



Legislative Update and Action Alert

May 7, 2009

Please read and forward to your colleagues and networks!

In this alert:

- **Call to Action on HB2: Tell Senate to Protect ALL Workers from Secondhand Smoke**
- **Movement on Obesity Prevention Bills of Interest**

Senate Passes HB 2 as a Restaurants & Bars Bill

Third & Final Reading

Expected Monday Evening, May 11

HB 2, Prohibit Smoking in Public and Workplaces, was passed on second reading by the NC State Senate. The bill has been scaled back from a comprehensive worksites bill to a restaurants and bars only bill with limited restoration of local control. Despite the scaled back version of the bill, most see this as an historic vote for North Carolina and a step toward protecting public health. In its current form, the bill will make *all* restaurants and bars in North Carolina smoke-free – a huge victory in a tobacco state like North Carolina.

Two amendments were offered during debate:

- 1) An exemption for public or workplaces that do not admit, serve or employ persons under 18 and that post signs at all entrances (and in advertizing) saying smoking is permitted on the premises (known as a minors-only exemption with signage.) This is the same amendment that passed the House earlier in April. This amendment was offered by Senator Jacumin (R-Burke) and was defeated by a vote of 20 – 26.
- 2) Smoking ordinances and regulations adopted by the local Board of Health must also be approved by the local Board of County Commissioners. Anything approved by a local board of health prior to July 1, 2009 does not fall under this provision of the bill. This amendment was offered by Senator Brunstetter (R-Forsyth) and was approved by a vote of 46-0.

The bill passed second reading by a vote of 26 to 18.

Third and final reading will take place on Monday, May 11. The possibility remains for weakening amendments to be introduced by opponents of the bill. For, this reason, the Alliance urges members and partners to continue to contact Senators to urge a YES vote on HB 2 WITHOUT amendments.

**Continue to Contact Senators to Urge a YES Vote on HB 2
and NO on Amendments that would Weaken the Bill!**

CALL YOUR SENATOR

**CALL: 1-888-NOW I CAN
(888-669-4226)**

and ask for your State Senator by name to be transferred.

If you are not sure of the name of your State Senator,
the operator will be able to verify your Senator with your zip code.
You may get the name of your Senator by checking the General Assembly's website at:
<http://www.ncleg.net/GIS/RandR07/Home.html>

To email your Senator, go to the [General Assembly's Website](#), find the name of your Senator and double click on the email address.

HB 2 Talking Points:

- **Every Employee Has the Right to a Smoke-Free Workplace: One worker's health is NOT more worthy of protection from secondhand smoke than another's.** Every year, exposure to someone else's tobacco smoke kills 1,600 North Carolinians. This costs us more than \$250 million in health care costs. Tobacco use is even more devastating-- 12,000 deaths in NC a year and a medical bill of \$2.4 billion.

- **It's a matter of fairness.** Every workplace – including restaurants, bars, government buildings, bowling alleys, and other public places – should be smoke-free.
- **The fairest system is one that levels the playing field for *all* worksites – including restaurants and bars.** The intent of HB 2 is to protect **all** workers and the public from the dangers of secondhand smoke, not just minors.

Support HB 2 Without Amendments

What *MORE* can you do to promote the smoke-free issue?

- 1) **VISIT www.smokefreenc.org** and tell others about it! Simply point and click to send a message to your legislators. Forward to friends, family and colleagues so they can also show their support for a smoke-free North Carolina by visiting the Alliance's website.
- 2) **Sign the Alliance Resolution Supporting a Smoke-free NC.** Have your organization, its board members, staff and volunteers sign the Alliance's resolution to demonstrate your support for making NC's worksites and public places smoke-free. Access the resolution at: <http://www.ncallianceforhealth.org/resolution.html>. The website is now capable of taking signatures directly on-line. Also available on our website are fact sheets, talking points and other resources on secondhand smoke and the cigarette tax.
- 3) **Visit the Alliance website www.ncallianceforhealth.org for [talking points about the dangers of secondhand smoke](#).** See also the Alliance's talking points on [Small Businesses and Smoke-free Worksites](#).

Movement of Obesity Prevention Bills of Interest:

HB 1373: Phase in Physical Education Requirements

<http://www.ncleg.net/Sessions/2009/Bills/House/PDF/H1373v1.pdf>

Summary: Directs the SBE to adopt and phase in a required physical education program according to NASPE's quality PE criteria, as recommended by the NC Alliance for Health and the Childhood Obesity Task Force and Interim Report of the Institute of Medicine Prevention Task Force.

Status: HB 1373 had been scheduled for a hearing by the House Health Committee on Tuesday, May 5 but was removed from the calendar. The Alliance will keep you posted if and when this bill appears on the calendar again.

HB 900 - Nutrition Standards/All Food Sold at School

Sponsor: Rep. Insko

Newest version of the bill: <http://www.ncga.state.nc.us/Sessions/2009/Bills/House/PDF/H900v3.pdf>

Summary: Directs the SBE to establish nutrition standards for foods and beverages available in school operated vending machines, school stores, snack bars, fund-raisers and all other food sale operations on the school campus during the instructional day.

Status: HB 900 was approved on second reading by the full House on April 30 by a vote of 106 to 9. The third reading and final vote took place on the evening of Monday, May 4, with one amendment. The amendment, passed unanimously, permits fundraisers which include candy in grades 9-12 that are conducted after the lunch period. The bill now moves on to the Senate.

HB 901 - Honors Courses in Health and Physical Education Classes

Sponsor: Rep. Insko

<http://www.ncga.state.nc.us/Sessions/2009/Bills/House/PDF/H901v2.pdf>

Summary: Directs the SBE to develop or identify academically rigorous honors-level courses in health and physical education that can be offered at the high school level.

Status: On April 29, the House Education Subcommittee on Pre-School, Elementary and Secondary gave this bill a favorable report. On May 6, HB 901 passed second reading by a vote of 85 to 31 and on May 6 the bill passed third reading without any further amendments.

HB 1470 - Study Length of School Lunch Period

Sponsor: Rep. Jeffus

<http://www.ncleg.net/Sessions/2009/Bills/House/PDF/H1470v0.pdf>

Summary: Directs the SBE to study the length of the school lunch period across the state to determine whether students have adequate time for meals.

Status: HB 1470 was passed by the House on both second and third reading with limited debate.

For additional information about the North Carolina Alliance for Health, please contact

Alliance Executive Director Lisa Familo at lisa.familo@ncallianceforhealth.org;

or Alliance Policy Director Pam Seamans at pamseamans@nc.rr.com.

Or, go to www.ncallianceforhealth.org

for talking points and other resources.

Call 919-463-8328

or e-mail ncalliance@heart.org for more information

To unsubscribe, please email Lisa Familo at lisa.familo@ncallianceforhealth.org.