

From The Desk
Of
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March 22, 2016 Public Testimony HB 328. Regulations on Smoking

If you smoke you ain't to smart. Some people would consider this to be stupid. The problem is the constitution gives you the right to be stupid. The choice to smoke, buy Fords, eat French fries or parachute out of a perfectly good air plane is protected under our constitution.

HB 328 seeks to restrict stupid people in those areas of the state that do not have regulations on smoking to eliminate stupid in work places and outdoor baseball stadiums. The secondhand smoke from stupid people in a workplace is claimed to be so hazardous that is harming and killing smart people. Alaska even boasts of their infinite wisdom on secondhand smoke in their tobacco education program to "educate the public about the **lethal** effects of exposure to secondhand smoke." So I lit up a cigarette, blew the smoke into the face of a person I didn't like and the SOB is still living. Go figure!

The Occupational Safety and Health Administration, OSHA, is the authority for enforcing air quality in the workplace. These folks have the power under the Clean Air Act to make sure stupid does not provide a hazardous working condition for smart people in their place of business. All toxic air pollutants in the workplace are regulated from a list of toxins developed by the EPA to determine the concentration of the toxin in the air and the time period of exposure to that concentration for setting health risk levels. Permissible exposure limits, PELs, have been given for all toxins presently on their list. If you breathe a toxin under the PEL it is not considered a high enough health risk to regulate further.

As for secondhand smoke in the workplace OSHA has stated outright that "Field studies of environmental tobacco smoke indicate that under normal conditions the components in tobacco smoke are diluted **BELOW** existing PELs.....it would be very rare to find a workplace with so much smoking that any PEL would be exceeded."

I read the public testimony supporting this bill and the expert testimony of a doctor from the Center for Disease Control, CDC, who didn't cite OSHA as a reference to support his science claims used for his data on stupid people causing major health issues and death to smart people. Now the Surgeon General reports were cited as a reference but no real science on exposure levels and time of exposure for these reports was referenced either. A little odd that OSHA, the authority for indoor air quality, is not referenced by the tobacco control movement or government health agencies as a factor in determining the hazards of secondhand smoke in the workplace. Odd.

The power to restrict smokers lies with the businesses and property owners who feel that secondhand smoke is hazardous to the public they serve. The Fairbanks city council turned down a smoking ban yet most businesses have opted to ban smoking in their buildings. We don't need this law. There are enough smart people around to handle stupid if needed.

Taneeka Hansen

From: Ang <taccdna@gmail.com>
Sent: Friday, March 25, 2016 8:14 AM
To: House Health and Social Services
Subject: HB328 testimony 2/24/16

Good afternoon Chair Seaton, and members of the Health and Social Services committee. My name is Angela Carroll and I live in Wasilla. I am representing the Smoke Free Alternative Trade Association.

More and more states are looking at Electronic Nicotine Delivery systems as a solution to a tobacco problem. They are looking at the science behind this new technology that is saving lives and could ultimately save billions in health care cost and lost work time, per a scientific study released by State Budget Solutions in March of 2015.

These states are seeing that the opinions of interest groups that rely on the master settlement agreement for funding maybe be skewed in a deadly way. Those states are West Virginia, Pennsylvania, Iowa, Rhode Island among others. Science is showing us that there are no carcinogens, no chemicals, no heavy metals over and above what you would find in a non smoking home or business. And no danger to bystanders, there is no such thing as second hand vapor, contrary to what our opponents say. That statement is based on scientific fact per the 2009 study by Clear Stream Air Project.

We have submitted several peer reviewed studies that prove this. Many governments around the world are embracing electronic nicotine delivery systems as a safer alternative to combustible cigarettes. For instance, Public Health England released a study that shows vaping is 95% safer when compared to combustible cigarettes.

As Representatives of Alaska, YOU have a chance to show your people, those that you represent, that you care about their health. That you are in favor of Alaskans utilizing a safer alternative to combustible cigarettes by supporting vape shops.

Those that work in vape shops, or those that enters a vape shop are there for a reason. They are there because the either want to break the addiction to combustible cigarettes or they want to continue their path to a safer alternative that does not include tobacco. These people make that choice to enter a vape shop to test flavors, to find devices that helps them maintain that safer alternative. Testing devices and eliquid is crucial to maintaining this lifestyle.

This bill would force current vape shop owners to relocate to meet the Stand Alone requirements for tasting the vape products. This one provision will force most vape shop owners out of business in Alaska eliminating the opportunity for adult Alaskans who currently smoke from discovering this alternative to combustible cigarettes.

For these reasons, the members of SFATA are asking for vape language to be removed from this bill. In the alternative SFATA is asking the the stand alone requirement be removed from this version of the bill so they can continue to operate these tasting rooms in their current locations. No shop currently meets this requirement and it would be cost prohibitive from these Mom and Pop establishments to rent stand alone structures. If it passes as is SFATA members would close up existing shops and this alternative to combustible cigarettes would be lost.

I hope you can fix this legislation prior to moving this on to its next committee of referral.

Thank you for your time today.

Taneeka Hansen

From: kaden smith <kaden.smith37@gmail.com>
Sent: Thursday, March 24, 2016 4:18 PM
To: House Health and Social Services
Subject: Opposing HB328

Every year thousands of kids are exposed to cigarettes, alcohol, and many different things. Walking a child down the side of the street is more dangerous than a person vaping. There is no proven fact that vaping is harming the human body. Yes there are rumors, but there are rumors about everything. Getting rid of vape shops and vaping in public areas is ridiculous. This new thing comes out and helps people quit smoking and chewing. Then the state has to tackle it head first. People have been smoking cigarettes in public places, in their cars, and in their homes for year and years giving others second hand smoke cancer and flaring people's asthma up and causing them to have a hard time breathing. If a child grabbing a vape is a worry. How is it looked at if a child grabs a cigarette and tears it up or puts it in his/her mouth looking as if the child is smoking it. One might take a picture of that thinking it's funny or another might see it the way it is suppose be seen. It's still not as bad because we're use to it. So tell me why getting rid of the places us fellow vapers love is going to help anything. That same little kid is going to be grabbing daddy's chew or mommy's cigarettes, he'll maybe even grandpas booze. We have hundreds of thousands of deaths do to drunk driving every year why doesn't a bill on shutting down bars and no drinking in a person home if kids are residents as well. Probably because many people like yourselves drink a beer everyonce and awhile or go out to a bar and have a little fun. Why be selfish and take away things from others when you get to keep the things you like.

Taneeka Hansen

From: Jayce Robertson <jaycerobertson@hotmail.com>
Sent: Thursday, March 24, 2016 11:27 AM
To: House Health and Social Services
Subject: Opposition to HB 328

Members of the House Health & Social Services Committee,

I am writing in opposition of the proposed HB 328, pertaining to the e-cigarette language within the bill as it is written. I was a smoker for over 10 years, and through the use of e-cigarettes I have been tobacco free for over 6 months. There is overwhelming evidence that vaping is substantially less harmful than tobacco. Additionally, I have seen countless people get off tobacco products through the use of e-cigarettes.

I respectfully ask that you amend this bill to remove all the language pertaining to the use, sales, location, consumption, and so forth related to e-cigarettes. Thank you for your time and attention regarding this important matter.

Regards,

Jayce Robertson
Kenai, AK

Sent from my iPhone

Taneeka Hansen

From: stormstorescore <stormstorescore@gmail.com>
Sent: Thursday, March 24, 2016 10:42 AM
To: House Health and Social Services
Subject: Opposing HB328

Hello my name is Ryder Storm, Im a resident of the kenai peninsula and have been my entire life, and i am inquiring about the HB328 bill and how it will negatively impact not only me as an ex smoker but my community and local business as well. I am in agreement that vaping is by no means 'healthy' but the facts dont lie that it is less caustic and money saving then smoking tobacco. I am a first hand account as well as many others i can list who have completely quit smoking with the aid of the local vape industry and the idea of having a stand alone shop is completly preposterous. Examples of stores such as lucky raven, mavric saloon, and many other local establishments are tobacco friendly and customers are taking the liability and risk entering these places willingly exposing themselves to secondhand smoke, witch is a choice. the same can be said with the vape industry. The doors are not proped open to blast bystanders with clouds of vapor or lure them in. People come into vape shops for one thing. Vapes and vape accessories they are taking said accountability for their own health. There does not need to a bill needing stand alone buildings or air scrubbers since there are more harmful chemicals being produced out of the exhaust of a vehicle in autoshops, or the airsole darivatives in hair salon products, polutents in grocery stores, chemicals on fruit, the perfume isle in the local pharmacy. If anything vaping should be encouraged as an alternative to smoking overrall long term reducing medical and healthcare budget cost of the state opening it to other avenues of distribution of the commonwealth of the people and infrastructure of this state. Personal agenda and private funding over these types of bills are what cause a bigger problem then what needs to be drawn attention too. What about the crime rate or mental healtcare status of our residents? Transportation, communication, economic development. That seems a little more important then peoples want to inhale their nicotine.
Ryder storm

Sent via the Samsung GALAXY S®4, an AT&T 4G LTE smartphone

Taneeka Hansen

From: Steven Mapes <mapesvapes@gmail.com>
Sent: Thursday, March 24, 2016 10:05 AM
To: House Health and Social Services
Subject: opposition to HB328

Good morning. My name is Steven Mapes. I reside in Kenai. I am speaking in opposition of HB328 and on behalf of the hundreds of adults on the Kenai Peninsula who have made the choice to vape instead of smoke.

I see adults writing testimonies for their children to read at these teleconferences and I feel that these actions subverts this process. I watch this happening at the kenai LIO every time I go down there..

An independent research document “Peering through the Mist” by Dr. Burstyn found the TLV’s were magnitudes below OSHA limits.

The abstract on page 1 of “Peering through the Mist” states the results and conclusions of Dr. Burstyn’s research.

An independent study, commissioned by Public Health England, found that e-cigarette use is around 95% less harmful than smoking and found none of the chemicals associated with serious diseases like lung cancer, emphysema and COPD.

Adults choosing to vape instead of smoke look to **unbiased/independent** studies like these and hundreds of others to help them make informed decisions.

Vaping has saved Alaskans who used to smoke, thousands of dollars and, because they are not painting their lungs with tar and filling their bloodstream with carbon monoxide, has had a tremendous positive impact on their lives.

This bill as written would close down this job producing industry in Alaska. It would effectively regulate this healthier alternative out of existence. As written it will harm the health and well-being of the citizens of Alaska. The standalone language for vape shops and second hand vape goes against all of the science and research that is available to us today.

Both of my parents died of lung cancer and it is ugly.. I made the choice to quit smoking and finally found vaping.

I have been vaping for 4 years now and breath, exercise, and feel about a thousand times better

Please remove the vape language from this bill.

Thank you your time,,

Taneeka Hansen

From: Mark Slichter <evilsnipe@gmail.com>
Sent: Thursday, March 24, 2016 10:32 AM
To: House Health and Social Services
Subject: Opposing HB328

Good morning. My name is Mark Slichter. I reside in Soldotna. I am speaking in opposition of HB328 and on behalf of the hundreds of adults on the Kenai Peninsula who have made the choice to vape instead of smoke.

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I have been vaping for over 3 years now. It has helped my get off of cigarettes and chewing tobacco My mouth has healed, my tobacco cravings are gone, and I feel so much better. I can breath with ease now. I feel wonderful due to this change in life.

"You may hear our opposition say otherwise but the truth, as provided by independent studies and real world evidence, is that vaping works to save lives..

Please don't sentence folks that vape to a slow death by tobacco..

Please remove the vape language from this bill.

Mark Slichter
Soldotna Alaska

Chair and members of the committee,

My name is Alex McDonald owner of Ice Fog Vapor, Inc in Fairbanks, Alaska. I am writing today to oppose HB328.

There are many issues that I have with this bill as written. First, it is a huge invasion of privacy into people's homes. I used to work in the disability field as both a Direct Care Provider and Case Management. There are many people in Alaska that own their own homes and have health care providers come to their home to help care for their loved ones, not to mention elderly that may receive similar assistance. This bill would make their homes smoke free work places and dictate what they can and cannot do in their own homes. Alaska has a long history of respecting people's privacy and what they do in their own homes. This bill goes against that history, privacy and freedom of choice. This bill also strips a business owners' choice to run a business as they wish. Yes, there is a clause in the bill for stand along tobacco or vapor shops but there is only one in the state.

This bill would also take away local choice for communities to regulate these products as they see fit. Alaska is a huge state and what works in one area may not work in others. Every other controlled substance is given local option in Alaska, what makes these products different? The bill states an employee designated by the commissioner may enforce the provisions; and also states that the citation may be issued regardless of whether the violation was committed in the designated employee's presence. This sounds like it would open the door for people being issued citations for non compliance without anyone actually seeing any violation or give people the ability to report false claims.

A major concern I have with this bill is the inclusion of vaporizers and electronic products. These products do not produce combustion, or any combustion by products of any kind. Public Health England reported "e-cigarettes release negligible levels of nicotine into ambient air with no identified health risks to bystanders." This finding has also been reported by European Dr. Farsalinos in many of his studies. The Drexel University study, Peering through the mist, found "no apparent concern" for bystanders of people using electronic cigarettes even under "worse case" assumptions about exposure. The study "Characterization of chemicals released by electronic cigarette use: Is passive vaping a reality?" was concluded by saying that "could be more unhealthy to breath air in big cities compared to staying in a room with someone who is vaping." In England they are embracing this technology to help smokers quit using tobacco products. They are looking at the science and research that is being done and have come to the conclusion these devises can save lives and long term healthcare costs. They are finding that these products are not a gateway to smoking but a gateway away from tobacco. This can be seen by the continued decline in both adult and youth smoking rates.

I switched to from tobacco after 19 years of use. I have now been tobacco free for over two years now, as has is the rest of my family. One of the things that helped me switch was being

able to try different flavors and devices to see what I liked and what worked for me. This bill would take that away from adult Alaskan across the state preventing many smokers with the help and support they need to make the switch from tobacco. Please remove the vaping language from this bill. We all want people to quit smoking and using tobacco products and this can be accomplished if we are all able to work together, see the facts and research that shows electronic products may play a role in this.

Thank you for your time,

Alex McDonald

Taneeka Hansen

From: Tamera Mapes <snowblond@msn.com>
Sent: Thursday, March 24, 2016 1:48 PM
To: House Health and Social Services
Subject: Opposition HB328

Good morning. My name is Tamera Mapes. I reside in Kenai. I am speaking in opposition of HB328 and on behalf of the hundreds of adults on the Kenai Peninsula who have made the choice to vape instead of smoke.

An independent research document "Peering through the Mist" by Dr. Burstyn found the TLV's were magnitudes below OSHA limits.

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And an independent study, commissioned by Public Health England, found that e-cigarette use is around 95% less harmful to health than smoking none of the chemicals in cigarettes associated with serious diseases like lung cancer, emphysema and COPD.

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Vaping has saved Alaskans who used to smoke, including myself, thousands of dollars and, because they are not painting their lungs with tar and filling their bloodstream with carbon monoxide, has had a tremendous positive impact on their lives.

This bill as written would close down this job producing industry in Alaska. It would effectively regulate this healthier alternative out of existence. As written it will harm the health and well-being of the citizens of Alaska. The standalone language for vape shops and second hand vape goes against all of the science and research that is available to us today. My grandmother and mother in law Both died of lung cancer and it is ugly.. I made the choice to quit smoking and finally found vaping.

I have been vaping for 2 years now and breath, exercise, and feel about a thousand times better "You may hear our opposition say otherwise but the truth, as provided by independent studies and real world evidence, is that vaping works to save lives..

Please remove the vape language from this bill.

Sent from my iPhone

ANCHORAGE LEGISLATIVE INFORMATION OFFICE

Email: Anchorage.LIO@akleg.gov 907-269-0111/ phone, 907-269-0229/fax

WRITTEN TESTIMONY

NAME: Brain Preble

REPRESENTING: Self Citizen Rights

BILL#/ SUBJECT: HB328
COMMITTEE &

HEARING DATE: 3-22-2016

I feel that our rights as citizens is slowly being infringed upon. As a Personal Contractor I have the right to choose whether or not I take on a job in a home that smoke or vapor is present. Tho I do agree that smoke and vapor should not be present at Public Entrances, to ban all consumption in buildings such as buissnesses that sell vapor ^{products} and personal households is ~~an~~ a attack on American Freedom Liberties. As Employees we already have the right to Deny working in such Enviornments and refrain from subjecting ourselves. I am against ~~HB328~~ HB328 and would like to see a bill that takes into consideration the Rights of both parties, I do not ~~vape~~ use vapor products around my children tho I do use them. That is my choice and I would prefer them grow up in a enviornment where they have the choice to smoke/vape and not be controlled By governmental ageraies. Also Due to that choice I use my products in my vehicle during work and transport. to and ~~from~~ buissnesses.

I would like to thank you for allowing me to share my concerns with House Bill 328.

My name is Jennifer Vargason of North Pole, Alaska.

Vaping has saved my family from the ball and chain of tobacco use. And I am thankful for that! I am healthier, my husband is healthier, and my family is healthier. Why this bill would consider vaping the same thing as smoking or a tobacco product is beyond me. Vapor products do not contain tobacco and there is no combustion! Current research has shown that vaping does not have the harmful effect of smoking and there are no concerns for bystanders. The ingredients in the liquid are in every day foods that we consume. Yes, there can be nicotine in the liquid but there have been studies that show that nicotine is not harmful. The article "Is everything we know about nicotine wrong?" Dr. Neff even states instances where nicotine has been known to help certain conditions such as Alzheimer's disease, depression, Parkinson's disease, and more. It has been found that in those demographics tobacco use is higher. Alternatives to tobacco could help these demographics.

I have been a tobacco user since I was 9 years old. Since then I have gone from Iqmik (natural tobacco mixed with punk ash), Copenhagen, to cigarettes and have never been able to quit. I will be honest and tell you that when I first came upon vaping, I rolled my eyes and thought that it was just another fad that does not work. I was disgusted that my husband would vape, I was hesitant to even try it until I had witnessed my husband go without a cigarette for over a month. I was amazed, as I had seen him try several different methods of quitting, none of which were successful. I did a little research, after seeing the results in person, and I decided to give it a try. When I started vaping, I vaped while I was off work, but I still used Iqmik during normal work hours. Since December of 2014, I have been without

tobacco completely. Nearly 28 years of tobacco use and I haven't yet picked up a cigarette or any form other of tobacco since!
Please reconsider House Bill 328. Thank you again for taking your time to hear my testimony.