



**TOBACCO FREE KANSAS  
COALITION**

March 12, 2012

**TESTIMONY IN OPPOSITION TO HB 2690  
BEFORE THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE  
BY MARY JAYNE HELLEBUST**

Dear Chairman Brunk and Members of the Committee:

Thank you for the opportunity to testify in support of the current clean indoor air law that makes Kansas one of 28 states that provide a healthier breathing environment inside businesses and workplaces. The Tobacco Free Kansas Coalition, composed of more than 200 organizations, agencies and individuals, opposes HB 2690 because this bill would weaken the Kansas Indoor Clean Air Law.

**Kansas has become a leader in clean indoor air protections.** With the implementation of the Kansas Clean Indoor Air law, Kansas has taken positive public health steps to protect its citizens from exposure to secondhand smoke in public places and worksites. This policy is helping people to stop smoking and is providing a societal norm that promotes the values of smokefree life for children, teens and young adults. With the State of Kansas committed to improving health and reducing medical costs for chronic diseases, why reverse a significant health standard that has been operating effectively for 18 months?

**Secondhand smoke is still dangerous.** Since the first U.S. Surgeon General's Report in 1964, 31 different reports on tobacco use have established the scientific conclusions about tobacco's health hazards. Currently hundreds of major health studies, including many on the health consequences of secondhand smoke, have been produced by health professionals whose research has been published in peer-reviewed scientific journals. (See annotated listing at <http://no-smoke.org/pdf/SHSBibliography.pdf>)

**The conclusions remain the same: Secondhand smoke is a "known human carcinogen" and there are "no safe levels" of exposure.** Efforts to dismiss such studies have often been funded by tobacco companies or based on anecdotes, blogs, and or even unproven newspaper or internet stories.

**New Surgeon General Report Focuses on Youth and Young Adults.** This past Thursday, a new report entitled "Preventing Tobacco Use among Youth and Young Adults" was released by Surgeon General Regina Benjamin, highlighting its recommendations to reduce secondhand smoke exposure in homes and in worksites. See more information at this site: (<http://www.surgeongeneral.gov/library/preventing-youth-tobacco-use/index.html>) These comprehensive strategies are proven solutions for reducing the loss of life and the costs of medical treatment caused by tobacco use. The Report notes smokefree policies are key components in

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preventing tobacco addiction for youth and young adults. The Report had a strong focus on the short- and long-term health complications for young adults between the ages of 18-24 who are addicted to smoking. In Kansas, young adults between 21 and 24 would make a good portion of the customers and employees who would be damaged if HB 2690 were to be approved.

**Revenues not adversely affected by the Kansas Indoor Clean Air law.** Kansas Health Institute has recently analyzed data demonstrating that liquor revenues, sales tax collections for hospitality venues or liquor licenses numbers have not been adversely affected since the implementation of the clean indoor air law. However, if some locations are permitted to allow smoking, many business owners will rightfully complain about the major expenses they incurred for renovations to outside areas and patios to accommodate their smoking clientele.

**Kansas voters support the current smokefree law.** The Kansas Indoor Clean Air law has worked well for the people of Kansas for more than 20 months. The majority of Kansans overwhelmingly in support of the law. A survey over a year ago showed 77% of Kansas voters support the clean indoor air law as it has been implemented. See attachment for press release. Currently there are no significant outcries by the majority of Kansas people to weaken the law, although many have spoken to the need for removing the allowances for smoking on the gaming floors of the state-owned casinos. There are no widespread reports of violations of the current law. Kansans are a law-abiding group. In addition, many employees of previously smoking environments speak readily of their appreciation of the statewide smokefree policy.

**Strengthen the current law; don't weaken it.** From 2008 to 2010, major legislative in Kansas resulted in the joining the ranks of 28 states with effective clean indoor air laws. The 2010 smokefree law is widely celebrated as a victory for public health in Kansas. It has been working well for over 20 months. **Any changes to the law should eliminate remaining exemptions such removing the smoking exemptions for casinos.**

## 77% of Kansas Voters Support Keeping State's SmokeFree Law

### *Even 54% of smokers favor law protecting people from secondhand smoke*

Topeka, KS (February 9, 2011) – A new poll released today by a coalition of public health groups finds 77 percent of Kansas voters support the state's recently passed smokefree law. The poll shows broad support for the law including large majorities of Democrats, Republicans and Independent voters across Kansas.

"These results show what we have always known - Kansans understand secondhand smoke is a serious health hazard, and they don't want their right to breathe clean air taken away," said James Gardner, M.D., Chair of the Tobacco Free Kansas Coalition. "Although certain special interests may not like the smokefree law, it is clear the people of Kansas overwhelmingly support being free from toxic effects of secondhand smoke."

The survey also found among Kansas voters:

- 59 percent are less-likely to vote for candidates who want to repeal the law
- 84 percent view exposure to secondhand smoke as a health hazard
- 54 percent of people who smoke like the state's smokefree law

The survey of 500 likely Kansas voters was released by a coalition of public health groups. The polling firm Public Opinion Strategies conducted the survey January 11-12, 2011. The poll has a margin of error of +/- 4.38 percentage points.

In February 2010, Kansas became the 28<sup>th</sup> state to pass a smokefree law that protects workers and the public from the serious health hazards of secondhand smoke in public places and hospitality venues. The law went into effect on July 1, 2010.

The need for protection from secondhand smoke in all workplaces and public places has never been clearer. Secondhand smoke contains more than 7,000 chemicals, including at least 69 carcinogens. The evidence is also clear that smokefree laws protect health without harming business. As the U.S. Surgeon General Richard Carmona concluded in 2006, "Evidence from peer-reviewed studies shows that smokefree policies and regulations do not have an adverse impact on the hospitality industry."

The coalition of public health groups releasing and funding the poll includes the American Cancer Society, American Heart Association, American Lung Association, Robert Wood Johnson Foundation, Campaign for Tobacco Free Kids, Sunflower Foundation, Oral Health Kansas, Tobacco Free Kansas Coalition, Clean Air Kansas and Wichita Medical Research Education Foundation