



WISCONSIN STATE SENATE

DAN KNODL

STATE SENATOR • 8TH DISTRICT

Senate Bill 471

Public Testimony

Senate Committee on Insurance and Small Business

December 6, 2023

Thank you, members of this committee, for hearing my testimony on Senate Bill 471. This bill ends the moratorium on new tobacco bars in Wisconsin.

2009 Act 12 enacted a prohibition on smoking in indoor spaces. That sweeping legislation included an exception from the ban for a specific class of establishments designated in the bill as “tobacco bars” and defined based on the percent of their income derived from the sale of cigars and pipe tobacco.

However, this carve out only applies to establishments that existed prior to June 3, 2009. A moratorium exists on new tobacco bars. Given the specific nature of these taverns and the clientele they support, state law is unfairly targeting this market for eventual extinction.

I personally am not a consumer of any tobacco products, but I am a fan of free markets, and this is a free market bill. Those consumers who wish to seek out this specific social experience will continue to be able to do so, and contrary to what the alarmists may say, the smoking ban will remain in effect for the majority of us who do not want to find ourselves in that environment. Furthermore, this bill preserves the prohibition on cigarette smoking in tobacco bars, which was the primary concern of those who drafted the 2009 smoking ban.

Nobody is arguing that cigar or pipe smoking is healthy, but we need to maintain some perspective on this issue. According to the CDC, only one out of every thirty consumers of premium cigars reported doing so every day, and seven in ten reported doing so only rarely. These numbers are significantly lower than frequent and daily use of marijuana, which is greater than one in five, and even alcohol, which is closer to one in fifteen. The frequency of use among cigarette smokers is so high that studies typically measure it in the number consumed per day—and as I previously stated, state law specifically prohibits cigarette smoking in tobacco bars. The fact is that the patrons of these establishments are generally not frequent customers who will encounter secondhand smoke on a regular basis.

I would like to thank Representative Gustafson for his work on this bill. Thank you for taking the time to consider this proposed legislation. We would be happy to answer any questions.



NATE GUSTAFSON

STATE REPRESENTATIVE • 55TH ASSEMBLY DISTRICT

Testimony in Support of Senate Bill 471

Senate Committee on Insurance and Small Business

Wednesday, December 6, 2023

Thank you, Chairwoman Felzkowski, and esteemed members of the Senate Committee on Insurance and Small Business for scheduling this public hearing and providing me with the opportunity to testify in favor of Senate Bill 471. I also want to express my appreciation to my colleague, Senator Knodl, for leading this bill in the Senate.

I authored this bipartisan bill after being approached by a constituent from my district interested in opening a tobacco bar. Tobacco bars are often small, independently owned businesses that contribute to the vibrancy and character of communities.

SB 471 neither weakens the smoking ban nor creates any loopholes. It highlights the delicate balance between public health interests and the autonomy of businesses and individual freedoms. Tobacco bars, by their nature, serve as designated smoking destinations. Cigar bars typically have strict ventilation systems and policies in place to minimize the impact of secondhand smoke. This distinction ensures that individuals entering these establishments do so with a clear expectation of a smoking-friendly environment.

SB 471 mirrors similar laws enacted in states such as California, Colorado, Connecticut, Massachusetts, New Jersey, New Mexico, New York, Oregon, and Rhode Island. Notably, these similar laws achieved bipartisan support within mostly Democratic trifectas.



NATE GUSTAFSON

STATE REPRESENTATIVE • 55TH ASSEMBLY DISTRICT

I ask you this question: how have states with superior public health ratings compared to Wisconsin successfully struck a balance between public health and permitting cigar bars but Wisconsin has been unable to do so? Opposition to this bill is nothing but politics.

I urge you to give thoughtful consideration to B 471. This legislation, born out of the concerns voiced by our constituents, offers a unique opportunity to bring our state in line with counterparts, fostering economic growth, and upholding consumer choice within the framework of responsible regulation. Your careful attention to this matter is greatly appreciated, and I trust that you will recognize the positive impact SB 471 can have on our constituents and our state as a whole.

Thank you for your time and consideration.

Wisconsin Cancer Statistics

At a Glance

37,640

estimated new cases
2023

11,670

estimated deaths
2023

470.8

incidence rate
2015-2019

152.5

mortality rate
2016-2020

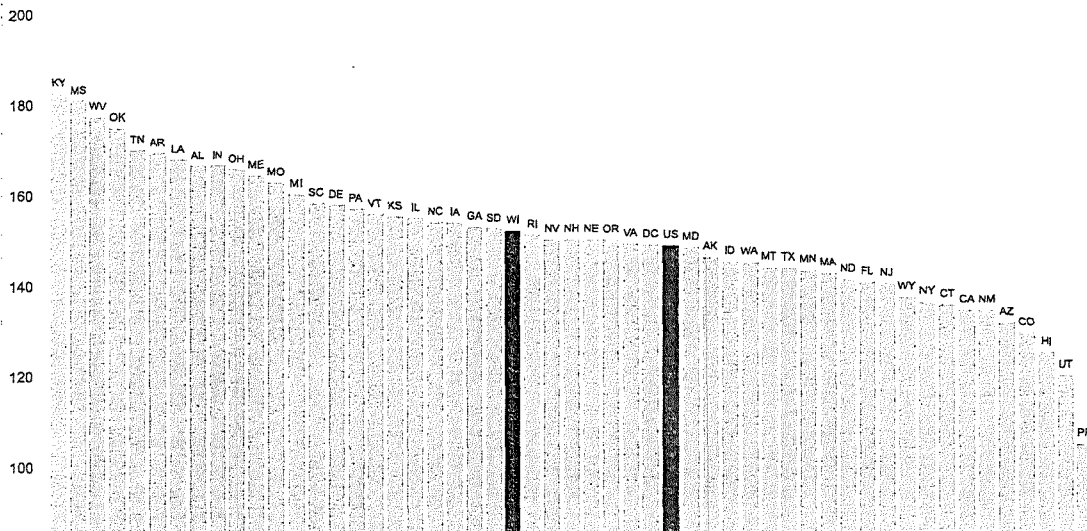
Average annual rate per 100,000, age-adjusted to the 2000 US standard population

Incidence & Mortality Rates Among States

Wisconsin Mortality Rates 2016-2020

Incidence Mortality

View by: Sexes combined Type All cancers



How does Wisconsin compare?

152.5

Wisconsin's mortality rate is higher than the national rate

149.4

National mortality rate

Mortality rates for 2016-2020

Data Source: National Center for Health Statistics, Centers for Disease Control and Prevention, 2022
American Cancer Society, 2023
Average annual rate per 100,000, age adjusted to the 2000 US standard population.

California Cancer Statistics

At a Glance

192,770

estimated new cases
2023

59,830

estimated deaths
2023

402.4

incidence rate
2015-2019

135.1

mortality rate
2016-2020

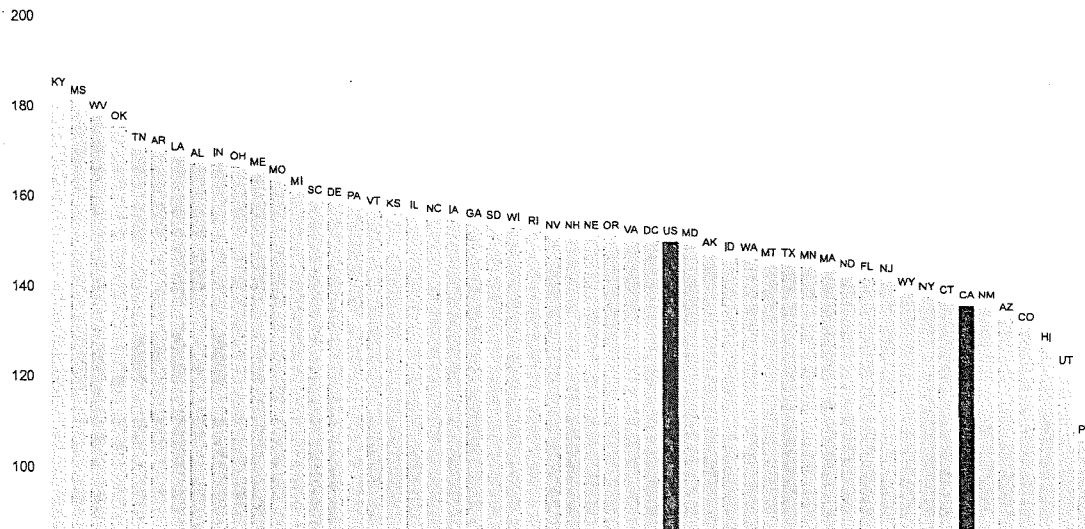
Average annual rate per 100,000, age-adjusted to the 2000 US standard population

Incidence & Mortality Rates Among States

California Mortality Rates 2016-2020

Incidence Mortality

View by: Sex: Sexes combined Type: All cancers



How does California compare?

135.1

California's mortality rate is lower than the national rate

149.4

National mortality rate

Mortality rates for 2016-2020

Data Source: National Center for Health Statistics, Centers for Disease Control and Prevention, 2022
American Cancer Society, 2023
Average annual rate per 100,000, age adjusted to the 2000 US standard population.

Colorado Cancer Statistics

At a Glance

28,920

estimated new cases
2023

8,650

estimated deaths
2023

396.4

incidence rate
2015-2019

130.0

mortality rate
2016-2020

Average annual rate per 100,000, age-adjusted to the 2000 US standard population

Incidence & Mortality Rates Among States

Colorado Mortality Rates 2016-2020

Incidence

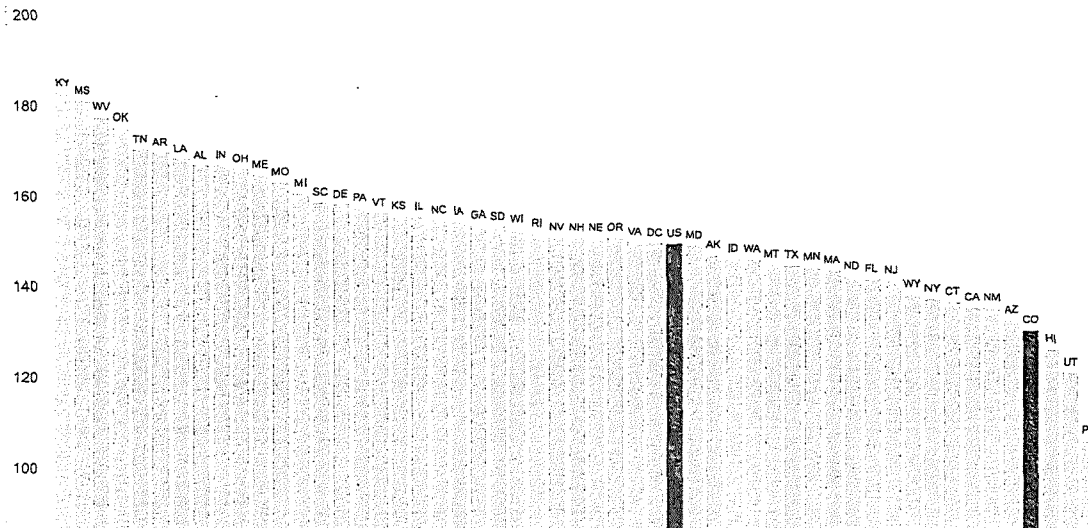
Mortality

Sex

Type

View by: Sexes combined

All cancers



How does Colorado compare?

130

Colorado's mortality rate is lower than the national rate

149.4

National mortality rate

Mortality rates for 2016-2020

Data Source: National Center for Health Statistics, Centers for Disease Control and Prevention, 2022
American Cancer Society, 2023
Average annual rate per 100,000, age adjusted to the 2000 US standard population.

Connecticut Cancer Statistics

At a Glance

23,480

estimated new cases
2023

6,440

estimated deaths
2023

471.4

incidence rate
2015-2019

136.3

mortality rate
2016-2020

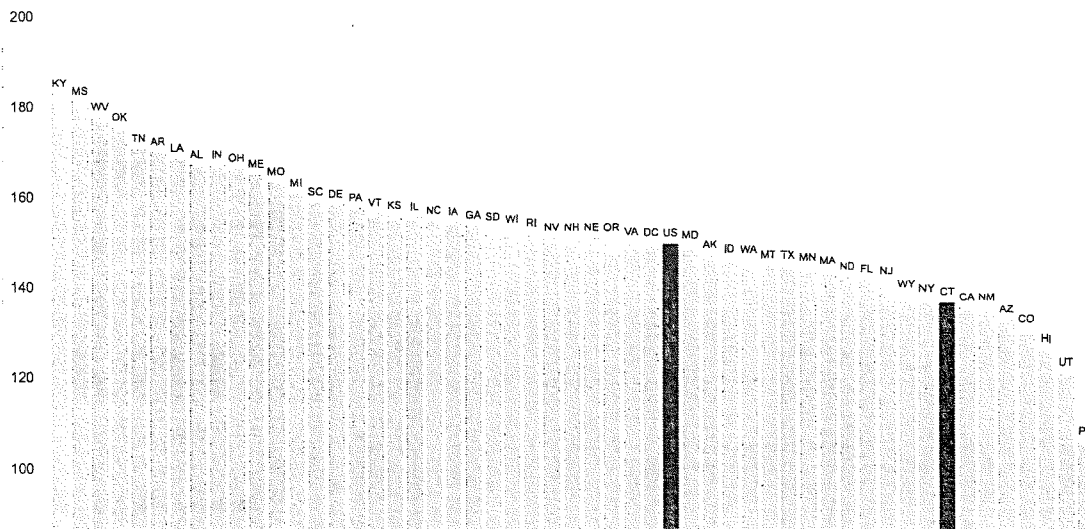
Average annual rate per 100,000, age-adjusted to the 2000 US standard population

Incidence & Mortality Rates Among States

Connecticut Mortality Rates 2016-2020

Incidence Mortality

View by: Sex Type
 Sexes combined All cancers



How does Connecticut compare?

136.3

Connecticut's mortality rate is lower than the national rate

149.4

National mortality rate

Mortality rates for 2016-2020

Data Source: National Center for Health Statistics, Centers for Disease Control and Prevention, 2022
 American Cancer Society, 2023
 Average annual rate per 100,000, age adjusted to the 2000 US standard population.

Massachusetts Cancer Statistics

At a Glance

42,880

estimated new cases
2023

12,420

estimated deaths
2023

454.8

incidence rate
2015-2019

143.3

mortality rate
2016-2020

Average annual rate per 100,000, age-adjusted to the 2000 US standard population.

Incidence & Mortality Rates Among States

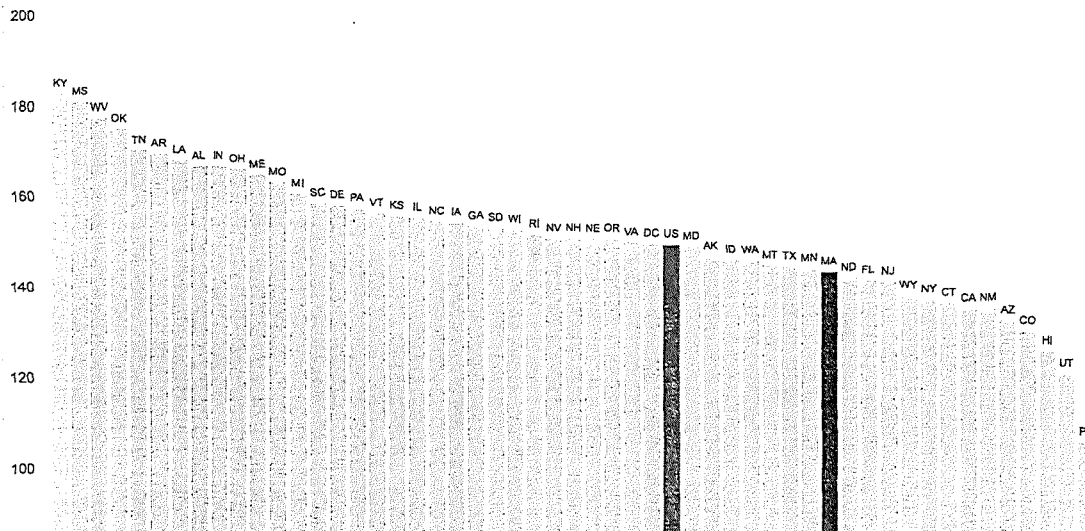
Massachusetts Mortality Rates 2016-2020

Incidence Mortality

Sex

Type

View by: Sexes combined All cancers



How does Massachusetts compare?

143.3

Massachusetts's mortality rate is lower than the national rate

149.4

National mortality rate

Mortality rates for 2016-2020

Data Source: National Center for Health Statistics, Centers for Disease Control and Prevention, 2022
American Cancer Society, 2023
Average annual rate per 100,000, age adjusted to the 2000 US standard population.

Oregon Cancer Statistics

At a Glance

26,030

estimated new cases
2023

8,430

estimated deaths
2023

428.4

incidence rate
2015-2019

150.6

mortality rate
2016-2020

Average annual rate per 100,000, age-adjusted to the 2000 US standard population

Incidence & Mortality Rates Among States

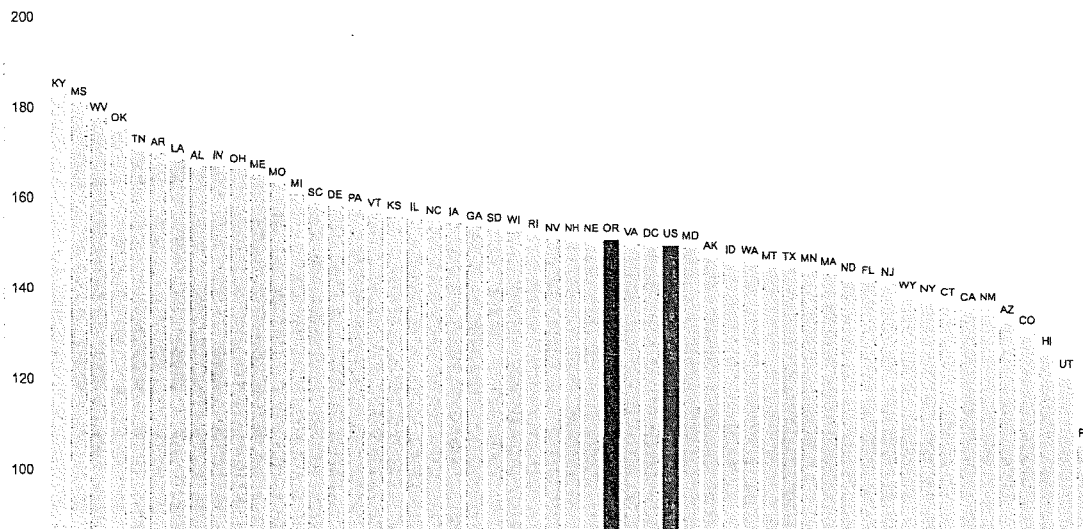
Oregon Mortality Rates 2016-2020

Incidence Mortality

Sex

Type

View by: Sexes combined All cancers



How does Oregon compare?

150.6

Oregon's mortality rate is higher than the national rate

149.4

National mortality rate

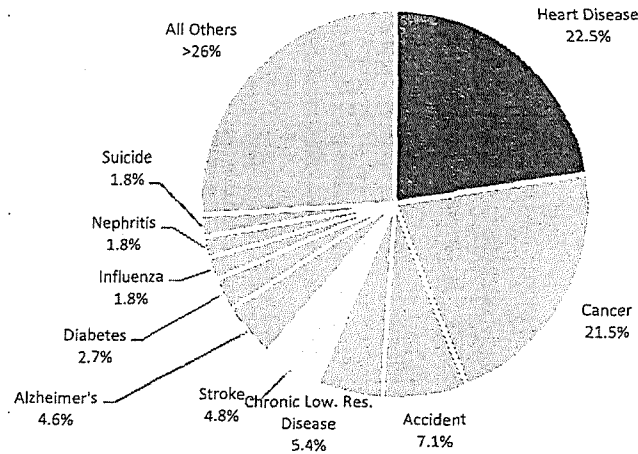
Mortality rates for 2016-2020

Data Source: National Center for Health Statistics, Centers for Disease Control and Prevention, 2022
American Cancer Society, 2023
Average annual rate per 100,000, age adjusted to the 2000 US standard population.



Wisconsin State Fact Sheet

Leading Causes of Death in Wisconsin in 2017*



Wisconsin has the 24th lowest death rate from cardiovascular disease in the country.**

- Heart disease is the no. 1 killer in Wisconsin*
- 11,860 people in Wisconsin died of heart disease in 2017*
- Stroke is the no. 5 killer in Wisconsin*
- 2,513 in Wisconsin died of stroke in 2017*

Heart Disease and Stroke Risk Factors in Wisconsin***

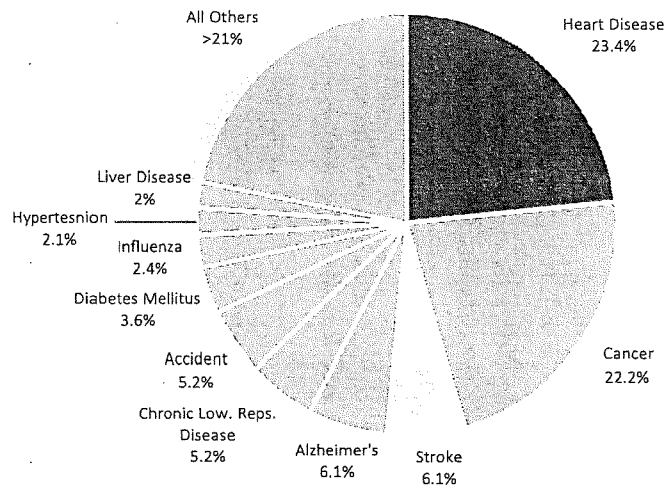
	Wisconsin	US
Adults who are current smokers	17.3%	17.1%
Adults who participate in 150+ min of aerobic physical activity per week	57.1%	50.6%
Adults who are overweight or obese+	67.3%	66.6%
Adults who have been told that they have had a heart attack	3.5%	4.2%
Adults who have been told that they have had a stroke	2.2%	3%
Adults who have been told that they have angina or coronary heart disease	3.7%	3.9%
Population of adults (18-64) who have some kind of health care coverage	92.7%	89.5%
High school Students who are obese++	13.7%	14.8%
Percentage of population covered by Medicaid/Chip+++	16%	19%

* List includes Puerto Rico and D.C. Based on total number of deaths in 2015. Centers for Disease Control and Prevention. WISQARS Leading Cause of Death Reports, 2017.
 ^ Also known as COPD (Chronic Obstructive Pulmonary Disorder): COPD and allied conditions (including asthma); the term in the ICD/10 is "chronic lower respiratory diseases."
 ** Based on 2014-2016 age-adjusted death rates. American Heart Association. Heart Disease and Stroke Statistics: 2019 Update. A Report from the American Heart Association. Circulation.
 ***Centers for Disease Control and Prevention. Behavioral Risk Factor Surveillance System Survey, 2017.
 + Overweight is defined as having a body mass index (BMI) of 25.0-29.9. Obese is defined as having a body mass index of 30.0 or more.
 ++ Students who were ≥ 95th percentile for body mass index, by age and sex. Centers for Disease Control and Prevention, Youth Risk Behavior Surveillance System, 2017
 +++ Kaiser Family Foundation US and State Medicaid Fact Sheets, 2016



California State Fact Sheet

Leading Causes of Death in California in 2017*



California has the 14th lowest death rate from cardiovascular disease in the country.**

- Heart disease is the no. 1 killer in California*
- 62,797 people in California died of heart disease in 2017*
- Stroke is the no. 3 killer in California*
- 16,355 in California died of stroke in 2017*

Heart Disease and Stroke Risk Factors in California***

	California	US
Adults who are current smokers	11.3%	17.1%
Adults who participate in 150+ min of aerobic physical activity per week	57.5%	50.6%
Adults who are overweight or obese+	60.9%	66.6%
Adults who have been told that they have had a heart attack	3.1%	4.2%
Adults who have been told that they have had a stroke	2.2%	3%
Adults who have been told that they have angina or coronary heart disease	2.8%	3.9%
Population of adults (18-64) who have some kind of health care coverage	89.4%	89.5%
High school Students who are obese++	13.9%	14.8%
Percentage of population covered by Medicaid/Chip+++	25%	19%

* Based on total number of deaths in 2017, Centers for Disease Control and Prevention, WISQARS Leading Cause of Death Reports, 2017.
 ^ Also known as COPD (Chronic Obstructive Pulmonary Disorder); COPD and allied conditions (including asthma); the term in the ICD/10 is "chronic lower respiratory diseases."

** List includes Puerto Rico and D.C. Based on 2014-2016 age-adjusted death rates. American Heart Association. Heart Disease and Stroke Statistics: 2019 Update. A Report from the American Heart Association. Circulation.

***Centers for Disease Control and Prevention. Behavioral Risk Factor Surveillance System Survey, 2017.

+ Overweight is defined as having a body mass index (BMI) of 25.0-29.9. Obese is defined as having a body mass index of 30.0 or more.

++ Students who were ≥ 95th percentile for body mass index, by age and sex. Centers for Disease Control and Prevention, Youth Risk Behavior Surveillance System, 2017

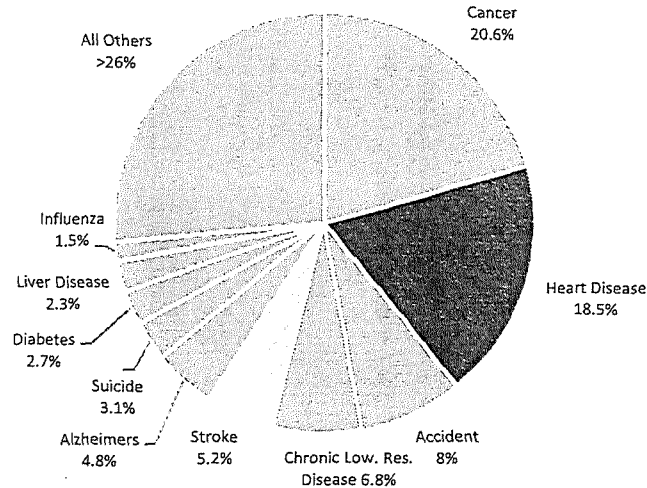
+++ Kaiser Family Foundation US and State Medicaid Fact Sheets, 2016

Colorado State Fact Sheet



American Heart Association.

Leading Causes of Death in Colorado in 2017*



Colorado has the 3rd lowest death rate from cardiovascular disease in the country.**

- Heart disease is the no. 2 killer in Colorado*
- 7,060 people in Colorado died of heart disease in 2017*
- Stroke is the no. 5 killer in Colorado*
- 1,988 in Colorado died of stroke in 2017*

Heart Disease and Stroke Risk Factors in Colorado***

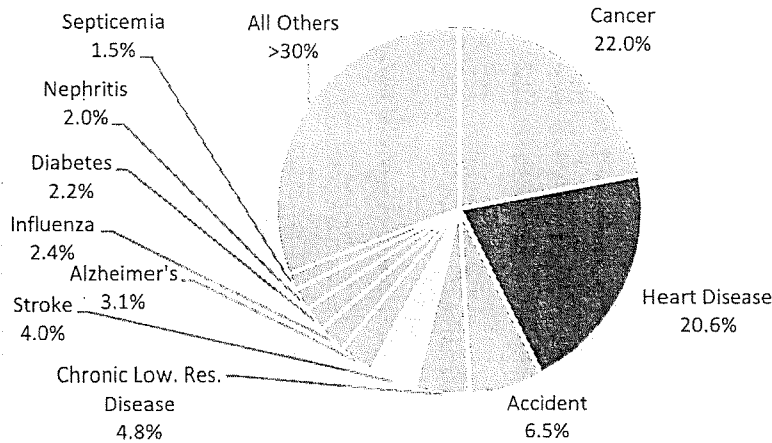
	Colorado	US
Adults who are current smokers	14.6%	17.1%
Adults who participate in 150+ min of aerobic physical activity per week	58.7%	50.6%
Adults who are overweight or obese+	58.7%	66.6%
Adults who have been told that they have had a heart attack	2.8%	4.2%
Adults who have been told that they have had a stroke	2.2%	3%
Adults who have been told that they have angina or coronary heart disease	2.7%	3.9%
Population of adults (18-64) who have some kind of health care coverage	89%	89.5%
High school Students who are obese++	9.5%	14.8%
Percentage of population covered by Medicaid/Chip+++	16%	19%

* Based on total number of deaths in 2017. Centers for Disease Control and Prevention, WISQARS Leading Cause of Death Reports, 2017.
 ^ Also known as COPD (Chronic Obstructive Pulmonary Disorder); COPD and allied conditions (including asthma); the term in the ICD/10 is "chronic lower respiratory diseases."
 ** List includes Puerto Rico and D.C. Based on 2014-2016 age-adjusted death rates. American Heart Association. Heart Disease and Stroke Statistics: 2019 Update. A Report from the American Heart Association. Circulation.
 ***Centers for Disease Control and Prevention. Behavioral Risk Factor Surveillance System Survey, 2017.
 + Overweight is defined as having a body mass index (BMI) of 25.0-29.9. Obese is defined as having a body mass index of 30.0 or more.
 ++ Students who were ≥ 95th percentile for body mass index, by age and sex. Centers for Disease Control and Prevention, Youth Risk Behavior Surveillance System, 2017
 +++ Kaiser Family Foundation US and State Medicaid Fact Sheets, 2016



Massachusetts Fact Sheet

Leading Causes of Death in Massachusetts in 2017



Massachusetts has the 4th lowest death rate from cardiovascular disease in the country.**

- Heart disease is the no. 2 killer in MA*
- 12,140 people in MA died of heart disease in 2017*
- Stroke is the no. 5 killer in MA*
- 2,367 in MA died of stroke in 2017*

Heart Disease and Stroke Risk Factors in MA***

	<u>MA</u>	<u>US</u>
Adults who are current smokers	14%	17.1%
Adults who participate in 150+ min of aerobic physical activity per week	50.9%	50.6%
Adults who are overweight or obese+	61.5%	66.6%
Adults who have been told that they have had a heart attack	3.8%	4.2%
Adults who have been told that they have had a stroke	3%	3%
Adults who have been told that they have angina or coronary heart disease	3.6%	3.9%
Population of adults (18-64) who have some kind of health care coverage	94.7%	89.5%
High school Students who are obese++	11.7%	14.8%
Percentage of population covered by Medicaid/Chip+++	22%	19%

* Based on total number of deaths in 2017. Centers for Disease Control and Prevention, WISQARS Leading Cause of Death Reports, 2017.
 ^ Also known as COPD (Chronic Obstructive Pulmonary Disorder); COPD and allied conditions (including asthma); the term in the ICD/10 is "chronic lower respiratory diseases."

** List includes Puerto Rico and D.C. Based on 2014-2016 age-adjusted death rates. American Heart Association. Heart Disease and Stroke Statistics: 2019 Update. A Report from the American Heart Association. Circulation.

***Centers for Disease Control and Prevention. Behavioral Risk Factor Surveillance System Survey, 2017.

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++ Students who were ≥ 95th percentile for body mass index, by age and sex. Centers for Disease Control and Prevention, Youth Risk Behavior Surveillance System, 2017

+++ Kaiser Family Foundation US and State Medicaid Fact Sheets, 2016

December 6, 2023



Testimony of the American Lung Association
Opposing Senate Bill 471
In front of the Senate Committee on Insurance and Small Business

Chair Felzkowski and members of the committee,

The American Lung Association is the oldest voluntary public health organization in the United States. One of our four strategic imperatives is to create a tobacco-free future, and smokefree air laws are vital to that effort.

The American Lung Association strongly opposes Senate Bill 471, which would undermine Wisconsin's smokefree air law by allowing cigar and pipe tobacco smoking in additional so-called "tobacco bars." Along with my own testimony, I submit testimony from 13 people in different Senate and Assembly districts around the state – and some of your districts – who oppose this bill. From a chief of police, a doctor, a lawyer, community members, and from a wife who watched her husband die from lung cancer after being exposed to secondhand smoke daily.

Current law defines a tobacco bar as a tavern that generates 15 percent or more of its annual gross income from the sale of cigars and pipe tobacco. However, it is limited to "tobacco bars" that existed at the time our state's smokefree air law was passed in 2009. As you know, this proposed legislation would allow cigar and pipe smoking in **any** bar that meets this very low 15 percent sales threshold, expanding the universe of places where indoor secondhand smoke exposure could occur in the state. According to some numbers I got from the state, the [average daily revenue of a non-cigar bar in Wisconsin is around \\$433/day](#), so you only have to sell three or four mid-range cigars every day to meet that 15% threshold.

The vague language of this legislation creates unintended consequences that we are concerned about. For example, in Wisconsin, cigarettes wrapped in brown paper are considered a cigar. Under this legislation these would be allowed in tobacco bars. Little cigars can be identical to cigarettes, making it hard for employees and law enforcement officers to distinguish which products are being used by customers.

It is also unclear from the language of this bill who verifies the sales threshold and who will regulate or enforce the new law. Wisconsin has not conducted compliance checks around indoor smoking in public spaces in 13 years because the law is self-enforcing and allows few exceptions for indoor smoking. The proposed change complicates the law, would require training and additional work for law enforcement, at a cost to taxpayers. There are very real questions about whether a few bad actors would take advantage of the confusion created by this new loophole, since there seems to be no enforcement built into the law.

The way this legislation is being discussed is that it would create more cigar bars, but I want to emphasize that the way this is written would allow tobacco use in any bar or tavern that meets the 15% threshold. I think of places that are primarily bars but you can still get burgers or other food, and especially in small towns, where families go to eat. This loophole would allow indoor smoking in these establishments if they were to meet that threshold, potentially exposing kids to secondhand smoke.

Tobacco use is the leading cause of preventable death and disease in the United States, responsible for the deaths of 480,000 Americans annually.ⁱ An additional 16 million Americans live with a disease caused by tobacco.ⁱⁱ In Wisconsin, more than 13.3% of adults smoke and 22.2% of high school students use a tobacco product.ⁱⁱⁱ On top of that, smoking costs our state more than \$2.6 billion each year.

Even though these numbers are alarming, we have made significant progress in addressing tobacco addiction and youth initiation in our state, thanks in part to smokefree air laws.

Allowing more tobacco bars creates a significant loophole in clean indoor air protections and weakens decades of progress in preventing exposure to secondhand smoke and reducing tobacco use. We should not go backwards.

Wisconsin's clean indoor air law is extremely popular, with 77.5% of WI adults supporting it.^{iv} It has been good for health and good for business. **Please oppose SB 471.** I would be happy to be a resource to you on this issue, feel free to contact me with any questions or concerns.

Molly Collins
Advocacy Director for Wisconsin
262-395-1700 | Molly.Collins@Lung.org

ⁱ U.S. Department of Health and Human Services. The Health Consequences of Smoking—50 Years of Progress: A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014.

ⁱⁱ U.S. Department of Health and Human Services. The Health Consequences of Smoking—50 Years of Progress: A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014.

ⁱⁱⁱ <https://www.lung.org/research/sotc/state-grades/wisconsin>

^{iv} Wisconsin Tobacco Facts: Adults. February 2023.

https://www.cuph.org/uploads/2/5/8/5/25855930/tobacco_facts_adults_2023_february_1.pdf

SB 471 testimony

My name is John Emanuel and I live in Whitefish Bay. I was born and raised in Wisconsin and have lived here virtually my entire life. I am here today to oppose SB 471, which would create an expanded exemption from Wisconsin's Smoke-Free Air law for so-called "Tobacco Bars."

I am proud to have been one of the many Wisconsinites who testified in favor of the Smoke Free Air Law at the time of its original consideration by the legislature. In enacting this law, our legislature took a vital and courageous step toward improving and protecting the health of our citizens by prohibiting the use of tobacco products in almost all restaurants, bars and other public establishments.

Tobacco smoke – whether first-hand or second-hand - is a menace to health. That fact is well documented, universally acknowledged and not disputable. The public policy of the State of Wisconsin should be to protect its citizens' health, and the public's interest in that health, by discouraging the use of tobacco products whenever possible. The 2009 Smoke Free law appropriately reflects that policy. That law is appreciated and supported by an overwhelming majority of Wisconsin voters (77+ percent favor it; only 4+% oppose it). And it has not caused the decline in customer patronage of bars and restaurants that was predicted by some who opposed it at the time of its enactment.

It's true that the 2009 law's ban on public indoor smoking was not absolute. There are exemptions under the current law, one of which is for so-called "tobacco bars" that existed at the time the law was enacted. And that exemption was understandable at the time, to protect the interests of the owners and proprietors of what were then legitimate businesses that otherwise would have had been abruptly put out of business. But the rationale for that original exemption does not support extending it to new "tobacco bars" that open after the law has been on the books for 14 years. Rather, expanding that exemption at this time serves only to encourage the continued and increased use of tobacco, diametrically contrary to the public policy on which the original law was and is based – to promote the health of Wisconsin's citizens by discouraging the use of tobacco products.

Supporters of the proposed expansion of this exemption may argue that the 2009 law was intended solely to protect restaurant and bar customers who don't smoke from the second-hand smoke of other patrons, whereas all patrons of "tobacco bars" are smokers who are making their own informed, personal decisions to use tobacco and as such have every right to inflict upon themselves the health risks that tobacco carries with it; those who don't want to breathe tobacco smoke can choose to not partake. But while it is true that a significant – and perhaps primary – purpose of the 2009 law was indeed to protect non-smokers from second-hand smoke, I believe that law also reflects, and was and is premised on, the broader public policy of discouraging tobacco use generally, in recognition of the fact that the adverse health effects of tobacco are not limited to those who voluntarily choose to use it. The Wisconsin

Department of Health Services estimates that tobacco and nicotine products, every year, cause our state to lose 7,900 lives; \$3.09 billion in health care expenses; and \$5.6 billion in productivity.¹

The 2009 Smoke Free Air Law reflects sound public policy – to protect the health of Wisconsin’s citizens and to mitigate the tremendous fiscal and societal costs of tobacco. SB 471 will undermine that public policy.

Cc: Representative Andraca & Senator Knodl

¹ <https://www.dhs.wisconsin.gov/tobacco/index.htm>



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Superior Police Department

1316 N. 14th St. Suite 150
Superior, WI 54880

Phone: (715) 395-7234
Fax: (715) 395-7664
www.ci.superior.wi.us

WI Senate and Assembly,

My name is Nicholas Alexander and I am the Chief of Police for the City of Superior. I am writing both as a law enforcement professional but also as a former smoker and father of children for whom I hope never experiment with tobacco.

Today I am writing to voice my concern about Assembly Bill 451 – the tobacco bar bill. Sadly, my previous letters in support of T21, which I believe share the overwhelming view of your constituents, and most of the other states in the union, did not have the desired impact. Hopefully this letter will have greater success.

On a personal level I grew up in a household where an adult smoked. Though I cast no blame for my decision to eventually smoke I have no doubt this normalized the idea of smoking and lessened my safety concerns. Simply getting future generations of parents not smoking will have an effect of reducing tobacco use in children and young adults. As a former smoker I have witnessed the negative health effects attributed to my tobacco use as well as the difficult path to eliminating tobacco use.

I believe clean, smokefree, indoor air should be the standard in our state and one of the greatest prevention strategies to curb new tobacco use. People enter premises for a variety of reasons and that would still be the case with tobacco bars. One may enter to use a rest room, imbibe a favorite beverage and so on and should be able to do that without being exposed to harmful secondhand smoke. As a former smoker I know simply the smell of smoke can be a triggering effect and combining that with possible alcohol consumption can certainly make it a challenge for former smokers to continue their abstinence.

I am also a business owner in the restaurant and alcohol industry. Secondhand smoke should not be an occupational hazard for workers. Job related exposure to secondhand smoke is significant and completely preventable. Business owners that allow smoking in the workplace increase their costs of doing business, while workers suffer health problems.

Lastly, being a border city to Duluth it has also created access to MN young adults who can simply drive to WI and legally purchase products here that they do not have legal access to in MN. This will only be exacerbated if we allow tobacco bars.

I'm asking you to vote NO on Assembly Bill 451 and keep Wisconsin smokefree.

Sincerely,

Chief of Police

Testimony Opposed to SB 471

Jade Gaertner
3509 Terri Ln
Appleton, Wisconsin, 54914

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Jade Gaertner and I live in Appleton, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

I am writing today to strongly advocate for the preservation of our state's smoke-free air law, as it plays a crucial role in safeguarding the health and well-being of our community. The current law has been instrumental in creating an environment free from the harmful effects of secondhand smoke, promoting clean air for all residents and visitors alike. I firmly believe that this law should not be amended to allow cigars and pipe tobacco to be smoked in tobacco bars.

First and foremost, the preservation of a smoke-free environment is essential to protect public health. Numerous scientific studies have consistently shown that secondhand smoke poses serious health risks, including an increased risk of respiratory problems, heart disease, and even cancer. By maintaining a comprehensive smoke-free air law, we are ensuring that everyone, including vulnerable populations such as children, the elderly, and individuals with pre-existing health conditions, can enjoy public spaces without being subjected to the harmful effects of secondhand smoke.

Moreover, a smoke-free air law is aligned with our society's commitment to promoting healthy lifestyles and preventing tobacco-related diseases. The dangers of tobacco use, including cigars and pipe tobacco, are well-established. By allowing these products to be smoked in tobacco bars, we would inadvertently be normalizing and endorsing their use, which could have detrimental effects on public health in the long run. It is important to foster a culture that encourages people to make choices that benefit their well-being, rather than compromising it.

Furthermore, allowing cigars and pipe tobacco to be smoked in enclosed spaces like tobacco bars would contradict the principles of a smoke-free air law. The intention of such legislation is to protect individuals from exposure to tobacco smoke, regardless of the specific type of tobacco being consumed. Granting exemptions for cigars and pipe tobacco would create an unnecessary loophole in an otherwise robust and effective law, diminishing its overall impact. Clean air should be a universal standard, regardless of the method through which tobacco is consumed.

In conclusion, we should not compromise the hard-fought progress made in our state to establish and maintain a smoke-free environment. The preservation of our smoke-free air law is vital for promoting public health, preventing tobacco-related diseases, and upholding the principles of clean air. I respectfully urge you to consider the long-term benefits that a comprehensive smoke-free air law offers to our community and to vote against any proposed amendments that would allow cigars and pipe tobacco to be smoked in tobacco bars.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Thank you for your time and consideration.
Sincerely,

Jade Gaertner
gaertnerjade6@gmail.com
920-205-1071

Cc: Senator Cabral-Guevara and Representative Murphy

Brandon Peters
1820 E. Bennett Ave.
Milwaukee, WI 53207

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Brandon Peters and I live in Milwaukee, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

- I like the smokefree indoor air bill because it protects workers, nonsmokers, and smokers who utilize businesses. Allowing indoor smoking makes me and the other community members like me who are sensitive to smoke due to allergies, asthma, or other health issues less likely to support businesses and use services.
- Allowing smoking in bars is bad for workers and excludes those with significant health issues from using 3rd spaces and supporting local businesses. I've had several nonsmoking family members impacted by cancer and other conditions linked to tobacco use because of their jobs or being exposed to indoor secondhand smoke socially. No one helped them pay for their medical bills and they should not have had to suffer or die for the habits of those they served while trying to support their families. Keep smoking outside. Smokers can smoke at home, in their cars, or outside. Keep smoke a safe distance from entrances to local businesses and heavy foot traffic.
- I believe smokers have the right to make the choice to use tobacco and nicotine-based products, but they should not be able to force that choice on others just because they live in the same community and want to access the same services. Two surgeon generals have stated that there is NO SAFE LEVEL of secondhand smoke exposure. Allowing tobacco use in some businesses will have negative effects on nonsmokers and workers in those businesses and increase the health costs associated with smoking-related illness in Wisconsin. It will also increase enforcement costs as individuals and businesses try to make or find loopholes or just slip under the radar. Taxpayers will be on the hook for those increased healthcare and enforcement costs. Meanwhile, Tobacco companies, businesses, and politicians will take profits in the short term.
- Wisconsin has been a leader in protecting all its citizens from the known, indisputable hazards of secondhand smoke in the workplace and public places. Our law covering all indoor public places has been in place since 2009, and it's working! The law protects both workers and patrons at all business establishments throughout the state. We want to protect our "A" grade on Smokefree Air on the American Lung Association's State of Tobacco Control Report. Allowing an exemption for tobacco bars seriously undermines the law, and most importantly forces workers to choose between their health and a paycheck.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Brandon Peters
brandon.r.peters@gmail.com
(906) 236-5793

Cc: Representative Clancy and Senator Larsen

Testimony Opposed to SB 471

Carrie Bero
3112 Mac Harley Ln
La Crosse, WI 54601

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Carrie Bero and I live in La Crosse, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill. I support the smoke free indoor air bill as it creates a much more pleasant experience inside businesses I patronage. Frankly, I cannot imagine spending time in businesses that allow for cigar or pipe smoking, not only due to health concerns, but also due to the negative impact on the overall environment.

I am very concerned about the loopholes that Senate Bill 471 would create, particularly on the impact of workers. Secondhand smoke should not be an occupational hazard for workers. Job related exposure to secondhand smoke is a significant, but entirely preventable, cause of premature death among U.S. workers.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,
Carrie
bero.carrie@gmail.com
920-422-1788

Cc: Representative Billings & Senator Pfaff

Testimony Opposed to SB 471

Jennifer Kislow
2506 Parkway Lane
Weston, WI 54476

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Jennifer Kislow and I live in Weston, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

The current smokefree indoor air bill is one that I and many other Wisconsinites support. The smokefree indoor air law is still broadly popular and supported by 77.5% of people in Wisconsin. Changing this law would significantly undermine what YOUR constituents want for their health and the health of workers in those "tobacco bar" businesses. Wisconsin has been a leader in protecting all its citizens from the known hazards of smoking so why change it now. It has been working!

The potential health hazards from allowing smoking in businesses is widely known. Reports from two different Surgeon Generals have found that there is NO safe level of exposure to secondhand smoke. Exposure to secondhand smoke will increase customers' and workers' risk of lung cancer and other diseases. In 2023, 4,630 Wisconsin residents are expected to be diagnosed with lung cancer. And it is estimated that over 2,460 will die from it. Coming from someone who watched and experienced their 35-year-old husband die from lung cancer, this is not something anyone should have to go through. My husband never smoked, and he was an overall healthy young man. But he was exposed repeatedly to secondhand smoke daily. While we may never know the true, exact cause of my husband's lung cancer, it is a safe assumption that effects of secondhand smoke played a role. Now, my daughters and I are left living and moving forward without him.

The tobacco bar bill that is being proposed seriously undermines the current smokefree indoor air bill. It forces workers in these businesses to choose between their health and a paycheck. No one should have to choose and make a decision like that. Allowing the tobacco bar bill would also make it difficult to enforce as cigar products can be made to look identical to cigarettes. Whose job will it be to make sure customers are using the "correct" products? All these loopholes will have a serious effect on the progress that our state has already made protecting its citizens.

This is why I am writing today and I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Jennifer Kislow
kislowj@yahoo.com
715 297-0909

Cc: Senator Tomczyk and Representative Spiros

Members of the Wisconsin Assembly State Affairs Committee,

Consider the action of approving AB 451- The Tobacco Bar Bill- a noxious strike against all individuals who aspire to breathe air free of tobacco products.

Wisconsin admires itself as a clean air state. In fact this is not the case. The environmental air in Wisconsin is already polluted with vapor fumes from various sources creating an unfit model for healthy living. Extending liberties to those engaging in unhealthy habits, smoking en masse, serves nothing but an ephemeral purpose to an individual, instead favoring tobacco companies, and bars licensed to profit from the addiction.

Physically, there are no abatements to contain the amount of smoke which these bars would generate, and like forever chemicals, tobacco smoke, and its chemical makeup are present decades after exposure.

Property rights extend beyond the walls of a structure, and in no way does smoke contain within an interior space: the nature of byproducts, and exhaling, seek a current of air to attach venting to available pathways.

The smokers who burden our insurance premiums with their habit can cough up their own lung, don't take mine too.

Vote wisely, VOTE NO on ASSEMBLY BILL 451

Kirsten Buckstaff

1212washingtonave@gmail.com

630.640.0071

cc: Representative Palmeri and Senator Feyen

Testimony Opposed to SB 471

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Bruce Krawisz, M.D. and I live in Marshfield, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

Why allowing smoking in bars is a medical problem:

- Cigarettes and cigars not only cause serious illnesses in people who use them, but also in persons who inhale the smoke particles released into the air from smoking (secondhand smoke). Non-smoking persons inhale tiny particles of smoke released by burning cigarettes. The smallest of these smoke particles (often called PM2.5) pass through the nose, mouth, and trachea and enter the lung. These smoke particles carry cancer-causing chemicals such as benzpyrene derivatives. When the particles arrive in the lung they may remain in the lung and may cause the DNA mutations that lead to cancers. Cancer-causing chemicals usually induce cancer by producing mutations in DNA. These smoke particles are sometimes described as “Trojan horses” because they are vehicles for cancer-causing chemicals.
- Some inhaled particles do not remain in the lung and instead pass through lung cells to enter pulmonary capillaries. From there they are distributed all over the body. Recent pathologic studies using new techniques have demonstrated that inhaled small particles from air pollution pass through the lung and may become deposited in the placenta of a pregnant woman or in a person’s heart. Related studies have also demonstrated that fine air pollution particles enter the human brain, although how they get there is not known at the present time.
- If you create indoor smoking bars, you will be exposing workers and patrons who may not smoke to fine particles with cancer-causing chemicals that they will inhale. It is possible that some of these people will be young or will be pregnant. If a pregnant woman worked in a tobacco bar, her unborn child might be harmed by toxic cigarette particles.

I’m asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree. Below my name are examples of scientific studies about PM2.5 smoke particles found in heart and placental tissues.

Sincerely,

Name: Bruce Krawisz, M.D.

email address: brucekra@hotmail.com

cell phone number: 857-352-2278

Cc: Representative Rozar & Senator James

References

Bove H, et al. Ambient black carbon particles reach the fetal side of human placenta. *Nat Commun* 2019; 10, 3866.

<https://doi.org/10.1038/s41467-019-11654-3>

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Maher BA, et al. Magnetite pollution nanoparticles in the human brain. *Proceedings of the National Academy of Sciences* 2016; 113 (39) 10797-10801. <https://doi.org/10.1073/pnas.1605941113>

Testimony Opposed to SB 471

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Matt Evensen and I live in La Crosse, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

I spent several years going to bars before smoking in them was eliminated. I can remember the many nights where I would get quickly congested, continuously cough, and reek of smoke into the next day. I remember having friends who refused to go into them because it was such an awful experience. I can't tell you how much more I enjoy going to bars since they became smokefree, and how much longer I stay in them.

In La Crosse, there are many good restaurants that also function as bars. I have a 5 year old and we like to take him into some of these establishments to enjoy the food. If any of these places allow smoke in the future, we would refuse to take him in there for his safety and ours.

Since Wisconsin became smokefree, it's been a leader in protecting people from the harms of smoking. It's made going out for evenings at any establishment much more enjoyable and worry free. The 2009 law was a huge step forward for patrons and workers alike, and I'm confused as to why we would intentionally take a step backward like this.

I am urging you to vote NO on Senate Bill 471 and keep Wisconsin smokefree for me and my family.

Sincerely,

Matt Evensen
3112 Mac Harley Ln
La Crosse, WI 54601

Cc: Representative Billings & Senator Pfaff

Testimony Opposed to SB 471

Robert K. Oakleaf
927 Lake Dr
Delafield, WI, 53018

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Bob Oakleaf and I live in Delafield, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

- The clean indoor air law has been good for health and good for business. The clean indoor air law also is broadly popular, with 77.5% of Wisconsinites supporting the current law, 18.3% neither support nor oppose, and only 4.2% oppose the clean indoor air law. Count me as a supporter.
- Lung diseases killed five of my forebears and I am genetically predisposed to lung diseases caused by second-hand smoke. Over time as we banned smoking in airplanes, restaurants and bars it dramatically lowered my risk of developing lung diseases from second-hand smoke. As a never-smoker I don't want to see us back track on that progress.
- Reports from two different Surgeon Generals have found that there is no safe level of exposure to secondhand smoke.^{i,ii} Ventilation systems cannot remove the carcinogens from secondhand smoke and do not purify the air at rates fast enough to protect people from harmful toxins. The Surgeon General has concluded that even separating people who smoke from people who don't smoke, cleaning the air, and ventilating buildings cannot eliminate exposure to secondhand smoke. The only effective way to fully protect people from exposure to secondhand smoke is to completely eliminate smoking in indoor public spaces.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Bob Oakleaf
roakleaf@aol.com
773-251-0273

Cc: Representative Duchow & Senator Kapenga

ⁱ U.S. Department of Health and Human Services (HHS). The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General. 2006. Atlanta, GA: HHS, Centers for Disease Control and Prevention (CDC), National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health (OSH).

ⁱⁱ HHS. How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease – A Report of the Surgeon General. 2010. Atlanta, GA: HHS, CDC, National Center for Chronic Disease Prevention and Health Promotion, OSH.

Gary G Scheppke
5760 Auburn Dr
Fitchburg, WI 53711

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Gary Scheppke and I live in Fitchburg, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

Why I like the smoke free indoor air bill? Tobacco smoke stinks, literally. It only smells good to addicts. Or perhaps the stink is overlooked by kids that think blowing smoke out your nose is cool. Also, I would hate to die of lung cancer.

Why allowing smoking in bars is a problem: This pro tobacco bar bill also passes on to these same children that tobacco smoking must not be so bad if our leaders pass a law allowing smoking in a public place. Perhaps they'll get the message that its okay to smoke if you drink alcohol while you are smoking Tobacco. Or perhaps they will think that fact that tobacco causes lung cancer must be a scam and a rumor.

Personally, my experience with the negatives of tobacco smoking is that someone near and dear to me had the smoking habit for about 30 years before they quit about 25 years ago; now has terminal lung cancer and COPD. Their medical bill as of October 2023 was over \$170,000. I doubt the taxes from booze and tobacco sales will cover the costs of lung cancer and funeral costs for more than 2500 lung cancer deaths a year.

According to the American Cancer Society figures for 2020:

16% Percentage of Wisconsin residents 18 and older were cigarette smokers in 2017

4,290 Number of men and women expected to be diagnosed with lung and bronchus cancer in 2020*

2,690 Number of men and women expected to die of lung and bronchus cancer in 2020*

74% Percentage of lung cancer diagnosed after they have spread to beyond the lung†
1 in 15 Lifetime risk for men of being diagnosed with lung cancer. And the figures will continue until we consider life over a little retail growth.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin TOBACCO smoke free.

Sincerely,

Gary G Scheppke
garyscheppke@gmail.com
Cell 415 609 7415

Cc: Senator Agard and Representative Jimmy Anderson

Testimony Opposed to SB 471

Tana Feiner
5513 McKenna Road
Monona, WI 53716

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Tana Feiner and I live in Monona, Wisconsin. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

I am glad the smokefree indoor air bill was implemented in 2010 because I like not having to worry breathing in secondhand smoke when I go out to bars, it's safer for people working in the bars because they aren't exposed to secondhand smoke and young people don't see smoking as "normal" and are less likely to start smoking and get addicted.

My mom smoked and she struggled for years and years before finally quitting. I do not want my child or my nephews and nieces to see smoking normalized and become addicted to smoking like my mom was. In addition, some members of my family have asthma and I want to be able to go out with them in my hometown of Spring Green or when they come visit me and not worry that any of us are being exposed to secondhand smoke or that their asthma will be triggered because of the smoke.

The people in our state have been enjoying smoke-free bars since 2010. Please don't change that. Please vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Tana Feiner
tkfeiner@yahoo.com
414-303-9889

Cc: Representative Anderson & Senator Agard

Testimony Opposed to SB 471

Lewis A. Bartfield
16725 Deer Creek Parkway
Brookfield, WI 53005

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Lew Bartfield and I live in Brookfield, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill. Here why I believe you should take this action for the health of all Wisconsinites:

1. The proposed legislation significantly undermines the strong smokefree workplace protections currently in place in Wisconsin. This bill would weaken Wisconsin's smokefree air law by allowing cigar and pipe tobacco smoking in so-called "tobacco bars." Current law defines a tobacco bar as a tavern that generates 15 percent or more of its annual gross income from the sale of cigars and pipe tobacco. This proposed law would allow cigar and pipe smoking in any bar that meets the 15 percent sales threshold.
2. Allowing more tobacco bars creates a significant loophole in clean indoor air protections and weakens decades of progress in preventing exposure to secondhand smoke and reducing tobacco use.
3. Encouraging cigar smoking in our community also sends the wrong message to our youth. An estimated 500,000 U.S. students used cigars in 2022, making cigars the second most popular tobacco product among youth. Young people who start using tobacco products are more likely to become addicted than adults.

As a leader of Wisconsin, I know you care about the health of our families, friends, and all citizens. Tobacco products cause disease and death of people. Please don't allow this "door" to be opened, and create an increase in disease and death due the added use of tobacco products in public places.

I'm asking you to take action and vote NO on Senate Bill 471 and keep Wisconsin smokefree. Thank you!!

Sincerely,

Lew Bartfield

Email: Luby40@gmail.com
Cell: 414.803.6605

Cc: Senator Hutton and Representative Michalski



American
Heart
Association.

TO: Senate Insurance and Small Business Committee
FROM: Nicole Hudzinski, Government Relations Director
DATE: December 6, 2023
RE: Senate Bill 471— Exempting tobacco bars from the public smoking ban

Good morning, Chair Felzkowski and members of the committee. My name is Nicole Hudzinski, and I am the Government Relations Director here in Wisconsin for the American Heart Association. I am here today to testify in opposition to Senate Bill 471, relating to exempting tobacco bars from the public smoking ban.

Tobacco use remains the leading cause of preventable disease, disability and death, and it is a leading risk factor for the development of heart disease and stroke. In Wisconsin, according to the Department of Health Services, it claims 7,900 lives per year and costs \$3.09 billion in health care costs per year. Smoking is bad for your health whether consumed directly or exposed through second-hand smoke.

For over 13 years, Wisconsin's Clean Indoor Air law has protected our residents and their kids, workers, and guests from the harmful effects of tobacco smoke in public places and workplaces. The Clean Indoor Air law is broadly popular, with 77.5% of Wisconsinites supporting the current law.

The proposed bill moves us in the wrong direction. It would create a significant loophole in our current law, enabling taverns to become a "tobacco bar" if they meet the 15% of sales threshold. If enacted, this means your favorite taverns, or tavern/restaurant, could once again allow smoking indoors.

It is important to note that this bill is much more comprehensive than one might think upon first glance. This is because of how we classify tobacco products in Wisconsin. In Wisconsin, the term "cigar" does not only include premium or specialty cigars. Instead, it encompasses an array of products, including little cigars. Little cigars look like cigarettes, operate like cigarettes—with the same ingredients and a filter, and are packaged like cigarettes. The only difference is they are wrapped in brown paper instead of white paper. Because of this, in Wisconsin, they are classified as cigars.

If this proposal were enacted, in addition to the significant negative health impact, enforcement would be extremely difficult. With all the different products available, it can be hard for employees and law enforcement officers to distinguish which products are being used by customers. Additionally, Wisconsin would have to create new procedures to track the location and revenue earnings of tobacco bars to verify minimum sales thresholds. This would be logistically difficult, expensive for taxpayers, and could create new red tape for all taverns.

Lastly, I do want to mention the potential impact on youth. Normalizing smoking in our community sends the wrong message to young people and counters decades of work to educate youth on the dangers of tobacco use. You may think this point is less relevant given the products we are talking about, but please know an estimated 500,000 U.S. students used cigars in 2022, making cigars the second most popular tobacco product among youth. Additionally, it's important to know traditional cigars, little cigars, and cigarillos are sold in a variety of flavors that appeal to youth including sour apple, cherry, grape, chocolate, and menthol. This bill, if enacted, will send the wrong message to Wisconsin's youth.

For all these reasons, we ask you to oppose Senate Bill 471. Thank you, and I'm happy to answer any questions you may have.

December 6, 2023

Dear Members of the Senate Insurance and Small Business Committee,

My name is Ann Dodge and I live in Middleton, WI. I am a volunteer with the American Heart Association, and I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill. I am also a recently retired pediatric nurse practitioner that specialized in tobacco and vaping cessation for teenagers and their parents.

This proposed legislation significantly undermines the strong smokefree workplace protections currently in place in Wisconsin. By allowing cigar and pipe tobacco smoking in so-called "tobacco bars" is also a guise for re-introducing cigarette smoking in bars. There is a type of quote "cigar" called the Remington Cigar that is the exact same size and nicotine content as cigarettes. The only difference is the Remington is wrapped in brown paper instead of white paper. This would expose non-smokers, including children, to 2nd hand smoke exposure. From well-known research, there is absolutely no safe level of secondhand smoke exposure. Why would we want to undo decades of progress in preventing exposure to secondhand smoke?

Smokefree Indoor Air is widely supported, with 77.5% of Wisconsinites supporting the current law, 18.3% neither support nor oppose, and only 4.2% oppose the clean indoor air law.

Encouraging cigar smoking in our community also sends the wrong message to our youth. An estimated 500,000 U.S. students used cigars in 2022, making cigars the second most popular tobacco product among youth. Young people who start using any form of tobacco products are more likely to become addicted than adults. Normalizing cigar smoking in our community sends the wrong message to young people and provides tobacco companies with the continued opportunity to aggressively market their deadly and addictive products. If this law is passed, I am sure we will see many tobacco companies creating versions of their cigarettes with brown paper which would qualify under this tobacco bar bill. Exposing our youth to a perceived "acceptable smoking culture" is not the direction our community should be moving.

Surgeon General has concluded that even separating people who smoke from people who don't smoke, cleaning the air, and ventilating buildings cannot eliminate exposure to secondhand smoke. The only effective way to fully protect people from exposure to secondhand smoke is to completely eliminate smoking in indoor public spaces.

Secondhand smoke should not be an occupational hazard for workers. Job related exposure to secondhand smoke is a significant, but entirely preventable, cause of premature death amongst workers. Business owners that allow smoking in the workplace increase their costs of doing business, while workers suffer health problems. Employers pay increased health, life, and fire insurance premiums, make higher workers' compensation payments, incur higher worker absenteeism, and settle for lower work productivity.

Wisconsin has been a leader in protecting all its citizens from the known, indisputable hazards of secondhand smoke in the workplace and public places. Our law covering all indoor public places has been in place since 2009, and it's working!

Allowing an exemption for tobacco bars seriously undermines this law, and re-introduces health risks to adult patrons, children and employees. This is not a time to take huge steps backwards in the progress made to date.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin's indoors smokefree.

Sincerely,

Ann Dodge
Middleton, WI

December 6, 2023

Dear Members of the Senate Insurance and Small Business Committee,

My name is Dr. Carrie Chapman. I am a volunteer for the American Heart Association and constituent from Appleton Wisconsin.

I am writing this letter in opposition to Senate Bill 471 or better known as the tobacco bar bill. It is very disappointing as a health care provider that we would entertain any bill that takes us backwards in our efforts to improve the health of our community. Any bill that re-enforces tobacco use or encourages tobacco sales is unacceptable.

I am a strong supporter of the clean indoor air act as are the majority of us Wisconsin residents and voters. Everyone deserves the right to breathe smoke free air when they enter any establishment in Wisconsin.

We all know the negative impacts of tobacco use and of secondhand exposure. This bill creates a significant loophole for taverns and even restaurant bars to legally allow smoking, as long as they meet the 15% sales threshold for tobacco products. This is not only feasible for many establishments but would be something logistically very difficult to track and police.

I am asking you to protect our rights to a smoke free environment. We should be concentrating on bills that better the health of our community, not worsen it. Please vote no on Senate Bill 471.

Thank you for your consideration,

Carrie Chapman, MD
Winnebago County Resident

December 6, 2023

Dear Members of the Senate Insurance and Small Business Committee,

My name is Cindy Milgram and I live in Pewaukee, WI. I am a volunteer with the American Heart Association, and I am writing to voice my concerns about Senate Bill 471 – the tobacco bar bill.

I was disappointed when I learned more about this bill as it puts the health of every community member at risk. Smoking not only negatively impacts the health of the smoker, but also causes health risks for those exposed to the smoke. Reports from two different Surgeon Generals have found that there is no safe level of exposure to secondhand smoke. Ventilation systems cannot remove the carcinogens from secondhand smoke and do not purify the air at rates fast enough to protect people from harmful toxins. My mother has been suffering for years from chronic obstructive pulmonary disease (COPD) as a result of growing up in a household where both parents smoked cigarettes. My aunt has suffered hearing loss from a young age, requiring cochlear implants to restore the sense of sound as she is severely hard-of-hearing, due to the impact of the same secondhand smoke. Neither woman has ever smoked a day in their life, but have long-term effects from secondhand smoke exposure.

As an advocate for healthy living, I am a supporter of the clean indoor air law that was passed in 2009. The clean indoor air law is also broadly popular, with 77.5% of Wisconsinites supporting the current law, 18.3% neither support nor oppose, and only 4.2% oppose the clean indoor air law. Allowing more tobacco bars creates a significant loophole in clean indoor air protections and weakens decades of progress in preventing exposure to secondhand smoke and reducing tobacco use.

Wisconsin has been a leader in protecting all its citizens from the known, indisputable hazards of secondhand smoke in the workplace and public places. As a heart disease survivor, being able to live in a smokefree community is critically necessary to prolong my life. Please help me advocate for the continued health of all Wisconsinites and do not support a loophole allowing for tobacco bars to undermine the current clean indoor air law. We should be advancing laws that protect our health, not create new laws that impede living a long, healthy life.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Cindy Milgram
Waukesha County Resident

12-6-23

Dear Members of the Insurance and Small Business Committee,

My name is Sally Zirbel-Donisch and I live in Middleton, WI. I am a volunteer with the American Heart Association, and I am writing to voice my concerns about Senate Bill 4711 - the tobacco bar bill.

The **current Wisconsin smoke free air law** is good for my health, my children's health, my grandchildren's health and the health of Wisconsin citizens. It should not be weakened by allowing cigar and pipe tobacco smoking in so-called "tobacco bars." By expanding environments where smoking is allowed, we are increasing the risks of secondhand smoke which are known to have serious health effects. Even brief exposure can cause serious health problems such as coronary heart disease, stroke, and lung cancer in adults who do not smoke.

Wisconsin has been a leader in protecting all its citizens from the known, indisputable hazards of secondhand smoke. Wisconsin workers should not have to take on this occupational hazard. Job related exposure to secondhand smoke is significant. I remember when I was working in a smoke-filled environment in the early 1980s. I suffered more from respiratory infections and asthma; however, once my place of employment stopped allowing cigarette smoking my symptoms disappeared. We know the only effective way to fully protect people from exposure to secondhand smoke is to completely eliminate smoking in indoor public places. Allowing an exemption for tobacco bars seriously undermines the Wisconsin smoke free air law.

As a pediatric nurse practitioner, I am also concerned about its impact on youth. I have seen too many adolescents take on cigarette smoking and then struggle to quit as they enter adulthood. Encouraging cigar smoking in our community sends the wrong message to our youth. An estimated 500,000 U.S. students used cigars in 2022, making cigars the second most popular tobacco product among youth. Data shows that young people who start smoking are more likely to become addicted than adults. We don't want to increase that risk for our young people in this state.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Sally Zirbel-Donisch
Middleton, WI

December 6, 2023

Dear Senate Insurance and Small Business Committee,

Good afternoon, Chair Felzkowski and members of the committee. My name is Dr. Jorge Saucedo. I am a cardiologist, a Wisconsin resident, and a member of the American Heart Association's National Board of Directors. I am writing in opposition to Senate Bill 471.

Tobacco use remains the leading cause of preventable disease, disability and death. As a cardiologist, I see this firsthand. Allowing indoor smoking causes significant public health and environmental issues that cannot be ignored.

Wisconsin's Clean Indoor Air law passed in 2009 and has been enjoyed statewide for over a decade. It is good for our health and is broadly popular, with 77.5% of Wisconsinites supporting current law.

The bill that was introduced is significantly more comprehensive than it looks. In Wisconsin, the word "cigar" encompasses an array of products, including cigars wrapped in brown paper. These products look like cigars, operate like cigars— with the same ingredients and a filter, and are packaged like cigars, but in the States eyes, they are "cigars".

As it relates to the proposed bill, these products would count towards the 15% of sales threshold taverns need to meet, and they would be allowed to be consumed in "tobacco bars" that meet that threshold. We're not just talking about premium cigars.

This is just one of many reasons why this bill is problematic.

We should be advancing laws that protect our health, not create new laws that impede living a long, healthy life. I ask you to oppose Senate Bill 471.

Thank you,

Jorge Saucedo, MD, MBA
American Heart Association National Board Member
Resident of Shorewood, WI



2801 Fish Hatchery Road | Madison, WI 53713 | (608) 270-9950 | (800) 589-3211 | FAX (608) 270-9960 | www.wirestaurant.org

December 6, 2023

TO: Senate Committee on Insurance and Small Business

FR: Susan Quam, Executive Vice President

Written Testimony
SB 471 Smoking Ban Exemption

Thank you Chair Felzkowski and Committee for the opportunity to submit written testimony on SB 471 Smoking Ban Exemption.

On October 23, 2023, the Wisconsin Restaurant Association Board of Directors reaffirmed the Association's position regarding smoking in indoor public places. The Association continues to support current state law where there are very few exceptions to where indoor smoking is allowed.

The Association believes that maintaining a level playing field among all hospitality businesses is imperative to not only to provide a safe work environment for all employees who work in the industry, but to also prevent misuse of any exceptions where enforcement of the exception parameters is not outlined in statute.

Our board further expressed concern that the sales thresholds for what would constitute a tobacco/cigar bar is too low at the 15 percent level that is currently in statute. The industry has changed quite a bit since that sales level was set and they feel the level is too low. We also have concern that the bill does not clarify how enforcement agencies would access and determine whether that sales volume requirement is being met.

The Wisconsin Restaurant Association (WRA) represents over 7,000 restaurant locations statewide and represents all segments of the restaurant and hospitality industry. Our membership includes food establishments of all types and sizes, such as seasonal drive-ins, supper clubs, diners, bars, locally owned franchisees, fine-dining, and hotels/resorts. The majority of our members have alcohol licenses. Over 75 percent of our membership is independent restaurants or restaurant groups. Regardless of ownership type, all restaurants are the cornerstones of their neighborhoods and communities. Restaurants not only provide great food, drink, and hospitality, they support schools, teams, charities and churches with fundraising and donations. They provide meeting places to celebrate, mourn and organize, or just provide a safe, tasty meal for a busy family.



American Cancer Society
Cancer Action Network
608.215.7535
sara.sahli@cancer.org
fightcancer.org/wisconsin

December 6, 2023

To: Wisconsin Senate Committee on Insurance and Small Business
From: The American Cancer Society Cancer Action Network
Re: Testimony in Opposition to Senate Bill 471

Good morning, Chairwoman Felzkowski and members of the Committee,

My name is Sara Sahli, I'm the Government Relations Director for the American Cancer Society Cancer Action Network (ACS CAN) in Wisconsin. ACS CAN and our board members, volunteers, and staff advocate for public policies that reduce death and suffering from cancer.

I am here today to testify in opposition to Senate Bill 471, a bill that would create a significant loophole in Wisconsin's Indoor Smokefree Air Law and undermine the strong smokefree workplace protections currently in place in Wisconsin. Senate Bill 471 is substantially more comprehensive and more harmful than it looks.

Senate Bill 471 would weaken Wisconsin's smokefree air law by allowing cigar and pipe tobacco smoking in so-called "tobacco bars." Current law defines a tobacco bar as a tavern that generates 15 percent or more of its annual gross income from the sale of cigars and pipe tobacco. This proposed law would allow cigar and pipe smoking in any bar that meets the 15 percent sales threshold. In addition to the loophole in clean indoor air protections, Wisconsin would need to create new procedures to track the location and revenue of tobacco bars. This would be logistically difficult, expensive for taxpayers, and could create new red tape for all taverns. The proposed change complicates the law and would require training for law enforcement.

Additionally, in Wisconsin, cigarettes wrapped in brown paper are classified and taxed as a cigar. These brown cigarettes/little cigars are identical in size and shape to cigarettes, are sold in cigarette-like packs of 20, and have a filter like a cigarette. This bill isn't a cigar bar bill, focused as narrowly as some like to describe it. It is a tobacco bar bill, as the law states, allowing use of a wide array of harmful products.

Any proposal to allow cigar and pipe smoking in our smokefree workplaces creates a loophole in Wisconsin's wildly popular smokefree air law and weakens decades of progress in preventing exposure to secondhand smoke and reducing tobacco use. Current law has been in place for 14 years and recent polling shows 77% of Wisconsinites support this law (and 18% neither support nor oppose). We need to continue to protect everyone's right to breathe smokefree air and maintain there is no such thing as an "acceptable smoking culture" that doesn't harm the public and increase exposure to cancer-causing substances.

If passed, workers and patrons will be exposed to secondhand smoke which goes against the intent of the law and allows more erosions in the future.

A strong law covers all people and workers. Everyone has the right to breathe smokefree air and that includes those in hospitality venues, work environments, and other public places. A strong law prohibits cigar use in cigar and tobacco shops, and bars identified as "tobacco bars."

This is an important issue for our organization and volunteer advocates in the state and we ask that committee members please vote no on Senate Bill 471.

Thank you for your time.

Bridget Wallace
715 S Clinton St
Cuba City, WI 53807

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Bridget Wallace and I live in Cuba City, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

As a cancer survivor and mother to a small child, I would fear the day people would be allowed to smoke in restaurants and workplaces. The proposed legislation significantly undermines the strong smokefree workplace protections currently in place in Wisconsin. This bill would weaken Wisconsin's smokefree air law by allowing cigar and pipe tobacco smoking in so-called "tobacco bars." Current law defines a tobacco bar as a tavern that generates 15 percent or more of its annual gross income from the sale of cigars and pipe tobacco. This proposed law would allow cigar and pipe smoking in any bar that meets the 15 percent sales threshold.

Allowing more tobacco bars creates a significant loophole in clean indoor air protections and weakens decades of progress in preventing exposure to secondhand smoke and reducing tobacco use.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smoke-free.

Sincerely,

Bridget Wallace
Bmwallace8@gmail.com
815.440.7084

CC: Senator Marklein & Representative Tranel

Cannon Lock
445 W Wilson St.
Madison, WI 53703

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Cannon Lock and I live in Madison, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

I currently work as a computer scientist in Madison. I enjoy bike riding, running, and working out. I also enjoy hanging out with friends at the various bars and restaurants in and around Madison. If any of the establishments allowed smoking of any kind, I would not go in them. I take very good care of myself and therefore I refuse to be exposed to the carcinogens in second-hand smoke of any kind.

My brother is a childhood cancer survivor, so I have the very unfortunate knowledge of what it means to be diagnosed and treated for cancer. We cannot create loopholes in a very widely accepted law in our state that would result in

When I was in high school I worked for the FDL County Health Department for their compliance checks to assure vendors were not selling product to anyone under the age of 21. It was difficult to see people being cited for selling to someone under 21, but it is important to enforce those laws to protect youth.

Wisconsin has not conducted compliance checks around indoor smoking in public spaces in 13 years because the law is self-enforcing and allows few exceptions for indoor smoking. The proposed change complicates the law, would require training for law enforcement, and would cost taxpayers.

The proposed legislation significantly undermines the strong smokefree workplace protections currently in place in Wisconsin. This bill would weaken Wisconsin's smokefree air law by allowing cigar and pipe tobacco smoking in so-called "tobacco bars." Current law defines a tobacco bar as a tavern that generates 15 percent or more of its annual gross income from the sale of cigars and pipe tobacco. This proposed law would allow cigar and pipe smoking in any bar that meets the 15 percent sales threshold. In order to meet the 15 percent bars would most definitely be encouraging and promoting the sale of tobacco to all ages. WE do not want to be helping the tobacco industry increase cancer and other diseases caused by smoking in our state.

Wisconsin would have to create new procedures to track the location and revenue of tobacco bars. This would be logistically difficult, expensive for taxpayers, and could create new red tape for all taverns.

For these any many more reasons, **I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.**

Sincerely,

Cannon Lock

lockcannon@hotmail.com

920-517-4889

CC: Senator Roys & Representative Hong

Carolyn Rodgers
N77W17700 Lake Park Drive, Apt 232
Menomonee Falls, WI 53051

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Carolyn Rodgers and I live in Menomonee Falls, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

The primary purpose of smokefree laws and policies is to protect people who do not smoke from secondhand smoke. Nonetheless, smokefree laws can also motivate and help tobacco users quit and prevent initiation of tobacco use.

There is no risk-free level of secondhand smoke, and even brief exposure can cause immediate harm. Studies have shown that smokefree laws that prohibit smoking in public places like bars and restaurants help improve the health of workers and the general population. Some of these improvements in health outcomes, such as reductions in hospital admissions for heart attacks, begin to be realized shortly after the laws take effect. Smokefree laws also can make it easier for people who smoke to quit, reducing their risk of disease.

Allowing more tobacco bars creates a significant loophole in clean indoor air protections and weakens decades of progress in preventing exposure to secondhand smoke and reducing tobacco use. Secondhand smoke should not be an occupational hazard for workers. Job related exposure to secondhand smoke is a significant, but entirely preventable, cause of premature death among U.S. workers. Secondhand smoke has an impact on non-smokers. ii It can cause cancer and other serious health issues that can be prevented by not allowing this bill to pass. Exposure to secondhand smoke from burning tobacco products causes disease and premature death among people who do not smoke.

Business owners that allow smoking in the workplace increase their costs of doing business, while workers suffer health problems. Employers pay increased health, life, and fire insurance premiums, make higher workers' compensation payments, incur higher worker absenteeism, and settle for lower work productivity. The increase of health insurance can be a financial hardship on consumers. This clean indoor air law has been good for health and good for business. The clean indoor air law also is broadly popular, with 77.5% of Wisconsinites supporting the current law, 18.3% neither support nor oppose, and only 4.2% oppose the clean indoor air law.ⁱ

Encouraging cigar smoking in our community also sends the wrong message to our youth. An estimated 500,000 U.S. students used cigars in 2022, making cigars the second most popular tobacco product among youth. Young people who start using tobacco products are more likely to become addicted than adults.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Carolyn Rodgers
rodgerscd@aol.com
414-232-7822

CC: Senator Knodl & Representative Brandtjen

ⁱ Wisconsin Tobacco Facts: Adults. February 2023.

https://www.cuph.org/uploads/2/5/8/5/25855930/tobacco_facts_adults_2023_february_1.pdf

ⁱⁱ Centers for Disease Control and Prevention

<https://www.cdc.gov/tobacco/secondhand-smoke/protection/improve-health.htm#:~:text=Exposure%20to%20secondhand%20smoke%20from,people%20who%20do%20not%20smoke.>

From Daniel Xu
W171N10763 Aspen Ct
Germantown, WI 53022

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Daniel Xu, and I am a sophomore in Germantown High School, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

I like the smoke free indoor air bill as it mitigates the amount of harmful secondhand smoke that I am inhaling. Smoking in bars, especially ones that are connected to restaurants, hotels, etc., can expose me to smoke which is not beneficial to my health nor is a pleasant smell. Many agree with me, with 77.5% of Wisconsinites support the current law.

CDC website reported that around 19% of high school students had smoked cigarettes, cigars, and e-cigarettes in 2022. My school carries out the law to provide a tobacco-free environment for my health and safety. Smoking bans in schools discourage students from starting to smoke, promote a smoke-free environment as the norm, and recognize the importance of role modeling for students as educational policies. Luckily all my friends are non-smokers in my high school. We would hate to see smoking in indoor public places.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,
Daniel Xu

CC: Senator Knodl & Representative Melotik

Debra Nevels
12023 W. Lynx Avenue
Milwaukee, Wisconsin 53225

October 15, 2023

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Mrs. Debra Nevels, and I live in Milwaukee, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

As proposed, this legislation undermines the current protections in place in Wisconsin for our workplaces. By allowing cigar and pipe tobacco smoking in "tobacco bars", this bill would weaken Wisconsin's smokefree air law. Allowing tobacco bars that meet the 15% of sales threshold to allow cigar and pipe smoking creates a loophole in protections for clean indoor air and weakens decades of progress in the prevention of secondhand smoke and the reduction of tobacco use.

Having grown up in a household with smokers, I can attest to the impact on those who might not be smokers but are subject to secondhand smoke. Now, living in an environment of clean indoor air I know that my loved ones have a better chance of not having breathing issues. I was exposed to secondhand smoke much of my childhood. As an adult, I now suffer from asthma and shortness of breath because of this exposure. Having had to deal with this for most of my life, it limited my ability to participate in some common activities others enjoy. Increasing exposure of secondhand smoke goes against the MKE Elevate goals for the county to improve the health and protect the health of our community.

In Wisconsin, cigarettes wrapped in brown paper are classified and taxed as a cigar. These brown cigarettes/little cigars are identical in size and shape to cigarettes, are sold in cigarette-like packs of 20, and have a filter like a cigarette. This bill isn't a cigar bar bill, focused as narrowly as some like to describe it. It is a tobacco bar bill, as the law states, allowing use of a wide array of harmful products.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Debra Nevels
Debra.nevels12@gmail.com
414-544-6227

CC: Senator Lena Taylor & Representative LaKeshia Myers

Disa Patel
4254 Huntinghorne Dr.
Janesville, WI 53546

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Disa Patel, and I live in Janesville, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

I still remember when the smoke-free air law came into effect, and how for the first time I could walk into a restaurant and breathe clean air. Fast forward and I now have a four-year-old who currently doesn't have to experience walking into a restaurant and having it filled with smoke.

Allowing smoking in bars is a problem because it exposes both workers and customers to secondhand smoke. Tobacco use is the leading, preventable cause of cancer. My mom recently died of cancer, and now my four-year-old is going to grow up not remembering her. I wish there were more policies in place that could have helped in preventing my mom from getting cancer.

I am proud that Wisconsin is a leader in protecting all its citizens from the known, indisputable hazards of secondhand smoke in the workplace and public places. Our law covering all indoor public places has been in place since 2009, and it's working! The law protects both workers and patrons at all business establishments throughout the state. We want to protect our "A" grade on Smokefree Air on the American Lung Association's *State of Tobacco Control* Report.

Allowing an exemption for tobacco bars seriously undermines the law. I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Disa Patel
disa.i.patel@gmail.com
217-369-5884

CC: Senator Spreitzer & Representative Conley

Dylan Helmenstine
2006 Stephanie Court
Black Earth, WI, 53515

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Dylan Helmenstine and I live in Black Earth, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill. I was very young when Wisconsin bars went smoke free, but I still remember the awful smell and terrible headaches I would get from places full of smoke. Although some people may find indoor smoking to be more convenient, their comfort should not override the health and interests of Wisconsinites who do not smoke.

It may seem like a limited rollback of the smoke free law will maintain individual choice and compliance. However, I am convinced that such a roll back would muddy the water and would make it increasingly difficult for businesses to enforce the law. Many places may significantly weaken their enforcement of the indoor smoking ban. At which point, non-smokers will never know if they will be in an establishment that will effectively protect them from second-hand smoking or not. Reports from two different Surgeon Generals have found that there is no safe level of exposure to secondhand smoke. Wisconsinites deserve bars, taverns, and restaurants with clean air and clear rules against exposure to secondhand smoking.

Finally, as a school board member, I am concerned about the message young people would receive from this rollback. Schools already struggle with stopping the spread of e-cigarettes and other nicotine products. Normalizing cigar smoking in our community sends the wrong message to young people and provides tobacco companies with the continued opportunity to aggressively market their deadly and addictive products. Exposing our youth to a perceived "acceptable smoking culture" is not the direction our state should be moving. **Our schools need the state to be a strong partner in our efforts to stop underage smoking.**

Therefore, I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Dylan Helmenstine
dylan.helmenstine@gmail.com
608-516-6089

CC: Senator Hesselbein & Representative Considine

Ellen Lock
636 Jackson St.
Oshkosh, WI 54901

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Ellen Lock, and I am a full time college student, and work full time in Oshkosh, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

I recently turned 21 and am enjoying finally being able to visit bars with my friends. If any of the bars allowed smoking my friends and I would not go in them. It's disgusting and I personally don't want to be exposed to carcinogens. My brother is a cancer survivor and I saw what being treated for cancer looks like and will not put myself at additional risk by being forced to inhale second-hand smoke.

If you allow one group to smoke, do you really think others will not join in? Do you really think a bartender is going to go around and inspect what each person is smoking and ask them to go outside if they are not smoking the "approved" cigar or device? That is ridiculous. Can you imagine the confrontations that will arise when intoxicated individuals will try to stop another patron from smoking the "wrong" product or device? Do you think law enforcement has time to respond to even more alcohol related incidents?

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Ellen Lock

lockellen@gmail.com

920-579-3812

CC: Senator Feyen & Representative Palmeri

Ellen Pinnola
235 Ridge Ave.
Platteville, WI 53818

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Ellen Pinnola and I live in Platteville, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill. The proposed legislation significantly undermines the strong smokefree workplace protections currently in place in Wisconsin. This bill would weaken Wisconsin's smokefree air law by allowing cigar and pipe tobacco smoking in so-called "tobacco bars." Current law defines a tobacco bar as a tavern that generates 15 percent or more of its annual gross income from the sale of cigars and pipe tobacco. This proposed law would allow cigar and pipe smoking in any bar that meets the 15 percent sales threshold. Allowing more tobacco bars creates a significant loophole in clean indoor air protections and weakens decades of progress in preventing exposure to secondhand smoke and reducing tobacco use.

My sister is a childhood cancer survivor and has been in remission for 29 years. Every day she has to be very careful about what she is exposed to. This would undermine years of progress made to keep the public safe.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Ellen Pinnola
Pinnola2@gmail.com
815-298-9484

CC: Senator Marklein & Representative Tranel

Emily Hall
2320 N Booth Street
Milwaukee, WI 53212

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Emily Hall and I live in Milwaukee, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

I believe all workers, no matter their workplace, deserve to breathe clean, smokefree air. The proposed legislation significantly undermines the strong smokefree workplace protections currently in place in Wisconsin. This bill would weaken Wisconsin's smokefree air law by allowing cigar and pipe tobacco smoking in so-called "tobacco bars." Current law defines a tobacco bar as a tavern that generates 15 percent or more of its annual gross income from the sale of cigars and pipe tobacco. This proposed law would allow cigar and pipe smoking in any bar that meets the 15 percent sales threshold.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Emily Hall
Emily.Hall@cancer.org
224-374-2722

CC: Senator LaTonya Johnson & Representative Kalan Haywood

Jean-Luc Vanderheyden
375 Still Water Ct.
Dousman, WI 53118

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Jean-Luc Vanderheyden and I live in Dousman, WI. I am very concerned about Senate Bill 471 - the tobacco bar bill, as it would allow smoking again in bars.

I am involved in cancer research and have seen first-hand the damage that smoking does to people, young and old; and I don't only speak about those who smoke but the second-hand smokers who are exposed. This is well known and documented for lung cancer, of course, with multiple lawsuits and settlements by many states in the USA. A recently published study (Vergatti et al, reference below) found that passive and active smoking may be equivalent risk factors for osteoporosis in women in a study involving over 10,000 women. The authors concluded that the results should be considered in new criteria developed for osteoporosis screening programs to identify women at higher risk. We just don't want a bill that will further negatively impact the costs of healthcare!

Besides the medical impact, I enjoy going out with friends and I particularly enjoy the smokefree environment that currently exists in Wisconsin. With that, I believe I am with the overwhelming majority of Wisconsin citizens (close to 80%). My wife has asthma and smoking inside has been an issue; since COVID, the impact on respiratory function is impacted by long COVID. I realize that the bill requires that a certain percentage of the sales be that in the bar, but I am concerned not only for cigars but particularly for what is referred to as brown cigarettes (cigarette-like packs of 20 which resemble a cigarette), and so, it is not just cigars but many harmful products.

Once smoking starts, it is difficult to regulate and enforce this law. These cigarette-like are very difficult to distinguish from other cigarettes. I do not wish to go back to the days where smoke would ruin evenings. If nobody smokes, compliance to the law is self-enforcing. If smoking starts, how is this going to be enforced, and who is going to have to pay for this? I am particularly worried for young people...

Therefore, I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Jean-Luc Vanderheyden
jlvand@earthlink.net

774-420-9171

CC: Senator Chris Kapenga & Representative Scott Allen

Vergatti, A., Abate, V., Giaquinto, A. *et al.* **Role of active and environmental tobacco smoke on susceptibility to osteoporosis in women undergoing dual-X-ray absorptiometry.** *J Endocrinol Invest* (2023).

<https://doi.org/10.1007/s40618-023-02211-3>. <https://link.springer.com/article/10.1007/s40618-023-02211-3>

Jiewen Ying
N102 W14603 Heritage Hills PKWY
Germantown, WI 53022

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Jiewen Ying and I live in Germantown, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

I am very worried about air pollution and adverse health effect when allowing more tobacco bars. Tobacco is the biggest public health threat in the world. WHO reported that more than 1 million non-smokers die every year due to second-hand tobacco smoke.¹ These deaths are unfortunate to exposure to second-hand tobacco smoke either in the workplace or indoor public places. It is important for Wisconsin government to protect the population by adopting comprehensive smoke-free legislations.

Scientific research shows there is no safe level of exposure to tobacco smoke. When cigarettes and cigars are burned, around 7000 chemical compounds can be released and inhaled into the lungs. At least 69 compounds caused cancer. When non-smokers inhale the same toxic chemicals as the smokers, they increase a risk to develop lung cancers by 20-30%. In addition, even brief exposure to tobacco smoke can damage the lining of blood vessels and cause thick blood platelets. As a result, this can increase risk of coronary heart disease and stroke by 20-30%. The longer duration and higher frequency of exposure cause higher risk to lung cancer and cardiovascular disease.²

Smoke-free environments not only save our lives, but also help businesses and economies. Studies around many states have shown smoke free laws have a positive impact on the hospitality industrial. According to CDC, smokefree policies do not hurt the business at restaurants and bars.³ Local smokefree laws reported higher revenue and sales tax than those in communities without smoke controls. People love to go out to a smoke free restaurants and smoke-free bars. Furthermore, business owners going smoke-free can save the costs on maintenance and repairs of ventilations, fire insurance premiums, and workers' health and loss of work.

The U.S. Surgeon General concluded that smokefree laws in workplaces and communities encourage smokers to quit and reduce tobacco use. In particular, smokefree spaces prevents youths from starting smoking because of a lower visibility of smoking, fewer opportunities to smoke alone or with others, and reduced social acceptability for smoking.⁴

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree and protect Wisconsinites from tobacco smoke. This bill not only has a health effect but also economy, social and environmental effects.

Sincerely,

Jiewen Ying PhD, MBA
yingjiewen@hotmail.com
414-388-9184

CC: Senator Knodl & Representative Melotik

Reference:

1. WHO report on the global tobacco epidemic, 2023
<https://iris.who.int/bitstream/handle/10665/372043/9789240077164-eng.pdf?sequence=1>
2. Influence of Time and Frequency of Passive Smoking Exposure on Mucociliary Clearance and the Autonomic Nervous System; Respiratory Care April 2016, 61 (4) 453
3. CDC: Smokefree Policies Do Not Hurt the Hospitality Industry
4. CDC: Smokefree Policies Reduce Smoking
<https://www.cdc.gov/tobacco/secondhand-smoke/protection/reduce-smoking.htm>

Kathi Hansen
1240 Washington St.
Wrightstown, WI 54180

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Kathi Hansen and I live in Wrightstown, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

Since Wisconsin passed the smoke free indoor air bill, my husband and I have been able to enjoy going out with friends and families to any coffee shop, restaurant, or bar without worrying about being exposed to second-hand smoke, damage to clothing from careless smokers, and the lingering smells of tobacco on our clothes and in our hair. We have tried a number of new places and love supporting our local businesses!

I am a cancer survivor and am currently living with heart failure. Exposure to second-hand smoke presents a significant health risk to me. How am I to know which establishments have turned into "tobacco bars" until I've entered them and been exposed to this health danger?

The creation of tobacco bars would add costs to business owners, dangers to their employees, and costs to taxpayers for creation of regulations, enforcement procedures, and ongoing enforcement efforts. In addition, the clean indoor air law is very popular—77.5% of Wisconsinites support the current law, 18.3% neither support nor oppose, and only 4.2% oppose the clean indoor air law.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,
Kathi Hansen
katmarhan@gmail.com
920-225-9929

CC: Senator Andre Jacque & Representative Shae Sortwell

Kay Mittelstadt-Lock
W6858 Riverbend Road
Fond du Lac, WI 54937

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Kay Mittelstadt-Lock and I live in Fond du Lac, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

My husband is a newly retired teacher, and I work full time. We have raised 4 children and are now empty nesters. My husband and I are enjoying discovering and patronizing new establishments on our bike rides around Fond du Lac County and on our snowmobile rides, and UTV rides in and around Lincoln County. If any of the places that we have been eating at, listening to music at, or having a beverage etc allowed smoking we would definitely NOT stop at them. I can't stand the smell and will not be forced to inhale carcinogens.

The person who served us this weekend in Gleason, WI was putting herself through medical school. Do you think she wants to inhale cigar and pipe smoke while working? It's already difficult for establishments to find staff, allowing smoking would make it much more difficult to recruit staff into a smoke filled, carcinogen filled establishment.

We did not take our family out for dinner, or anywhere that allowed smoking prior to the smoke free air law was enacted in 2009. Myself and my oldest son have asthma and we get very sick from even the slightest exposure to second hand smoke of any kind. The smoke free policy in our state, provides safe and clean air for all Wisconsinites, and those who visit our beautiful state while we support food and beverage establishments across our state.

We would be encouraging our newly 21 year olds who visit bars to start smoking at an even higher level than they currently are just because it's allowed. We do not need any more young people addicted to nicotine and higher risk of the horrible disease of cancer.

My son is a childhood cancer survivor, so I know exactly what it means to hear the words "you have cancer" and the toll it takes on a person, a family and our healthcare system. In 2023, 4,630 Wisconsin residents are expected to be diagnosed with lung cancer and it is estimated that over 2,460 will die of the disease. Those are numbers that we do not want increasing.

Also-I am extremely against using tax-payer dollars to enforce these establishments and assure that only those that follow the very lenient guidelines to allow smoking are doing so. Wisconsin would have to create new procedures to track the location and revenue of tobacco bars. This would be logistically difficult, expensive for taxpayers, and could create new red tape for all taverns.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Kay Mittelstadt-Lock
Clock9213@outlook.com
920-251-0827

CC: Senator Feyen & Representative O'Connor

Linda DeGarmo

S958 Schultz Ln

Chaseburg, WI 54621

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Linda DeGarmo and I live in Chaseburg, Wi. I am writing to voice my concerns about Senate Bill 471-the tobacco bar bill.

My husband and I owned a bar/restaurant in Chaseburg from 2000 through 2014. We sold cigarettes, which I hated to do, because I knew the harm that those cigarettes were doing to our customers. When customers were able to smoke inside of our establishment, I cleaned mirrors, television screens and windows every 3 days. Every time I cleaned them, there was a yellow yucky substance on my cleaning clothes, which I assume was nicotine and smoke. We had an air exchanger in our building, and it ran all the time, but I still had to clean frequently. After Smoke Free Air went into effect, and smoking could no longer happen in our building, I only had to clean those surfaces once a month. Imagine what went in to not only the smokers' lungs, but those of us who didn't smoke from the secondhand smoke. When smoking was allowed in bars, I went home every night smelling like a used cigarette. I hated it, and don't want us to go back to the way it was.

One of our waitresses has asthma. Before Smoke Free Air, she had to use her inhaler multiple times during her shift. Afterward, she did not have to use her inhaler at all while she was working. The air was so much better for her.

My other concern is how this law would be monitored. I can't imagine anyone covering all the cigar bars and restaurants in Wisconsin just to see if only cigars and pipes were being smoked. If we let smoking happen in certain types of businesses, you know it is only a matter of time before others will follow.

I had a brother-in-law who lost a lung because he smoked, and smoking caused his lung cancer. Have you ever seen a lung that has cancer in it?? I have, and it is ugly. He lived the remainder of his life with one lung, and asthma, he was sorry for every day that he smoked. Letting this bill be voted into law would be wrong for so many reasons.

I am asking you to vote NO on Senate Bill 471 and keep Wisconsin air smokefree and safe.

Linda DeGarmo

grannydegarmo@yahoo.com

608-792-1919

CC: Senator Brad Paff & Representative Loren Oldenburg

Maddie Petre
1009 W. Juneau Ave
Milwaukee, WI 53233

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Maddie Petre and I live in Milwaukee, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

I have been so grateful for the progress we have made in creating smokefree air throughout the state of Wisconsin. Not only has it made indoor spaces more enjoyable, but it has protected my health and the health of those I love. The Smokefree Air Law has reduced my stress regarding exposure to secondhand smoke and has made me feel more safe in indoor spaces throughout the state. I also know many others agree with me - the clean indoor air law also is broadly popular, with 77.5% of Wisconsinites supporting the current law, 18.3% neither support nor oppose, and only 4.2% oppose the clean indoor air law. The decades of progress we have made in protecting the indoor air quality throughout the state has protected me, those I love, local employees, and Wisconsinites as a whole and it has made our businesses more enjoyable, safer, and healthier.

Being a young adult, I have seen the rise in cigar smoking and tobacco usage among my peers and quite frankly, I'm fearful of how allowing smoking in tobacco bars will lead to a rise in smoking among youth and eventually, premature and preventable death. Encouraging cigar smoking in our community sends the wrong message to our youth. An estimated 500,000 U.S. students used cigars in 2022, making cigars the *second most popular tobacco product among youth*. Normalizing cigar smoking in our community sends the wrong message to young people and provides tobacco companies with the continued opportunity to aggressively market their deadly and addictive products. Exposing our youth to a perceived "acceptable smoking culture" is not the direction our community should be moving. This decision will reverse the progress we have made as a state, it will put the power back into the hands of tobacco companies, and it will lead to more deaths of Wisconsinites.

Wisconsin has been a leader in protecting all its citizens from the known, indisputable hazards of secondhand smoke in the workplace and public places. Our law covering all indoor public places has been in place since 2009, and it's working! We don't want to reverse these wins. We know that exposure to secondhand smoke increases risk of lung cancer and other diseases. In 2023, 4,630 Wisconsin residents are expected to be diagnosed with lung cancer and it is estimated that over 2,460 will die of the disease. We don't want to see this number rise, and we know that keeping Wisconsin smokefree is a great way to prevent deaths and keep Wisconsinites healthy.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Maddie Petre
mjpetre23@gmail.com
414-758-1401

CC: Senator LaTonya Johnson & Representative Kalan Haywood

Mariah Forster Olson
2272 Coulee Drive
La Crosse, WI 54601

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Mariah Forster Olson and I live in La Crosse, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

In 1980 at just one year old, I was diagnosed with neuroblastoma, a type of childhood cancer that consists of a solid tumor and that typically affects infants and those under the age of five years old. My tumor grew out of several levels of my spine, wrapped around part of my heart, pushing against my trachea and lungs and occupying almost the entire right side of my chest. My first symptoms were breathing issues and when I was finally diagnosed, I was given poor odds of survival. I had two surgeries, multiple radiation treatments, and a two year "experimental" chemotherapy protocol, which is what ultimately saved my life. As a result of my treatments, I have a lot of late effects and medical conditions, including asthma and restrictive lung disease.

The smokefree indoor air bill allows me to breathe fresh, clean air, whereas allowing smoking in bars is extremely problematic and triggers coughing, wheezing, and difficulty breathing. Furthermore, I can smell cigarettes on my clothes and body far after I leave the bar, so I continue to breathe in the cigarette smell. Secondhand smoke is extremely damaging and it can be even more harmful than if I was the one smoking. I do not understand why we would not continue protecting the rights of Wisconsin citizens to clean, fresh air, in favor of smoky, polluted air because ***WHEN THEY SMOKE, WE ALL ARE FORCED TO SMOKE!***

Personally, I only have one lung that operates at full capacity, and due to my cancer and its treatments, my other lung is 50% smaller and operates at 50% less capacity than the other. I also have asthma, so I personally have never smoked and do not ever want to! I need to take care of my lungs and keep them as healthy as possible, and this would be difficult to do if the tobacco bar bill was passed. ***Loopholes for indoor smoking would make the law difficult to enforce, and it weakens decades of progress in preventing exposure to secondhand smoke and reducing tobacco use.***

Please continue to protect the clean air that we have come to expect in Wisconsin, and vote NO on Senate Bill 471 to keep Wisconsin smokefree.

Sincerely,

Mariah Forster Olson
Mariah1800@hotmail.com
608-385-9877

CC: Senator Brad Pfaff & Representative Jill Billings

Monty Gilbertson
W605 Cherry Street
Stoddard, WI. 54658

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Monty Gilbertson and I live in Stoddard, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

Allowing more tobacco bars creates a significant loophole in clean indoor air protections and weakens decades of progress in preventing exposure to secondhand smoke and reducing tobacco use.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Monty Gilbertson
Montyg06@gmail.com
608-386-5483

CC: Senator Brad Paff & Representative Loren Oldenburg

Nikki Payne
9315 74th Street
Kenosha, WI 53142

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Nikki Payne and I live in Kenosha, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

Personally, I have had (3) family members (my Aunt and two of my Uncles) who have died from lung cancer and currently have a cousin, who is in remission from lung cancer. She got lung cancer due to secondhand smoke. That is why I am so opposed to this bill because I can see first-hand how smoke can negatively affect those who have never even picked up a cigarette or cigar.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Nikki Payne
nikkidennard@yahoo.com
312-235-6342

CC: Senator Wirch & Representative McGuire



(2nd from right, my Cousin, Kim Alexander, who is in remission)

Paulette Maclin
Milwaukee, WI 53206

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Paulette Maclin and I live in Milwaukee, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

Wisconsin has been a leader in protecting all its citizens from the known, indisputable hazards of secondhand smoke in the workplace and public places. Our law covering all indoor public places has been in place since 2009, and it's working! The law protects both workers and patrons at all business establishments throughout the state. We want to protect our "A" grade on Smokefree Air on the American Lung Association's *State of Tobacco Control* Report.

A smoke-free environment is important to me because my father worked at Allis Chalmers for over thirty years and was planning to retire. He smoked for many years, and the month before he was to retire, he went to have his annual physical and discovered that he had Lung Cancer. Within six months of the diagnosis, surgery, and treatment my father passed away. He did not get a chance to retire and enjoy the fruit of his years working. Furthermore, my mother who did not smoke developed emphysema from secondhand smoke.

Allowing an exemption for tobacco bars seriously undermines the law, and most importantly forces workers to choose between their health and a paycheck. We urge you to reject this exemption and protect everyone's right to breathe clean, smoke-free air.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Paulette Maclin
Paulette.maclin@gmail.com
414-231-3824

CC: Senator Lena Taylor & Representative Darrin Madison

My name is Kyla King and I live in Green Bay, Wisconsin.

I'm old enough to remember my parents picking restaurants based on if they were smoke-free, or in a pinch settling for the non-smoking section. But I knew how our clothes and hair smelled after sitting in one. We were breathing the same air, and essentially smoking the same cigarettes by proxy. I knew this didn't add up.

Yet that's the flawed logic that SB-471 is asking us to swallow—or should I say inhale—that “cigar bars” can somehow allow public cigar smoking while defying the laws of physics and not encroaching on the right of nonsmokers to breathe clean air in a public space.

We're also supposed to believe that this exemption won't be pushed to the limits by bar owners, and that compliance will be strictly enforced.

It makes you wonder about the bill's true intention. But let's not get into speculation, and instead stick with the facts.

We know that smoking is the single most preventable cause of cancer and heart disease. We know that preventable cancer and heart disease drive up healthcare costs and insurance costs, and that we all share that financial burden.

Whatever the bill's true intention, it's obvious the result will be creating a small benefit for a few, while passing on the burdens of that benefit to the rest of us.

As a conservative, and a twelve-year employee of a cancer center, I oppose Senate Bill 471.

We mustn't turn back the clock on one of the most simple and effective public health measures ever implemented for such illogical reasons.

Please vote no to Senate Bill 471.

Thank You,
Kyla King

CC: Senator Wimberger & Representative Shelton

Anita Marita
709 Wil-O-Del Court
Clinton, WI 53525

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Anita Marita and I live in Clinton, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

Allowing more tobacco bars creates a significant loophole in clean indoor air protections and weakens decades of progress in preventing exposure to secondhand smoke and reducing tobacco use. This is something that I personally was involved in and want to see smoke free air indoor air protections stay in place!

I work in a Rock County School District and am very concerned about the health and well-being of children. Encouraging cigar smoking in our community also sends the wrong message to our youth. An estimated 500,000 U.S. students used cigars in 2022, making cigars the second most popular tobacco product among youth. Young people who start using tobacco products are more likely to become addicted than adults.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Anita Marita
maritaa@turnerschools.org
608-201-3264

Cc: Senator Steve Nass/Representative Ellen Schutt

Courtney D'Jock
1651 102nd Ave.
Hammond, WI 54015

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Courtney D'Jock and I live in Hammond, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

The smokefree indoor air bill has been put in place for the past 14 years and has been a great success at keeping workers and customers safe. In fact, the indoor air bill has been widely supported by 77.5% of Wisconsinites.ⁱ Allowing more tobacco bars creates a significant loophole in clean indoor air protections and weakens decades of progress in preventing exposure to secondhand smoke and reducing tobacco use.

If we are to allow smoking in bars this will open the state of Wisconsin up to many issues. I am concerned not only for the health and well-being of all but also for the fact that it would be very difficult to enforce. We would need to have new procedures created to track the location and revenue of tobacco bars. This would be very logistically difficult, and it would be very expensive for taxpayers.

I have two small children, Nolan – 4 and Nora 1.5, and my husband and I enjoy being able to go out to dinner as a family on occasion. However, if the Assembly Bill 451 is passed it would make it hard to ensure that I am taking my children to an establishment where they will not be exposed to secondhand smoke. We know from reports of two different Surgeon Generals that there is no safe level of exposure to secondhand smoke.^{ii,iii} The only effective way to fully protect people from exposure to secondhand smoke is to completely eliminate smoking in indoor public spaces.^{iv}

In addition, I feel that normalizing cigar smoking in our community sends the wrong message to young people and provides tobacco companies with the continued opportunity to aggressively market their deadly and addictive products. Exposing our youth to a perceived “acceptable smoking culture” is not the direction our community should be moving.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Courtney D'Jock
courtneyhaas64@gmail.com
763.843.6043

Cc: Senator Rob Stafsholt & Representative Clint Moses

ⁱ Wisconsin Tobacco Facts: Adults. February 2023.

https://www.cuph.org/uploads/2/5/8/5/25855930/tobacco_facts_adults_2023_february__1_.pdf

ⁱⁱ U.S. Department of Health and Human Services (HHS). The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General. 2006. Atlanta, GA: HHS, Centers for Disease Control and Prevention (CDC), National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health (OSH).

ⁱⁱⁱ HHS. How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease – A Report of the Surgeon General. 2010. Atlanta, GA: HHS, CDC, National Center for Chronic Disease Prevention and Health Promotion, OSH.

^{iv} HHS 2006

Dear members of the Senate Committee on Insurance and Small Business,

My name is Dr. Lenard Markman. I live in Amherst, Wisconsin. I am writing to ask you to vote NO on Senate Bill 471 and keep Wisconsin smoke free.

As a physician I have seen the terrible health consequences to my patients and the severe financial burden their entire family suffers when they develop lung disease and other associated tobacco illnesses.

My mother spent the last six years of her life on oxygen because of the severe emphysema she developed from smoking. She also had a series of smoking related mini strokes which resulted in carotid endarterectomy.

Assembly Bill 451 creates loopholes in our state Smokefree Air Law, exposes workers to harmful toxins, and sends a very wrong message to the youth of our state.

This bill is definitely a step in the wrong direction. The medical cost to treat related illnesses that will result from it will be a huge burden to our society and future generations.

Please vote NO on senate bill 471.

Thank you!

Sincerely,

Lenard Markman DO

Advocacy Committee Member -Wisconsin Association of Osteopathic Physicians and Surgeons

Cc: Senator Dianne Hesselbein
Representative Alex Joers

Dear members of the Senate Committee on Insurance and Small Business,

My name is Chris Logan and I'm a public housing resident in Milwaukee and a volunteer member of the Wisconsin African American Tobacco Prevention Network, which educates the community on harms of secondhand smoke and also the health benefits of smoke-free spaces.

Ironically, I'm also a longtime smoker who has struggled to quit. In fact, I'm trying to quit again now and hopefully will be successful this time. What makes it the hardest for me to quit is smelling smoke and being triggered by it.

This is one of the many reasons I was concerned when I saw in the Journal Sentinel that there was a Bill being proposed in Wisconsin to allow for new Cigar and Tobacco Bars to open. I remember the days of the smoky, foggy bars where everyone was smoking. I was there too! Having smoke free taverns allowed me to still meet with friends in a smoke-free atmosphere, which was very helpful to me.

I also think this bill sends the wrong message to kids, who have only known indoor spaces to be smoke-free. This is especially concerning considering that these bars could also become havens for vapers/electronic cigarette users, which are extremely popular among youth and young adults.

In closing, smoke free spaces are healthier for everyone, as there is no safe level of secondhand smoke. As I continue my quit journey, I hope others also find the strength to quit. Having more public places where you can smoke indoors makes that harder. Thank you for allowing me to voice my concerns and for your service to our state and country.

Please vote no on Senate Bill 471.

Sincerely,

Chris Logan

2600 W. National Ave. Apt. 1004

Milwaukee, WI 53204

Cc: Senator Tim Carpenter

Representative Marisabel Cabrera

Dear members of the Senate Committee on Insurance and Small Business,

My name is Toi Nicole and I started smoking tobacco when I was young and I'm in my quit journey now. Additionally, I worked in advertising and as recently as a few years ago helped promote private cigar lounges and events that allowed indoor smoking. How things change. A few years ago I joined the Wisconsin African American Tobacco Prevention Network and learned so much about how the tobacco industries target groups of people, including minors, with their tobacco products.

As I move forward in my quit journey, I've also learned how secondhand smoke is a huge trigger and how harmful secondhand smoke can be. I'm concerned that the bill being proposed that would allow new Cigar and Tobacco Bars is a step in the wrong direction. I saw firsthand how cigars have grown in popularity among all age groups in recent years, and how other emerging tobacco products have hooked minors and adult smokers.

I believe that allowing smoking indoors at more establishments sends the wrong message to residents of Wisconsin, and downplays the huge health harms that these products cause. It also opens the door for other taverns to allow smoking of all types, which also harms everyone else's health. Our state's free law has broad support, including from former and quitting smokers like myself. Please consider the short and long-term harm this bill will cause if passed and help us allow Wisconsinites to have their best chance to achieve optimal health.

Please vote no on Senate Bill 471.

Sincerely,

Toi Nicole

6451 N. 42nd

Milwaukee, WI 53209

Cc: Senator Lena Taylor

Representative Dora Drake

Maritza Santiago

816 Moore St

Beloit, WI 53511

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Maritza Santiago-Martinez and I live in Madison, WI as a college student, but originally from Beloit, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill. As someone who has worked at a grocery store where smoking near youth was common, I cannot imagine the impact of allowing smoke to be indoors would be on workers who would have no choice but to be experiencing the effects of secondhand smoke. By enforcing all parts of the smokefree indoor air bill, it will prevent the health risk of secondhand smoke.

As mentioned before, I am a college student at Madison, where the bar scene is huge to begin with. As a student who stays away from this environment and is still impacted by it, it is bound to become a huge problem if it is allowed to smoke inside bars who make revenue off of cigars. Tobacco and alcohol alone are problems in this school for underage youth, by allowing this bill to move forward, it will allow these activities to be accessible to underage students in only one location.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Maritza Santiago-Martinez

maritzasantiagomartinez@gmail.com

(608)-898-3468

Cc: Senator Mark Spreitzer
Representative Clint Anderson

Robin Stuht
W2799 County Rd ES
East Troy, WI,
53120

Dear Members of the Senate Committee on Insurance and Small Business,

My name is Robin Stuht and I live in East Troy, WI. I am writing to voice my concerns about Senate Bill 471 - the tobacco bar bill.

Smokefree air is important to me because I have grandchildren and I am concerned about their health and don't want them exposed to secondhand smoke. They have grown up without ever having to walk into a business that is filled with secondhand smoke, and I want it to stay this way for their health and all children's health.

Normalizing cigar smoking in our community sends the wrong message to young people and provides tobacco companies with the continued opportunity to aggressively market their deadly and addictive products. Exposing our youth to a perceived "acceptable smoking culture" is not the direction our community should be moving.

I'm asking you to vote NO on Senate Bill 471 and keep Wisconsin smokefree.

Sincerely,

Robin Stuht
262-470-1376

Cc: Senator Julian Bradley/Representative Nik Rettinger

Dear elected officials,

As one who has fought long and hard for clean indoor air, I am writing today to voice my concerns about Senate Bill 471 - the tobacco bar bill.

In 2023, smoke-free workplaces are finally the norm. This bill would jeopardize that fact. If passed, this new legislation will go against popular opinion (that smoke-free workplaces are the healthiest), it will be difficult to enforce, it will harm the health of employees and customers, and it will send the wrong message to our youth.

It is the right thing to do to vote **NO on Senate Bill 471** and keep Wisconsin smokefree.

Sincerely,

Vince Sciamè

3660 Eagle's Ridge Drive

Beloit, WI 53511