

Robert R. Wresch M.D.  
Guam SDA Clinic  
388 Ypao Road  
Tamuning  
Guam 96911-3701  
27 January 94

Committee on Health, Ecology, and Welfare  
Dr. David Shimizu, Chairman

re. Bill 792

Dear Dr. Shimizu:

Especially since the 1964 Surgeon General's report, no fact of medical science has been better supported than this: Tobacco, when used as directed, kills.

The evidence is consistent. The health risks of tobacco smoke are dose-related and cumulative. This means that the smoker is at the greatest risk himself. But any persons in his vicinity must share a portion of the smoker's risk.

In open air, traces of tobacco smoke may be irritating to non-smokers, but are probably not a serious health risk. It is a very different matter when smokers and non-smokers must share the same air in the confines of an aircraft. Smoking and non-smoking "sections" may be drawn on paper, but are not true to the mechanics of air circulation.

In our free society, the smoker has every right to endanger his own health. He does not have the right to extend that risk to others.

If cigarette smoking is a harmless pleasure, it may be safely postponed for six hours or more. If it is a dangerous addiction, everyone concerned with public welfare should help the smoker overcome that addiction.

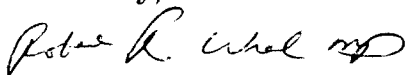
The federal government has banned smoking on domestic flights. This decision was based upon years of scientific evidence. Whether a flight is labeled domestic or international, the laws of physiology remain the same.

I support the protection of airline passengers from tobacco smoke.

Bill 792 is a step in the right direction.

Thank you for your concern.

Yours truly,



Robert R. Wresch M.D.

January 28, 1994

Dr. David Shimizu  
Chairmen: Committee on Health, Ecology, and Welfare  
324 West Soledad Ave., Suite 202  
Agana, GU 96910

Dear Senator,

I would like to indicate my enthusiastic support for Bill 792, which proposes to ban smoking on certain flights to and from Guam. Even though the flight decks of Continental aircraft were declared no smoking areas years ago, crew members are still subjected to annoying, life threatening cigarette smoke that is introduced into the cockpit through the aircraft ventilation system.

Many are probably unaware that the International Air Transport Association (IATA) in conjunction with the ICAO, the regulatory agency for all International flights, has passed a resolution urging member states progressively to implement smoking bans on all International Flights as soon as possible, but no later than July 1, 1996.

I would like to submit some of the findings of the IATA for your consideration:

- ▶ The World Health Organization (WHO) has determined that there is no safe level of exposure to tobacco smoke and that several million persons die yearly as a result of tobacco related diseases. They included both smokers and persons exposed to environmental tobacco smoke (ETS).
- ▶ The 8th World Congress on Tobacco or Health (WCTH), at it's meeting in Buenos Aires, at which Ministers of Health and medical experts from many States participated, has concluded that smoking can have *adverse physiological effects on both cockpit and cabin crews and that smoking is a hazard to flight safety in that it inhibits their ability to react effectively, particularly in emergency situations.*
- ▶ Flight attendants, who spend many hours in the passenger cabin over an extended number of years, are particularly exposed to the hazard of ETS.
- ▶ Nicotine chewing gum, sprays, and dermal patches, which prevent withdrawal symptoms, are available to persons who are deprived of cigarettes.
- ▶ Persons aboard aircraft in flight are captive and should be protected against the health hazard of ETS.

These are just a few of their findings, the acknowledgment of which has caused these organizations to move to ban smoking entirely on all International flights - regardless of length.

One of the concerns most likely to arise over the implementation of bill 792 will be the anticipated negative effect on the level of tourist customers from Japan and other parts of Asia. I have contacted the Passenger Service Department of Continental Micronesia and discussed the seat assignment procedures and complaints registered by their Japanese customers. Some interesting facts come to light.

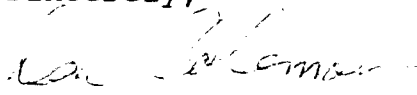
- 1) Many smokers are requesting to be seated in the no-smoking section of the aircraft. They prefer to abstain from smoking as opposed to sitting in the smoking section.
- 2) Continental Micronesia receives numerous complaints from all customers, including the Japanese, regarding their exposure to cigarette smoke in the aircraft.
- 3) Complaints from smokers regarding unavailability of a seat in the smoking section of the aircraft are virtually unheard of. In fact, when offered an opportunity to rebook on another flight with seats still available in the smoking section, they will choose to ride in the no smoking section instead.

The above facts would make it appear that any concern about bill 792 having a negative impact on Guam's tourism is pure speculation, and not based on the historical data.

Implementation of Bill 792 as law offers a unique opportunity for Guam to place themselves at the forefront of a world-wide effort, and gain the respect of the International Community.

Please do not be deterred from enacting this responsible legislation simply over the concern of a special interest minority. The health and welfare of our community on Guam, as well as our visitors, is much too important to ignore.

Sincerely,

  
Donald L. Coleman  
Pilot/Continental Airlines  
11 Kristina Lane  
Yona, Guam 96914  
789-1258

February 1, 1994

Dr. David Shimizu  
Chairman/Committee on Health, Ecology, and Welfare

Dear Senator Shimizu,

I would like to take this opportunity to thank you and the other committee members present at the January 28th hearing on Bill 792.

As it was not possible for each member of your committee to attend the public hearing, I trust that they will take a few moments to inform themselves regarding the overwhelming support that was shown through both oral and written testimonies - and note that very little substantive testimony was presented in opposition.

It is unfortunate that Sonny Ada, Chairman and the Guam Visitors Bureau, and others who were invited to attend chose not to. I know that Sonny is opposed to this bill. He has been very vocal on this subject through local media outlets. It seems that the evidence presented in testimony at the hearing more than satisfactorily refutes his speculation that this bill would affect tourism. And I find it interesting that he chooses to air his opinion on forums which preclude any meaningful and informed dialogue on the subject.

Insuring a safe, healthful environment aboard all aircraft should be a very legitimate concern to each of the senators elected to represent the interests of the individuals in our community.

I would like to join Mary Kleschen, MD MPH, President of the Guam Medical Society, and others in recommending that the amendment you intend to attach to this bill include all flights to and from Guam, not just the Honolulu flights. It is possible that in the not too distant future Guam could be served with even longer non-stop flights to/from the U.S. mainland and other points requiring flight times in excess of 6 hours. Such an amendment would preclude having to deal with this issue each time a new route is started into Guam.

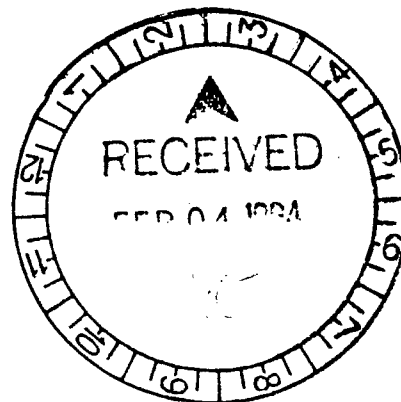
Again I would like to thank you for your efforts and courage in supporting this bill. Quite frankly, many view a senator's support for this bill not as a political liability - but, rather, as a responsible and respected action.

Sincerely,



Donald L. Coleman  
11 Kristina Lane  
Yona, Guam 96914  
789-1258

c: Board Members



AMEND



January 26, 1994

Continental Micronesia  
P.O. Box 8778  
Tamuning, Guam 96931

The Honorable David Shimizu  
Senator, Twenty Second Guam Legislature  
155 Hesler Street  
Pacific Arcade  
Agana, Guam 96910

Tel 671 649 5125/6  
Fax 671 646 6821

Dear Senator Shimizu:

Thank you for the opportunity to comment on Bill 792, "to ban smoking on airline flights to and from Guam."

Continental Micronesia supports the intent of Bill 792. During the recent implementation of the FSM (Federated States of Micronesia) law banning smoking, a review of jurisdiction was completed. It was determined that there is "concurrent" jurisdiction shared with the U.S. agencies regulating aviation.

It was also discovered that an airline industry organization, ICAO (International Civil Aviation Organization) passed a resolution banning smoking on international flights by July 1, 1996.

For reasons including:

- ▶ employee concerns
- ▶ industry trends
- ▶ governmental mandates

Continental Micronesia supported the FSM no smoking ban and extended the ban through the Marshall Islands following consultation with President Kabua.

If Bill 792 becomes law, Continental Micronesia will work with the Government of Guam to implement this law. Also, Continental Micronesia will coordinate with the CNMI government following the enactment of this law.

Sincerely,

A handwritten signature in cursive script, appearing to read "Curt Bourg".

Curt Bourg  
Vice President - Customer Service

CB/trg

cc: The Honorable Carl T.C. Gutierrez  
Senator - Twenty Second Guam Legislature

The following employees of Continental Airlines wish to indicate their support for the elimination of smoking on Continental Micronesia aircraft and support BILL 792, which will eliminate smoking on all flights with a scheduled flight time of under 6 hours to or from Guam.

NAME (Please Print)

SIGNATURE

EMPLOYEE I.D.

Ahmed Serag-Eldin  
 CHUCK LEVINE  
 RIEL TUSETH

LET'S  
 GO  
 (8)

Ahmed H. Serag-Eldin  
 Chuck Levine  
 Riel Tuseth

0219E  
 0116D  
 57342  
 0491S

Loane D. Brown  
**DAN JOHNSON**

Dan Johnson

55478

WAYNE L. GAVALIAS

Wayne L. Gavalias

0052D

Bern J. King

B. J. King

40924

John W. Dwyer

John W. Dwyer

0193F

MICHAEL J. ROBERTS

Michael J. Roberts

0101R

Robert J. Gough

Robert J. Gough

57850

KURT GEBHARDT

Kurt Gebhardt

51589

J. Michael Blair

J. Michael Blair

0078L

DAN L. KIRKLAND

Dan L. Kirkland

57853

MIKE WITFIELD

Mike Witfield

0211N

Arne J. Liberg

Arne J. Liberg

0083P

Michael J. McEue

Michael J. McEue

57383

NORMAN FOX

Norman Fox

FRANK WILSON

FRANK WILSON

JAMES L. CULLEN

James L. Cullen

57337

SHERMAN SMOOT

Sherman Smoot

0840A

DENNIS COLLIER

Dennis Collier

57843

... ..

57847

Toni Carls  
 35978

JOE PREW 57969

A.D. OVERTON (UNB) 51615

A. Kuey 33247

Vertical text on the left margin, possibly a list of names or a reference.

PATRICK HARTEN  
LEE MCKAY  
RICK HELWIG  
Paul FROSTEN  
JAY WELCH  
Chris Dyer  
MIKE PERRY  
DAVID WOJCIK  
John Wiabl  
David Rausold

Pat Harten  
L. McKay  
Rick Helwig  
Paul Frosten  
Jay Welch  
Chris Dyer  
AMP  
David Wojcik  
John Wiabl  
Del Rausold

41880  
02255  
0041P  
33457  
09416  
62142  
0040F  
33771  
7227  
07251

January 28, 1994

Senators,

Twenty years ago there were no smoking sections aboard commercial aircraft. All passengers had equal odds of being seated next to a "smokestack" when they boarded the plane. Back then even cigar and pipe smoking were permitted! Eventually the airlines realized that there were a great many more people who were offended by this noxious use of tobacco than those few who took pleasure in it. Cigars and pipes were finally banned, and cigarette users were relegated to a distinct smoking section.

Please permit me to tell you a couple things about smoking sections - particularly in the Coach section of a plane. First of all, and I'm certain that this comes as no surprise: despite the signs -- smoke simply refuses to stay in the prescribed smoking section! It clouds an area of the aircraft well beyond its allowed limits. This means that there are dozens of passengers that have demanded a no smoking seat and ended up sitting one row or a few feet from the "fog." At thirty-five thousand feet - there is no escape.

Think back to what the big departure lounge at the airport was like before smokers were finally encased in the little glass room at the back. It was horrible in there! Think about how much smaller the inside of an airplane is. Think about how much less air there is - and the fact that it is continually being re-breathed. Get one of the airlines to give you a tour of the outside of an airplane. Have them show you the thick smear of tar that stretches back across the fuselage from the exhaust vents.

Perhaps the most interesting and significant change to occur in the recent years has been the trend by which an increasing number of smokers now prefer NOT to be seated in the smoking section! They request seats as far away from the "fog" as possible. They want to walk back, enjoy their cigarette, and then escape to a purer part of the plane. Imagine the poor fool, who honestly requests a smoking seat -- and chances to have an empty seat next to him. This guy ends up with a parade of non-stop "seat partners" continually lighting up. Again, there is no escape.



People who have been stuck in or near this incredibly polluted part of the plane emerge from the flight with their hair and clothing smelling like filthy old ashtrays. Burning eyes, sore throats, nausea, and soured stomach are common complaints on the worst flights. Scores of people complain of allergies. Small children, the elderly, asthmatics and people with emphysema are at considerable risk.

But I don't need to tell you about the dangers of second hand smoke. We've been hearing about it for years from the U.S. Surgeon General on down. Why then do the airlines permit this hazardous and uncomfortable situation to exist? Obviously it has to do with economics, and competition.

No individual carrier serving this island can afford to take a stance that might give another company an "edge" in the marketplace. Government supported Asian carriers are certainly not going to take the initiative. Health of the people be damned -- many Asian governments derive tremendous financial gain from the tobacco industries which they own or control.

This is why we have come to you. By enacting this law, you will force ALL airlines to Guam to ban smoking. This means that there will be no unfair advantage to any one company. Travel and tourism are not going to be effected by your bold decision. Of course, the tobacco industry would love for you to believe otherwise. The tobacco industry didn't like it when smoking was banned from flights in the United States - including trips to Hawaii and the Federated States of Micronesia. But, the tobacco industry be damned! We are asking you to take a courageous position for the health and the safety of the people of our island.

Respectfully Submitted,

Suzanne Hendricks  
Yona



HAWAII PACIFIC DIVISION, INC.  
GUAM UNIT

TESTIMONY ON BILL No. 792  
TWENTY-SECOND GUAM LEGISLATURE  
JANUARY 28th, 1994

Eduardo R. Leon Guerrero, M.D.  
Family Physician, FHP  
American Cancer Society, Guam Unit, Volunteer  
Professional Education Chairman

As a physician, who daily deals with the effects of mainstream and environmental, or sidestream, tobacco use, in the patients I care for... as a volunteer in an organization which promotes the education, prevention, treatment, and research of cancer...and as a individual consumer concern about my own health status and environment...I am here in support, with some qualifications, of Bill No. 792.

The healthcare consequence of tobacco use, and the cost to society is staggering:

\*\*Cancer is the second leading cause of death in the United States, responsible for greater than half a million deaths annually.

\*\*Cancer is the leading cause of death in the United States, in people age 35 to 64.

\*\*If recent mortality trends continue, cancer will become the leading cause of death in the United States within the next 10 years, a position held by coronary heart disease for more than 70 years.

\*\*Between 1973 to 1986, the incidence of lung cancer has increased, with a three fold increase in the mortality form respiratory cancers over the last 40 years.

\*\*In 1991, lung cancer was the leading cause of cancer death in both sexes...and smoking is responsible for 87 percent of lung cancer deaths.

\*\*Smoking is responsible for 82 percent of deaths from chronic obstructive pulmonary disease, 21 percent of deaths from coronary heart disease, and 18 percent from strokes...contributing to 11 percent of all deaths among women and 22 percent of all deaths among men.

\*\*In addition, tobacco use is a powerful risk factor in the development of cancer of the esophagus, larynx, and oral cavity...a contributing factor for cancer of the bladder, kidney, and pancreas...and has been associated with cancer of the cervix and stomach...thus tobacco use is involved in 21.5 percent of all cancer deaths in american women, and 45 percent of all cancer deaths in american men.

\*\*The number of tobacco related deaths each year exceeds the combined deaths from alcohol, homicide, suicide, auto accidents, AIDS, and illegal drug use.

\*\*Yet in the 1990 Surgeon General's Report, Dr. Antonia Novello stated that "smoking represents the most extensively documented cause of disease ever investigated in the history of biomedical research"...thus making tobacco use the single largest preventable cause of cancer.

\*\*And finally, cost...it is estimated, that the tobacco influenced increase health care cost, cost of lost productivity and missed work, cost of higher insurance premiums, and higher maintenance costs in businesses where employees may smoke, add up to as much as \$85 billion a year.

However, Bill No. 792, although indirectly influencing mainstream tobacco use, and the health consequences discussed above...is really designed to promote a healthy environment for consumers of airline travel, and remove an occupational hazard for people employed in the airline industry. The healthcare consequences of environmental, or sidestream, tobacco smoke exposure has recently become better defined:

\*\*In a report issued on January 7th, 1993, by the Environmental Protection Agency...environmental tobacco smoke was categorized as a Class A Carcinogen...having proven ability to cause cancer in humans.

\*\*In fact, sidestream tobacco smoke, differs from mainstream smoke, and in some ways, may be more dangerous...certain components of cigarette smoke are found in greater abundances in sidestream smoke, compared to mainstream (inhaled) smoke, including N-nitrosamines, benzo[a]pyrene, carbon monoxide, nicotine, and heavy metals...in addition, the smaller particles of sidestream smoke are capable of being deposited further in the lung tissue.

\*\*Passive smoking is now considered the third leading preventable cause of death in the United States...after smoking and alcohol abuse.

\*\*53,000 nonsmokers die each year from smoking related diseases...3,700 deaths from lung cancer, and 37,000 deaths from cardiovascular disease

\*\*the nonsmoker, subjected to environmental tobacco smoke, becomes, in effect a light smoker, with the lung damaged equivalent to smoking up to ten cigarettes a day

\*\*In the 1992 annual meeting of the American Heart Association, researchers at UCSF School of Medicine, were able to show, in animal studies, that environmental tobacco smoke exposure increased the amount of arterial fatty deposits in the exposed animals...increasing our understanding how passive smoking contributes toward the development of coronary heart disease...and supporting an earlier report by Dr Glantz and Dr Parmley (Glantz SA, Parmley WW: Passive Smoking and Heart Disease: Epidemiology, Physiology, and Biochemistry. CIRCULATION 1991;83:1-12) that reviewed the epidemiologic data from ten studies...and reported a 30 percent increase in the risk from coronary heart disease or myocardial infarction among nonsmokers exposed to people who smoke.

\*\*Finally, environmental tobacco exposure has been associated with decrease exercise capacity...and in children, is associated with increased incidence of middle ear infections, worsening of asthma symptoms, and impaired the development of lung function.

Thus, as a physician, as a volunteer for the American Cancer Society, and as an individual consumer concerned about my own health status and the safety of my environment...I support Bill No. 792 ...with one qualification. In keeping with the spirit of the Bill, to provide a safe, healthy environment for consumers of airline travel, and to remove an occupational hazard exposed to those working in the airline business...the Bill should prohibit all smoking on airlines to and from Guam...regardless of length of flight.

Respectfully,

*Eduardo R. Leon Guerrero M.D.*  
Eduardo R. Leon Guerrero, M.D.

January 28, 1994

The Honorable David Shimizu  
Senator, Twenty Second Guam Legislature  
155 Hesler Street  
Pacific Arcade  
Agana, Guam 96910

Dear Senator Shimizu:

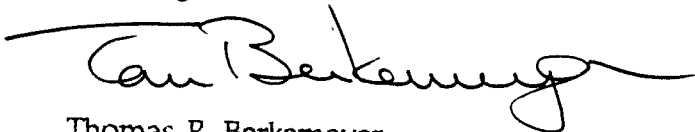
I am an environmental, health and safety professional managing these programs for an air carrier here on Guam. Mr. Curt Bourg has presented the official position of the largest carrier here on Guam; Continental Micronesia. He stated, in brief, that if the Legislature of Guam passes Bill No. 792, Continental Micronesia will comply.

One of the functions of Government is to take on the risks that would be either physically or economically unfeasible for the private sector. Before there were laws requiring restaurants to provide non-smoking sections, most were afraid of the risk they perceived in the form of smoker alienation. The law removed this perceived risk by requiring every establishment to comply with the same rules. In the same way the air carriers are concerned about creating a level playing field. Bill No. 792 will remove the perceived risk for the air carriers.

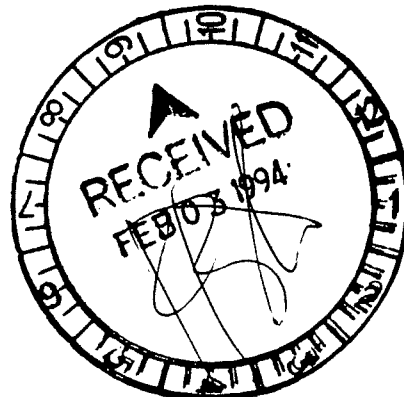
With respect to the comment made by the gentleman from Northwest. His contention was that the Government of Guam could not enforce a regulation which was more strict than the US Federal regulations. There are many examples of more stringent state or local regulations. The Hazardous Waste regulations of Guam Environmental Protection Agency are more strict in some ways than either Federal or other state regulations. Unless there was a perceived issue of unconstitutionality, there is no reason why the regulation developed from Bill No. 792 cannot be enforced.

The support for Bill No. 792, both from individuals as well as the overwhelming clinical evidence, leave little doubt that this legislation should be passed. The airlines expressed willingness to comply would appear to eliminate any substantial opposition. As a professional and as a private citizen, I urge you to enact this legislation.

With regards,



Thomas R. Berkemeyer  
138-B Baja Road  
Ipan, Talofofo

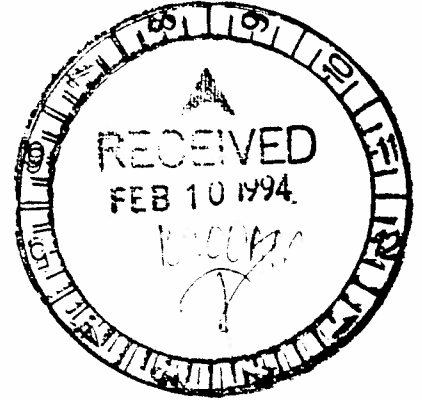




KSDA  
ADVENTIST WORLD RADIO-ASIA

February 7, 1994

Senator David Shimizu  
155 Hesler  
Agana, Guam 96910



**RE: BILL 792**


Dear Senator Shimizu,

I'm writing to convey my enthusiastic support for the proposed smoking ban on flights to and from Guam. I travel a great deal, as do many of our employees, and it is sometimes nearly unbearable even though I have non-smoking seats. Because there is smoking allowed both in the rear and the front of the aircraft, and because it is such an enclosed area, it is impossible not to be affected by second hand smoke.

Having traveled in the US as well, it is obvious that the smoking ban on domestic flights did not adversely affect airline business. It is my hope that this bill will be passed and I just wanted to take the time to register my support.

I wish you success in your endeavors.

Sincerely yours,

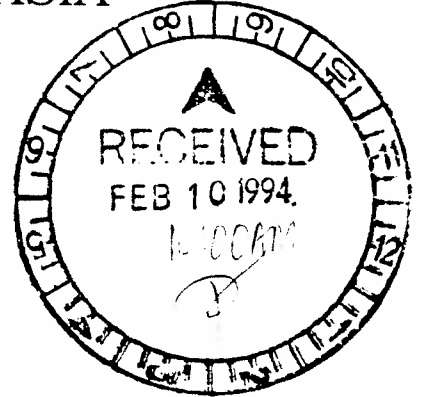
  
Greg Scott  
Program Manager



KSDA  
ADVENTIST WORLD RADIO-ASIA

February 7, 1994

Senator David Shimizu  
155 Hesler  
Agana, Guam 96910



**RE: BILL 792**

Dear Senator Shimizu,

I'm writing to convey my enthusiastic support for the proposed smoking ban on flights to and from Guam. I travel a great deal, as do many of our employees, and it is sometimes nearly unbearable even though I have non-smoking seats. Because there is smoking allowed both in the rear and the front of the aircraft, and because it is such an enclosed area, it is impossible not to be affected by second hand smoke.

Having traveled in the US as well, it is obvious that the smoking ban on domestic flights did not adversely affect airline business. It is my hope that this bill will be passed and I just wanted to take the time to register my support.

My wife and I moved to Guam six months ago and we're enjoying it very much. I would enjoy the opportunity of meeting you some day.

I wish you success in your endeavors.

Sincerely yours,

Gordon L. Retzer  
General Manager

# Twenty-Second Guam Legislature

155 Hesler Street  
Pacific Arcade  
Agana, Guam 96910  
Telephone: (671) 472-3407 thru 9  
Fax: 477-3161



**CARL T.C. GUTIERREZ**  
Senator

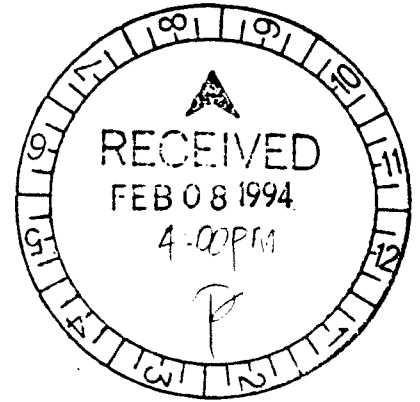
Chairman, Committee  
on Ways & Means

Vice-Chairman, Committee  
on Rules

Vice-Chairman, Committee  
on Tourism & Transportation

February 8, 1994

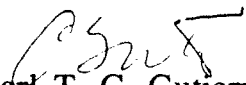
The Honorable David L. G. Shimizu  
Chairman, Committee on Health, Ecology,  
and Welfare  
Twenty-Second Guam Legislature  
Guam Legislature Temporary Building  
155 Hessler Street  
Agana, Guam 96910



Dear Senator Shimizu:

Another testimony regarding Bill 792 is attached. This one is from Mr. John M. Phillips. Thank you for including it in the committee report on Bill 792.

Very truly yours,

  
Carl T. C. Gutierrez

Enclosure



## STATEMENT ON THE BILL TO STOP SMOKING ON AIRLINES

My name is John M Phillips. I am a voting resident of Santa Rita and a domicile of Guam. I am a CPA and a faculty member at the University of Guam.

I am also a victim of second hand smoke. I don't smoke but I have Bladder Cancer from second hand smoke.

Second and first hand smoking have been proven to be dangerous to one's health. Each Pack of cigarettes carries a health warning. Insurance companies charge smokers more.

Smoke does not cause an immediate medical problem it is like asbestos, it takes 20 or 30 years to incubate. Then it comes out with potentially fatal results. I am lucky with proper maintenance my bladder cancer is not fatal. However, it costs 20 to 30,000 dollars and a few weeks of my time annually to restrain it. I only pay less than \$2,000. Over my remaining lifetime it will cost a few hundred thousand dollars. Who is paying the rest? You are! The government and others who pay health insurance are!

The comfort of smokers should not be the prime consideration. The health and future welfare of the employees who are exposed on a daily basis should be the prime concern. You Senators moved out of the old legislative building as it was a potential danger to your health. The cabin attendants face a future of Lung cancer or other fatal lung ailments. Bladder cancer and other ailments. Governments constantly act to prevent hazards and potential medical problems. The government must act NOW to protect the cabin attendants and provide for their future!

Asbestos exposure is a perfect role model. Asbestos and smoke are similar. They both wait years to take effect. The effects are fatal! No one knowingly exposed themselves to the danger. I recommend that the current bill be amended to provide for all areas where employees are exposed to smoke as part of their job that the employer treat the exposed employer as they were exposed to asbestos. Annual Medical Examinations. Establishment of a fund for future medical treatment. And a Tax on the user to help pay the costs.

Why should the public pay higher medical insurance premiums because an employer allowed (for a profit) customers to engage in a health destroying act? Why should the government have to provide additional medical facilities and subsidize the medical costs of the smoke exposed employees when the end comes.

Smokers are a dying group! Fewer and fewer people smoke. They are being restricted world wide as to when and where they can smoke. Even in Japan they are restricted.

Smokers stink from the smoke. Smokers stink up their homes. Smokers cause respiratory problems in their children and others. They shorten their lives and the lives of others with their habit. They cause health insurance to rise. Their self inflicted medical problems utilize the time of overworked medical personnel and facilities. They cause damage to buildings and furniture due to misplaced cigarettes (how many fires are caused by smokers). They have a higher use of sick leave than non smokers. Now with smoking banned inside buildings the smokers use work time to smoke outside of the building, this is definitely not enhancing productivity. The negative attributes go on and on. I know of no redeeming value of smoking. It is a drug, it is addictive. We have imposed penalties on drug use, why not on the drug tobacco.

The health of the cabin attendants and other non smoking passengers must be protected. The health of the smokers must be protected not their destructive habit. Health regulation is common. We don't permit spitting, we require immunizations, we require food handlers to obtain medical clearances, we regulate drugs, we regulate food. If smoking on airlines is not authorized on domestic flights for health reasons why is it not regulated on flights to Guam? It is obvious that if a short flight is a medical hazard then a long one is certainly a medical hazard.

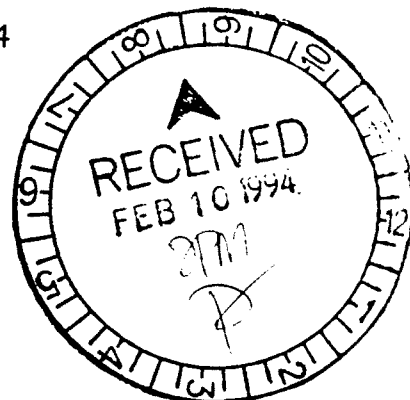
By imposing the same medical conditions for smoking on Guam as is done for asbestos exposure, employers will immediately cease exposing their employees to the medical dangers due to their desire for profits. There is no profit in smoking!

A handwritten signature in cursive script, appearing to read "Jim Hill". The signature is written in dark ink and is positioned below the main body of text.

Debbie J. King BS, ACCE  
2 Pamela Court  
Yona, Guam 96914

February 5, 1994

COMMITTEE ON HEALTH, ECOLOGY, AND WELFARE  
Dr. David Shimizu, Chairman



RE: Bill 792

Dear Dr. Shimizu:

I would like to take this opportunity to indicate my support for Bill 792. The prohibiting of smoking on flights to and from Guam will have a positive impact on the health of passengers and flight crew alike.

Numerous studies document the dangerous health effects of second hand smoke. As a frequent traveler and having experienced several severe allergic reactions to environmental cigarette smoke, I know firsthand the hazardous effects of cigarette smoke.

As a certified Lamaze childbirth instructor, I advise pregnant women to provide optimal environment for the growing fetus. Being confined in a small, smoke filled airplane is certainly not optimal environment! Many pregnant women travel to and from Guam and environmental smoke is an unnecessary and unacceptable hazard to both the expectant mother and her unborn child.

I strongly support the protection of all passengers from tobacco smoke.

Bill 792 is definately a step in the right direction.

Sincerely,

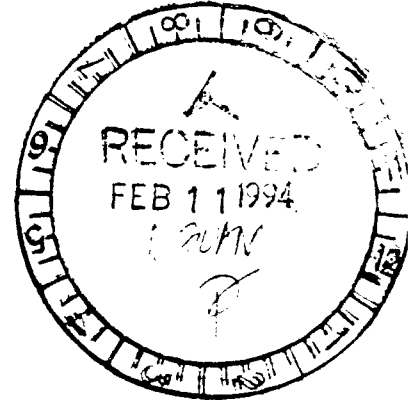
*Debbie J. King BS, ACCE*  
Debbie J. King BS, ACCE

Thomas B. Davis, P.T.  
Guam Seventh-day Adventist Clinic  
388 Ypao Road  
Tamuning, Guam 96911  
February 8, 1994

Committee on Health, Ecology and Welfare  
Dr. David Shimizu, Chairman

Re: Bill 792

Dear Doctor Shimizu:



As a medical professional I am in support of the ban on smoking on all flights to Guam. Daily I see patients who if they quit smoking would benefit from better health and healing. As a physical therapist I see the extended period of time it takes for the smoker to recover post injury in compared to the non smoker.

I am allergic to cigarette smoke. When ever I am around smokers who are smoking I have shortness of breath and chest tightness that can only be relieved by a bronchial dilator. Now when traveling on flights in the USA I do not encounter the problem. I was greatly surprised when coming to Guam that I had to put up with a flight that smoking was allowed.

Thank you for considering this Bill 792 and voting for a smoke free environment for the majority who fly. The effects of smoking are well known and documented in scientific literature. The effects of this habit on others is also well known. If the cockpit of the aircraft is suppose to be a smoke free environment then please make the passenger cabin the same.

Sincerely,

Thomas B. Davis

TWENTY-SECOND GUAM LEGISLATURE  
1993 (FIRST) Regular Session

JAN 3 '94

Bill No. 792 (LS)

Introduced by:

  
C. T. C. Gutierrez

AN ACT TO ADD A NEW §89105.1 TO TITLE 10, GUAM  
CODE ANNOTATED, TO BAN SMOKING ON AIRLINE FLIGHTS  
TO AND FROM GUAM.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

2 Section 1. (a) **Legislative intent.** It is most important to restrict  
3 smoking in areas of employment, where employees are forced to spend a  
4 greater portion of their day, in order to insure the health and welfare of  
5 the employees. It is also important to have regard for the health of  
6 passengers on airlines, where a large portion of time is spent in an  
7 enclosed area.

8 A great deal of research has been developed over the course of many  
9 years detailing the health hazards of passive smoking, which means  
10 breathing air laden with tobacco smoke set free in the atmosphere when  
11 parties other than the passive smoker are engaged in the act of smoking.  
12 These health hazards include respiratory damage, heart and circulatory  
13 problems, cancer, and others. Also, some members of the public are  
14 exceptionally sensitive to smoke, and suffer from allergies and asthma.

15 Employees are more and more aware of these health risks, and desire  
16 to work in a healthy environment, free of hazards. Airline passengers, as  
17 members of the general public, are also aware of the health hazards of  
18 smoke, and desire a meaningful choice to avoid smoke and the  
19 accompanying health hazards of passive smoking.

1           In order to insure a healthy working environment for residents of  
2 Guam who are employees in the airline industry, travelling to and from  
3 Guam on a regular basis and confined to a small enclosed space with no  
4 possibility of air separation for the duration of their working hours, and in  
5 order to ensure the health of airline passengers confined to a small  
6 enclosed space also for a number of hours, it is necessary to ban smoking  
7 on flights to and from Guam on those flights where federal regulations  
8 have not already been placed in effect.

9           Federal Regulations already mandate the banning of smoking on  
10 flights between any two points within an area composed of Puerto Rico, the  
11 U.S. Virgin Islands, the District of Columbia, and the 48 contiguous states of  
12 the United States. This prohibition does not include Guam. Federal  
13 Regulations also already mandate the banning of smoking on flights that  
14 are scheduled in the current *Official Airline Guide* to be six hours or less in  
15 duration and are between Puerto Rico, the U.S. Virgin Islands, the District  
16 of Columbia, the 48 contiguous states of the United States and any point in  
17 Alaska or Hawaii. This prohibition also does not include Guam. Federal  
18 Regulations specifically state that "[n]othing in this regulation shall be  
19 deemed to require U. S. or foreign carriers to permit the smoking of  
20 tobacco aboard aircraft." See Title 14 Code of Federal Regulations §252.1.

21           In order to bring the issue of smoking as a health hazard for the  
22 employees of the various airlines and as a health hazard to the passengers  
23 on airline flights to the public eye, legislation is contemplated to regulate  
24 smoking on board aircraft. In order to regulate smoking on flights which  
25 are not already regulated by Federal Regulations, it is desirable to ban  
26 smoking on all flights to and from Guam which are of six (6) hours of  
27 duration, or less.

1 (b) **Ban on smoking on airline flights to and from Guam.** A new  
2 §89105.1 is added to Chapter 89 of Title 10, Guam Code Annotated, to read:

3 "§89105.1. Prohibition of smoking on airline flights to and from Guam.  
4 Smoking is prohibited on any flight scheduled in the current *Official*  
5 *Airline Guide* to be six (6) hours or less in duration and that takes off and  
6 lands on Guam, from the point of embarkation to the point of debarkation,  
7 for the duration of the flight to or from Guam."