



Legislative Update

April 7, 2011

Please read and forward to your colleagues and networks!

Poll Finds 74% of North Carolina Voters Support NC's Smoke-Free Restaurants and Bars Law

Yet, Bill Introduced to Weaken the Law: Don't Mess with Success

This week the North Carolina Alliance for Health released a new poll showing 74 percent of North Carolina voters support the state's one and a half year old smoke-free law. The survey of 500 likely voters was conducted February 8 – 10th by the polling firm Public Opinion Strategies and has a margin of error of +/- 4.38 percentage points.

The poll found support for the smoke-free law cuts across party lines, including 78 percent of Democrats, 68 percent of Republicans and 71 percent of Independent voters. Among those who have a favorable view of the "Tea Party", 61 percent support keeping the law.

Clearly the people of North Carolina overwhelmingly support being free from the harmful effects of secondhand smoke. The poll results show North Carolinians understand secondhand smoke is a serious health hazard, and they don't want their right to breathe clean air taken away.

Among North Carolina voters, the survey also found:

- 55 percent are less likely to vote for candidates who wanted to weaken the law;
- 77 percent view exposure to secondhand smoke as a health hazard;
- 82 percent believe it is important for bars and restaurants to have a smoke-free environment.

In May 2009, North Carolina became the 26th state and the first major tobacco-producing state to enact a smoke-free law (HB 2) to protect workers and the public from the serious health hazards of secondhand smoke in restaurants and bars. The law went into effect on January 2, 2010. For more information about the poll, please see the [NC Alliance for Health website](#).

However, last week a bill ([SB 469](#)) to weaken North Carolina's smoke-free law was introduced by Senator Don East (R-Surry), raising concerns among health advocates. SB 469 would create a "minors only" exemption and an exemption for venues with ventilations systems that

would expose workers to secondhand smoke. According to the Surgeon General, there is no safe level of exposure to secondhand smoke.

This approach would allow the creation of “minors only/hours provisions,” potentially allowing businesses to be adult-only and smoker-friendly at certain times while being open to customers of all ages and non-smoking at other times. This will create a law that is confusing and nearly impossible to enforce. These provisions are **inconsistent with the stated purpose of the smoke-free restaurants and bars law**, which is to protect all patrons and workers from secondhand smoke. After all, secondhand smoke is harmful to adults as well as minors, and to employees as well as patrons. All people, regardless of age, which shift they work, or what time they dine, deserve to be protected from the serious health hazards of secondhand smoke. No one should have to put their health at risk in order to earn a paycheck or enjoy a night out.

According to the NC Division of Public Health, North Carolina’s current law has resulted in an 89% improvement in air quality inside restaurants and bars. Additionally, a Centers for Disease Control and Prevention (CDC) survey shows that the new law contributed to a 42% reduction in the number of workers exposed to secondhand smoke in the workplace. Clearly, this law is yielding significant public health benefits that will reduce smoking-related diseases and the health care costs associated with those diseases. And, a majority of North Carolinians appreciate our smoke-free law as evidenced by the newly released poll!

The Alliance will continue to monitor this legislation and will inform you if it begins to move through the General Assembly.

Other Bills of Interest:

SB 242/HB 218 - LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY TO ESTABLISH THE LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

Senate Sponsors: Senators William Purcell, Jean Preston, Jerry Tillman

House Sponsors: Reps. Verla Insko, Larry Brown, Linda Johnson, Jennifer Weiss

****Passed the House and sent to the Senate where it was referred to the Rules Committee for the time being.**

HB 334 – REPORT ON FITNESS TESTING IN SCHOOLS

AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO REPORT ON THE RESULTS OF FITNESS TESTING IN EACH LOCAL SCHOOL ADMINISTRATIVE UNIT.

House Sponsors: Reps. Verla Insko, Larry Bell, Pricey Harrison and Stephen LaRoque

House Co-Sponsors: Reps. Alma Adams, Martha Alexander, Alice Bordsen, Becky Carney, Bill Faison, Rick Glazier, Jennifer Weiss

**** This bill passed the House and has been sent to the Senate where it was referred to the Rules Committee for the time being.**

SB 249/HB 319 - RESTORE CIGARETTE TAX STAMPS

TO IMPROVE THE ENFORCEMENT OF THE CIGARETTE EXCISE TAX AND TO DETER THE UNLAWFUL SALE OF NON-TAX-PAID CIGARETTES BY REINSTATING THE REQUIREMENT THAT CIGARETTES BEAR A STAMP INDICATING PAYMENT OF THE TAX.

Senator Sponsor: Senator Hartsell

House Sponsor: Rep. McGee

House Co-Sponsors: Reps. Paul Luebke, Bill Cook

****A Senate Finance Committee is still expected to be scheduled on this bill in the few weeks.**

SB 389 – TRANSFER CHILD NUTRITION PROGRAM TO DEPARTMENT OF AGRICULTURE

AN ACT TO TRANSFER THE CHILD NUTRITION PROGRAM AND CHILD NUTRITION SERVICES OF THE DIVISION OF SCHOOL SUPPORT OF THE DEPARTMENT OF PUBLIC INSTRUCTION TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AND TO MAKE CONFORMING CHANGES.

Senate Sponsors: Senators East, Rouzer, Apodaca

Referred to the Senate Agriculture, Environment and Natural Resources Committee

SB 415 – ELIMINATE COST OF REDUCED PRICE SCHOOL MEALS

AN ACT TO ELIMINATE THE COST OF REDUCED PRICE LUNCHES FOR SCHOOL CHILDREN WHO QUALIFY FOR REDUCED PRICE MEALS.

Senate Sponsor: Senator Purcell

Referred to the Senate Appropriations Committee.

HB 503 – NUTRITION STANDARDS FOR ALL FOODS SOLD IN SCHOOLS

AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ANNUALLY REVIEW NUTRITION STANDARDS FOR FOODS AND BEVERAGES ADMINISTERED BY THE DEPARTMENT OF PUBLIC INSTRUCTION AND CHILD NUTRITION PROGRAMS OF LOCAL SCHOOL ADMINISTRATIVE UNITS AND TO REQUIRE OTHER FOOD SALE OPERATIONS ON THE SCHOOL CAMPUS DURING THE INSTRUCTIONAL DAY TO MEET CERTAIN STANDARDS BY THE 2011-2012 SCHOOL YEAR.

House Sponsors: Reps. Insko and LaRoque

House Co-Sponsors: Reps. Brisson, Fisher, Floyd, Gill, Glazier, Hamilton, Harrison, Lucas, Parfitt, Rapp, Wray

Referred to the House Committee on Education. This bill could be heard as early as next week.

HB 840 - HEALTHIER AND GREENER SCHOOLS ACT

AN ACT TO ENACT THE HEALTHY SCHOOLS ACT OF 2011.

House Sponsors: Harrison, Cotham, Carney and Glazier

This bill is not yet referred to a committee.

For additional information about the North Carolina Alliance for Health, please contact Alliance Executive Director Pam Seamans at pamseamans@nc.rr.com OR Alliance Administrative Assistant Lee Storrow at t-Lee.Storrow@heart.org.

Or, go to www.ncallianceforhealth.org
for talking points and other resources.

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