

Testimony in Opposition of HB 1229

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Chairman Louser, and members of the House Industry, Business and Labor Committee,

My name is Chelsea Ridge, and I am the chairwomen of the North Dakota Public Health Association (NDPHA) Alcohol, Tobacco, and Other Drugs Section. The mission of NDPHA is to improve, promote and protect health for residents of North Dakota through leadership in policy, partnerships, and best practices. I am here to provide testimony in opposition to House Bill 1229, relating to cigar bars and lounges.

In November 2012, a majority of voters in every county passed the current North Dakota Smoke Free Law, which makes it illegal to smoke cigarettes, cigars, marijuana, and e-cigarettes in indoor public places. North Dakota has the best Smoke-Free Law in the nation and other states look to North Dakota's Smoke Free Law as model language to protect their citizens from secondhand smoke.

Cigar smoke, even though the products may advertise as “premium” in nature, still pose a health risk to the user and other bystanders. According to the Centers for Disease Control (CDC) cigars contain the same toxic and cancer-causing chemicals that are found in cigarette smoke. There is no safe level of exposure to secondhand smoke. Separate smoking sections or ventilation systems cannot adequately address the risk posed by indoor smoking of cigarettes, cigars, marijuana, or e-cigarettes. While at one time, cigars were predominantly used by older men, tobacco industry targeting through the 1990s that included the release of flavored cigars and cigarillos has increased the use of these products by youth and the African American community. Cigar bars are workplaces, and now is not the time to reintroduce smoking into any workplace exposing a new group of people, as well as those in neighboring or adjacent buildings to secondhand smoke. The percentages of gross annual income stated in this bill of 2% or more for a bar or 20% or more for a lounge are very concerning in that any bar could begin to sell cigars and allow for cigar smoking. According to 2019 data, 17% of North Dakotans smoke cigarettes and only 4.3% of North Dakotans smoked cigars. Cigarette smokers are of the majority, and we don't foresee bars only enforcing cigar smoking over cigarettes. Government shouldn't cater to the minority at the expense of the public's health. If HB 1229 is passed this may open the door for other tobacco and marijuana products to be smoked indoors for years to come.

The North Dakota Public Health Association strongly urges you to not take away one of the greatest public health prevention measures, our North Dakota Smoke-Free Law, because it protects everyone equally from the dangers of secondhand smoke. Please vote “No” to HB 1229. Thank you for your time and consideration.

Sincerely,

Chelsea Ridge
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