

2018 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 76

BY REPRESENTATIVE DUSTIN MILLER

A CONCURRENT RESOLUTION

To create a study committee to evaluate Louisiana's prevalence of tobacco-related illnesses resulting from secondhand smoke exposure and to require the committee to report findings and policy recommendations concerning secondhand smoke exposure to the legislature.

WHEREAS, the 2006 United States Surgeon General's Report, "The Health Consequences of Involuntary Exposure to Tobacco Smoke", has concluded that secondhand smoke exposure causes disease and premature death in children and adults who do not smoke; and

WHEREAS, exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer; and

WHEREAS, the smoking of tobacco, hookahs, or marijuana and the use of electronic smoking devices are forms of air pollution and constitute both a danger to health and a material public nuisance; and

WHEREAS, the Legislature of Louisiana intends to implement policies to protect the health and safety of all Louisianans; and

WHEREAS, as evidenced by Louisiana's low standing in the annual "America's Health Rankings" report, and by numerous other legislative instruments calling for studies and reports on disease prevention and treatment and other means of improving health outcomes, the legislature has an ongoing and deep concern for the health and well-being of the people of this state; and

WHEREAS, Act No. 815 of the 2006 Regular Session found and determined that it is in the best interest of the people of this state to protect nonsmokers from involuntary

exposure to tobacco smoke in most indoor areas open to the public, public meetings, food service establishments, and places of employment; and

WHEREAS, the 2006 Louisiana Smokefree Air Act prohibited smoking in most public areas, including indoor workplaces, universities, and restaurants to improve the health, comfort, and environment of the people of this state by limiting exposure to tobacco smoke; and

WHEREAS, since the passage of the Louisiana Smokefree Air Act, fourteen municipalities, covering approximately twenty percent of the state's population, have enacted comprehensive smoke-free ordinances to close the policy gap created by Act No. 815 of the 2006 Regular Session including to prohibit smoking in bars and gaming facilities, as establishing smoke-free workplaces are the only effective way to ensure that secondhand smoke exposure does not occur in the workplace, because ventilation and other air cleaning technologies cannot completely account for exposure of nonsmokers to secondhand smoke; and

WHEREAS, the Campaign for Tobacco Free Kids, State Toll of Tobacco, reports 2018 Medicaid costs caused by smoking in Louisiana totals eight hundred three million dollars.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby create a study committee to evaluate the policy gap of the Louisiana Smokefree Air Act.

BE IT FURTHER RESOLVED that the study committee shall be composed of the following members:

- (1) One member representing the office of public health of the Louisiana Department of Health, appointed by the secretary of the department.
- (2) The secretary of the Louisiana Department of Revenue or his designee.
- (3) The commissioner of insurance or his designee.
- (4) One member representing the Department of Culture, Recreation and Tourism appointed by the lieutenant governor.
- (5) The chief executive officer of the Louisiana Public Health Institute or his designee.
- (6) One member representing the Louisiana Campaign for Tobacco-Free Living.
- (7) One member representing the Louisiana Association of Business and Industry.

(8) One member representing the American Heart Association of Louisiana.

(9) One member representing the American Cancer Society-Cancer Action Network Louisiana.

(10) The chief executive officer of the Cardiovascular Institute of the South or his designee.

(11) One member representing the Louisiana State University School of Public Health.

(12) One member representing the Tulane University School of Public Health and Tropical Medicine.

(13) One member representing the Southern University Agricultural Center.

(14) One member representing the Louisiana Cultural Economy Foundation.

(15) One member representing the Louisiana Cancer Research Center.

(16) The president and chief executive officer of the Louisiana Hospital Association or his designee.

(17) The director of the Louisiana Budget Project or his designee.

(18) The executive director of the Louisiana Municipal Association or his designee.

(19) The president of the Police Jury Association of Louisiana or his designee.

(20) The commissioner of the office of alcohol and tobacco control within the Louisiana Department of Revenue or his designee.

(21) One representative of an entity licensed pursuant to R.S. 27:412(B)(1).

(22) One representative of an entity licensed pursuant to R.S. 27:412(B)(2) as approved by the Louisiana Video Gaming Association.

BE IT FURTHER RESOLVED that in evaluating Louisiana's smoke-free air policies, the study committee shall examine the feasibility of a statewide comprehensive smoke-free air policy by examining the following:

(1) Medical costs related to chronic tobacco-related illnesses and exposure to secondhand smoke.

(2) Incidences of cardiovascular disease, cancer, and lung disease by the exemption of bars and casinos from the state's current smoke-free air law.

(3) Comparative analysis of health parity amongst parishes with comprehensive smoke-free policies.

(4) Potential economic impact of a statewide smoke-free air law on the state.

(5) Potential changes to health outcomes and indicators by the adoption of a statewide smoke-free air policy that includes bars and casinos.

(6) Evaluation of the economic impacts of existing local smoke-free air policies.

(7) Health-related impact of electronic smoking devices.

(8) A comparative evaluation of smoke-free laws and outcomes of other states.

BE IT FURTHER RESOLVED that the designee representing the Louisiana Public Health Institute shall take such actions as are necessary to ensure that the study committee convenes on or before August 1, 2018.

BE IT FURTHER RESOLVED that at its initial meeting, the study committee members shall elect a chairperson, and shall adopt rules of procedure and any other policies as may be necessary to facilitate the work of the group.

BE IT FURTHER RESOLVED that on or before January 15, 2019, the study committee shall submit to the legislature a report of its progress and preliminary findings.

BE IT FURTHER RESOLVED that on or before March 8, 2019, the study committee shall submit to the legislature a final report comprising an evaluation of Louisiana's statewide and local smoke-free air policies and recommendations for addressing the existing policy gap created by Act No. 815 of the 2006 Regular Session.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Louisiana Department of Health, the secretary of Louisiana Department of Revenue, the secretary of the Department of Culture, Recreation and Tourism, the executive director of the Louisiana Public Health Institute, the director of the Campaign for Tobacco-Free Living, the American Heart Association of Louisiana, the American Cancer Society-Cancer Action Network Louisiana, the chief executive officer of the Cardiovascular Institute of the South, the dean of the Louisiana State University School of Public Health, the dean of the Tulane University School of Public Health and Tropical Medicine, the chancellor-dean of the Southern University Agricultural Center, the executive director of the Louisiana Cultural Economy Foundation, the executive director of the Louisiana Cancer Research Center, the president and chief executive officer of the Louisiana Hospital Association, the director of the Louisiana Budget Project, the president and chief executive officer of the Louisiana Association of Business and Industry, the executive director of the

Louisiana Municipal Association, the president of the Police Jury Association of Louisiana, the commissioner of the office of alcohol and tobacco control, and the president of the Louisiana Video Gaming Association.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE