



Legislative Update

August 6, 2007

Please read and forward to your colleagues and networks!

2007 General Assembly Session Adjourns!

With the conclusion of budget negotiations and the passage of a budget, the NC General Assembly moved quickly to finish its work and adjourned Thursday evening, August 2. The 2007 General Assembly session was a productive one for the NC Alliance for Health as the coalition initiated its policy work in the physical activity and nutrition (PAN) policy arena and mounted a strong effort to enact several major pieces of legislation to protect the public from the dangerous health effects of secondhand smoke.

The Budget and Healthy Weight Funding Priorities

Among the Alliance's budget requests, only Healthy Carolinians funding survived the budget process to be included in the final budget. Healthy Carolinians will receive \$1 million in non-recurring funding in the 2007-2008 fiscal year.

The Alliance was disappointed to learn that legislators decided at the last minute NOT to include Child Nutrition Program funding in the budget. The Child Nutrition Program's original request was \$15 million in recurring funding to offset the costs of implementing the school nutrition standards set to go into effect during the 2007-2008 school year. Initially, the House version of the budget funded the program at \$7.5 million in non-recurring funding. The Senate version did not include any funding for the program.

Apparently budget conferees expressed concern about how funds would be equitably distributed among the state's school districts, despite efforts by Alliance partners to dispel incorrect information provided to legislators by staff early in the budget process. In addition, negotiators questioned the long-term costs of implementing the new nutrition standards. Not only did budget negotiators not include Child Nutrition Program funding but they also decided to insert a special provision in the budget to delay the implementation date for the nutrition standards until the 2009-2010 school year.

Also among the Alliance's budget priorities was funding for the Tobacco Quitline. Though it initially received \$1 million in non-recurring funding in the House version of the budget, the Quitline ultimately did not receive state funding in the 2007 budget. However, a special provision in the budget authorizes (but does not mandate) that the Health and Wellness Trust Fund (HWTF) allot up to \$300,000 in additional funding to the Quitline on top of the funds already provided by HWTF to the service.

To view the 2007 Appropriations Act, click here
<http://ncleg.net/Sessions/2007/Bills/House/HTML/H1473v10.html>.

Should you have additional questions or comments about the 2007 budget or budget process, please contact Elizabeth Outten at (919) 602-6648 or eaoutten@gmail.com.

Action on Tobacco-Related Legislation

Despite the failure of HB 259 which would have restored local control and made all restaurants and most bars smoke-free, a number of bills were passed this session to protect workers and the public from the dangers of secondhand smoke.

HB 24, *Prohibit Smoking in State Government Buildings*, was one of the Alliance's top legislative priorities this session and one of the coalition's biggest successes. HB 24, sponsored by Reps. Jennifer Weiss (D-Wake) and Rick Glazier (D-Cumberland), makes all state government buildings smoke-free and provides an option to local governments to make local government buildings and transportation systems smoke-free. Governor Easley signed HB 24 into law on July 9. This bill goes into effect on Jan 1, 2008 and will go a LONG way toward protecting many thousands of state employees and citizens from the dangers of secondhand smoke. The Alliance looks forward to supporting our partners in local communities as efforts begin make local government buildings smoke-free. Many thanks to Rep. Weiss and Glazier and all of our advocacy partners for helping to make the passage of this bill a reality. To view this bill, go to:

<http://www.ncga.state.nc.us/Sessions/2007/Bills/House/HTML/H24v7.html>

SB 1086, *Tobacco-free Schools*, has been signed into law by the Governor. This bill mandates that any school system that has not yet gone tobacco-free do so by August 1, 2008. Eighty-seven of the state's 115 school systems are already tobacco free. To view this bill, go to:

<http://www.ncga.state.nc.us/Sessions/2007/Bills/Senate/HTML/S1086v4.html>

SB 862, *Smoke-free UNC*, (sponsored by Senator William Purcell, D-Scotland), has also been signed by the Governor. This bill permits the buildings, grounds and facilities of the institutions of the University of North Carolina, as well as the UNC Health Care System and the medical buildings at East Carolina University, to be designated smoke-free by the appropriate governing body. The bill allows smoking to be banned within 100 feet of UNC buildings. To view a copy of this bill, go to:

<http://www.ncga.state.nc.us/Sessions/2007/Bills/Senate/HTML/S862v5.html>

HB 1785 –*Fire Safe Cigarettes* (sponsored by Rep. Verla Insko, D-Orange) was approved just last week by the Senate Finance Committee and the full Senate by a vote of 47 to 0. This bill requires all cigarettes sold in NC to burn out quickly when left unattended. During Senate Finance Committee debate, an amendment was approved to delay the implementation date from Jan. 1, 2009 to Jan. 1, 2010. Apparently the delay was requested by cigarette distributors wanting to make sure they have ample time to

move their inventory of non-fire safe cigarettes. This bill awaits Governor Easley's signature.

Similar legislation has been approved in more than a dozen states and Canada. According to the Coalition for Fire-Safe Cigarettes (of which the Alliance is a partner), cigarettes are the leading reason for fire deaths in the United States, causing up to 900 deaths a year. The state Division of Public Health blames cigarettes and similar smoking material for 7,500 residential fires in the state in 2005. Those fires resulted in 100 deaths and 800 injuries.. To view the final version of the bill, go to:

<http://www.ncga.state.nc.us/Sessions/2007/Bills/House/HTML/H1785v5.html>

1294, *No Smoking/LTC Facilities* (sponsored by Reps. Julia Howard, R-Davie and Carolyn Justice, R-Pender) has been approved by both the House and Senate and awaits the Governor's signature. This bill prohibits smoking inside long-term care facilities. The bill had been amended by the Senate to remove state psychiatric hospitals from the smoking ban and to clarify that a violation of the ban is a civil offense only, not a crime. The House refused to concur with the Senate's version of the bill. The conference committee returned the bill to its original form passed by the House (the final version includes a ban in *all* long-term care facilities). To view this bill, go to:

<http://www.ncga.state.nc.us/Sessions/2007/Bills/House/HTML/H1294v6.html>

Many thanks to all the advocates and partners who contacted legislators in support of these bills. Your efforts are critical to the work of the Alliance!

The Alliance will soon begin holding meetings to determine our legislative priorities for the 2008 legislative session (no rest for the weary!). The first will be held by the Alliance Secondhand Smoke Committee on Tuesday, September 18 at 10 a.m. at the offices of the American Heart Association. Please watch for additional Alliance meeting announcements.

The General Assembly returns on May 13, 2008! Enjoy the break!

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

Have your organization, its board members, staff and volunteers sign the Alliance's secondhand smoke resolution to demonstrate your support for making NC's worksites and public places smoke-free. Access the resolution by going to the Alliance's website at:

<http://www.rtpnet.org/alliance/resolution.html>

The website is now capable to 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.

For additional information about secondhand smoke issues or NC's cigarette tax, access the Alliance website at www.ncallianceforhealth.org for talking points and other resources.

Call 919-463-8328
or e-mail ncalliance@heart.org for more information