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2:30 pm CST

Senate Finance and Taxation Committee for the 69th ND Legislative Assembly

Chairman Weber, and members of the Senate Finance and Taxation Committee, hello, my name is Andrew Horn, and I am the Coalition Program Director for Tobacco Free North Dakota. The mission of Tobacco Free North Dakota is to improve and protect the public health of all North Dakotans by reducing the serious health and economic consequences of tobacco use, the state's number one cause of preventable disease and death. Thank you so much for your time this afternoon.

Today I am here to encourage a Do Not Pass on HB 1440, as this bill ease requirements for cigar lounges in ND and allows for pipe tobacco to be smoked indoors. By eroding the few guardrails put in place during the last Legislative Session, we weaken our indoor smoke free air law even further.

Last session, legislation was put forth to allow for cigar smoking indoors and proponents of the bill said it was a limited exception. This bill is another exception trying to be carved into a law that more than 2/3 of North Dakotans voted to put in place. Aside from catering to a small percentage of the population who use cigars and pipe tobacco, about 4.3% of North Dakota adults, this legislation will expose the public, especially employees, to secondhand smoke in the workplace, as there is no way to fully ventilate the smoke out of an indoor space according to American Society for Heating, Refrigeration, and Air-Conditioning Engineers. A link to their full position statement can be found in Resolution of Support also submitted with this testimony.

According to the Dept. of Health and Human Services Tobacco Surveillance Data Table for North Dakota, tobacco use costs our state \$326 million in Smoking Attributable Medical Expenditures, and \$232.6 million in Smoking Attributable Productivity Loss. That is over ½ a BILLION dollars annually in smoking related expenses to the state of North Dakota! Rolling back indoor smoke free air law protections will only exasperate this issue, as cigars are a public health risk and are a leading cause of several cancers.

By allowing cigar bars, we begin to renormalize smoking to our youth, undoing years of work by our public health experts across North Dakota. There is already a serious disconnect in youth views concerning vaping vs. smoking, with the former seeming to be safer in the eyes of our teens, even though evidence is showing that it clearly is not.

We all know about the dangers of smoking to the person using a tobacco product, however there is also a considerable danger to others through secondhand smoke-which can cause cancer, heart disease, respiratory infections, and a myriad of other illnesses. A cigar typically burns longer than a cigarette, which increases the amount of secondhand smoke. Direct smoking and secondhand smoke exposure both contribute to North Dakota's highest cost of all: about 1,000 people who die each year in North Dakota to tobacco-related causes.

We should not be creating tobacco product winners and losers though exemption language policy.

This past year, TFND published a Resolution of Support for preserving our Indoor Smoke Free Air Law. The following organizations have signed it: *Bismarck Tobacco Free Coalition, Blue Zones Project Grand Forks, Cavalier County Board of Health, Cavalier County Commission, Grand Forks Tobacco Free Coalition, Langdon Prairie Health, Legacy High School Stop the Cloud, Nelson-Griggs Board of Health, Olive Motherhood Foundation, Walsh County Board of Health, Walsh County District Health, Walsh County Substance use Prevention Coalition, Walsh County Tobacco Free Coalition, Western Plains Board of Health*

The 2012 North Dakota Smoke-Free Law was an exceptional public health policy achievement that protected the public from the dangers of secondhand smoke exposure. HB 1440 puts patrons, employees, and anyone in the immediate area at risk of sickness and death from secondhand smoke. Clean air must remain the standard to protect health.

Again, thank you for this time in front of you, Chairman Weber, and the Committee. It is very appreciated. Please vote Do Not Pass on HB 1440.

May I take any questions?

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- i. American Cancer Society. Cancer Facts & Figures 2017. Atlanta, GA: American Cancer Society, 2017
- ii. Surgeon General Report 2010 <https://www.surgeongeneral.gov/library/reports/secondhand-smoke-consumer.pdf> and National Cancer Institute Dec. 5, 2016 <https://www.cancer.gov/news-events/press-releases/2016/low-intensity-smoking-risk>
- iii. U.S. Department of Health and Human Services (HHS). The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.
- iv. ND Secretary of State Election Results: <https://results.sos.nd.gov/ResultsSW.aspx?text=BQ&type=SW&map=CTY&eid=35>