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J. Curtis Tyler, III, *Member*

**HAWAI'I COUNTY COUNCIL  
COMMITTEE ON HUMAN SERVICES  
& ECONOMIC DEVELOPMENT  
5<sup>th</sup> Session**

**DATE:** May 6, 2003 (Tuesday)  
**PLACE:** Councilroom  
**TIME:** 1:30 p.m.

**(Note: Please turn cell phones, pagers and other mobile communication devices on silent mode.)**

**CALL TO ORDER**

**STATEMENTS FROM THE PUBLIC ON ITEMS ON THE AGENDA**

**UNFINISHED BUSINESS**

Comm. 746: AN ORDINANCE AMENDING CHAPTER 14 (GENERAL WELFARE) OF THE  
(Bill 260) HAWAI'I COUNTY CODE 1983 (1995 EDITION), AS AMENDED, RELATING  
(2002) TO SMOKING IN CERTAIN PLACES IN THE COUNTY OF HAWAI'I

*See below* From Councilmember Bobby Jean Leithead-Todd, dated September 12, 2002,  
transmitting the above bill.

Comm. 13.23: From Human Services and Economic Development Committee Chair Fred Holschuh,  
(Bill 260) M.D. , dated April 24, 2003, transmitting Bill 260, Draft 2. Most changes were made  
(Draft 2) to clarify ambiguous language and address other technical difficulties in the original  
bill. A cover sheet noting the amendments and reasons for the changes is attached, as  
well as a copy of a memorandum from Director of the Coalition for a Tobacco Free  
Hawai'i Clifford Chang.

*Recommends passage of Bill 260, as amended to **Draft 3**, on first reading*

Comm. 13: From Phyllis Hanson, dated November 26, 2002, supporting Bill 260, especially  
*Close file on* regarding no smoking in restaurants.  
*all Comms.*

Comm. 13.1: From Darryl D. Willis, dated November 26, 2002, supporting Bill 260, and  
expressing the health detriments to the public caused by smoking.

Comm. 13.2: From Lauren Alderdice, Bay Clinic, Inc., Nurse Practitioner, dated December 2,  
2002, supporting Bill 260, stating that no employee should be forced to be subjected  
to the effects of second-hand smoke.

**Close file on all related communications**

- Comm. 13.3: From Michele Van Hessen, Hawai'i Restaurant Association President, dated December 2, 2002, opposing Bill 260 due to the loss of revenue the ban would bring to restaurants.
- Comm. 13.4: From Belinda Cole, dated November 26, 2002, supporting Bill 260.
- Comm. 13.5: From Stacey Van Hoy, dated November 30, 2002, supporting Bill 260, and expressing the negative health effects smoking causes to others.
- Comm. 13.6: From Denise L. Hernandez, dated November 26, 2002, supporting Bill 260, and stating the positive effects of a smoking ban on the public and businesses.
- Comm. 13.7: From Marty I. Hill, co-owner of a Kona bar/restaurant, dated December 3, 2002, opposing Bill 260, specifically banning of smoking in bars.
- Comm. 13.8: Email from Laura Bollinger, dated November 28, 2002, containing a letter from a cancer patient in support of anti-smoking legislation.
- Comm. 13.9: From Stephanie Launiu, Executive Director, The Bay Clinic, Inc., dated December 10, 2002, supporting Bill 260. States the Bay Clinic Community Health Centers have had a no-smoking rule in their workplace for almost 20 years with no negative effects on recruiting new employees and attracting patients.
- Comm. 13.10: From David Teehee, Mauna Loa School 7<sup>th</sup> grader, received December 20, 2002, supporting Bill 260. Expresses the need to enact the law for public health; however states banning smoking may worsen the problem of smuggling.
- Comm. 13.11: From Keith King, dated December 18, 2002, discrediting founder of the Americans for Nonsmokers' Rights Stanton Glantz's comments and quotes information from various sources on environmental tobacco smoke (ETS).
- Comm. 13.12: From Keith King, dated December 18, 2002, submitting several articles from various media publications refuting studies on the ill-effects of second-hand smoke and includes a letter from a former owner of two restaurants and a bar-nightclub in Victoria B.C. Canada, whose businesses suffered when a 100 percent smoking bylaw was enacted.
- Comm. 13.14: Email from Lawrence and Karin Johnson, dated January 7, 2003, supporting Bill 260.
- Comm. 13.15: Email from Joe Cherner, President Smoke Free Educational Services, Inc., dated January 18, 2003, transmitting an article entitled "Smokefree Workplace Laws Sweeping the Nation."

*(Note: Related communications continue on the next page.)*

**Close file on all related communications**

- Comm. 13.16: Email from Joe Cherner, dated January 27, 2003, transmitting an article Once Enemies, Now Friends-Restaurant Associations and Health Groups Work for Common Goal.
- Comm. 13.17: From William Jennings, dated February 4, 2003, opposing Bill 260, which he requests be scrapped, rewritten and resubmitted for public comment based on findings that are addressable and not nebulous.
- Comm. 13.19: From West Hawai'i Division of the American Heart Association President Armand J. Wohl, M.D., dated January 28, 2003, supporting Bill 260. States as the only cardiologist in Kona, he sees the effects of smoking on a daily basis. States that tobacco use accounts for one-third of all cancers and is the number one risk factor for heart disease. In California there was no effect on the bars, when they were made smoke free which they said would go out of business.
- Comm. 13.20: Email from Bill Godshall, dated December 12, 2002, submitting summaries and weblinks regarding New York City, Boston and Uganda (Africa)'s enormous progress in protecting workers from tobacco smoke pollution, while a Federal appeals court dismissed a tobacco industry lawsuit against the EPA's 1993 report on second-hand smoke.
- Comm. 13.21: Copy of letter to General Manager of Harrington's Restaurant Doreen Friberg, from State Director of Health Chiyome L. Fukino, M.D., dated April 11, 2003, stating information regarding smoke-free workplace laws in other local jurisdictions and across the country and health effects of second-hand smoke. Encourages her to attend the May 6, 2003 meeting of the Human Services and Economic Development Committee to provide testimony on the matter.
- Comm. 13.22: From Nicole Cardone, dated April 23, 2003, supporting Bill 260.
- Comm. 13.24: From Lynn Walton, dated April 25, 2003, supporting Bill 260.

**STATEMENTS FROM THE PUBLIC/ADJOURNMENT**

The meeting place is accessible for persons with physical disabilities. Persons who need special accommodations to attend this meeting should call 961-8245 by **May 2, 2003**. Persons using TDDs may call 961-8521.

(Copies of this agenda and the communications are posted and filed at the County Clerk's Office, 25 Aupuni St., Hilo; the Office of the Mayor, 75-5706 Kuakini Highway, Suite 103, Kailua-Kona; and the Kona Councilmembers' Office, 77-6399 Nalani St., Suite 104, Kailua-Kona. For further information, please call 961-8245. Those wishing to testify, please register with the County Clerk's staff prior to the convening of the meeting. If possible, submit fifteen (15) written copies of the testimony to staff prior to the convening of the meeting.)

VIEWING OF MEETINGS ON GOVERNMENT ACCESS TELEVISION – Channel 52 (Hilo/Kona)  
Public Works & Intergovernmental Relations Committee and Finance Committee meetings - Tuesdays, May 13 and 20, at 8:30 p.m.; Parks & Environmental Management Committee, Human Services and Economic Development Committee and Planning Committee meetings - Thursdays, May 15 and 22, at 8:30 p.m. All five Committee meetings - Sunday, May 25, at 10:30 a.m.