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The Aloha State Is Now Less Welcoming to Smokers

By [JESSE MCKINLEY](#)

HONOLULU, Dec. 10 — The Irish supergroup [U2](#) was in town, some of the world's best surfers were ripping waves off the North Shore and the Honolulu Marathon had pretty much every hotel room in Honolulu booked up. But at Captain Zack's, a friendly dive bar here in the International Marketplace, the major topic for regulars this weekend involved ashtrays and alleyways.

In mid-November, [Hawaii](#) enacted one of the strictest antismoking laws in the country, outlawing smoking in bars, restaurants and most hotel rooms, as well as forbidding it within 20 feet of those establishments' doorways, windows or ventilation intakes. For those at Captain Zack's — which is partly open-air and sits on a small courtyard — that means smokers have to walk about 100 feet down a service alley, past garbage bins and into a street not even visible from the bar to have a smoke.

All of which leaves Jill Moratto miffed.

“We have to hide out like criminals,” said Ms. Moratto, who works in — no kidding — organ recovery. “I mean, I've smoked all over the world, but here I'm hiding out behind the Dumpster.”

Even more than upsetting locals, the question in Hawaii is how the new law will affect the lives of sun-and fun-seeking tourists, who pour more than \$11 billion a year into the economy. In particular, some bartenders and business owners here are worried about upsetting a vital segment of the Hawaiian marketplace: the Japanese, who account for nearly one in five tourist dollars spent and are known to like to smoke. [Japan](#) is one of the world's largest importers and consumers of cigarettes, according to the [World Health Organization](#), with nearly half of all Japanese men smoking in 2003, though that number has been declining for decades.

The importance — and ubiquity — of the Japanese is evident on the beaches of Waikiki, where many signs are printed in English and Japanese and where Japanese buskers earn change singing Japanese love songs. Several major Japanese tour agencies have permanent offices in hotels along the beach, and some shops even accept yen.

But in recent weeks, dozens of new Japanese-language signs have been posted, including one at the Hyatt Waikiki identifying the hotel's new “designated smoking area” as a walkway wedged between a convenience store and a bank of loud air conditioners. Other hotels have posted notices warning guests that they can be penalized for breaking the new law; at the Waikiki Sunset, just off the beach, those caught smoking in rooms — or letting other people smoke in their rooms — are threatened with a \$425 “smoke elimination fee.”

Marsha Wienert, the state's tourism liaison, said the tourism department started a campaign earlier this year to educate Japanese tourists about the changes in state law, working with travel agents and marketing groups in Japan to get the word out.

"Japanese visitors to Hawaii spend more per person per day than any other market segments, about \$255 per day per person," Ms. Wienert said. "And we are definitely conscious that they do like to smoke."

Hiroyuki Fujimoto, a 29-year-old baker from Osaka, said he had gotten the message about the new law from friends before he booked his honeymoon here. "It's really hard to smoke here," said Mr. Fujimoto, who was smoking in front of the Hyatt late Friday night while his new wife stayed upstairs. "In Japan, it's still something people do everywhere, like walking."

State health officials said the new law, which passed easily earlier this year, was following a national trend. According to the American Nonsmokers' Rights Foundation, an antismoking group in Berkeley, Calif., more than 2,300 municipalities and nearly three dozen states have laws that limit where people can smoke.

In Hawaii, all of the islands already had restrictions on smoking in restaurants. "I think that we felt that tobacco-free areas are a social norm," said Janice Okubo, the communications director for the Hawaii Department of Health. "It's become an accepted practice."

But Hawaii is not the only place where people are upset about new smoking restrictions.

Last week, a judge in Nevada blocked putting into effect in the Las Vegas area a recent ballot measure that would ban smoking in many public places, including indoor restaurants and any bar with a food-handling license. The restraining order was prompted by a lawsuit from a group of business owners who thought the ban was unconstitutional and could hurt their bottom line.

Ms. Wienert of the Hawaii tourism agency said the new law had not brought complaints from Japanese tour agencies or a loss of business, but added that her department was "watching it carefully to see if there's any decrease because of that."

Warren Shaw, a bartender at Zack's, said he did not like the law for other reasons.

"I spend all my time now running smokers out of the bathroom and chasing them around the corner," said Mr. Shaw, who said he used to smoke behind the bar. "I understand the nonsmokers' position, but good Lord, we can't find a place for people to smoke outdoors?"

He agreed that it was too soon to say whether the ban would hurt business — Japanese or otherwise — though he had initially lost some regulars after the new law was enacted. "I literally had people just going home because they couldn't smoke," Mr. Shaw said. "But now they're coming back. I guess they're tired of being inside."

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