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Details:

(FORM UPDATED: 07/12/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2007-08

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on ... Public Health
(AC-PH)**

COMMITTEE NOTICES ...

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

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

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

The Facts

"Of all tyrannies a tyranny exercised for the good of its victim may be the most oppressive. It may be better to live under robber barons than under omnipotent moral busybodies. The robber baron's cruelty may sometimes sleep, his cupidity may at some point be satiated, but those who torment us for our own good will torment us without end for they do so with the approval of their own conscience.
- C.S. Lewis. "

The Facts

Smoking Ban Links

Understanding The Numbers

Nicotine Nannies claim smoking bans are good for business. But if that were the case could this list exist, and could it be so huge?

Statistics 101

These stories come from hundreds of independent sources. Links to some news sites expire fairly quickly, so we recommend you print out anything you'd like to save for future reference. Some links require free registration before you can read the article.

Statistics 102

This list of articles became so long we had to break it up into several pages. The oldest links are in Archive One, the next oldest are in Archive Two, followed by Archive Three. Most of these stories are on news web sites, so the older pages are likely to contain a large amount of broken links.

Studies

This page contains the most up to date stories.

Epa '93

A list of places hurt by bans is also available in a handy chart form. Check out the Loss page at The Smokers Club.

WHO

Owners: Smoking Ban Bad For Business
NBC5i.com - Ft. Worth, TX, USA

Helena

Brett Russell owns Saltimbocca's restaurant and said the smoking ban was a major factor in his decision to close the establishment. Pete Moore co-owns Bobby V's in Arlington and said he's not certain if his business will survive either.

Helena Chart

"The majority of that is in the bar and we saw that business tail off by about 40 per cent," Russell said.

Smoking Bans And Businesses

Smoking ban forces pub out of business
Scotsman - Edinburgh, Scotland, UK

Ban Links

Takings at the community-based pub have fallen by around £1000 a week, or about 10 per cent, since the ban came into force a year ago.

Ban Studies

Local Bars Openly Defy Smoking Ban
Fox 21 - Colorado Springs, CO, USA

Odds and Ends

Many of the bars participating have experienced large revenue drops since the ban was enacted, and now they say it is worth the fines to bring their customers back.

The Truth

Hawaii Tourism Slumps on Heels of Smoking Ban
eNewsChannels - Torrance,CA,USA

Ads by Google

Agendas

According to Travel Hawaii LLC, Hawaii's tourism industry is in a slump, with overall January arrivals down nearly 6 percent from January 2006 and the lucrative Japanese market down over 12 percent. The decline comes on the heels of Hawaii's strict new smoking ban, which went into effect in November, and some in the tourism industry wonder whether the smoking ban is chasing away a good portion of Hawaii's traditional clientele.

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www.cmht.com

More Info



**US Players
Welcome!**

Japan is considered a "smoker's paradise" relative to the U.S., and some observers feel that the cigarette-puffing Japanese tourists are being deterred from visiting Hawaii, in favor of more smoker-friendly destinations. "We've had several Japanese clients with pre-paid bookings cancel their reservations because they couldn't get a smoking room," said Chris Freas, Sales Manager at Travel Hawaii, a Hawaii-based Internet retailer

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Smoking ban fallout
South Bend Tribune - South Bend,IN,USA

When countywide bans enacted two to three years before the study allowed smoking only in the bar area of restaurants, annual sales declined by 49 percent to 55 percent, the study found.

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But when local ordinances enacted two to three years before the study reserved most seating for nonsmokers while allowing some smoking, annual sales increased by 36 percent and gross profit increased by 37 percent, the study found.

**Sample Wor
Smoking**
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Scottish smoking ban hits pubs as winter looms
Reuters - USA LONDON, Sept 1

Rank is cutting 240 jobs, most of them in its Mecca Bingo division, as it seeks to refocus on its core gaming businesses.

The smoking ban in Scotland has caused a 14 percent decline in sales in Rank's 14 Scottish bingo halls. . .

Bingo and pub firms hit by Scots ban on smoking
Scotsman - United Kingdom

TWO leisure groups revealed yesterday that trading had been hit in Scotland since implementation of the smoking ban last spring - with one confirming resulting job .

Rank said it was cutting 200 jobs at its Mecca Bingo clubs across the UK and clos. London head office with the loss of 40 jobs as it reported a 3 per cent fall in under. first-half profit.

Smoking Ban Hurting Small Taverns?
KKTV 11 News - Colorado Springs, CO, USA

*Lawyers for Colorado bar owners say the eight-week-old statewide **smoking ban** has devastated some smaller taverns, slashing their incomes by up to 80 percent.*

Williston Bingo parlor closing
Bismark Tribune

The Bingo Barn is closing after 20 years, and officials say the state's law that bans most indoor smoking is the reason.

The bingo parlor, which will shut down after its final session on Saturday, supported three charities: the Williston State College Foundation, Williston Basin Skating Club and North Dakota Association for the Disabled.

Legislature approves tax cut for bingo halls {to help make up for devisting losses due to the smoking ban}
Bismark Tribune

When the Legislature banned smoking in most public buildings two years ago, bingo operators saw their customer numbers plummet. A Williston bingo hall closed, and players in the Red River Valley fled to Minnesota, where bingo establishments allow smoking.

Smoking ban is killing our trade
Fife Today (Scotland)

LICENSEES in Fife are urging the Scottish Executive to scrap the smoking ban amid claims some premises are heading for financial ruin.

Jim Paul, President of the Fife United Clubs' Association, reacted angrily to an NHS Fife spokesman's comments that the clubs' concerns were "silly." He said: "The health board are talking verbal diarrhoea. "Obviously they have never been in a club to see what life is like as we are feeling the bite and losing up to £2000 a month."

"It is not just pubs and clubs that are struggling either, as the Fraser Bowl in Glenrothes has also seen a massive downturn in revenue as a direct result of the ban."

Bingo profits plummet following city smoking ban
Edmodnton News

Edmonton-area charities are feeling the squeeze after their bingo profits plummet by \$6.8 million in the year following the city smoking ban.

"To have the bingos kind of crash and burn has been a real deterrent to our programs because it's pretty hard to replace that funding," said Lorraine Jex, president of the city's northeast zone sports council.

During the first full year of the puffing ban – which kicked in July 1, 2005 – the nearly

600 charities that run bingo in the Edmonton area made \$6.1 million, down from \$12.9 million a year earlier, according to provincial figures obtained by the Sun. That represents a whopping 53% drop.

During the past year, bingo profits in the rest of Alberta – where smoking is generally still permitted – dropped only 1%.

Bid could be launched to overturn smoke ban
Some licensees say fears about the smoking ban have materialised.
Guernsey Weekly Press - Vale,Guernsey,UK

*They say that trade has been decimated during its first month.
Many smokers furious at the ban have already boycotted pubs and vowed not to return.*

*Mariners' Inn licensee Tina Power said that, contrary to what Health minister Peter Roffey and other deputies predicted, non-smokers have not frequented more.
'Our July takings are the equivalent of a wet, cold and miserable January month. Is this what we should be experiencing in July?' she said.*

I think perhaps a review of this should be taken into account because is that not why 200 pubs have closed down in Ireland?

I think it has affected everybody and I have seen less people since the smoking ban came in. The pubs are empty and, when the bad weather comes, you won't see them either because they will sit at home and smoke.'

One doorman said he had been working the pubs for 28 years and he had never seen trade so bad.

Smoking Ban Reduces Gamblers In New Zealand
All Headline News - USA
08/05/2006

Wellington, New Zealand (AHN) - A smoking ban in gambling clubs in New Zealand has reduced the number of gamblers as the country's poker machine revenue fell 28%.

Brian Smith, president of Clubs New Zealand, said that this ban would reduce about \$60 million a year from pub charities to various sports and other community groups.

Smoking ban is killing our trade
Fife Today - Fife,UK
08/03/2006

LICENSEES in Fife are urging the Scottish Executive to scrap the smoking ban amid claims some premises are heading for financial ruin.

"Obviously they have never been in a club to see what life is like as we are feeling the bite and losing up to £2000 a month.

"The Association's annual gala-day trip to Camperdown Park in Dundee next year has

had to be cancelled because we simply cannot raise enough funds for a bus to transport the youngsters."

"It is not just pubs and clubs that are struggling either, as the Fraser Bowl in Glenrothes has also seen a massive downturn in revenue as a direct result of the ban."

Council sees ban killing off smoking

ABC Online - Australia

07/30/2006

In a rare display of honesty, anti smokers admit their real motivation behind banning smoking. It has nothing to do with workers health. It's about using any means necessary to eliminate smoking completely.

Smoking ban causing nearly 300 to be laid off at Casino Windsor

WLNS - Lansing,MI,USA

07/18/2006

DETROIT Casino Windsor is laying off nearly 300 union workers and immediately terminating 32 salaried employees due to declining revenues caused by Ontario's smoking ban.

Smoking ban blamed as VLT profits dive

CBC New Brunswick - New Brunswick,Canada

07/21/2006

The lottery corporation's 2005-06 annual report shows that money generated by VLTs fell by almost \$8 million, or six per cent, from the previous year.

ALC spokesman Robert Bourgeois said a province-wide smoking ban imposed in October 2004 was one of the major reasons for the decline.

SMOKING BAN BACKLASH

Fife Today - Fife,UK

"We estimate that we are losing £2,000 a week because of the ban and it can't go on like this because it is killing the pubs in the area."

N.Y., N.J. Businesses Say Smoking Ban

Evening Bulletin - Philadelphia,PA,USA

07/18/2006

In the working-class borough of Staten Island, an assistant manager of a bar chuckled at what hardly seemed like a joking matter. A smoking ban was instituted in the state three years ago, and the effect at Mug Shots was clear.

"[Business has] probably been cut down by half because of it," Steve Conroy said with a chuckle.

Business owners, industry experts and economists seem to almost universally agree that the bans in New York and in New Jersey have had significantly detrimental effects on

sales, although estimates vary as to the precise impact on business. Experts say traditional bars and taverns - particularly ones in working-class neighborhoods with high smoking rates - have been affected the most, while nightclubs and restaurants have seen smaller drops in business. Some restaurants have reported an increase in business.

"There's no question ... that the smoking bans have hurt the taverns and the bars," said Scott Wexler, the executive director of the Empire State Restaurant and Tavern Association.

He said a loss of about 20 percent of sales has been typical.

"People have seen gains from the floor, closing the gap in the losses. But most of my members are still doing less business today than they were before the ban ... About 25 percent of our member establishments closed over the last three years."

Suspend smoking ban: bar owners
Montreal Gazette - Montreal, Quebec, Canada
07/15/2006

The 1,500 bar owners who responded to the survey reported a 30-per-cent drop in revenues from alcohol sales, video-poker terminals, pool tables and food since the no-smoking rules went into effect May 31, Sergakis said.

At least 478 full- and part-time jobs have been cut, he added.

"Just wait for winter - the effect will be double," he said. "People won't want to go outside to smoke in minus 30C."

Rank Says Gaming Profit Was Hurt by Smoking Ban, Rising Costs
Bloomberg - USA
07/04/2006

Rank Group Plc, the U.K. owner of Grosvenor Casinos and Mecca Bingo clubs, said profit at its gaming units is "under pressure" because of increasing costs rise and a smoking ban in Scotland. The company said it will consider a sale of its Hard Rock brand.

Rising costs and a 14 percent drop in sales in Scotland following the introduction of a smoking ban is having a negative impact on earnings...

Number's up at smoke ban bingo halls
Scotsman - United Kingdom
06/28/2006

ALMOST half of Scotland's bingo halls face closure as the smoking ban takes its toll on revenues.

Five clubs have closed already, including one in the Capital operated by Carlton Bingo, while a further three are expected to shut in the next few weeks.

The Bingo Association today warned that between 30 and 40 bingo halls are at risk of closure in the longer term. The warning comes just three months after the ban came into

force.

Windsor bingo halls burnt by smoking ban
Globe and Mail - Canada
06/26/2006

Nearly a month into Ontario's smoking ban, Windsor bingo hall operators say many Michigan customers are staying home. Business has dropped so much at some bingo parlours that owners are considering layoffs and at least one may close its doors, according to a report Monday in The Detroit News.

Patch purveyors stock up for smoking ban
Denver Post - Denver, CO
06/26/2006

{Many "grassroots" smoking ban campaigns are funded behind the scenes by Big Pharma. Here's why:}

National drug companies often see a 30 percent to 50 percent spike in retail sales of nicotine patches and gum after a smoking ban goes into effect, said Jennifer May, a GlaxoSmithKline spokeswoman in Pittsburgh.

Bar owners affected by smoking ban
Tillsonburg News - Ontario, Canada
Friday June 16, 2006

The smoke has cleared and most Tillsonburg bar owners aren't happy. In one form or another, nearly all reported a loss in sales since the Smoke-Free Ontario legislation banned smoking in bars and all public places on May 31. Dan Efstatheu, owner of Mad Trapper's, has noticed a huge drop in business since the ban came in place. This ranges from fewer business people coming in for lunch and a cigarette to patronage during his Thursday night wing night. The most significant drop was on weekends.

Jim Tsanoff, owner of the Royal Tavern, also said business has declined quite a bit since the Smoke-Free Ontario legislation took effect on May 31.

"We have the same amount of people coming, they're just not staying," he said. "They come in for one, not three or four."

Although an initial drop in business was expected, Tsanoff isn't sure if it will bounce back.

Ban burns bingo halls

Detroit News, 6/26/06 - Nearly a month into Ontario's smoking ban, Windsor's bingo halls are facing their worst fears: Michigan smokers are staying home.

Business has dropped so much at some bingo parlors that owners are considering layoffs and at least one is contemplating closing its doors.

"We haven't laid anybody off yet, but we cut our work hours in half," said Candice Lagace, a bookkeeper at Paradise Bingo Hall. "We're all struggling. It looks like layoffs

are imminent."

This month, Paradise Bingo Hall has lost \$60,000, said Lagace, daughter of Paradise's owner, Mike Duval.

On its best day this month, the 658-seat bingo parlor – which has been in business for 21 years -- was at about 16 percent capacity with 106 players. On a busy night before the ban, the hall would have standing-room only, with customers lined up against the walls.

Miklojcik, a consultant for gaming houses nationwide, said it takes only one smoker in a car of four to suggest staying in Detroit to gamble at Greektown, MGM Grand Detroit and MotorCity, where smoking is permitted.

Mayo pubs faced with meltdown

COUNTY Mayo has the third highest number of pub closures in the country over the past two years. With 48 pubs having closed throughout 2004 and 2005, Mayo is behind only Galway with 57 closures and Cork with 74.

The fact that people are now drinking more at home because of the smoking ban and cheaper alcohol prices in off-licences are being blamed on the high number of closures. In Castlebar alone, seven pubs have closed in the recent past and only one has been re-opened.

When the figures from the Connacht counties are compiled, it emerges that more than 10 per cent of all pubs in the five counties have closed their doors in the last two years.

Nipped in the butt

Less than a dozen cars speckled the parking lot outside the White Elephant Bar and Grill on a recent Saturday night in this growing Seattle suburb. Inside, most booths and tables sat empty while two electronic dart boards hung unused on the side wall. A handful of customers encircled the restaurant's lone pool table, sipping beers and conversing easily at normal volume levels. Owners John and Donna Kerns leaned on the end of a deserted bar and watched helplessly as their once buzzing establishment choked to a slow death on its clean, smoke-free air.

Six months ago, that hub teemed with activity, drawing several thousand people on any given weekend. Now, business is down more than 50 percent. The Kernses, both in their 60s, have laid off employees and significantly trimmed their hours of operation.

Appleton Bars Blame Smoking Ban For Losing Money

State sales tax records for two of the three businesses show year-over-year losses of about 30 percent in the last six months.

Bars show smoking ban hurts

Her records show a revenue drop of nearly \$57,000, or 28 percent, for the last half of

2005 versus 2004.

"And January was worse. We were down 40 percent, over \$18,000 in sales," Roepcke said. "Our sales had been increasing, but when the smoking ban hit it was devastating. We were losing 30 to 40 percent a month."

"Our profit margin is gone. I've had to take \$40,000 out of my own pocket since July to cover our losses."

Roepcke said he has cut his staff of 14 employees by half.

"The seven employees we have left have had their hours cut back," Roepcke said.

"Last month alone we were down 50 percent in Budweiser sales from the year before," Roepcke said. "If the exemption doesn't pass, I don't know what a lot of the bars are going to do. Right now, we are borrowing, cutting back and not taking a salary ourselves just to stay in business."

Smoking ban killing off the iconic Kiwi pub

Seventy of the six hundred and twenty bars surveyed reported profit decreases of 30% or greater in the first year of the ban when compared to the year previous, as these hotels are at risk of closure if trade does not lift in this coming year.

Smoking ban forcing pub to close

A bar which has been thriving for more than 60 years is to close because it will not survive when the smoking ban comes into force, it has emerged.

Sandy Robertson, who has run the bar for the last seven years, says 95% of his customers smoke and it would not be financially viable for him to keep the pub open.

Canada CAW says province should supplement laid-off workers

The Canadian Auto Workers union is asking the Ontario government to supplement the incomes of hospitality workers who are laid off because of the province's smoking ban and to provide retraining for them.

The casino's senior managers have told the union they are predicting at least a 30 per cent drop in business followed by layoffs, Lewenza told Papatello in a letter.

Bingo halls decry city smoking ban

Edmonton bingo halls and some bars say business has dropped by up to 50 per cent in the six months since the city imposed a no-smoking bylaw in all public places.

Since July 1, when the ban came into place, 19 bingo halls in the city have shut down. While some of the closures are attributed to waning interest in the game, operators say most were adversely affected by the smoking bylaw.

"Last month's pool, with the cold weather, we lost \$90,000 for that month," Susan Moore, who runs Parkway Bingo, said.

Bingo operators say the payout to local charities and clubs has dropped by at least 50 per cent over the past six months, while crowds are down about 25 per cent.

"They've been brutal," Wally Zack, owner of the Borderline Pub, said of the past six months. "Business dropped immediately by 30 to 40 per cent, and as much as 50 per cent when it got colder."

Smoking Ban Continues to Hurt Bars

A spokesman for the Coalition to Save Madison Jobs, who is also a bar owner, says regular customers are no longer coming in and virtually no new customers are replacing them.

That in turn means the ban is actually taking money away from the workers it was designed to help.

In fact, payroll at his bar is down \$15,000 because of the slow in business.

Hennepin County board considers exemptions to smoke ban

The dining room in American Legion Post 600 in Champlin is large enough to fit more than 200 people. . . But during lunchtime on a recent weekday, only four customers are present.

Legion managers say business is down 25 percent since the smoke ban took effect in Hennepin County. As a result, they've had to layoff one of their 30 employees. Bartender Mary Voss says in her 34 years at this this Post, she's never seen business so bad.

Taxable sales have gone up for establishments in Coon Rapids, which is just across the border into Anoka county.

Tavern Owners: City's Smoking Ban Has Hampered Business

Joe Klinzing, spokesman for the Coalition to Save Madison Jobs, said that regular customers are no longer coming in and virtually no new customers are replacing them.

Klinzing said that he blames the smoking ban.

He said that because of slower business, payroll at his bar is down \$17,000. He said that that means the regulation is actually taking money from the same workers the ban was designed to help.

Smoking ban clears the air and bar stools

How's that smoking ban going? I asked.

"Right now," Wilson said, looking around the 19th Century room with its carved cherubs, tin ceiling and massive oak back bar, "it's just me and two other people in the place."

Pubs 'hit hard' by smoking ban

Local bars are rubbishing statistics suggesting their revenue has not been affected by the one-year-old smoking ban.

"I know of bars that are down by as much as 50 per cent," he said.

"I would suggest there has been at least 20 per cent across the board."

O'Malley's Irish Bar in Rotorua has also been feeling the effects of the legislation. Owner Terry Meagher said the bar's revenue had been down by about 20 per cent and many other bar owners were experiencing the same thing.

Some clubs claim to have lost about \$150,000.

Smoking ban could put hookah lounges out of business

Coping with the smoking ban

"My bar business after 9 p.m. dropped \$200,000 a year. Not only did it drop, it dropped overnight," said Steve Goumas, owner of Rūla Būla on Mill Avenue. He said revenue is only now returning to the levels before May 2002.

Bar owners and musicians maintain the ban has had a profound impact on venues featuring local musicians.

"It killed the music scene in Tempe," Goumas said.

Longtime local musician and non-smoker Walt Richardson has called Tempe home since 1974. The folk and reggae performer hosts weekly open-mike nights in Mill Avenue venues.

"There was definitely a night-and-day difference," Richardson said. "(The ban) affected how many people would come out to the shows. People were afraid they could get arrested, in terms of the way the laws read on the smoking ban."

How many jobs lost due to smoking ban?

"We have over 2,500 jobs lost already," says Sue Jeffers. "Over a million dollars in lost revenues every month."

Jeffers, who says she opposes any smoking ban, says the ordinance has led to the closing of at least 40 bars. And she says it's hurting related businesses, like her beer distributor.

"They have already eliminated one entire route," says Jeffers. "Which is a lot of jobs, because their business was down 16 percent. It all just adds up over and over and over again."

Matthew Lamphear is the former owner of Molly Quinn's in Minneapolis. He says the smoking ban is the main reason he went out of business. Lamphear says in fact, trouble began for him the first day the law went into effect.

"I immediately had a 25 percent drop in customers," says Lamphear.

Lamphear says his best customers, his smoking customers, took their business elsewhere. After three months, he began laying people off and closing his doors earlier.

Lamphear says eventually he had to close for good after he couldn't afford to pay his bills, and vendors stopped delivering food and beer. His 27 employees had to find work elsewhere. Some, Lamphear says, are having trouble finding new jobs.

As for Lamphear, he says he's developed a heart condition and is facing a debt of about \$250,000.

Hennepin / Ramsey Hospitality closings since smoking ban implementation

55 bars and several restaurants in Minneapolis have closed since the smoking ban was implemented. 1400 jobs have already been lost in the hospitality industry. At 227 days into the smoking ban this equals one bar/restaurant closing every 4 days.

Smoking ban affecting businesses both good and bad

The bingo parlor used to make up to \$40,000 a month but now it's in the red, Gibbens said. He said it's hurting the organization's disabled clients, who no longer get money for taxi rides.

Total smoking ban 'in 10 years'

This is why compromise with these tyrants should never be considered. They don't view compromise as a solution, just a temporary step to eventually getting their way.

Time to ban porch smoking says Galway health officer

This nicotine nazi wants to go after the smokers he's driven outside into the weather.

Smoking ban killed bar: owner

Rumours night club shut down last week after serving customers for nearly 26 years.

Before the ban, Lethbridge says he employed eight people each Friday night. After the ban, Lethbridge dropped the number to three. "Last Friday night, we had two staff," he said.

The provincial Alliance for the Control of Tobacco says it regrets the layoffs, but executive director Kevin Coady says the health of people – not businesses – is its top priority. "In no way is it our intention to hurt people – this is all about protecting people."

He protected them right out of their jobs, and into the unemployment line.

Bar owners allege smoking ban causes financial harm

The court heard testimony from bar owners who claimed their revenues dropped by at least 20 percent one month after the ban went into effect. Also several bartenders and waitresses testified that their tips have fallen by 50 percent.

Injunction Attempt To Stop Smoking Ban

"My clients since the smoking ban went into effect on September 1, many of them are losing up to half of their income, and this is not only bar owners but also bartenders, people who rely on this for their livelihood," attorney representing bar owners Mark Levin said.

Smoking Ban and Convention Business

Madison's smoking ban is pushing at least one convention away. The Tavern League of Wisconsin says from now on it won't hold future meetings in cities that ban smoking, including Madison and Appleton.

About 600 people are attending the Tavern League four day convention in Appleton this week.

Bucking the Ban

For eight years, Dale Beck has been relying on blue-collar workers to fill his bar in this industrial neighborhood on the northeast side of Madison.

But since the smoking ban took effect, Beck says he's lost more than half his business.

Local Restaurant Closes, Owner Blames Smoking Ban

Diamond Dave's is officially out of business, and Frazier says the reason is simple. "The economic sanctions placed on us by the smoking ban by the Wausau City Council caused a dramatic decrease in sales, and we were no longer able to do business here," Frazier says.

Minneapolis Bars Blame Smoking Ban For Closings

Porter's Bar & Grill on Nicollet Avenue in South Minneapolis is one establishment that said it's closing its doors for good. It's been in business since 1938.

*Thirty-five bars have gone out of business in Minneapolis since the ban went into effect. **On average, that amounts to about one every eleven days.** {Emphases added}*

"March 31 of this year, when the smoking ban went into effect, we lost about 30 percent of our customer base," said Matthew Lamphear, owner of Molly Quinn's Irish Pub.

Lamphear told almost all of his staff this is their last weekend.

Bucking the Ban

But since the smoking ban took effect, Beck says he's lost more than half his business.

Smoking Ban Kills Bingo in Minnesota

South Town Bingo, located in Bloomington, Minnesota, closed down two weeks ago, after income began to decrease dramatically after smoking was banned from the town's bars. Many players ceased visiting the bingo hall, and chose instead to drive to other neighboring towns without bans.

Smoking Ban to Cut Gambling Revenue: Report

Ontario's province wide smoking ban could cost the government's coffers up to 250 million dollars in gambling revenue a year.

A report for the Ontario Lottery and Gaming Corporation warns the early impact of smoking bans could knock gaming revenue down by 20 per cent.

A government memo adds the agency has already lost 131 million dollars because of municipal smoking bans.

'Thirsty Dog' to close; ban on smoking cited

The area's only on-site beer-making establishment, Thirsty Dog Grille and Brewery, will close today at midnight.

A steep drop in business the past several months was cited Friday night by the restaurant's general manager, Bill Burns, a direct result of the city's smoking ban that went into effect April 4, he said.

The Thirsty Dog payroll included about 40 employees until recent weeks.

Smoking Ban Damages Bingo Profits in Edmonton

Last year's bingo proceeds at the Association of Evergreen Youth in the Canadian city of Edmonton, Alberta, reached \$91,000. However, the non-profit organization's bingo profits this year have only reached slightly over \$30,000.

In addition, the ban has apparently helped neighboring towns profit – bingo halls in Spruce Grove and Wetaskiwin, which do not have a smoking ban in effect, seem to be smokier than ever and, have in fact reported up to 40 percent increases in profits.

Downtown bars report suffering from smoking ban despite student clientele

"My business has been down at least 30 percent," said Dave Wiganowsky, owner of Wiggle's, 1901 Aberg Ave. "By implementing this ban, the city has kicked the spokes out

of my wheel that I had spinning very nicely for 25 years."

Charities: Smoking Ban Affects Charitable Gambling

In looking at pull tab and other charitable gambling activities for April and May in Hennepin County, sales are down 20 percent," Wilson said.

Appleton Bar for Sale, Owner Blames Smoking Ban

"It's extremely sad to see someone who has put their heart and soul into this business for so long. It's her dream and now it's gone," Johnson said.

VFW Post Blames Low Business On Smoking Ban

The VFW Post 425 in Hopkins, Minn. has seen a 20 percent decline at the bar in recent months.

"And you're telling me a 91-year-old vet of World War II shouldn't be able to smoke a cigar at his own post?" asked VFW bartender Carolyn Dreeszen. "That's ridiculous."

Bar owners say no-smoking ban is choking them

It is about health, but for bartender Lucy Cuccia it's also about paying the bills.

Like a lot of service people, Cuccia makes money mostly on tips.

No customers, no tips.

No tips, no rent money.

"I'm down at least a third," said Cuccia, who works at Tail Gators, near the corner of East Washington and Stoughton Road, and at the Locker Room, located in the parking lot of Oscar Mayer's. Cuccia's boss at the two bars, Dale Beck, has already laid off six night bartenders and the day cook, after seeing his business plunge 60 percent.

Joe Klinzing, who owns South Towne Lounge, showed me figures indicating his sales are down 33 percent compared to July 2004. That's bad for Klinzing, and bad for his bartender, Stephanie Hall.

"They wanted to look out for my health," she said. "I wonder if they'll pay my rent?"

It's also bad for the beer saleswoman who stopped by while I talked to Klinzing. He told her he couldn't reorder. She didn't want to give me her full name but said she's been to some Madison bars that haven't ordered liquor or beer since mid-June.

No beer, no commission for her.

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ECONOMIC LOSSES DUE TO SMOKING BANS IN CALIFORNIA AND OTHER STATES

By David W. Kuneman and Michael J. McFadden

Background:

Many studies have been published purporting to prove smoking bans in bars and restaurants are either good or neutral for business, and conflicting studies have also been published purporting to prove bans are bad for business. Scollo, Lal, Hyland and Glantz recently summarized many of these studies, concluding those which find no economic impact are published in the peer-reviewed scientific literature and funded by "objective" antitobacco interests, while those that do find bans hurt business are funded almost universally by Big Tobacco or its allies. *Tobacco Control*, 2003;12:13-20. **However, the objectivity of those who publish studies finding smoking bans don't hurt business is also questioned because they are funded by groups with clear and open objectives of promoting smoking bans.**

One common problem with many studies of smoking bans is that the time-span studied before and after a ban goes into effect is too small to accurately measure the ultimate impact of such bans. For example, long before state bans go into effect, many local governments have passed bans that affect business, and long before local governments pass bans many restaurants voluntarily ban smoking. For example, we obtained a copy of *California Smoke-Free Cities Bulletin*, October, 1993 which was developed with the support of the California Department of Health Services. The "Fact Sheet" summarizes that by the publication date, 8,668,235 Californians, or 27% of the population lived in an area whose local government had a 100% ban on smoking in restaurants. Further, 62 cities and nine counties had ordinances requiring 100% smoke-free restaurants, and 295 cities had ordinances restricting smoking. In addition, many more restaurants had voluntarily banned smoking in areas not covered by an ordinance. Long before the state restaurant smoking ban took effect, in 1995, many Californians did not have the option of dining in a smoking environment. Therefore, in this example, we would expect total California bar and restaurant revenue to decline years before the state ban took effect, and studies which typically only measured data collected one year before that state ban would not have measured the entire economic impact of the loss of smoking accommodations in California's restaurants.

After a ban goes into effect, some establishments violate bans, others find ways to skirt bans, and some establishments are granted exemptions. Sometimes, bans are not immediately enforced by public officials. Some establishments raise prices to offset lost business which can temporarily mask the revenue effects of bans, and some smokers continue to patronize affected establishments until they adopt other socializing habits that don't involve patronizing the affected establishments. For these reasons, measurements of the economic impact of smoking bans must also consider that some smoking accommodations can remain available after smoking bans take effect, and data must be collected longer than the one year after a ban takes effect in order to accurately measure the effect of a ban.

We further question why studies on both sides of the issue most often utilize data related to sales tax revenues collected from bars and restaurants, or employment data of those workers who work in bars and restaurants. We agree such data would be useful if the studies were exploring the relationship between smoking bans and tax revenues collected by various

taxing authorities, or if they were exploring the relationship between smoking bans and employment in bars and restaurants. **Very few studies actually utilize data of gross sales received by bars and restaurants in business before and after bans take place, which would , naturally, be of most concern to those who own bars and restaurants.**

One recent claim even capitalized on the 9-11 disaster in New York City to “prove” bans don’t hurt business. It claimed the city’s March 2003 ban was good for business because the city’s “bars and restaurants paid the city 12% more tax revenues in the first six months after the smoke-free law took effect than during the same period in 2002.” Flyer: *SMOKE-FREE LAWS DO NOT HARM BUSINESS AT RESTAURANTS AND BARS* , Campaign for Tobacco-Free Kids 1400 I St. Suite 1200, Washington DC. The same period they refer to in 2002 was from March 2002 to September 2002, when many Wall Street businesses were operating in New Jersey due to the disruptive clean-up of the World Trade center site, and tourists were avoiding NYC, many fearing another possible attack. Mayor Guiliani appeared on television and asked nonessential personnel to avoid the area. Estimates were publicized in the media that the 9-11 disaster cost NYC in excess of \$50 billion in business, in late 2001 and 2002; much, certainly was lost by bar and restaurant businesses situated near the attack site. In 2003, Wall Street businesses, residents, and tourists returned to NYC and comparing 2002 to 2003, ban or no ban, cannot be valid without controlling for the effects of the attack.

Those who conduct these studies should rely on long term total bar and restaurant revenue data because they are a direct measurement of how much money was spent by customers in bars and restaurants, and such data are readily available from the U.S. Dept of Commerce. Comparing these revenues to total retail trade data controls for the spending power of the public, as evidenced by the data from the other retail sectors. For example, if a recession occurs at the same time as a ban takes effect, a researcher can adjust retail bar and restaurant revenue data for the effects of the recession using total retail sales numbers. During the period from 1990 to 1998, The U.S. Dept. of Commerce published such data through the Census Bureau’s annual periodical *Statistical Abstracts of the United States*. These editions are available in the reference sections of better libraries, because these references are considered to contain the best data available. These data we will utilize are also available on the web, at www.census.gov. During this period, the Dept. of Commerce reported data using the Standard Industrial Classification code to define bars and restaurants. After 1998, the Dept of Commerce adopted the North American Industry Classification System and cautions comparisons with the SIC system may not be valid. This is why we limit our analysis to the period 1990 to 1998.

States’ Bar and Restaurant Revenue Losses With Smoking Bans

In 2000, the Connecticut Office of Legislative Research published a report classifying states as either smoker-friendly or smoker-unfriendly in terms of bar and restaurant smoking restrictions. A state was classified as smoker-unfriendly if bans had been imposed at the state level or if many local governments had severely restricted or eliminated smoking in bars and restaurants, even if the state had not. www.cga.ct.gov/2000/rpt/olr/htm/2000-r-0890.htm

These states are tabulated below, along with the United States, overall, as reported by the U.S. Dept of Commerce. All data are in billions of dollars and not inflation adjusted. The 1987 data are also included to demonstrate growth was occurring in all these states prior to 1990, before smoking bans were common. After 1990, local smoking bans began to take

effect in California, and smoking restrictions began to take effect in the other states, so this is the period we have chosen for study.

Table I

	Bar&Rest retail1987	Bar&Rest retail1990	Bar&Rest retail1998	% growth 1990- 98	Total Retail 1990	Total Retail 1998	% growth1990 -98
CA	20.7	26.3	28.0	6.5	225	291	29
NY	10.8	13.1	13.8	5.3	124	148	19
MA	4.8	6.1	5.9	-3.3	50.7	62.6	23
VT	0.37	0.46	0.44	-4.3	4.5	6.0	33
UT**	0.78	0.94	2.1	123	10.6	19.3	82
USA	153	182	260	43	1807	2695	49
*USA-	116	135	210	56	1392	2168	56

*USA- is the USA data minus the data from CA, NY,MA,VT, and UT; or the total of the 45 smoker friendly states and D.C.

**Utah had a 14% smoking rate in 1998, so the presence of a ban there would not affect business as much as states with higher smoking rates, which typically range from 22% to 29%.

The USA experienced bar and restaurant revenue growth of 19% between 1987 and 1990 and USA- experienced growth of 16% in the same period indicating the not-yet smoker-unfriendly states contributed the extra +3% difference. Taken as combined data, bar and restaurant revenue growth in California, New York, Massachusetts, Vermont, and Utah exceeded the national trend.

The USA experienced bar and restaurant revenue growth of 43% between 1990 and 1998 and USA- experienced growth of 56% in the same period indicating the now smoker unfriendly states contributed the loss of -13% difference. Taken as combined data, bar and restaurant revenue growth in California, New York, Massachusetts, Vermont, and Utah lagged the national trend from 1990 to 1998.

Except for Utah, all the smoker unfriendly states' bar and restaurant revenue growth was substantially lower than total revenue growth. Since Utah had a 14% smoking rate in 1998, demand for smoking accommodations was too weak for a ban to have much of an effect. Utah also hosted the 2002 Winter Olympics, and by 1996, the economic impact of the preparations was already contributing to the local economy, and the workers would have dined out frequently since they were temporary residents. (www.olympic.utah.gov) In the other smoker unfriendly states, bar and restaurant revenue growth under-performed total revenue growth on average about 25%, which is close to the average adult smoking rate of 21.7% in these states in 1998.

We examined the complete U.S. Dept of Commerce data set referenced in the "background" section of this article and confirmed most of the individual states not considered smoker-unfriendly by the Connecticut research report fit the pattern of business growth similar to the USA- from 1990 to 1998.

If California's bar and restaurant retail growth had kept up with the smoker-friendly states

(USA-) between 1990 and 1998, California's bar and restaurant revenue would have grown from \$26.3 billion in 1990 to \$41 billion in 1998. (26.3×1.56) This is a bar and restaurant revenue loss of \$15 billion for 1998 alone. However, this trend had been going on for eight years, and interpolating a linear trend on the data, we find total revenue loss for the eight-year period is \$60 billion dollars. ($1/2$ the base \times the height)

Bar and Restaurant Revenue Growth in Smoker-friendly States

The U.S. Center for Disease Control publishes MMWR, a weekly update of health-related reports throughout the United States. In the June 25, 1999, edition, they published a report summarizing smoke-free indoor air laws, and as of December 31, 1998, 46 states and the District of Columbia restricted smoking to some extent, but Alabama, Kentucky, Mississippi, and North Carolina had no restrictions on smoking in any category including bars and restaurants.

www.cdc.gov/tobacco/research_data/legal_policy/ss4803.pdf ; starts on page 24

In the same manner above, utilizing the same data resources, we have tabulated the most smoker-friendly states: all data in billions of dollars.

Table II

	Bar&Rest retail 1990	Bar&Rest retail 1998	% growth	Total Retail 1990	Total Retail 1998	% growth
AL	2.2	3.3	50	26.4	39.9	51
KY	2.2	3.5	59	23.9	36.8	54
MS	1.1	1.6	45	13.8	20.8	51
NC	4.5	8.0	78	45.7	81.1	77
Ave			58			58
USA	182	260	43	1807	2695	49
USA-	135	210	56	1392	2168	56
USA--	172	244	42	1697	2516	48%

USA- is USA minus the smoker-unfriendly states from Table I, for comparison.

USA-- is USA minus the smoker-friendly states.

The most smoker-friendly states' average growth in bar and restaurant revenues matched their average total retail revenue growth of 58%. The USA-, which do not contain data from the smoker-unfriendly states from Table I, also matched their bar and restaurant revenue growth with their total retail growth of 56%. However, USA, and USA-- in Table II under-perform the smoker-friendly states because they contain the data from the smoker-unfriendly states. Thus far, the only states whose bar and restaurant revenue did not grow as fast as their total retail revenue are the states which were smoker-unfriendly (except Utah), or total USA data and USA-- which are terms which both included the smoker-unfriendly states. Most importantly, if claims were true that smoking bans are good for bar and restaurant business, then the lack of smoking bans should be bad for those businesses. **However, we have found the lack of any smoking restriction or ban law does not adversely influence bar and restaurant revenue growth when compared to the states with reasonable smoking restrictions.**

Considering the smoker-friendly states' bar and restaurant revenue growth data, we conclude that nonsmokers do not patronize bars and restaurants less often when state or local governments don't severely restrict or ban smoking. More than 70% of adults in these

smoker friendly states do not smoke, but seem as willing as nonsmokers in states with moderate smoking restrictions to patronize bars and restaurants. The four most smoker-friendly states do not prohibit any individual bar or restaurant from banning smoking, if it is what the owner determines is best for business. **It is obvious our free-market economic system, without any smoking laws at all, and leaving the smoking policy decisions in control of the owner, works to satisfy all customers.**

Bar and Restaurant Revenue Growth in the Border States

California is bordered by Arizona, Oregon and Nevada. All U.S. Dept. of Commerce data are in billions of dollars.

Table III

	Bar and Rest retail 1990	All retail except Bar&Res, 1990	Bar and Rest retail 1998	B&R % growth	All Retail except Bar&Res, 1998	% growth
CA	26.3	198.7	28.0	6.5	262.9	32.3
AZ	2.6	23.5	6.1	135	42.9	82.6
OR	2.4	20	3.1	29.2	34.6	73.0
NV	1.0	8.6	2.7	170	19.2	123

Smoker-friendly Arizona's bar and restaurant revenue growth exceeded its other retail growth by a margin of 135 : 83, Oregon's lagged 29 : 73, and Nevada's exceeded by 170 : 123. Averaging these margins, the combined three states' bar and restaurant revenue growth exceeded all other retail by a margin of 111 : 93. California's other retail grew 32.3% from 1990 to 1998, and based on the smoker-friendly border states' average margin, California's bar and restaurant revenue growth should have been (111 divided by 93 times 32.3 =) 38.6%. Since the actual growth was 6.5%, we attribute the difference of 32.1% to local and state smoking bans.

If California's bar and restaurant margin-adjusted revenue growth had kept pace with its border states, its bar and restaurant revenue for 1998 would have been \$36.5 billion, or \$8.5 billion more than it actually took in. Over the time span of 1990 to 1998, California lost \$34 billion based on (1/2 base X the height) calculations. This disagrees with our earlier estimate of \$60 billion because these calculations take into account a slightly weaker overall economy in California than its border states. While directly comparable government tabulated figures do not exist for the years of 1999 to 2004, it would not be unreasonable to assume that these trends have continued and that California's smoking ban has cost the state's economy on the order of \$75 to \$100 billion since 1990.

However, this calculation may underestimate California's bar and restaurant losses because they are calculated by comparing to California's all retail except bar and restaurant growth which also would have been higher without smoking bans. This would happen if California's bar and restaurant employees and owners also lost wage growth corresponding to the 25.8% difference between all retail except bar and restaurant revenue growth and bar and restaurant revenue growth. Therefore, those owners and employees would be 25.8 % less able to contribute to all retail except bar and restaurant revenue growth than they otherwise would have been, and may have adversely affected total retail growth in addition to the \$8.5 billion loss in 1998 directly attributable to the ban. **In summary, California's smoking ban probably contributed to its overall economic problems since the late**

1990s beyond the direct impact of the contribution of lower bar and restaurant total revenues.

One should note earlier we found California and other smoker unfriendly states lagged the national trend of bar and restaurant revenue growth between 1990 and 1998. As the combined data from Arizona, Oregon and Nevada clearly show, the aggregate of these other western states did not lag the national trend. Most of California's population lives too far from the borders for California smokers to commute easily for the purposes of patronizing smoker-friendly establishments in those states. Therefore we do not believe these states benefited from California's smoking ban. Lastly, the combination of lack of opportunity for California smokers to commute and the finding of California's under-performance in bar and restaurant revenue growth prove that when a "level playing field" environment is imposed, all bars and restaurants still lose business even in a state as large as California. **It is not possible to "trap" smokers in a ban environment and expect them to patronize establishments subject to bans as much as they did before the bans were imposed. The "playing field" of a large scale smoking ban may be level but it is far more of a level basin than a level plateau.**

Conclusions:

Total bar and restaurant revenue growth in California and other smoker-unfriendly states did not keep pace with those states' other retail businesses or our nation's overall bar and restaurant retail growth 80% of the time. The overall order of magnitude of the bar and restaurant retail growth losses in all smoker unfriendly states, except Utah, was about 25%. Bar and restaurant revenue growth in states with no smoking restrictions did as well as states with reasonable smoking restrictions. Claims the public demands smoking restrictions or eliminations, if true, would have caused states with no restrictions to lose bar and restaurant revenue growth relative to other retail revenue growth.

There were no regional business conditions that could have explained the bar and restaurant revenue losses California experienced from 1990 to 1998. Although California's border states had overall retail revenue growth in excess of California's even after adjusting for the overall retail growth data, California's bar and restaurant businesses still lost growth that cannot be explained without considering the smoking bans.

Claims studies can only find smoking bans are bad for business when funded by Big Tobacco or its affiliates, or use anecdotal data are not true. We have shown smoking bans hurt bar and restaurant businesses 80% of the time using data from the U.S. Dept of Commerce. Further, most studies which find bans don't hurt business are at odds with our conclusions because they use tax revenue and employment data to determine ban effects; and fail to measure for a sufficient length of time before bans take effect and a sufficient length of time after bans take effect.

DISCLOSURES:

The authors, used their own time and funds to research and prepare this article. Neither has any competing financial interest in this research or the outcome of this research.

Dave Kuneman, who smokes, worked for 6 years in the 1980s as a research chemist for Seven-Up and still draws a small pension from that work. At the time of his employment Seven-Up was owned by Philip Morris. His current work and concern in this area has no connection to that employment.

Michael J. McFadden does not have any financial connections or obligations to Big Tobacco, Big Hospitality, Big Pharma, or other major players in this fight. He is a smoker,

a member of several Free-Choice groups, and the author of *Dissecting Antismokers' Brains* and *Stopping A Smoking Ban*.

March 2005

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Baltimore Business Journal - February 22, 2005

<http://baltimore.bizjournals.com/baltimore/stories/2005/02/21/daily13.html>

BALTIMORE
BUSINESS JOURNAL

Tuesday, February 22, 2005

Study: Smoking ban hurt bar business

Baltimore Business Journal - by Julekha Dash Staff

Smoking bans in Montgomery and Talbot Counties have hurt bar and restaurant business in those counties, according to a report from the Restaurant Association of Maryland, which compared state sales-tax data for bars and restaurants before and after the smoking bans went into effect.

The group prepared the study as the anti-smoking movement gathers momentum at the state and city levels. Sen. Ida G. Ruben, D-Montgomery, and Del. Barbara Frush, D-Anne Arundel and Prince George's, have introduced the Maryland Clean Indoor Air Act this year. And Baltimore City Democratic Councilman Robert W. Curran announced his support for the legislation and anticipates city legislation should the state bill fail to pass.

Smoking ban supporters point to data from other states that show such legislation does not hurt business.

Sales tax at Talbot County bars and restaurants with liquor licenses declined by nearly \$3 million, or 11 percent, from May through December 2004 when compared with the same period in 2003.

The number of bars and restaurants with liquor licenses dropped from 39 in November 2003 to 29 at the end of 2004. Talbot County went smoke-free in April 2004.

In Montgomery County, restaurants and bar sales grew marginally from April to December 2004 versus the same period in 2003, by less than one-tenth of 1 percent, the report showed. Prince George's County also experienced little sales growth, but some neighboring counties, such as Frederick and Howard counties, showed single-digit growth.

Kari Appler, director of Smoke Free Maryland, said that Montgomery's rise is comparable to other counties. Data from the Restaurant Association that shows that beer sales declined in Montgomery County reflects an overall trend toward more consumption of wine versus beer, Appler said.

Montgomery County's ban became partially effective in October 2003, while the towns of Rockville and Gaithersburg delayed adopting the ban until February and March of 2004, respectively.



February 26,2008

State of Wisconsin
Assembly Public Health Committee

Dear Members of the Public Health Committee:

We are writing to you in support of the smoking ban purposed by Rep. Steve Wiecek with an implementation date of Jan. 1, 2009. We find it appalling that the state that we have lived in for many years is going to be known as the "ash tray of the Midwest states." Why have Illinois, Minnesota and now Nebraska been leaders in protecting it's citizens from the danger of second-hand smoke while Wisconsin continues to allow the Tavern League to dictate important health policy?

While the Wisconsin restaurants experienced no loss of income with local smoking bans, the Wisconsin taverns will not experience loss of income. with a state wide smoking ban. The bottom line is second-hand smoke is a very serious public health issue. It kills bar tenders, waitresses, and other employees who work in smoke filled taverns. There is no safe level of smoke and frequent exposure just increases the probability of lung disease.

The argument is given by the Tavern League that people can choose to work in other places besides smoke filled taverns. No-one should have to make this choice whether or not to work in a safe or un-safe environment. Many of these jobs are compatible with family schedules and therefore, no choice truly exists.

We helped elect our representatives so that sound public health policy would be enacted. It is your job to protect our health and provide legislation that will do so. We urge you to bring the vote to the Senate floor and vote yes to a ban with an implementation date of Jan.1, 2009. Thank you

Barbara Lent, Registered Nurse
Dr. John Lent, Cardiologist
W4341 Gulf Course Drive
Fond du Lac WI 54935



February 26, 2008

Testimony to Wisconsin State Legislature

I would like to ask the State Legislature to approve a statewide ban on smoking in restaurants and bars. The health benefits of policy action to limit smoking have been demonstrated across the nation and the world in the last decade. We know that limiting the places where people smoke not only protects non-smokers from second hand smoke but also results in fewer teens initiating smoking, and smokers who smoke fewer cigarettes per day.

But there are specific advantages to a statewide policy. This would establish uniformity across municipalities, and enable small cities and rural areas to implement policies to protect the health of their citizens. It would keep other areas from becoming "smoking hot-spots"- sacrificing the health of their residents for fleeting economic benefit.

Most importantly, a statewide, uniform ban on smoking in public places would put Wisconsin where we belong in the leadership of states committed to the health of our citizens. This is an important symbolic measure and a more important public health action. We stand poised to protect the health of our citizens and our children. We respect our physicians and nurses because they have the ability to save lives through their work- today, as legislators, you have the opportunity to join medical professionals in their heroic work. It is a great act to save a life, and one that I hope you will be proud to achieve.

Sincerely,

Marion Field Fass
Professor of Biology
Beloit College

February 26, 2008

We should not be even asking ourselves the question if or if not the state of Wisconsin should be smoke free. We should be asking the question of do we care about the future of Wisconsin?

I believe Wisconsin should be the next smoke free state for many reasons. The key reason is to preserve the health of the generation now and the next generation. Second hand smoke is deadly and we know this, why are we not doing anything about it. Bars and restaurants should be smoke free to protect the health of the employees who have to work there.

Many employees do not have a choice in where they want to work. We need them to be 100% smoke free. Little children do not have a choice in weather or not they get to enter a restaurant based on if it's smoking or not, if their parents are going there then so are they. Wisconsin needs to be the voice of these children and employees. Wisconsin needs to be a leader.

We have always been a state that has been proud of what we have accomplished. Let's add one more thing to the list that we can be proud on. Let's make the future generations realize what a great state Wisconsin is. Wisconsin should be a smoke free state for the health and for the future of the state as a whole.

Megge Casique
UW LaCrosse Student
Resident of Beloit, WI

My grandfather was a World War I veteran who suffered breathing difficulties due to lungs damaged by exposure to mustard gas during the war in France. A smoke free environment was not a trivial matter to him. Indeed, the quality of his life would have improved immeasurably had he lived to enjoy a smoke free Wisconsin. My eldest daughter has asthma – breathing clean air is not a luxury but a necessity for her as well. I was raised with the admonition to do no harm to others, to act responsibly, to recognize that in a community there are times when my actions must be – should be – circumscribed in order to protect the well being of others. Smoking causes unambiguous harm to others, whether that consequence is unintended or not. My grandfather died without respite from the scourge of second hand smoke, you, as legislators, have an opportunity to effect a change that will ensure that my daughter does not live under a hurtful and harmful cloud. After all, the restriction of a behavior that causes harm to others is not a limitation of liberty but an appropriate protection of liberty. Please make Wisconsin smoke free.

John Pfeleiderer

February 26, 2008

Ladies and Gentlemen:

I live in the city of Janesville and am the mother of two young girls. I am writing this letter to encourage you to support Smoke Free Wisconsin legislation that is implemented quickly.

Thankfully the city of Janesville has passed an ordinance that prohibits smoking in restaurants. But unfortunately it does not include workplaces, bars or bowling alleys. I am very aware of the negative health consequences of exposure to secondhand smoke and because of this knowledge I have never taken my children to a place that allows smoking. This means that when I take my children bowling I have to take my business to Illinois; this also means that my husband and I cannot go to a local bar to hear a musician we enjoy. My health, the health of my children and my husband should not be compromised just because we want to enjoy some social activities in our own state.

Please support Smoke Free Wisconsin legislation. My children don't even know what an ashtray is. Don't let their state be known as the "ash tray of the Midwest."

Respectfully,

Sarah C. Johnson
1314 S. Arch St.
Janesville, WI 53546

February 26, 2008

Dear Elected Official,

Today is the day for the voices of the thousands of citizens who support smoke-free air to be heard. The fact that second hand smoke is hazardous to health cannot be denied. Study after study has proven that those exposed to the toxic fumes from a burning cigarette are in grave danger. You, our elected officials, must listen to your constituents who cry out for protection from this danger. I am crying out for protection, because I know tobacco smoke is a real danger to all citizens. I have held the hand of a loved one dying of lung cancer; I have witnessed several friends struggling daily with oxygen tubes and tanks; I have heard an asthmatic child gasp for breath. All of these people, your constituents, suffered because of second-hand smoke. I am an ordinary citizen. I do not have money. I do not have power. What I do have is a strong belief that my legislators want to do what's best for all of us. I have the belief that you will make the right decision, the decision to protect the citizens of Wisconsin by passing Assembly Bill AB834.

Sincerely,

Lori McMillan
725 Baldwin Woods Road
Beloit, WI 53511
608-365-8802

February 26, 2008

Assembly Public Health Committee

Chair: Representative Doc Hines

My father died of lung cancer.....my mother smoked for 35 years..... My lungs are at risk because of someone else's behaviors.....I want my children and my grandchildren to breathe clean air – ALL the time.

Smoking is the leading avoidable cause of cancer.

I urge the Wisconsin Legislature to stop bowing to special interest groups – the WI Tavern League – and vote for what is in the best interest of the majority of Wisconsin's population.

The Breathe Free Wisconsin Act is so important to the people of this great state. I urge Wisconsin legislators to support the health of their voters and pass this life-saving bill.

The passage of the Breathe Free Wisconsin Act should be a no-brainer.

End smoking in all public workplaces.

Kate Baldwin
1217 S Willard Avenue
Janesville, WI 53546

I am a firm believer that Wisconsin needs have a smoke-free environment. I am a Middle School Health teacher, and I hear story after story of how students are victims of second hand smoke. They seek my advice on how to get away from the second hand smoke and how to get their parents to stop smoking.

Not only are kids confused about why tobacco is legal since it causes so many problems, they also share concern about their rights as non-smokers. With education today many students have encouraged their parents to smoke outside, designate one room in the house a smoking room or quitting altogether.

I encourage Wisconsin to back up what is being taught to the children of Wisconsin by making our state smoke-free. 75% of adults do not smoke and it is illegal for anyone under 18 to smoke so let's protect those people who are choosing to make healthy choices about not smoking.

Deb Karpfinger-Goodwine
Aldrich Middle School
Health Teacher

February 26, 2008

It is my tomorrow opinion as not only a proud University of Wisconsin student but also as an avid consumer that the state of Wisconsin should move to being smoke free for not only the social and health benefits but also for economic ones too.

Wisconsin has a long and storied history in the department of political progressiveness and social change. From starting Earth Day, open primaries, political initiatives, and social innovations we could only add to our reputation for forward thinking change and advanced social policies by making the state smoke free. This step would allow men and women to work in an environment that is not threatening to their wealth or well being and also their family's health and well being.

Furthermore it would allow the common consumer to into a restaurant or environment that is free of the hazards that second hand smoke posses to their health. Often times the risks presented from the inhalation of second hand smoke are equally damaging or even more so than the direct consumption of tobacco products.

On the economic side of the issue, although revenues from cigarette sales would decrease so would expenditures in the health and social wellness fields. A smoke free state is an economicly viable, and profitable, ideal. Wisconsin should move to being smoke free as soon as possible. When we consider the future of our citizens and their health and well being there is no other option than to go smoke free.

Cecelia Conway
420 N. Park St.
Madison WI 53706
449-9552
cconway2@wisc.edu

311 Randolph Street
Edgerton, WI 53534
February 26, 2008

To the Honorable Senators, Representatives and the Governor of the State of Wisconsin:

I believe that Wisconsin should be smoke free. Janesville and Madison are two communities that I frequently patronize businesses in. On occasion when I travel to a community in Wisconsin that is not smoke-free, I am unpleasantly reminded that not all communities protect the quality of air for their citizens.

As a parent, I want my children to have a smoke-free environment for meals and entertainment in the community. As a teacher, I want my students who work in the community to have a smoke-free environment to develop workplace skills. As a teacher of health education, I am concerned at the number of illnesses and pre-mature deaths associated with use of tobacco smoke, especially at those experienced by people who do not smoke themselves. As a citizen and taxpayer, I am alarmed at the high cost of health care associated with people exposed to tobacco smoke.

Please take action to make Wisconsin smoke free!

Barbara J.M. Gausman

I think Beloit should go smoke-free because it would save alot of lives. ~~be~~ over 3,400 people die of lung cancer every year from 2nd hand smoke and 46,000 heart ~~diseases~~ diseases. Smoking isnt good because my mom smokes and she gets weaker and weaker. ~~that~~ When my dad started to smoke it got even worse for me because when my dad smokes his temper gets worse. I dont want to lose my parents ~~because~~ because of smoking. Thats why Beloit, WI should be smoke free.

Sincerely!

Anthony Davie

10th grade

618 8th Street

Why can't we have smoke free so we can
go to other places and there be no smoking. There would
be no more if there will be no smoking. People
with blood stream have the right to take a
chance and breath smoke free. Why can't we be smoke free
too. I don't want my little sisters and brother
to take the chance of getting sick or even
dying. They mean a lot to me and I
don't want to lose them. Please make the right
choice, Freshman at Beloit Memorial High School.

Becca Casique
818 Roosevelt ave.

I think that Wisconsin should be smoke-free because cigarettes are just bad. Cigarettes are composed of over 4,000 disgusting ingredients and doesn't do anyone any good. I think cigarettes are just a killer of organs and a waste of money. I don't know why tavern employees would want to continue smoking because they are 30 times more likely to get lung cancer. I think cigarettes are a waste of time, money, and energy and no one needs them.

Kejuanne Jennings

928 Alice St.

Beloit, WI

Freshman Beloit Memorial H.S.

February 26, 08

Dear Wisconsin,
Wisconsin should be smoke-free
as soon as possible. As we all
know smoking is bad for the
society. If you as a person are
reading this letter you feel the
same way. If we as a state
allow smoking to continue we
will be killing our future child.
If you globally know Wisconsin
is one of the last to turn smoke
free. So please jump on the
band wagon to the road of
health. Remember "We fired up
won't take it NO" mass".

Sincerely
Parker,
Sophomore Beloit Memorial
H.S.

2254 Skyline St.
Beloit, WI,
53511

Nick Fillbach
1651 Indian Rd
Beloit, WI 53511

I consider smoking a truly terrible habit. It's like poisoning yourself over a long period of time. I believe this poisoning needs to stop; atleast in public buildings. You have the power to do that. Your voice speaks higher than any other. Raise that voice to save lives all over Wisconsin. If people want to damage their bodies, leave that up to them, but atleast keep it out of the lungs of those who choose life.
Thank you for your consideration.

Sincerely,

Nick Fillbach

Freshman Beloit Memorial HS

SMOKE FREE WISCONSIN!

Why is a smoke free Wisconsin important to me? That is not the toughest question ever. That is like asking why the lives of my friends and family are important to me. Most of my family does not smoke. Unfortunately there is still damage being done to us everyday. A lot of my family works in places that allow smoking. The fact is that they get 85% of what the smoker exhales. I mean second hand smoke alone is responsible for about 3,400 lung cancer deaths and 46,000 heart disease deaths each year in the U.S. Of Course, smoking does take more lives every year, but that is just my point. If smoking takes 440,000 lives every year (8,000 of those people are from Wisconsin), why should secondhand smoke take more away?

There is good news though. We have a chance to fix this. We can become one more of the 24 states that are smoke free. I know that it will take a long time, but if we show our support, things will go so much faster. I am writing this testimony to show my support for SB 150. A lot of my favorite places to go are not smoke free. If I want to go bowling, I can't stay in there for more than an hour. The smoke really gets me sick. My favorite restaurant is in South Beloit, you used to be able to smoke in there. Now, Illinois is smoke free in all public places. I can now enjoy a meal with my baby cousin without having to worry about inhaling about 1 cigarette every hour.

I'm sure that most of you know that Illinois and Minnesota are smoke free. Wisconsin is now stuck in the middle of two smoke-free states. We have even gained a new nickname, usually nicknames are fun right? Well you tell me, do you want to be known as the ashtray of the Midwest forever? I don't know about you, but I sure don't.

I don't know if I have changed any minds, encouraged any people or even discouraged anyone, but I hope you will think about what I wrote.

Thank you,
Luz Renteria

Freshman at BMHS
Beloit Memorial High School

Dear Legislators,

My name is Adam Rankins and I am a first year student at Beloit College and also a candidate for the upcoming City Council election of Beloit.

I am writing in concern that Wisconsin is falling far behind in the subject of public health. Many of our neighboring states are going or have already gone smoke free in order to promote a smoke free environment.

I was born and raised in this great state of Wisconsin and I hope to be able to live a long healthy life in the state I love, this won't be possible if we continue to fall behind and live as the ashtray of the midwest.

Thank you for your time and I hope when you vote on whether or not to push forward legislation to make Wisconsin smoke free you think towards the future of this state and the health of its people

-Adam Rankins

Freshman Beloit College
Beloit, WI



February 26, 2008

Dear Honorable Committee Members on Public Health,

I am writing to you, to ask if you would please support Bill AB834.

Many states have already gone smoke free and once again Wisconsin is lagging behind. Remember it is a health issue. Insurance rates are higher than ever. People say the Government should not get involved with businesses, they can do what they want. Government is already involved. That is why we don't have mice/rats in our food at restaurants, or taps are cleaned for soda and beer to be poured, that is why we have building inspectors to make sure people are safe. It's time once again for our Government to stand up and make sure people are safe and healthy.

If I were you I wouldn't want it on my conscious when one more person gets cancer from second hand smoke and you have the power to do something about it. Please support the Bill and lets get this done: for our state, for our people, and most of all for the children of today and tomorrow. Thank-you.

Sincerely,

Lindee Kimball
Fond du Lac City Council Person

28 Howard Avenue FDL WI



Date: February, 27, 2008

Wisconsin is now “up at bat” in the game of saving lives. This committee can use AB 834 to hit a home run or get up to bat and waste time hitting foul balls for the next few weeks.

Here are the top 5 reasons why AB 834 must be passed with great urgency:

#5) The Surgeon General and most recently, the World Health Organization, has called on you, as policy makers, to act immediately to eliminate secondhand smoke from all workplaces. A few weeks ago, a 19-year old Michigan waitress died in the ER of an asthma attack induced by secondhand smoke. Studies repeatedly show decreased heart attacks in smoke-free communities. This is a life-saving call to action.

#4) Avoid being tagged ignorant – Regardless of Senator Breske’s statement about the research on health effects of secondhand smoke being “hogwash” – the studies stand on solid ground. Especially important is a newly developed MRI procedure showing images of lungs exposed to secondhand smoke appearing damaged, like those of current smokers. (I have attached this report.)

#3) AB 834 will begin to relieve the surmounting financial burden of smoking in our state.

#2) The people of Wisconsin want workplaces to be smoke-free. Surveys report 64% support for 100% smoke-free workplaces.

Finally, and most importantly, **the number one** reason to pass AB 834 is: **No worker should risk their life for a paycheck. It is that simple.**

It’s the bottom of the ninth inning for a Smoke-free Wisconsin. People all over the state, especially the workers, are ready for you to hit a home run. Pass AB 834 as written.

Shawn Boogaard
721 Mallard Dr.
Kaukauna, WI 54130
(920) 759-2215

Secondhand Smoke Kills 19-Year-Old

February 11, 2008

News Summary

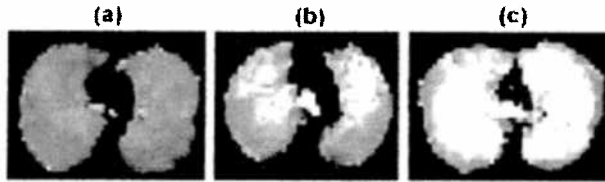
A 19-year-old Michigan woman died of an asthma attack at the bar where she worked, and an autopsy concluded that the fatal incident was triggered by secondhand smoke, the Detroit Free Press reported Feb. 9.

The case is believed to be the first showing that acute secondhand-smoke exposure can lead to the death of an adult. "This is a very dramatic case," said Ken Rosenman of the Michigan State University College of Medicine, who reported on the incident in the American Journal of Industrial Medicine. "The other associations have been with chronic exposure. This is the first time someone dropped dead right there."

The Michigan House of Representatives has approved legislation to ban most indoor smoking, but the legislation has been stalled in the state Senate. "I have a granddaughter who has asthma. If you've ever seen an attack, it's not a pretty thing," said State Sen. Ray Basham, who is sponsoring the legislation. "We're losing 3,000 people a year in Michigan to secondhand smoke."

But Andy Deloney, a spokesperson for the Michigan Restaurant Association, said, "If you want to talk about banning smoking because of this unfortunate incident, then let's ban smoking, period. Don't say we're going to take away your individual choices in bars and restaurants but you can go into a tribal casino and smoke."

Secondhand Smoke Damages Lungs, MRIs Show



Representative axial ADC maps from (a) a subject with low exposure to secondhand cigarette smoke; (b) a subject with high exposure; (c) a smoker. (Generally, the red areas mean relatively healthy parts, and the yellow areas mean relatively abnormal.) (Credit: Children's Hospital of Philadelphia and the University of Virginia)

ScienceDaily (Nov. 27, 2007) — It's not a smoking gun, but it's smoking-related, and it's there in bright medical images: evidence of microscopic structural damage deep in the lungs, caused by secondhand cigarette smoke. For the first time, researchers have identified lung injury to nonsmokers that was long suspected, but not previously detectable with medical imaging tools.

The researchers suggest that their findings may strengthen public health efforts to restrict secondhand smoke.

"We used a special type of magnetic resonance imaging to find these structural changes in the lungs," said study leader Chengbo Wang, Ph.D., a magnetic resonance physicist in the Department of Radiology at The Children's Hospital of Philadelphia. "Almost one-third of nonsmokers who had been exposed to secondhand cigarette smoke for a long time developed these structural changes." Formerly at the University of Virginia, Wang collaborated with radiology researchers at that institution, where they acquired the MRIs from adult smokers and nonsmokers.

Wang presented the team's findings in Chicago at the annual meeting of the Radiological Society of North America. Although the participants in the research study were adults, Wang said the results have implications for the 35 percent of American children who live in homes where regular smoking occurs.

The researchers studied 60 adults between ages 41 and 79, 45 of whom had never smoked. The 45 non-smokers were divided into groups with low and high exposure to secondhand smoke; the high-exposure subjects had lived with a smoker for at least 10 years, often during childhood. The 15 current or former smokers formed a positive control group.

The research team prepared an isotope of helium called helium-3 by polarizing it to make it more visible in the MRI. Researchers diluted the helium in nitrogen and had research subjects inhale the mixture. Unlike ordinary MRIs, this MRI machine measured

diffusion, the movement of helium atoms, over 1.5 seconds. The helium atoms moved a greater distance than in the lungs of normal subjects, indicating the presence of holes and expanded spaces within the alveoli, tiny sacs within the lungs.

The researchers found that almost one-third of the non-smokers with high exposure to secondhand smoke had structural changes in their lungs similar to those found in the smokers. "We interpreted those changes as early signs of lung damage, representing very mild forms of emphysema," said Wang. Emphysema, a lung disease that is a major cause of death in the U.S., is commonly found in heavy smokers.

The researchers also found a seemingly paradoxical result among two-thirds of the high-exposure group of non-smokers--diffusion measurements that were lower than those found in the low-exposure group. Although these findings require more study, said Wang, they may reflect a narrowing in airways caused by early stages of another lung disease, chronic bronchitis.

"To our knowledge, this is the first imaging study to find lung damage in non-smokers heavily exposed to secondhand smoke," said Wang. "We hope our work strengthens the efforts of legislators and policymakers to limit public exposure to secondhand smoke."

The study received financial support from the National Heart, Lung and Blood Institute, the Flight Attendant Medical Research Institute, the Commonwealth of Virginia Technology Research Fund, and Siemens Medical Solutions.

Wang's co-authors were Talissa A. Altes, M.D., and Kai Ruppert, Ph.D., now of the Children's Hospital Radiology Department; and G. Wilson Miller, Ph.D., Eduard E. deLange, M.D., Jaime F. Mata, Ph.D., Gordon D. Cates, Jr., Ph.D., and John P. Mugler III, Ph.D., all of the University of Virginia Department of Radiology. Drs. Wang, Altes, and Ruppert were previously at the University of Virginia as well.

Adapted from materials provided by [Children's Hospital of Philadelphia](#), via [EuroAlert](#), a service of AAAS.



WI State Assembly Public Hearing
Committee on Public Health
Wednesday, February 27, 2008, 12:00 p.m.
417 North (GAR Hall)
State Capitol

In support of Assembly Bill 834

Working in tobacco control and being an advocate for health for 18 years, I have seen personally the dangers that smoking can cause on people, most significantly in the African American Community. African Americans die disproportionately, about 45,000 each year, from smoking-related diseases. The effects of smoking are also harsher on African Americans because they tend to absorb more nicotine and have a slower clearance of cotinine from the body than other races. African Americans also suffer the effects of menthol in cigarettes at a greater rate than other races because 80% of black smokers smoke mentholated cigarettes in which the cooling effects of menthol allow for a deeper inhale and more of toxins to enter the body. I have also seen the effects of secondhand smoke on citizens who work in establishments in which they have no choice on being exposed. For a person working in an establishment that allows smoking, after an 8-hour shift, it is as though they smoked the equivalent of an entire pack of cigarettes themselves. African Americans and other people of color are also disproportionately exposed to secondhand smoke because they are the ones employed in many of the jobs that do not have smoke-free air restrictions, like bars and restaurants. In a survey completed in 2003, it was reported that one-third of bars and restaurants in Wisconsin allowed smoking in their establishments, as compared to 2% of government buildings and 5% of schools that allowed smoking. Today, there are practically no government or public office buildings that allow smoking. The time has come to protect the health of Wisconsin's entire workforce and pass legislation prohibiting smoking in all public places including bars and restaurants.

I would like to say that it is inevitable that Wisconsin will go smoke-free, with all surrounding Midwestern states having already gotten there. It is now up to you to be leaders and push this legislation forward. Otherwise, we will have earned the title given to us in the Milwaukee Journal- Sentinel of the "Ashtray of the Midwest."

Patricia McManus, PhD, RN
President and CEO, Black Health Coalition of WI
Project Director, Smoke Free Milwaukee Project
Project Director, Wisconsin African American Tobacco Prevention Network
(414) 933-0064 x201



February 27, 2008

Dear Honorable Members of the State of Wisconsin Assembly Committee on Public Health,

As I cannot be with you personally at this hearing today, I am leaving this written statement via a colleague because I feel so passionately about smoke-free air.

Please vote YES on Assembly Bill 834 which proposes a Wisconsin state-wide ban on smoking in public places. I am a family practice physician in the Milwaukee area, and I can't tell you strongly enough how secondhand smoke affects both my patients and my family.

I have several patients with asthma who work in bars in the Milwaukee area, and because they are students putting themselves through school, they need to make the maximum money for the least amount of flexible work hours. Working in a bar provides them with both, but with one BIG CATCH. For their 6-8 hour shifts, they are required to inhale large quantities of secondhand smoke. These students' health is being affected in several ways. First of all, a worker who spends 8 hours in a smoke-filled room is exposed to the same amount of carcinogens as actively smoking one pack of cigarettes. Second, these students' asthma is much worse after inhaling all of that smoke, and they often have to be on expensive extra asthma medicines that they would not need were they working in a smoke-free bar. And, when they get a respiratory infection, forget it-they are out of work for a week until their lungs can calm down sufficiently to tolerate the added irritant of secondhand smoke.

I myself no longer frequent bars and restaurants that allow smoking. The CDC has issued a warning that all patients at increased risk of coronary heart disease or with known coronary artery disease should avoid all indoor environments that permit smoking. I don't know the state of my coronary arteries, do you? Why risk it? My family and I would go out MORE OFTEN if we did not have to face the secondhand smoke. Profits in bars and restaurants in smoke-free New York City have actually GONE UP since NYC became smoke-free. And forget no smoking sections and ventilation systems-they don't work. As the "Helena Hear Study" co-author Dr. Richard Sargent likes to say, "It's like swimming in the non-peeing section of the pool. Would you really want to?"

There are now reams of scientific evidence that back up my stories. The Surgeon General's report released in June 2006, The Health Consequences of Involuntary Exposure to Tobacco Smoke, demonstrated through scientific evidence that no amount of secondhand smoke is safe, and the only way to protect nonsmokers from secondhand smoke is to ensure smoke free indoor spaces. In addition, in 2005 the American Society of Heating, Refrigerating and Air Conditioning Engineers stated in a position paper that no ventilation system can adequately clean the air of secondhand smoke in order to protect non-smokers, and the ONLY way to eliminate the ill effects of secondhand smoke is to make indoor areas 100% smoke-free.

Dear state representatives, the public is **with you** on this ban. Polls have shown that two thirds of Wisconsin voters are in favor of the ban. **PLEASE DO NOT** let a very loud minority of bar and tavern owners fueled by money and scare tactics from the tobacco industry influence your decision on this crucial issue. Illinois did it; Minnesota did it, now it's our turn. Don't let Wisconsin remain the ashtray of the Midwest!

Please pass Assembly Bill 834 and send it to the full house for their approval as well.

These words come from the bottom of my heart,
Thank you for your attention.

Barbara Moser, MD
5365 N. Lake Drive
Whitefish Bay, WI 53217
Home: 414-332-4744
barbaramwfb@aol.com