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11:00 am CST

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

Chairman Headland, and members of the House 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 morning.

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

This bill will make it easier for one type of tobacco to be smoked indoors, catering to a small percentage of the population, currently 4.3% of adults in the North Dakota, while providing an environment that exposes the public, especially employees, to secondhand smoke in the workplace.

According to the Dept. of Health Tobacco Surveillance Data Table in 2022 for North Dakota, tobacco use cost 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 through 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, Grand Forks Tobacco Free Coalition, Blue Zones Projects Grand Forks, Legacy High School Stop the Cloud, Langdon Prairie Health, Nelson-Griggs Board of Health, Olive Motherhood Foundation, Walsh County Board of Health, Walsh County Tobacco Free Coalition, Walsh County District Health, Walsh County Substance Use Prevention Coalition, and 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. This bill seeks to change the current exemption to our smoke-free law to create an easier process to open smoking establishments. That puts patrons, employees, and anyone in the immediate area at risk of sickness and death from secondhand smoke. Clean air remains the standard to protect health.

Again, thank you for this time in front of you, Chairman Headland, 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>