

## TESTIMONY IN OPPOSITION OF HB 1152

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Chairman Senator Klein, and members of the Industry, Business, and Labor Committee. My name is Trisha James. I am a wife, mother of 3, work as a registered nurse at the Sanford Oncology Clinic, and am on the executive board of the Bismarck Tobacco Free Coalition. I am here to provide testimony and opposition for House Bill 1152.

For almost 16 years, I have worked as an oncology nurse caring for patients with cancer. I have held the hand of a patient who can't breathe, so dependent on oxygen and a bipap machine. Listened to the sound of the terrible rattling cough of a patient with lung cancer, seeing them struggle to take a deep breath. Cared for a patient with a tracheostomy, 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. Given 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 many years. My husband lost his grandpa as well to lung cancer attributed to decades of smoking.

HB 1152 could allow any bar to have cigars, if the sales are at 10% of gross annual sales, thus creating a loophole in the ND Smoke Free law. What happens when patrons decide to smoke cigarettes, e-cigarettes or hookahs? Who will enforce and regulate this? What if this cigar bar shares a wall with a daycare? There is no ventilation system that can get rid of second-hand smoke. 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 HB1152 for myself and my family, for my patients, their families and those who have lost loved ones due to the effects of smoking, and because over 80% of our state voted for a smoke free law. Thank you. This concludes my testimony.