wisconsin residents continue to be exposed to secondhand smoke while at work and in public places.

While local control is often viewed as the preferred way to develop policy, laws that prohibit smoking in workplaces are one example of how state policy is much more efficient. Waiting for individual communities to enact a patchwork of smoke-free policies one at a time should not be considered good policy making. Not only is it very inefficient, but lives are being lost and health compromised due to exposure to secondhand smoke in these communities that have not yet enacted a smoke-free ordinance. A statewide 100% smoke-free workplace law will also create a fair and equal economic environment for our businesses.

Knowing how dangerous secondhand smoke is to our health, we cannot in good conscience wait for individual municipalities to enact an assortment of different ordinances. Wisconsin needs a statewide smoke-free workplace law. Every day that passes without such a law means that employees and residents have to compromise their health for a paycheck.

Smoke-free air saves lives and is good public health policy. I ask each of you, as our state policy makers, to protect me, to protect my family, and to protect every resident in Wisconsin by passing a statewide 100% smoke-free workplace law with no exemptions.

Thank you for this opportunity to provide written testimony on Senate Bill 150.

Sincerely,

Keith Langenhahn
Chairman
Marathon County Board of Supervisors

Resolution #R -13- 07

Resolution in Support of Increasing the Wisconsin Excise Tax on Cigarettes by $1.25 per Pack and Adoption of a Statewide Workplace Smoking Ban with No Exceptions

WHEREAS, tobacco use is the leading cause of preventable death and disease in Marathon County, causing 132 deaths and 50 million dollars in health care costs annually, and

WHEREAS, every year, 16,400 Wisconsin children become addicted to tobacco products, and

WHEREAS, significant price increases in tobacco products and smoke-free workplace legislation have been proven to be the best strategies to reduce consumption of tobacco products, especially among youth, and

WHEREAS, the 2006 Surgeon General's Report "Health Consequences of Involuntary Exposure to Tobacco Smoke" concluded that there is no risk-free level of exposure to secondhand smoke, that workplace smoking restrictions are effective in reducing secondhand smoke exposure, and

WHEREAS, all citizens deserve to be protected from exposure to secondhand smoke in workplaces and public settings, and

WHEREAS, it is the responsibility of governmental bodies to protect the health of communities they serve, and

WHEREAS, the Marathon County Board of Supervisors has previously supported efforts to strengthen the state's Clean Indoor Air laws, and

WHEREAS, Governor Doyle's state biennial budget proposal includes a provision for a $1.25 increase in the tobacco tax, with the additional revenue being allocated to: funding a comprehensive program to reduce tobacco use that follows CDC best practice guidelines, allocates funds to the Medical Assistance Program and funds other state programs that will advance the health, education and general welfare of Wisconsin citizens, and

WHEREAS, the Governor is asking the Legislature to pass legislation proposing all Wisconsin workplaces be completely smokefree, and

WHEREAS, such legislation is supported by three out of four Wisconsin citizens, and

NOW, THEREFORE, BE IT RESOLVED, that the Marathon County Board of Supervisors support: Governor Doyle's budget initiative to increase the Wisconsin excise tax on cigarettes by $1.25 per pack, provided the funds are used for health programs as outlined above, and

BE IT FURTHER RESOLVED, that the Marathon County Board of Supervisors support adoption of a statewide workplace smoking ban with no exceptions.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Wisconsin Counties Association, Wisconsin Governor Jim Doyle, the Joint Finance Committee of the State of Wisconsin, and all legislators who represent portions of Marathon County.

Submitted this 20th day of March, 2007.

HUMAN SERVICES COMMITTEE

EXECUTIVE COMMITTEE

Fiscal Impact: No budgetary tax levy impact.

STATE OF WISCONSIN)
)SS.
COUNTY OF MARATHON)

I, Nan Kottke, County Clerk in and for Marathon County, Wisconsin, hereby certify that the attached Resolution #R-13-07 was adopted by the Marathon County Board of Supervisors at their Adjourned Annual meeting which was held March 20, 2007.

S E A L

Nan Kottke
Marathon County Clerk

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
Alderperson for the City of Wausau