

**Senate Industry, Business & Labor
Chairman – Representative Jerry Klein
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Testimony

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HB 1152

Good afternoon Chairman Klein and members of the Senate Industry, Business and Labor Committee. My name is Shaun Sipma and I am a resident of Minot. Thank you for the opportunity to testify today in support of House Bill 1152. It's been more than nine years since our City's only cigar-lounge closed stemming directly from the smoking ban passed by a statewide vote. The Great Plains Smoke Shop was owned by a retired Air Force veteran. The Great Plains Smoke Shop had one full time employee with several part time people employed. The Garage Lounge that was connect to Great Plains, was also owned by the same Air Force Veteran and had approximately 5 part-time employees. Both businesses were small but generated a lot of revenue for a business of its size. Great Plains also hosted numerous fundraisers each year with benefits going to Wounded Warriors and the Mid-Dakota Chapter of the American Red Cross to name just a few. North Dakota Cigarfest also came to be as an annual event that brought as many as 250 people from around the region to the event.

The Garage Lounge being a beer bar was a niche business to put it plainly. Beer and Cigars. People who patronized the bar were there for exactly those reason. Those that didn't appreciate the atmosphere would simply choose to go somewhere else.

As both businesses closed, the Garage Lounge first shortly after the smoking ban followed by Great Plains Smoke shop about three years later, all of the sales of

cigars have gone on-line. I know because that's where I buy mine. Cigars International.com, Cigar.com, Thompson Cigar.com, JR Cigars.com are just a few of the places where purchases are made. Based on cigar forums on-line on various social media platforms I can attest I am far from the only person that took my business elsewhere when "Buy Local" was regulated out of business.

I have no doubt the anti-smoking coalition will be here today to talk about the dangers of second hand smoke and health factors. There are risks, different from cigarette and vaping and the FDA has its own study to show cigars being far less dangerous than the two previously mentioned. A quick good of Cigars, FDA & Study will guide you to that report from 2016.

So let's focus a bit more risk. Never once was the fast food restaurant next to the Garage Lounge targeted for closure. In regards to the smell that others have questions would be a problem or pollutant to the community, never once did Great Plains or the Garage Lounge have a smell complaint. The smell of high concentrations of fat, cholesterol and sodium overpowered likely far overpowered the cigars. Or it could have been North Broadway with the diesel belching lifted pickups and semi's passing by that could have overshadowed the smell with diesel exhaust. I'm being a bit over dramatic on purpose. Minot Ryan School sat across the alley from Great Plains Smoke Shop and never once had a complaint. Nor did students ever walk over to Great Plains to Shop or try and buy cigars. I did on many occasions see students at that fast food restaurant buying Ice Cream or that tasty less than healthy food.

Each time I've testified, this session and last my other Job always comes up concerning public health. I'm talking about being Mayor of course. When it comes to freedom of choice and risk, this is not the slippery slope that others like to try and hang and argument on. I would argue fast food is so popular because it's cheaper and more convenient than healthy food. We've heard lots of studies reports on the substantial risks of being overweight and yet the no one is clamoring to shutter those doors or ban the sale of fast food. As a matter of fast just yesterday (March 8, 2021) the CDC released a study showing 78% of people hospitalized with COVID were overweight or obese. The tired argument that cigarette smoking and cigar smoking are the same is not valid and again I would reference the 2016 FDA study for the difference.

Cigars are not cheap and having a cigar lounge is not the convenience likely will

be painted to draw in hordes of new people to start cigar smoking.

The price point keeps most people away from cigars and keeps most from smoking cigars on a regular basis. Most cigars range in price from 8 to 20 dollars each.

For me, this comes down to a simplistic point, cigar smokers who enjoy the leisure activity are still smoking cigars. We are now in our garage or outbuilding during the winter or sitting on our patio or golf course during the summer. The difference is our money is going out-of-state to online companies rather than being spent locally.

The pendulum of regulation has swung entirely too far. This all comes as the debate of recreational marijuana is moving through the legislative body this session.

Thank you for the opportunity to testify today and please consider a Do-Pass recommendation on House Bill 1152.

I'd be happy to stand for questions.