

Trisha James

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Chairman Senator Magrum and members of the Senate Industry and Business Committee, my name is Trisha James. I am a wife, mother of 3, a registered nurse at the Sanford Oncology clinic, and a concerned citizen of the State of North Dakota. I am here to provide testimony and opposition for House Bill 1229.

For almost 18 years, I have worked as an oncology nurse caring for patients with cancer. Throughout these years I have worked in the hospital, infusion room, clinic, and now am one of the first people patients meet when they have found out they have cancer. I have held the hand of a patient who can't breathe, cared for patients dependent on oxygen and a bipap machine, and heard the terrible rattling cough of a patient with lung cancer as they gasp for air. I have taken care of numerous patients with a tracheostomies, watched their eyes get really big when they try to gasp for air, then working so hard to try to suction out their trach so they can breathe again. Over the years have accessed so many ports, given so much chemotherapy to so many patients, witnessed the side effects they experience, and tried to help them get through another treatment so they can have another day with their loved ones. One of my grandpas died from colon cancer; my other grandpa died due to complications from his emphysema and COPD. They both smoked for years. My husband lost his grandpa as well to lung cancer attributed to decades of smoking. So this is personal to me and my family.

HB 1229 could allow any bar to have cigars if that bar generated two percent or more of the bar's annual gross income from the sale of cigars. It also states that a cigar lounge generating twenty percent or more of the business's annual gross income from the sale of cigars. But what happens when patrons decide to smoke cigarettes, e-cigarettes or marijuana? Who will enforce and regulate this?

At what cost are we willing to allow a loophole in the ND Smoke Free Law? The cost of continued lives, young and old, being exposed to cigar smoke? Tobacco use is the foremost preventable cause of premature death in the United States. Cigar smoke is possibly even more toxic than cigarette smoke as cigars have a higher level of cancer-causing substances, more tar, and a higher level of toxins. Due to the larger size of most cigars as well as the longer smoking time results in a higher exposure to carbon monoxide, hydrocarbons, ammonia, cadmium, and other substances. Who will be

regulating the exhaust systems? If the Surgeon General has already concluded that there is no risk-free level of exposure to second hand smoke, air cleaning technologies cannot completely control for exposure of nonsmokers to secondhand smoke. What if this cigar bar shares a wall with a daycare? Please protect the employees and surrounding businesses next to these proposed cigar bar and lounges by voting no to HB 1229.

We have made great strides in our community with reducing tobacco use rates and protecting individuals from secondhand smoke. Please don't let our state take a giant step backwards by allowing this law to pass.

I ask the Industry, Business, and Labor Committee to vote no on HB1229 for myself and my family, for my patients, their families and those who have lost loved ones due to the effects of smoking. Thank you. This concludes my testimony.