

2018 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 76

BY REPRESENTATIVE DUSTIN MILLER

HEALTH/SMOKING: Creates a study committee to evaluate Louisiana's prevalence of tobacco-related illnesses resulting from secondhand smoke exposure

1 A CONCURRENT RESOLUTION

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

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

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

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

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

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

1 WHEREAS, Act No. 815 of the 2006 Regular Session found and determined that it
2 is in the best interest of the people of this state to protect nonsmokers from involuntary
3 exposure to tobacco smoke in most indoor areas open to the public, public meetings, food
4 service establishments, and places of employment; and

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

9 WHEREAS, since the passage of the 2006 Louisiana Smoke Free Air Act, fourteen
10 municipalities, covering approximately twenty percent of the state's population, have enacted
11 comprehensive smoke-free ordinances to close the policy gap created by Act No. 815 of the
12 2006 Regular Session including to prohibit smoking in bars and gaming facilities, as
13 establishing smoke-free workplaces are the only effective way to ensure that secondhand
14 smoke exposure does not occur in the workplace, because ventilation and other air cleaning
15 technologies cannot completely account for exposure of nonsmokers to secondhand smoke;
16 and

17 WHEREAS, the Campaign for Tobacco Free Kids, State Toll of Tobacco, reports
18 2018 Medicaid costs caused by smoking in Louisiana totals eight hundred three million
19 dollars.

20 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
21 create a study committee to evaluate the policy gap of Louisiana's statewide Smoke Free Air
22 Act.

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

25 (1) One member representing the office of public health of the Louisiana
26 Department of Health, appointed by the secretary of the department.

27 (2) The secretary of the Louisiana Department of Revenue or his designee.

28 (3) The commissioner of insurance or his designee.

29 (4) One member representing the Department of Culture, Recreation, and Tourism
30 in the office of the lieutenant governor.

1 (5) The chief executive officer of the Louisiana Public Health Institute or his
2 designee.

3 (6) One member representing the Louisiana Campaign for Tobacco-Free Living.

4 (7) One member representing the Louisiana Association of Business and Industry.

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

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

8 (10) Chief executive officer of the Cardiovascular Institute of the South or his
9 designee.

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

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

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

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

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

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

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

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

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

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

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

25 (22) One representative of an entity licensed pursuant to R.S. 27:412(B)(2) as
26 approved by the Louisiana video gaming association.

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

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

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

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

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

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

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

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

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

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

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

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

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

25 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
26 secretary of the Louisiana Department of Health, the secretary of Louisiana Department of
27 Revenue, the secretary of the Department of Culture, Recreation, and Tourism, the executive
28 director of the Louisiana Public Health Institute, director of the Campaign for Tobacco-Free
29 Living, American Heart Association of Louisiana, the American Cancer Society-Cancer
30 Action Network Louisiana, the chief executive officer of the Cardiovascular Institute of the

1 South, the dean of the Louisiana State University School of Public Health, the dean of the
2 Tulane University School of Public Health and Tropical Medicine, the chancellor-dean of
3 the Southern University Agricultural Center, the executive director of the Louisiana Cultural
4 Economy Foundation, the executive director of the Louisiana Cancer Research Center, the
5 president and chief executive officer of the Louisiana Hospital Association, the director of
6 the Louisiana Budget Project, the president and chief executive officer of the Louisiana
7 Association of Business and Industry, the executive director of the Louisiana Municipal
8 Association, the president of the Police Jury Association of Louisiana, the commissioner of
9 the office of alcohol and tobacco control, and the president of the Louisiana video gaming
10 association.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 76 Engrossed

2018 Regular Session

Dustin Miller

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

Requests that the study committee convenes on or before August 1, 2018.

Requests that on or before January 15, 2019, the study committee submit to the legislature a report of its progress and preliminary findings.

Requests that on or before March 8, 2019, the study committee 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 R.S.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Add the following individuals to the study committee:
 - (a) The executive director of the Louisiana Municipal Association or his designee.
 - (b) The president of the Police Jury Association of Louisiana or his designee.
 - (c) The commissioner of the Louisiana office of alcohol and tobacco control or his designee.
 - (d) One representative of an entity licensed pursuant to R.S. 27:412(B)(1).

(e) One representative of an entity licensed pursuant to R.S. 27:412(B)(2) as approved by the Louisiana video gaming association.