

**Testimony of Professor Mark A. Levin in support of Bill 16, Relative To The  
Regulation Of Smoking Activities,  
28<sup>th</sup> Guam Legislature, March 17, 2005**

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Aloha. My name is Mark Levin. I am an Associate Professor at the William S. Richardson School of Law specializing in Japanese law and society. One of my principal research areas since 1994 has been Japanese tobacco policy. I have published in the *Stanford Law & Policy Review*, the international medical journal *Tobacco Control*, and worked as a temporary advisor on tobacco control policy for the World Health Organization. The views here are my personal views and not the official views of any organization; I am receiving no compensation in connection with this matter.

In February 2002, Honolulu enacted an ordinance to restrict tobacco smoking in restaurants. At that time, there was substantial debate whether such an ordinance would adversely impact Japanese tourism here. I testified before the Honolulu City Council that the fear of economic harm to Japanese tourism was groundless and that all evidence suggested there was little or no risk of any adverse impact.

I am attaching a copy of my written testimony presented to the Honolulu City Council on October 17 2001, and the testimony of three Japanese persons who reached the same conclusion from different vantage points: Mr. Keisuke Arai, owner and operator of a popular Honolulu Japanese restaurant, Imanas-Tei; Ms. Kuniyo Noyori, an employee of a high-end fashion boutique located in Ala Moana shopping center; and Professor Hidetoshi Masuda of the Faculty of Commerce of Takushoku University in Tokyo, Japan.

Senator Edward J.B. C.1100  
**ACKNOWLEDGEMENT RECEIPT**  
Rec'd by: *W. Koba*

Print Name & Initial  
Time: *5:01*  
Date: *5/16/05*

Subsequent events strengthen my October 2001 testimony:

- Tobacco use in Japan has dropped annually to record lows for nine straight years. Less than one quarter of Japan's population now smokes tobacco. (Based on an adult smoking rate of 29.4% as of June 2004 as reported by Japan Tobacco Inc.)
- Restrictions on smoking in public places are rapidly becoming the norm in Japan. In 2003, the Japanese Parliament enacted national legislation in pursuit of smoke-free environments. Prefectural, local, and private policies are rapidly emerging to establish and protect clean indoor air.

Others will surely introduce you to the sizable body of data that strongly refutes economic fears concerning smoking restrictions in public places. Honolulu's Japanese tourism experience illustrates the same. Our visitor industry is doing extremely well. For example, today's Honolulu Advertiser reports that last week's international arrivals soared 18% above arrivals one year ago. In 2001, there was no valid reason to think that Japanese tourism would be harmed by restrictions on tobacco smoking in public places in Honolulu, and in 2005, the same can certainly be said for Guam.

Aloha and thank you for your consideration.

## ATTACHMENT 1

### Testimony of Professor Mark A. Levin in support of Bill 78, relating to Smoking, Honolulu City Council Public Hearing, October 17, 2001

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Aloha. My name is Mark Levin. I am an Assistant Professor at the William S. Richardson School of Law specializing in Japanese law and society. My principal research area since 1994 has been Japanese tobacco policy. I have published in the *Stanford Law & Policy Review*, the international medical journal *Tobacco Control*, and earlier this year, I completed a comprehensive study of tobacco in Japan for the World Health Organization. The views here are my personal views and not the official views of any organization; I am receiving no compensation in connection with this matter.

I am here to explain, based on my expertise, that stricter smoking regulation in Honolulu is extremely unlikely to hurt our Japanese tourist arrivals or their spending habits. In fact, Bill 78 represents the first significant steps by the City Council towards Waikiki's and O'ahu's economic revitalization since the September 11 tragedies, and I commend Councilmember Felix for his efforts.

Three points are important. The first is that Japan itself is rapidly changing towards stricter regulation relating to smoking. Any visitor to Japan will notice giant changes from even a decade ago, with non-smoking areas now extremely common in railways, public buildings, private businesses (including restaurants and other workplaces), and private homes. Things are such that when Japan's *domestic* flights became completely non-smoking in 1998, the Japanese airlines, who should have the best vantage point there is to know what's going on with Japanese travelers, reported "a severe anti-smoking attitude has become a social tendency" in Japan.

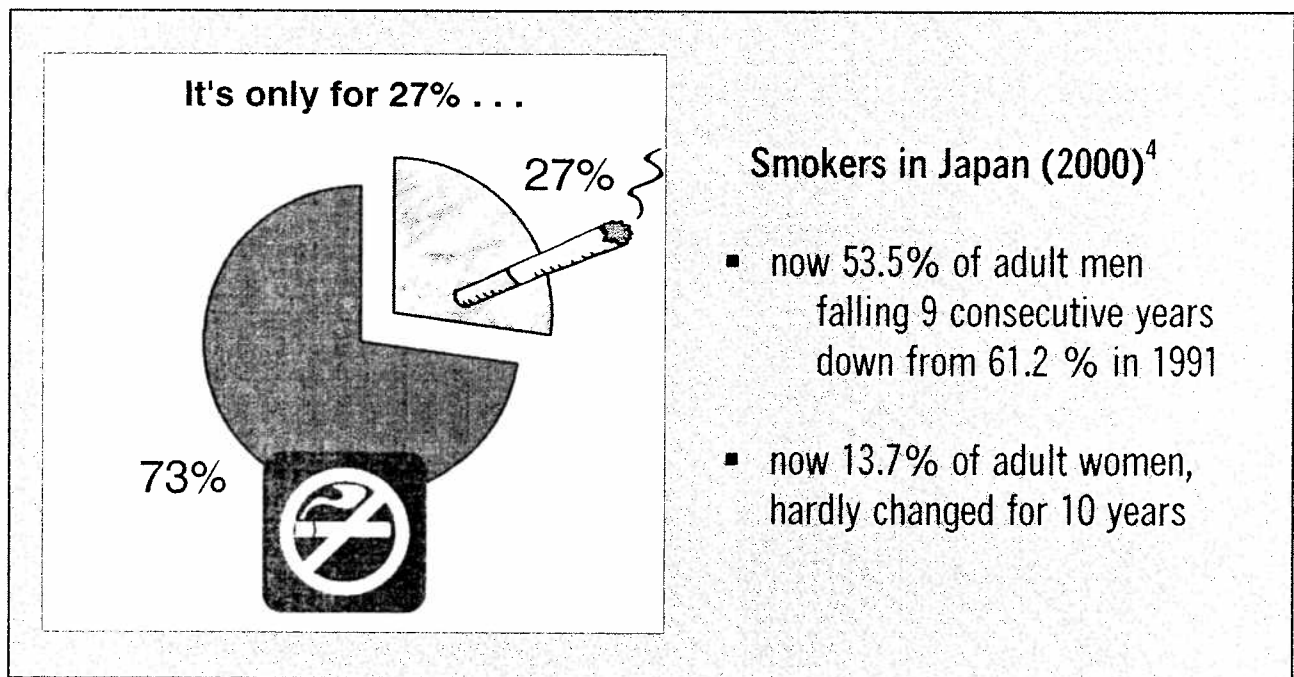
Second is that even if tobacco regulation is less stringent at home, Japanese tourists know that things will be different abroad. Some of the world's toughest smoking restrictions are in place in New York, Los Angeles, San Francisco, Sydney, Australia, and Vancouver, British Columbia, all of which remain Mecca's of Japanese tourism. Economic studies prove this happening *despite* the decade-long recession in Japan. We certainly didn't see Japanese tourists stay away from Hanauma Bay Nature Preserve after it became a completely non-smoking area.

Finally, the percentage of Japanese who smoke has fallen for six straight years and now stands at a record low of only 27 percent. Consumption of cigarettes dropped roughly 7 percent in the past 5 years. So this should all be simple; targeting 27 percent of the Japanese public and leaving 73 percent neglected and dissatisfied is a backwards-looking tourism policy that *just doesn't make sense*. If Bill 78 is not enacted, we'll miss a vital chance to strengthen our tourism base, just when we need it the most.

**In conclusion, we need Bill 78 precisely *because* Japanese tourism is a vital part of our economy. And we need these changes now, after September 11, more urgently than ever before.**

## Japanese Smokers And Public Attitudes Towards Smoking: Survey Data

- 76.8% support workplace smoking bans<sup>1</sup>
  - ✦ nearly 90% of non-smokers in support
  - ✦ over 50% of smokers agree as well
- 64.8% experience tobacco smoke as bothersome<sup>2</sup>
  - ✦ 75.9% of women report being bothered
- 64.2% of smokers would like to quit or cut back<sup>3</sup>
  - ✦ 69.6% of women smokers



<sup>1</sup> Japanese Ministry of Health & Welfare, Survey on Smoking and Health, February – March 1999.

<sup>2</sup> Prime Minister's Office, Public Information Section, Japanese People – Alcohol, and Tobacco (1989).

<sup>3</sup> Japanese Ministry of Health & Welfare, Survey on Smoking and Health, February – March 1999.

<sup>4</sup> Japan Tobacco Incorporated, FY 2001 survey.

**Less Than 30% Of Japanese Tourists Coming  
To Hawai'i Will Be Tobacco Smokers**

<b>Percent of Japanese overseas tourists likely to be smokers (all destinations)</b>			
	Percent of Sightseers	Percent smoking	Percent of tourists expected to smoke
<b>Sex</b>	<b>1996</b>	<b>1999</b>	
<b>Age group</b>			
<b>Male</b>	45.7%		
10-14	1.5%	0.0%	0.0%
15-19	1.5%	19.0%	0.3%
20-29	10.1%	57.9%	5.8%
30-39	8.2%	62.1%	5.1%
40-49	8.4%	60.0%	5.1%
50-59	7.7%	51.6%	4.0%
60-69	6.0%	46.8%	2.8%
70+	2.2%	30.8%	0.7%
<b>Female</b>	54.3%		
10-14	1.4%	0.0%	0.0%
15-19	2.3%	4.3%	0.1%
20-29	18.7%	23.2%	4.3%
30-39	7.0%	19.8%	1.4%
40-49	7.9%	15.5%	1.2%
50-59	8.8%	10.1%	0.9%
60-69	5.9%	7.2%	0.4%
70+	2.3%	5.0%	0.1%
			32.2%
<i>TOTAL (Reduced to include children ages 10 and under)</i>			<b>&lt; 30%</b>
Data: Japanese Statistics Bureau and Statistics Center, Survey on Time Use and Leisure Activities, Oct. 1, 1996; Japanese Ministry of Health and Welfare, Survey on Smoking and Health, February - March 1999.			

Methodology: Official statistics on Japanese involved in overseas sightseeing travel by age and gender multiplied by comparable age and gender smoking prevalence reveal the percentage of tourists likely to smoke.

**Result:** Factoring in age and gender differences among smoking and travel prevalence, 32.2 % of Japanese (over 10) who travel overseas for sightseeing are expected to be smokers. Accounting for children under 10 years of age will reduce the figure below 30%.

**Conclusion:** Unless Japanese tourists to Honolulu differ dramatically in character from Japanese tourists traveling elsewhere, which is highly unlikely, any estimates of tourist smoking substantially above 30% should be viewed as overstated and unreliable.

## ATTACHMENT 2

Testimony of Keisuke Arai regarding of Bill 99, to extend the prohibitions against smoking in Chapter 41, Article 21, ROH 1990 to additional areas of the City.  
Honolulu City Council, January 30, 2002

BY FAX TO 527-5733

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My name is Keisuke Asai. I am the owner and operator of a Japanese restaurant, Imanas-Tei, located at 2626 S. King St. in Mo'ili'ili, Honolulu (telephone 941-2626). We serve a wide range of sushi and "izakaya" foods to a local and tourist customer base, including a very large number of customers from Japan. You can almost always hear Japanese spoken among customers in the restaurant. The restaurant also serves alcoholic beverages, most notably beer and sake to accompany the dining experience.

My restaurant became completely non-smoking on August 1, 2001. Prior to that time, smoking was generally allowed throughout the sushi bar and dining areas. Many of my customers smoked and the restaurant often had one or more smoking patrons present during business hours. Although we have a strong high-quality air conditioning system, the air was nevertheless often somewhat smoky. This disturbed both non-smoking patrons and my staff.

Since going to entirely non-smoking, my business remains strong. In particular, I have seen a significant increase in local customers and they seem to be far more satisfied with their dining experience. Moreover, my staff is extremely happy about the change, especially my waitresses. We no longer stock bottles of eye drops in the kitchen for them. Also, they are far more comfortable working in my restaurant without having to worry about environmental tobacco smoke and their reproductive health.

Overall, I am delighted that my restaurant is now completely non-smoking, and I wish we had made the change sooner. Please feel free to contact me if you have any questions or comments. Thank you.

### ATTACHMENT 3

#### Testimony of Kuniyo Noyori in support of Bill 78, relating to Smoking, Honolulu City Council Public Hearing, October 17, 2001

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Good afternoon. My name is Kuniyo Noyori. I have lived in Hawai'i for 11 years. I am a Japanese national with permanent residency status. I am the mother of three girls aged 4, 6, and 11. Presently, I work in a high-end fashion boutique at the Ala Moana Shopping Center. **Like many in our community, my job depends on Japanese tourists coming to Hawai'i. And like many in our community, I support Bill 78. It will be good for our health and it will also be good for our tourist economy.**

I do not smoke cigarettes. I prefer dining in no-smoking restaurants regardless of whether I'm with my children, my friends, or my family from Japan. Certainly, if all restaurants in Honolulu were non-smoking, we would dine out more often and we would perhaps try some restaurants that I don't bring my children to today. Bill 78 should at least boost the business of restaurants in Honolulu by my family's increased spending!

But more importantly, I regularly work with Japanese tourists. My customers buy fine clothing with very expensive price tags. Their purchases directly benefit the state's economy. Some, of course, are tobacco smokers. But probably more are not. And I can tell you that my non-smoking clients do not appreciate restaurants where the carry over from smoking areas leave unpleasant tobacco odors on their clothes. These affluent visitors from Japan will enjoy Hawai'i more if Honolulu's restaurants become 100% non-smoking.

By the way, one of Hawai'i's best Japanese restaurants, Imanas-Tei recently became 100% non-smoking. Imanas-Tei's customers are almost entirely Japanese nationals. When we asked why the policy changed, the owner said that 95% of his customers didn't smoke and the rest didn't mind going outside. These are the Japanese customers who are spending their time and money in Honolulu today.

I urge you to pass Bill 78. I don't want my customers to go to California instead of coming here. And you will make Honolulu a safer and more pleasant place for us to live. Thank you.

## ATTACHMENT 4

### Testimony of Hidetoshi Masuda in support of Bill 78, relating to Smoking, Honolulu City Council Public Hearing, October 17, 2001

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Hello. My name is Hidetoshi Masuda. I am a Professor in the Department of Business Administration, Faculty of Commerce, of Takushoku University in Tokyo, Japan. I am currently a visiting scholar at the University of Hawai'i's College of Business Administration for a one-year stay. I am here with my wife and two children. And we are truly enjoying our stay in Hawai'i.

I would like to speak to you about no-smoking areas in Japan today and why, when you consider the perspective of Japanese visitors, a law making restaurants in Honolulu 100 percent no-smoking will be a very good business decision.

First, most restaurants in Japan today are either no-smoking or have large no-smoking areas. If you look at family restaurants and other popular restaurants around Tokyo, they are almost all completely no-smoking. This is what we Japanese are now accustomed to.

Second, when most Japanese think of Hawai'i, we first think of it as a *family* destination. That's why making your restaurants no-smoking will certainly not keep away Japanese tourists. We come for shopping and recreation, not to smoke. *Frankly, I cannot imagine Japanese people deciding not to come to Hawai'i because you will have stronger smoking regulations.* (And your regulations are still not as strong as California's, where Japanese people also love to go.)

Finally, for me personally, I know that I do not like taking my children to restaurants that allow smoking. Since coming here in April, there are many restaurants that we will not return to because of tobacco smoke in the air. I think many, or maybe even most, Japanese tourists in Hawai'i today think this way. They will appreciate a 100% no-smoking rule for Honolulu's restaurants. Thank you.

**JACQUELINE A. MARATI**  
PMB 336, 1270 N. Marine Dr., #101  
Tamuning, Guam 96913  
TEL: 671-649-0337  
CELL: 671-688-5305  
FAX: 671-479-2266  
Email: [jmarati@ite.net](mailto:jmarati@ite.net)

I appear before you as a concerned citizen and also the Human Resource and Marketing Administrator for the Bank of Guam. Medical benefits are an increasing cost of doing business, and smoking adds to that cost, whether it is sick leave, hospitalization and lost productivity. Smoking adds needless expense to our economy. Money is lost to cigarettes and exorbitant medical costs; money which should be allocated to more productive and profitable ventures. Smoking is bad business.

The establishment of smoking and no smoking areas in restaurants is ludicrous. Many of us have to pass through smoking areas to get to our "non-smoking" seating. Smoking and No Smoking areas in restaurants are merely a figment of one's imagination.

To those who say Guam will lose Japanese tourists, Hawaii banned smoking in its restaurants a few years ago, and tourists did not flee as opponents had warned. In fact, the National Restaurant Assn. showed a 3% increase in restaurant revenues in 2003, after smoking bans on Oahu, Maui and Kauai took effect (Honolulu Star Bulletin February 6, 2005)

Let me also add that Hawaii Legislature has introduced a bill to prohibit smoking on its beaches, under penalty of a \$250.00 fine. (No Butts on the Beach)

Even in notoriously cigarette-friendly Japan, healthy habits have caught on and no smoking areas have been set up in Tokyo, such as Chiyoda Ward, a business district.

I am a former smoker. I smoked two packs of cigarettes per day. I quit twice and swore I would not smoke again after the physical pain I endured during the withdrawal process. Every inch of my body was in pain.

I quit because my then husband and I were going to start a family and I wanted to rid my body of what I knew to be poisons that would affect that baby. I quit cold turkey. I have not smoked in 20 years.

You and I can count our many friends, family members, and colleagues killed or being killed by smoking. The value of lives lost is incalculable.

As a citizen, I am here before you to speak in behalf of babies and children who are unable to speak out for themselves.

We are entitled to the most basic of needs – clean and fresh air. To start, please ban smoking in restaurants.



**NEWS**

NO FRAMES

Sunday,  
February 6,  
2005Unpaid fines  
cost Hawaii  
millionsDoctor-  
assisted  
suicide bill  
fadesBlind isle  
vendors get  
cold shoulderTeacher  
house calls  
help on  
MolokaiLoss inspires  
love for troops'Bong Bong'  
gets warm  
receptionIsle family  
tries to move  
on in FloridaBeach no-  
smoking bill  
introducedExperts  
spread word  
on 'silent killer'Town  
remembers  
isle MarineRecovered  
stolen items  
on displayMaui transit  
study urges  
\$7.3M  
expansionHealth video  
contest set for  
teens

\$250 if they forego ashtrays and trash bins and flick their butts onto the ground.

A number of municipalities, including San Francisco and even Honolulu -- where smoking is prohibited at the popular Hanauma Bay -- already have some sort of ban.

But Hawaii would be the first state to have such a law on its books.

Other states, including Delaware and California, recently failed to pass similar legislation.

Rep. Kirk Caldwell (D, Manoa), author and co-sponsor of the bill, said his inspiration was a short documentary he saw in December made by a community leader in his district, Jim Harwood. It was entitled "No Butts on the Beach."

Caldwell, a nonsmoker whose father died because of his smoking, said he sees the potential law as a tool for making Hawaii healthier.

"When you go to the beach, don't you think of being in the sun, feeling the wind, feeling the sun on your skin, being in the water? And then there's someone sitting next to you smoking ... smoke's drifting down into your face," Caldwell said. "It runs counter to my idea of being out in the environment and trying to be healthier,"

Lawmakers might expect an outcry from those who deal in tourism from countries where cigarette smoking is more popular than in the United States, particularly in Asia and Europe, he said.

However, he noted that when Hawaii counties banned smoking in restaurants a few years ago, tourists didn't flee as opponents had warned.

Reports from the National Restaurant Association showed a 3 percent increase in restaurant revenues in 2003, after bans on Oahu, Maui and Kauai took effect.

And discovering the remnants of a stranger's cigarette while digging through the sand could also mar the island experience for tourists, many of whom come to Hawaii for its pristine, natural beauty, Caldwell said.

Despite Caldwell's concerns, the bill is unlikely to be met with much opposition or even surprise from foreign tourists, said Yujiro Kuwabara of the Japan Travel Bureau.

Even in notoriously cigarette-friendly Japan, healthy habits have caught on and smoke-free pedestrian areas have been set up in the nation's capital, he said.

# Hawaii State Legislature

## Bill Status

### HB510 HD1

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**Measure Title:** RELATING TO SMOKING.

**Report Title:** Smoking; Public Areas; Disposal of Smoking Waste

**Description:** Prohibits smoking on public beaches and in parks and certain recreational areas, and in all areas of airports and hospitals. Prohibits disposal of smoking waste in any place where smoking is prohibited, except in a designated waste disposal container. Subjects violators to \$250 fine. (HB510 HD1)

**Package:** None

**Companion:**

**Introducer(s):** CALDWELL, KANOHO, MORITA, SCHATZ, Say, M. Oshiro

**Current Referral:** HLT, JUD

Date	H	Status Text
1/24/2005	H	Pending introduction.
1/26/2005	H	Introduced and Pass First Reading
1/26/2005	H	Referred to HLT, WLO, JUD, referral sheet 4
1/28/2005	H	Bill scheduled to be heard by HLT on Monday, 01-31-05 at 9:00 am in House conference room 329.
1/31/2005	H	The committee(s) recommends that the measure be deferred until 02/07/2005.
2/2/2005	H	Bill scheduled for decision making on Monday, 02-07-05 at 9:30 am in conference room 329.
2/3/2005	H	Bill re-scheduled for decision making on Monday, 02-07-05 at 8:30 am in conference room 329.
2/7/2005	H	The committees on HLT recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 7 Ayes: Representative(s) Arakaki, Green, Hale, Nishimoto, Sonson; Ayes with reservations: Representative(s) Cabanilla, Finnegan; 0 Noes: none; and 0 Excused: none.
2/11/2005	H	Reported from the committee on HLT (Stand. Com. Rep. No. 202) as amended in (HD 1), recommending passage on Second Reading and referral to the committee on WLO.
2/11/2005	H	Passed Second Reading as amended in (HD 1) and referred to the committee(s) on WLO with none voting no and Representative(s) Herkes, Kanoho, Morita, Souki, Takamine excused.

## In Japan Today

# A Fine for Smoking on Some Tokyo Streets!

Written by Sakagami Yasuko, Photos by Kato Yoshiaki  
Additional photo collaboration: Mainichi Shimbun



Left: The municipal government of Chiyoda Ward in Tokyo fines people who smoke on the street. This has created quite a stir in Japan.

Above right: The sign above the station platform reads, "No Smoking At Any Time."

Below: Companies are limiting smoking to certain restricted areas, to keep secondhand smoke away from non-smokers in the building. For nicotine lovers, the times are changing, not necessarily to their liking.

• JAPANESE

There is a growing trend in Japan to tighten up on smoking in public, reflecting increased interest in health issues. Tobacco contains about 40 different carcinogens, and these substances are known to cause cancer of the lungs and throat. Not only can smoking make the smoker sick, but secondhand smoke can cause problems for non-smokers as well. This issue has received plenty of attention in Japan the past few years. It is said that secondhand smoke can cause

Ron McNinch, PhD, SPHR

17 March 2005

Letter of Support for Bill 16

Dear Senators, Happy St. Patrick's Day!

My name is Ron McNinch and I am a professor at UOG and the Legislative Ambassador for the Guam Unit of the American Cancer Society. My testimony today is in my capacity as a private citizen and a former smoker.

Before I read my primary testimony, I want to say that I am happy this bill is being heard. I spoke to Senator Calvo immediately after the reassignment and there was never any intention to "pigeon-hole" or sidetrack this bill. I hope that in the future, all legislatures have an open and fair approach to hearings and I am pleased to see that this legislature has allowed minority bills to be discussed at hearings. Also, it is very hard to kill a good idea and this bill has some good ideas. Cancer doesn't care if you are a democrat or a republican.

About 14 years ago, I was in a public hearing at the Georgia Legislature and a man stood up and said, "I control a million votes..." My friend Mike, a lobbyist for the Dart Corporation turned to me and said, "That may be true back on his home planet." In February, I attended some special training in Hawaii on how to work with legislatures through some fairly heavy handed tactics. I believe that the truth and a willingness to serve the public are the best tactics anyone can use here on Guam. We are all going to be on this planet for a very long time and after the smoke clears on this bill, we will still be here, we will still need each other.

Today you may hear all kinds of statistics, facts, and counter opinions. I hope we can all agree on the concept that we should strive to reduce child exposure to smoke in public places. I have heard many of the criticisms and concerns from businesses and I think that there is a middle ground here that can result in a win-win solution to most of these concerns. The key point is to have a kind of dialogue to find this middle ground.

I have one other point I would like to make. Natasha is a beautiful young lady and I can see she has a very bright future. I would like to encourage her to run for the legislature one day and make laws. In general on Guam, laws are named in memory of citizens. I know it is difficult for Senator Calvo and Senator Leon Guerrero to say this, but, I would like to suggest that the name of this proposed act be changed to the "Eduardo Calvo and Jesus Leon Guerrero Act" or the "Calvo-Leon Guerrero Act" for short. Both of these gentlemen recently succumbed to cancer and I know that in the future, they would want our children can grow up in a world without this disease.

Just as St. Patrick coaxed snakes off of Eire 1500 years ago, I hope that one day we can have miracle and coax our restaurants to become smoke free.

Sincerely, Ron McNinch

## Gladys Linsangan MD, FAAP

816 N. Marine Dr. Ste 108 Tumon, Guam 96913

March 10, 2005

Senator Lou Leon Guerrero

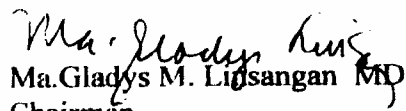
Dear Senator,

The Department of Pediatrics at Guam Memorial Hospital, consistent with it's' mission to "Work for the welfare and interests of our youth" strongly support the amendments and additions to Bill 16(LS), otherwise known as the "Natasha Protection Act".

For us to be true to our oath, as health care providers to our children, we strongly raise our voices in behalf of those we serve and protect. They are the future of our island and they deserve to breathe better air and live their lives free of second hand smoke. We have compiled numerous data that support the fact that multiple childhood diseases, morbidities and mortalities are brought about by exposure to smoking...

Our children learn though our example, and our way of life most of the time determines how they will live theirs. We believe that it is about time for Guam's' elders to stand up and work for what is best for them. Remember, there is no greater wealth than a better health for our children.

Respectfully,

  
Ma. Gladys M. Linsangan MD  
Chairman  
Department of Pediatrics

Cc Sen. Mike Cruz  
Mr. Bill McMillan

12-10-05

Honorable Lou LeonGuerrero  
Senator, Guam  
140 Aspinall Ave, Ste 202  
Hagatna, Guam 96910  
Fax: (671) 472-3591

Dear Senator LeonGuerrero,

Hafa adai.

I am ecstatic to hear that you are introducing legislation (Bill 16) which would ban smoking in the restaurants and bars of Guam. Such legislation is essential as a means to prevent the long list of severe illness caused by second hand smoking, accommodate the rights of restaurant workers to a healthy working environment, and to send a clear message that smoking is harmful and is a significant personal and public health threat.

As you are aware I have been involved with developing disease prevention, smoking prevention, and cancer prevention strategies throughout the US Associated Pacific for many years. A true insight into the extreme health and financial damages that are caused by smoking occurred when I worked with the Marshall Islands government in their suit against the American Tobacco Companies. With regards to cancer, it is the first , second cause of death in nearly every country of the US Associated Pacific country including Guam. Most of the preventable Pacific cancers are associated with smoking. Lung, mouth, throat, and stomach cancer are the well known cancers associated with smoking. Also the likelihood of developing cervical cancer in women is 2 to 3 times greater in women who smoke.

Of more concern is the increased heart disease, strokes rates, asthma, lung illness that are associated with tobacco smoke. In times of scarce health dollars and challenges with meeting health care needs, prevention of illness through smoking prevention tobacco legislation becomes crucial and essential for economic and health care stability.

*Senator Edward J.B. ...*  
**ACKNOWLEDGEMENT RECEIPT**

Rcv'd by: Nitola

Print Name & Initial

Time: 2:35

Date: 3-16-05

I applaud your public health advocacy and effort in meeting this issues head on. It is wonderful to hear that the Guam legislature is linking its long term economic and health welfare to its public health policies.

Sincerely,

Neal A. Palafox MD MPH  
Principal Investigator – Pacific Cancer Initiative  
Professor and Chair  
Department of Family Medicine and Community Health  
John A. Burns School of Medicine  
University of Hawaii

Aturidad Inadilanton



Ikunumihan Guahan

**Governor**  
Felix P. Camacho

**Lieutenant Governor**  
Kaleo S. Moylan

**Bill 16 (LS)**

An Act To Amend §90105, Chapter 90, Division 4, of Title 10, Guam Code Annotated,  
Relative to the Regulation of Smoking Activities

Public Hearing Testimony of Gerald Perez, Administrator of GEDCA  
March 17, 2005

Good morning, Senator Calvo, and members of the Committee on Finance, Taxation and Commerce, Ladies and Gentlemen. My name is Gerald Perez, Administrator of the Guam Economic Development and Commerce Authority. Thank you for inviting GEDCA to comment on Bill 16, and I wish to briefly comment on one concern regarding the proposed legislation.

Clearly, the issue of public smoking is a health and social issue that is important to the community. However, we believe that this bill may not be necessary as more business establishments continue to adopt a no smoking policy in direct response to market driven consumer preferences.

Thank you for the opportunity to comment on this bill.

Gerald S.A. Perez  
Administrator

Guam USA ~ The Ultimate Destination



My name is Natasha Perez, I am fourteen and I am a freshman from the Academy of Our Lady of Guam. I enjoy going to the movies, reading, listening to music and eating. So far, I have been lucky enough to eat a lot without having to gain a lot of weight.

I also have respiratory issues. If I go into a room that has cigarette smoke, I have a hard time trying to breath or even catch my next breath.

When I was younger, I remember my aunties and uncles <sup>saying</sup> to me, don't smoke! If you do, then you can't stop! I think there are smokers out there probably made their New Year's Resolution to stop smoking.

I am sure Senators that you probably said to your kids, more then once, "Make good choices", "Make good decisions". I have heard those statements a lot. Sometimes just when I am ready to be dropped off to school or if I made a poor choice ~~go~~ or if I got into trouble.

I am just fourteen years old but I say to you, "can you make a good choice, can you made the right decision" to improve the quality of air I have to breath at restaurants. Can you make adults make the right decision in restaurants.

I hope you will support this bill.

**Senator Lou Leon Guerrero**

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**From:** Juanita Iriarte Sgambelluri [jiriarte@guamcc.edu]  
**Sent:** Tuesday, January 18, 2005 11:48 AM  
**To:** senlou@ite.net  
**Subject:** re: Proposed Smoking Ban

Buenas Senator,

I just read about your effort to propose a smoking ban in restaurants and felt compelled to send you my opinion.

I am a mother of two who has been concerned about smoking sections in restaurants for some time now. My infant has had a problem with ear infections and her doctors have been consistent in reminding us to keep her away from smoke, especially second hand smoke, or anyone who smokes. No one in our family smokes, but this is quite a challenge when we decide to go out as a family to eat.

I have, for years, informed certain restaurant owners/managers that whether or not a business has a smoking section plays a major part in our family's decision on where we wish to patronize. No matter how much effort a restaurant tries to make to keep smoke from entering the nonsmoking sections, it still finds it way there!

Kudos to you for proposing this ban! I hope and pray that the other Senators will pass it unanimously ... after all, smoking IS a privilege to citizens and it should not be forced upon those who choose a healthier lifestyle or upon those who cannot speak for themselves, as with my infant.

Thank you, my family and I support you 100% in your effort!

A concerned mother and voter.

Senator Edward J.B. Calvo

ACKNOWLEDGEMENT RECEIPT

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**From:** "ITE Dr. Thomas Shieh MD" <shieh@ite.net>  
**To:** "Annette M. David, MD, MPH" <am david@guamcell.net>  
**Cc:** <senatorcalvo@hotsheet.com>, <joe ydl@guam.net>, <lib@guam.uog.edu>, <rworkman@netpci.com>, <proberto@mail.gov.gu>, <mbelhart@uog.edu>, <prhg@guam.net>, <areyes@hawaii.edu>, <jiriarte@guamcc.edu>, <rlaguana@guam.uog.edu>, <roger.cauley@guamnursingservices.com>, <ghra@ghra.org>, <tsaguadn@ite.net>, <dyadirector@hotmail.com>, <bena@guamcell.net>, <pbarcina@uog9.uog.edu>, <anderson@mail.justice.gov.gu>, <rmcninch@uog9.uog.edu>, <jstedaotao@guamcell.net>, "Karen Cruz" <cruzcontrol@netpci.com>, "Tina Balajadia" <Tina.Balajadia@cancer.org>, "Grace Lapid" <lapidg@yahoo.com>, "Lisa Cipollone" <cipo@ite.net>, "Elaine Low" <Elaine.Low@cancer.org>, "Mike Cruz" <senmike@ite.net>, "Tom Shieh" <shieh@ite.net>

Atta

Name	Ty
Message	tex

**Subject:** Re: Notice of Public Hearing for Bill 16 (LS)

**Date:** Tue 03/08/05 05:22 AM

Is Bill 16, the bill we really want, or do we want a bill that really BANS smoking in public completely? That's the main focus, and I think all the Senators will discuss this and does it really matter which senator is chairing this ban or overseeing the passage on this bill or even a better one? I think Senator Calvo is a good senator, and he will discuss this among ALL the Senators and especially with the trust of Dr. Mike Cruz. Let us look back at what happened with the bill that gave credit to Tobacco companies in building the field at UOG? Remember what happened there? FIRST REPEAL that Bill, and then BAN smoking in public for good.

"Smoking is Bad, Don't Smoke!"

Thomas Shieh, M.D., F.A.C.O.G.

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**SUPPORTING BILL 16**  
**"THE NATASHA PROTECTION ACT OF 2005"**

**DO YOU THINK SMOKING SHOULD BE BANNED FROM RESTAURANTS?**

DATE	NAME	Y/N	AGE	SIGNATURE	GRADE/ OCCUPATION
1/26/05	David Leon Guerrero	Y	20	David Leon Guerrero	Retired AF
1/26/05	Hope Co. Leon Guerrero	Y	14	Hope Leon Guerrero	9th.
1/26/05	Tia N. Leon Guerrero	Y	11	Tia Leon Guerrero	6th
1/26/05	Chloe C. Leon Guerrero	Y	44	Chloe C. Leon Guerrero	Legal Sec.
1/26/05	Kayle M. Leon Guerrero	Y	15	Kayle M. Leon Guerrero	10th
1/26/05	Ashley R. Quintana	Y	12	Ashley R. Quintana	6th
1/26/05	Jennilyn Cruz	Y	12	Jennilyn Cruz	6th
1/26/05	Ashley J. J.	Y	11	Ashley J. J.	6th
1-26-05	Erin Ige	Y	11	Erin Ige	6th
1-26-05	Elyssa J. Santos	Y	11	Elyssa J. Santos	6th
1-27-05	Krista Gozo	Y	11	Krista Gozo	6th
1-27-05	Jamie Weger	Y	11	Jamie Weger	6th
1-27-05	Justin Rivera	Y	11	Justin Rivera	6th
01-27-05	MARTIN APONTE	Y	11	Martin Aponte	6th
1-27-05	Ashley Smith	Y	11	Ashley Smith	6th
1-27-05	ANKHAM F. DELFIN	Y	11	ANKHAM F. DELFIN	6th
1-27-05	Tito Castro	Y	11	Tito Castro	6th
1-27-05	Mark Mercer	Y	11	Mark Mercer	6th
01-27-05	Jude Tarsague	Y	11	Jude Tarsague	6th
1-27-05	Jerica Toringona	Y	12	Jerica Toringona	6th
1-27-05	Lak Na Bangching	Y	11	Lak Na Bangching	6th
1-27-05	Lorraine Fernandez	Y	11	Lorraine Fernandez	6th
1-27-05	Zacharias Bukikosa	Y	11	Zacharias Bukikosa	6th
1-27-05	Clara de la Cruz	Y	13	Clara de la Cruz	6th
1-27-05	Christine Ermita	Y	13	Christine Ermita	6th
1-27-05	Jacklyn Ramos	Y	13	Jacklyn Ramos	6th
1-27-05	Jessica S.	Y	11	Jessica S.	6th
1-27-05	Dannalynn G.	Y	11	Dannalynn G.	6th
1-27-05	Chloe Cruz	Y	13	Chloe Cruz	7th
1-27-05	JN TONY Phimuan	Y	12	JN TONY Phimuan	7th
1-27-05	Joyce Pangilinan	Y	12	Joyce Pangilinan	7th pd.
1-27-05	Ashley Arzola	Y	11	Ashley Arzola	6th
1-27-05	Jaclyn Sakiwo	Y	13	Jaclyn Sakiwo	6th 6A
1/27/05	Kristian Villanueva	Y	12	Kristian Villanueva	7th TB Ticks
1/27/05	Adrian Chagualaf	Y	11	Adrian Chagualaf	6th
1/27/05	Hana Perez	Y	31	Hana Perez	School Aide

DO YOU THINK SMOKING SHOULD BE BANNED FROM RESTAURANTS?

DATE	NAME	Y/N	AGE	SIGNATURE	GRADE/ OCCUPATION
1-27-05	Dylan Guerrero	Yes	11	Dylan Guerrero	6th
1-27-05	Alyssa Moraga	Yes	12	Alyssa Moraga	7th
1-27-05	Joshua McLaughlin	Yes	12	Joshua McLaughlin	7th
1-27-05	Paula Jean Quintana	Yes	12	Paula Jean Quintana	7th
01-27-05	Mrs. M. Castro	Yes		M. Castro	Teacher
01-27-05	Nani Quenga	Yes	11	Nani Quenga	6th
01-27-05	MONIQUE AUYUN	Yes	11	Monique Auyun	6th
01-27-05	Tawni Shuling	Yes	11	Tawni Shuling	6th
1-27-05	Joseph Fausto	Yes	11	Joseph Fausto	6th
1-27-05	Chelsea Monar	Yes	11	Chelsea Monar	6th
1-27-05	JUVY CARINO	Yes	29	Juvy Carino	teacher
1-27-05	Justin Tullia	Yes	11	Justin Tullia	6th
1-27-05	Joseph Benavente	Yes	12	J. Benavente	6th
1-27-05	Genifer Nera	Yes	12	Genifer Nera	6th
1-27-05	Leah Lagado	Yes	12	Leah Lagado	6th
1-27-05	Bernice Casman	Yes	11	Bernice Casman	6th
1-27-05	Kiana Ojeda	Yes	11	Kiana Ojeda	6th
1-27-05	Keanu Bahilig	Yes	11	Keanu Bahilig	6th
1-27-05	Jose Cruz	Yes	13	Jose Cruz	6th
1-27-05	Sesce Solomon	Yes	13	Sesce Solomon	6th
1-27-05	Cedric Damian	Yes	11	Cedric Damian	6th
1-27-05	Joey Martinez	Yes	12	Joey Martinez	6th
1/27/05	Mrs. MARTIN	Yes	50	Mrs. Martin	Teacher
1/27/05	Marie C. Barretto	Y	47	Marie C. Barretto	Teacher
1/27/05	Diana Wagon	Y	40's	Diana Wagon	Teacher
1/27/05	S. Dumarcan	Y	68M	S. Dumarcan	Teacher
1/27/05	H. J. Torres	Yes	50S	H. J. Torres	Teacher
1/27/05	Kimberly Atang	Yes	27	Kimberly Atang	Institute
1/27/05	Julie Conroy	Yes	56	Julie Conroy	Staff
1-27-05	Rudy P. Tamboan	Yes	27	Rudy P. Tamboan	Staff
1-27-05	E. Figueroa	Yes	16	E. Figueroa	Teacher
1-27-05	Nemel G. Esobar	Yes	31	Nemel G. Esobar	Teacher
1-27-05	S. Cruz	NO	37	S. Cruz	Sub.
1-27-05	T. POSADAS	Yes	45M	T. Posadas	Teacher
1-27-05	FRANKIE MATED S.A.	Yes	33	Frankie Mated	Teacher
1-27-05	B. RIVERA	Y		B. Rivera	"
1-27-05	P. Timoteo	NO	?	P. Timoteo	"
1/27/05	T. Dingcong	YES	27	T. Dingcong	TEACHER
27Jan05	R. A. Pama	YES	31	R. A. Pama	TEACHER
27Jan05	Montague Nicole	Yes	25	Montague Nicole	TEACHER

DATE	NAME	Y/N	AGE	SIGNATURE	GRADE/ OCCUPATION
1-27-05	Edy Lopez	Y	40	[Signature]	Teacher
1-27-05	Richard Muna	Y	39	[Signature]	Maintenance Teacher
1-27-05	Michelle Talavera	Y	35	[Signature]	Teacher
1-27-05	[Signature]	Y		[Signature]	SA
1/27/05	CHRISTOPHER CARRASCO	Y	41	[Signature]	SCHOOL NURSE
1/27/05	Audrey Aguir	Y	32	[Signature]	TEACHER
1/27/05	ELIK SANTOS	Y	36	[Signature]	TEACHER
1/27/05	Cris Mang Luna	Y	35	[Signature]	Teacher
1/27/05	TANATONGO, Walter	Y	41	[Signature]	Sub Teacher
1/27/05	P. Baltas	Y		[Signature]	Teacher
1/27/05	S De La Garza	N	40	[Signature]	Teacher - 7
1/27/05	F. Aguilar	Y	40	[Signature]	Teacher 8
1/27/05	J. Meno	Y	47	[Signature]	Teacher
1/27/05	S. Borja	Y	24	[Signature]	Teacher
1/27/05	[Signature]	Y	27	[Signature]	Teacher
1/27/05	Annie Ejeraan	Y		[Signature]	Teacher
1/27/05	H. Ull	Y		[Signature]	Teacher
1/27/05	B. Cruz	N	32	[Signature]	Teacher
1/27/05	M. Cruz	N		[Signature]	Teacher
1/27/05	[Signature]	Y		[Signature]	Teacher
1/27/05	[Signature]	Y	25	[Signature]	Teacher
1/27/05	[Signature]	Y	28	[Signature]	Teacher
1/27/05	M. Cruz	Y		[Signature]	Sub-Teach
1/27/05	[Signature]	Y	28	[Signature]	TEACH
1/27/05	Chelsey Ting	Y	11	[Signature]	6th
1/27/05	Jordan Pena	Y	11	[Signature]	6th
1/27/05	Ryan Munka	Y	11	[Signature]	6th
1/27/05	Eja Villanueva	Y	12	[Signature]	6th
1/27/05	DOLORES BABAUTA	YES		[Signature]	Teacher
1/27/05	charley Sarricida	YES	13	[Signature]	Teacher
1/27/05	Joselyn Cruz	YES	11	[Signature]	6th
1/27/05	Priamatae Parada	Yes	12	[Signature]	6th
1/27/05	D. Castro	Yes	26	[Signature]	Teacher
1/28/05	N. Lopez	Yes	57	[Signature]	Teacher
1/27/05	Charles	YES	11	[Signature]	6th
1/27/05	Sege Salmer	YES	12	[Signature]	6th
1/27/05	Christine Jackson	Y	11	[Signature]	6th
1/27/05	Narcis Matur	Yes	12	[Signature]	6th
1/27	Dana Pabunan	Y	12	[Signature]	6th
1/27	Marissa Babauta	Y	12	[Signature]	6th
1/27	Share Chongcolet	Y	11	[Signature]	6th

DO YOU THINK SMOKING SHOULD BE BANNED FROM RESTAURANTS?

**SUPPORTING BILL 16  
THE NATASHA PROTECTION ACT OF 2005**

**DO YOU THINK SMOKING SHOULD BE BANNED FROM RESTAURANTS?**

DATE	NAME	Y/N	AGE	SIGNATURE	GRADE/ OCCUPATION
1/28/05	Matthew Duenas	Y	12	Matthew Duenas	7 <sup>th</sup>
1/28/05	Jidapa Kraitong	Y	11	Jidapa Kraitong	6 <sup>th</sup>
1/28/05	STEVEN KIM	Y	12	STEVEN KIM	7 <sup>th</sup>
1-28-05	Vincent M. Acosta	Y	13	Vincent Acosta	7 <sup>th</sup>
1-28-05	GOODMAN A. SAWATA	Yes	13	GOODMAN A. SAWATA	7 <sup>th</sup>
1-28-05	Augustine P. Judrupa	yes	11	Augustine P. Judrupa	6 <sup>th</sup>
1-28-05	Jaylan m. Gonzalez	yes	11	Jaylan m. Gonzalez	6 <sup>th</sup>
1-28-05	Ryan Burgos	Yes	13	Ryan Burgos	7 <sup>th</sup>
1-28-05	James Kim	Yes	12	James Kim	6 <sup>th</sup>
1-28-05	Brian mendiola	Yes	13	Brian mendiola	7 <sup>th</sup>
1-28-05	JERALYN AQUON	Yes	12	JERALYN AQUON	7 <sup>th</sup>
1-28-05	JESSICA B. FLORE	Yes	11	JESSICA B. FLORE	6 <sup>th</sup>
1-28-05	Anna Fiquique	Yes	12	Anna Fiquique	7 <sup>th</sup>
1-28-05	Joshua Benavente	Yes	13	Joshua Benavente	7 <sup>th</sup>
1-28-05	Dierdre Fejcan	Yes	13	Dierdre Fejcan	7 <sup>th</sup>
1-28-05	Gabrielle Pereda	Yes	11	Gabrielle Pereda	6 <sup>th</sup>
1-28-05	Charo Ogo	Yes	11	Charo Ogo	6 <sup>th</sup>
1/28/05	Zakary Franquez	Yes	11	Zakary Franquez	6 <sup>th</sup>
1/28/05	Joseph Puez	Yes	12	Joseph Puez	7 <sup>th</sup>
1/28/05	Avedyle H. Padilla	Yes	11	Avedyle H. Padilla	6 <sup>th</sup>
1/28/05	Manns Santos	Yes	11	Manns Santos	6 <sup>th</sup>
1/28/05	Riza Escoto	Yes	12	Riza Escoto	6 <sup>th</sup>
1/28/05	Megan Mansapit	Yes	11	Megan Mansapit	6 <sup>th</sup>
1-28-05	Danyelle Mortua	Yes	11	Danyelle Mortua	6 <sup>th</sup>
1-28-05	Lynnmarie Kincho	Yes	11	Lynnmarie Kincho	6 <sup>th</sup>
1-28-05	Keyda Sison	Yes	11	Keyda Sison	6 <sup>th</sup>
1/28/05	James Cepeda	Yes	11	James Cepeda	6 <sup>th</sup>
1/28/05	Shorge Gonzalez	Yes	10	Shorge Gonzalez	6 <sup>th</sup>
1/28/05	Deison Kusto	Yes	11	Deison Kusto	6 <sup>th</sup>
1/28/05	Marc Tabraham	Yes	14	Marc Tabraham	8 <sup>th</sup>
1-28-05	Erica alcantara	Yes	11	Erica alcantara	6 <sup>th</sup>
1-28-05	Gregory San Augustin Pico	Yes	12	Gregory San Augustin Pico	6 <sup>th</sup>
1-28-05	COREY W. MAGAUEZ	Yes	11	COREY W. MAGAUEZ	6 <sup>th</sup>
1-28-05	DEMETRIA CASTRO	Yes	13	DEMETRIA CASTRO	7 <sup>th</sup>
1-28-05	William Samuel	Yes	13	William Samuel	7 <sup>th</sup>
1-28-05	Travis Iseraki	Yes	11	Travis Iseraki	6 <sup>th</sup>
1-28-05	Bob Arjay Magaling	Yes	12	Bob Arjay Magaling	6 <sup>th</sup>
1-28-05	KOYECK AQUON	Y	11	KOYECK AQUON	6 <sup>th</sup>
1-28-05	TIERRA LENE POCAIGUE	Yes	11	TIERRA LENE POCAIGUE	"
1-28-05	Donna Jasmine Ching	Yes	12	Donna Jasmine Ching	6 <sup>th</sup>

**SUPPORTING BILL 16  
THE NATASHA PROTECTION ACT OF 2005**

**DO YOU THINK SMOKING SHOULD BE BANNED FROM RESTAURANTS?**

DATE	NAME	Y/N	AGE	SIGNATURE	GRADE/ OCCUPATION
1/23	Dacsun Yoo	Y	11	Dacsun Yoo	6th grade
1/27	Haani Munoz	Y	11	Haani	6th grade
1/28	Jhane B. Leonguenero	Y	11	Jhane	6th grade
1/28	Tyra Tevid	Y	11	Tyra Tevid	6th grade
1/28	Javier Flores	Y	12	Javier Flores	6th grade
1/28	Jason Pang	Y	11	JASON	6th
1/28	Paulo Ledesma	Y	11	Paulo	6th grade
1/28	Heather Cavittova	Y	11	Heather	6th grade
1/28	Katie Feguir	Y	11	Katie Feguir	6th grade
1/28	Norbert Cruz	Y	12	Norbert Cruz	6th grade
1/28	Kelsey Terlaie	Y	11	Kelsey Terlaie	6th grade
1/28	CRISTINA OCAMPO	Y	11	CRISTINA	6th grade
1/28	Peter Ray Babauta	Y	11	Peter Ray	6th grade
1/28	Justin Portusach	Y	11	Justin Portusach	6th grade
1/28	Sharmaine Calalang	Y	12	Sharmaine C.	6th grade
1/28	Valissa Tolentino	Y	13	Valissa	8th grade
1/28/05	ROSEANNA NAKAMURA	Y	11	ROSEANNA N.	6th grade
1/28/05	Roxelle Advincula	Y	11	Roxelle A.	6th Grade
1-28-05	Jhanna Salinas	Y	11	Jhanna Salinas	6th Grade
1-28-05	Jessica Gallardo	Y	12	Jessica Gallardo	6th Grade
1-28-5	Jacob Hernandez Cesa	Y	12	Jacob	6th Grade
1-28-05	Margaret Paloma	Yes	12	Margaret Paloma	6th grade
1-28-05	Kearn Bahilio	Y	11	Kearn Bahilio	6th grade
1-28-05	Jolene C. Torres	Y	11	Jolene Torres	6th
1-28-05	Alissa Manubaran	Y	11	Alissa Manubaran	6th
1-28-05	Robert W. Koss	Y	12	Robert Koss	6th
1-28-05	Liam Moorehead	Y	11	Liam Moorehead	6th
1/28/05	Ruzelle Amparo	Y	11	Ruzelle Amparo	6th grade
1/28/05	Niko Duenas	Y	11	Niko Duenas	6th
1/28/05	Corey Sablan	Y	12	Corey Sablan	6th
1/28/05	Mom Aldrich C. Erni	Y	12	Mom Aldrich C. Erni	6th
1/28/05	JR Henry	Y	12	JR Henry	6th
1/28/05	Rodney Lutz	Y	12	Rodney Lutz	6th Grade
1.28.05	Madeline Pocaigua	Y	11	Madeline Pocaigua	6th Grade
1-28-05	Giana Escamilla	Y	11	Giana Escamilla	6th Grade
1.28.05	Justin Aguon	Yes	12	Justin Aguon	6th Grade
1.28.05	Leonar ALVIZ	Yes	12	Leonar ALVIZ	6th
1/28/05	Briana Castro	Yes	11	Briana Castro	6th grade
1/28/05	Brightwell Debra	Yes	12	Brightwell Debra	6th grade
1/28/05	Catharin Buccat	YES	13	Catharin Buccat	8th grade





**Senator Lou Leon Guerrero**

---

**From:** Juanita Iriarte Sgambelluri [jiriarte@guamcc.edu]  
**Sent:** Tuesday, January 18, 2005 11:48 AM  
**To:** senlou@ite.net  
**Subject:** re: Proposed Smoking Ban

Buenas Senator,

I just read about your effort to propose a smoking ban in restaurants and felt compelled to send you my opinion.

I am a mother of two who has been concerned about smoking sections in restaurants for some time now. My infant has had a problem with ear infections and her doctors have been consistent in reminding us to keep her away from smoke, especially second hand smoke, or anyone who smokes. No one in our family smokes, but this is quite a challenge when we decide to go out as a family to eat.

I have, for years, informed certain restaurant owners/managers that whether or not a business has a smoking section plays a major part in our family's decision on where we wish to patronize. No matter how much effort a restaurant tries to make to keep smoke from entering the nonsmoking sections, it still finds it way there!

Kudos to you for proposing this ban! I hope and pray that the other Senators will pass it unanimously ... after all, smoking IS a privilege to citizens and it should not be forced upon those who choose a healthier lifestyle or upon those who cannot speak for themselves, as with my infant.

Thank you, my family and I support you 100% in your effort!

A concerned mother and voter.

## Senator Lou Leon Guerrero

---

**From:** Tim Gray [timgray@ms37.hinet.net]  
**Sent:** Thursday, January 20, 2005 3:46 PM  
**To:** senlou@ite.net  
**Subject:** THANK YOU!

Dear Senator Leon,

I am an American expatriate residing in Taiwan with my wife and 9 year old daughter. We used to travel to Guam frequently for vacation. However, we have not been to Guam for quite some time because smokers had made it very difficult for us to breath. We love Guam, but second hand smoke in the restaurants, hotels lobbies & pools, in and around the airport sickened us during our last 10 day stay. We then vowed never to return to Guam or invest in a home until an enforceable smoke free law was enacted.

My family and I would like to thank you for introducing Bill 16 to the legislature. I only wish our government had more politicians with your courage serving the people.

Regards,

Timothy E. Gray  
247 Chung-Hsing Street, 10F  
Taichung 403  
TAIWAN

1/20/2005

**Lisa Cipollone**

---

**From:** John HUnt [John.Hunt48@verizon.net]  
**Sent:** Thursday, March 10, 2005 10:07 AM  
**To:** senlou@ite.net; senmike@ite.net; senatorcalvo@hotsheet.com  
**Cc:** cipo@ite.net; edellisola@yahoo.com  
**Subject:** Smokefree Restaurants Bill 16

Sen. Lou Leon Guerrero  
Sen. Mike Cruz  
Sen. Eddie Calvo

Dear Senators,

I am writing to you at the request of one of my counterparts on Guam. I am the Chairman of an organization called Tobacco-Free Kauai. Two years ago we worked with our County Council to pass a smoke-free restaurant ordinance here on Kauai. All four counties in Hawaii have passed similar ordinances.

The Kauai Ordinance banning smoking in restaurants went into effect on January 1, 2003. A front page story in the January 19, 2003 (nearly one year later) edition of our Garden Island Newspaper headline reads, "Kauai restaurateurs expect more business in the new year." Kauai restaurant owner Dan O'Connell is quoted as saying, "We are targeting 5 percent growth for next year. We probably had 15 percent sales growth last year" Coconuts' restaurant owner Sheila Harty notes that the 3.5% increase reported statewide by the National Restaurant Association "would be even higher for Kauai." "Business was good for us last year," said Wrangler's Steakhouse owner Colleen Faye. While we don't credit the ordinance with the increase in business, the Kauai experience once again proves what has been proven time and again in over 1000 municipalities and 7 states - smoke-free workplaces do not harm business.

I had the pleasure this week of attending two lectures by Dr. Richard Sargent of Helena Montana. Dr. Sargent did continuing medical education training for our local doctors. He and his colleague did a study during the six months period when Helena had a smoke-free work place ordinance. (The Montana legislature passed a pre-emption law at the request of the tobacco companies that negated the ordinance). In that six month period the number of heart attacks in the area decreased by 40%. After the repeal heart attacks went right back up to the former level. In his lecture Dr. Sargent presented the hard scientific and medical facts that prove the link between second hand smoke and heart attacks. The evidence is irrefutable that a thirty minute exposure to the second hand smoke from just one cigarette doubles the risk of a heart attack for non-smokers in the room!

More alarming information is that contained in the second hand smoke are many chemicals that are categorized by the EPA as class "A" carcinogens. In fact the EPA classifies second hand smoke itself as a class "A" carcinogen. That means that these chemicals are proven to cause cancer in humans. In fact, any business that would expose its employees to these very chemicals (at any level since there is no safe level) would be required by OSHA rules to supply the employee with a full environmental suit including a fresh air source. That is, unless the delivery method is through tobacco smoke- it's exempt from the rules, then all the business needs provide to the employee is a white apron and a bar towel.

If there is a business consideration on the issue of second hand smoke, it is that restaurant and bar owners are intentionally exposing their employees to chemicals that are proven to cause cancer and heart disease. Executives of the WR Grace corporation were recently criminally indicted for exposing their employees and the community to asbestos when they were fully aware of the harmful health effects. One should think that a business owner would be concerned for their own liability in this issue. Another business consideration is that more and more bar and restaurant employees are claiming and receiving workers compensation for work related

3/10/2005

disabilities due to workplace exposure to second hand smoke. Another business consideration is that the health care costs and lost productivity costs for their smoking employees far eclipse the costs for the non-smoking employees. It is estimated that each pack of cigarettes purchased by the smoker carries a social cost of \$7.18 including health care costs and lost productivity. These are legitimate business considerations. The false claims of the tobacco industry that business will fall if workers and customers are protected from exposure to second hand smoke have been proven false time and again.

Second-hand smoke is not a business issue, it is a health issue and should rightly be considered by the Health committee of the Guam Senate. Thank you for your consideration. Aloha.

John Hunt, Chairman  
Tobacco Free Kauai Coalition.

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Internal Virus Database is out-of-date.  
Checked by AVG Anti-Virus.  
Version: 7.0.300 / Virus Database: 266.5.3 - Release Date: 3/1/2005

DATE: 1/24/09

☑: YOU'VE GOT MAIL! ▼

Dear Senator Lou Leon Guerrero:

I am writing to you to tell you why I don't want people to smoke in public restaurants here on Guam. My first reason is that in restaurants people smoke. And people who don't smoke can go through 2<sup>ND</sup> hand smoking. And I've heard that 2<sup>ND</sup> hand smoking is worse than just smoking. Haven't you?

My second reason is that there's a big chance of 2<sup>ND</sup> hand smokers to get cancer and die. Before it is for regular smokers to get cancer and die. If these 3 reasons aren't good enough, then please ~~listen~~ listen to my last reason. PLEASE!

My last reason is that even though the managers of the restaurants separate smoking from non-smoking sections. The air is still carrying the cigarette smoke around. And like I said before, 2<sup>ND</sup> hand smoking is bad. IT CAN KILL! I agree that people should stop smoking in public restaurants. IMMEDIATELY! I hope you agree with me in my three reasons.

Thank you for sponsoring BILL 10!

Thank You For Your Time,

Janice Marie Weger  
Janice Marie Weger  
6<sup>TH</sup> Grader at  
Untalan Middle School

My name is Pia Weisenberger and I am as well a Freshman at the Academy of Our Lady. I am also a formal member of the Organization Youth 4 Youth. In this organization, we discuss the use of tobacco as well as other drugs, and we try to ~~persuade~~<sup>convince</sup> others, especially teens, that smoking is bad and that we should not do it.

During meetings, we also discuss the problems that smoking causes, such as lung cancer and brain damage. I think that if people want to make the decision to smoke and get sick, then that's up to them. But others who do not want to smoke should not have to suffer the experience of second hand smoke, which is more dangerous than first hand smoking itself.

I would also like to add that when me and my family go to a restaurant, my mother always request to sit in a non-smoking section for the smoke bothers her as well.

I think that this bill will be passed.

Thank you.