



Public Health
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Grand Forks Public Health

**TESTIMONY ON HB1152
67th Legislative Assembly
Senate Industry, Business and Labor Committee
Senator Jerry Klein, Chair
City of Grand Forks, ND
March 9, 2021**

Chairman Klein and Members of the Senate Industry, Business and Labor Committee,

My name is Debbie Swanson and I am the Director of Grand Forks Public Health, a city/county department which provides services to Grand Forks County. I have worked in public health for 36 years and have 28 years of experience in tobacco prevention and control work.

In August 2010, the Grand Forks City Council implemented one of the strongest smoke-free ordinances in the state of North Dakota. This ordinance was widely supported by the Grand Forks community, as was voiced by constituents through opinion surveys both before and after the implementation of the law. In the months to follow, several other North Dakota cities also implemented similar ordinances. This swell of support led to the strengthening of North Dakota's current state-wide smoke-free law in the fall of 2012. This measure was passed by a majority of voters in every county of North Dakota, including 72.1% in Grand Forks County.

Comprehensive smoke-free laws [without exemptions] are the only way to protect the public from the dangers of secondhand smoke. HB1152 proposes the ability to create "cigar bars and lounges" that would allow for the smoking of tobacco products indoors. **These proposed amendments to our current statewide smoke-free law do not require a stand-alone building to open a cigar lounge.** The vague language in this bill may allow existing smoke-free businesses to create areas where cigars could be smoked. Venues where smoking may be allowed could be co-located in a retail complex where walls and smoke are shared. **Prior to the implementation of Grand Forks' current smoke-free law, Grand Forks Public Health responded to numerous secondhand smoke complaints over several years from a daycare facility and a music academy within the same retail complex as a "cigar lounge."**

Another very important benefit of comprehensive smoke-free laws are the protections provided to the workforce. While some may argue it is the employee's choice to work in a

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smoke-filled venue, the current economic climate may not allow for individuals to choose where they are employed. Additionally, if a previously smoke-free business adds a cigar smoking area, employees previously protected by the smoke-free law may now face secondhand smoke exposure.

The American Society for Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE) is a nationally recognized entity that develops standards for indoor environmental quality. ASHRAE holds the position that the only means of avoiding health effects and eliminating indoor secondhand smoke exposure is to ban all smoking activity inside and near buildings. ASHRAE does not consider ventilation and air cleaning or handling systems measures to control secondhand smoke exposure.

Tobacco use remains the number one cause of preventable death and disease in our state and nation. Cigars are tobacco products that contain many of the same cancer-causing substances as cigarettes and other tobacco products and should not be considered a safe alternative. One full-sized cigar can contain as much nicotine as one pack of cigarettes, creating concerns for tobacco-related addiction and dual use of cigars and other tobacco products.

The health community has made significant strides in reducing tobacco use and its related diseases in the last decade. Our population, along with other North Dakota municipalities with strong smoke-free ordinances, has become accustomed to smoke-free venues. Rolling back protections of our comprehensive state law would be a step backwards for the health of North Dakotans, especially those who may not be protected by a strong local ordinance.

To maintain the progress in addressing the toll of tobacco use since the passage of our comprehensive state-wide smoke free law in 2012, Grand Forks Public Health strongly encourages a **Do Not Pass** recommendation on HB1152.

Respectfully,

Debbie Swanson, MS, RN

Director, Grand Forks Public Health