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March 9, 2021, 2:30 pm CST
Senate Industry, Business and Labor Committee for the 67th ND Legislative Assembly

Chairman Klein and members of the Senate Industry, Business and Labor Committee, thank you for your time today. My name is Melissa Markegard. I am the Tobacco Prevention Coordinator at Fargo Cass Public Health. I am writing to provide education regarding HB1152.

Fargo Cass Public Health has provided tobacco prevention and control programs and resources for the residents of Fargo and Cass County since 2003. Our statewide Smoke Free Indoor Air Law passed and went into effect December 2012. The passage of this law was incredibly important to the citizens of North Dakota. They overwhelmingly voted in favor of it.

Fargo Cass Public Health's opposition to this bill is focused on protecting the health of all North Dakota citizens by preventing exposure to secondhand smoke. This bill includes a requirement for a special ventilation system; however, there is no filtration and ventilation systems proven to effectively remove secondhand smoke from enclosed areas. I must reiterate that the goal of public health, and the goal of the state smoke-free law, is to protect patrons and employees from exposure to secondhand smoke.

This bill is also nearly an exact copy of the bill presented during last legislative session – a bill that was voted down. Very few changes were made – no mechanisms for enforcement and no penalties are included – making this a poorly written piece of policy.

The ONLY way to effectively protect against this harm is to maintain the state smoke-free law, keeping current smoke-free environments completely smoke-free. North Dakota's current smoke-free law is one of the strongest in the nation as it includes electronic nicotine products and includes very few exemptions. By allowing additional exemptions to the Smoke Free Indoor Air Law, we weaken the law and knowingly put the health of our citizens in jeopardy.

Additionally, the COVID-19 pandemic has placed increased attention on lung health. Since smoking of any kind, including cigars, increases the risk of the most severe impacts of COVID-19, preventing and reducing all tobacco use is more critical than ever.

I implore you to vote to maintain all current provisions of the state-wide smoke-free law. Keeping this law fully intact would ensure continued protection from the dangers of second-hand smoke in public places in our great state. Please feel free to reach out if you have any additional questions related to smoke-free policy.

Chairman and Committee members, thank you for the opportunity to provide this testimony.

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