

# Tobacco proposal increases ban, tax

BISMARCK – A five-year plan for reducing tobacco use in North Dakota would more than quadruple the state's cigarette tax to \$2 a pack, ban smoking in bars and renew efforts to prohibit tobacco in schools and on campuses.

By: **Dale Wetzel, Associated Press Writer**, Associated Press

BISMARCK – A five-year plan for reducing tobacco use in North Dakota would more than quadruple the state's cigarette tax to \$2 a pack, ban smoking in bars and renew efforts to prohibit tobacco in schools and on campuses.

The proposal, drafted by a newly formed state committee, would prohibit smoking in arenas and other outdoor areas where public events are held. The restrictions could apply to parks, baseball fields, racetracks and the grandstand at the state fairgrounds in Minot.

The plan's supporters intend to lobby local governing boards and the Legislature to extend a smoking ban in workplaces to bars, an idea state lawmakers have rejected.

If local and state officials balk at implementing elements of the committee's plan, they could be offered to voters directly through an initiative campaign.

The anti-tobacco agenda will put special emphasis on helping young people kick the tobacco habit and encouraging them not to start smoking or using smokeless tobacco in the first place, said Kathleen Mangskau, the committee's chairwoman.

To that end, making tobacco more expensive and restricting where it may be used will be helpful, she said. Schools should ban tobacco use on their grounds, prohibit smoking at all events and forbid students from wearing clothing that advertises tobacco, Mangskau said.

"We know that as long as tobacco is a few dollars a pack or a can, as long as smoking is allowed in some public places, and as long as there are barriers to affordable cessation, North Dakota will not significantly reduce its tobacco use," she said.

The nine-member advisory board was formed by Measure 3, an anti-tobacco ballot measure that North Dakota voters approved last November. The panel was given the job of drafting plans to cut down tobacco use.

A three-member executive committee will oversee how the plans are carried out. Mangskau, who is a former tobacco control director for the North Dakota Department of Health, is chairwoman of both the advisory board and the executive committee.

The initiative has a two-year budget of \$12.8 million, financed by part of the state's share of a 1998 lawsuit settlement against the nation's largest tobacco companies.

Rep. Dwight Wrangham, R-Bismarck, who opposed a bill in the 2009 Legislature to ban smoking in bars, said he appreciated the committee's emphasis on preventing youth smoking but was skeptical that raising the cigarette tax to \$2 a pack would reduce tobacco use.

The current tax of 44 cents a pack is less than a third of the tax imposed by North Dakota's three neighboring states. It has not been increased since 1993.

"I'm not sure that the tax increase is going to have the effect that they hope," Wrangham said. "I think it may be just another way to punish those who are already being punished by their addiction."

Wrangham said he was unsure how much support an extended smoking ban would receive in the Legislature.

"I haven't made that leap yet, to outdoors being a problem," he said. "Unless it is a very crowded area, I don't think that secondhand smoke is going to be a problem (outdoors)."

State law already prohibits smoking in most workplaces that are open to the public, though there are a handful of exceptions: tobacco shops, bars, hotel rooms set aside for smokers, enclosed areas in truck stops where children are not allowed and rooms rented for private functions.

Legislation to extend the smoking ban to bars was defeated in the North Dakota House in February. Voters in Fargo and West Fargo, however, agreed to that step a year ago, and the change has enjoyed widespread public support, said Bette Deede, a tobacco prevention coordinator for Fargo Cass Public Health.

"Once people have smoke-free, they love smoke-free," Deede said. "They don't want to go back."

Among the tobacco committee's goals are to coax the Legislature into extending the indoor smoking ban to all public workplaces or to persuade at least three more cities to approve anti-tobacco ordinances similar to those in Fargo and West Fargo.

Initially, lawmakers and city commissioners will be lobbied to support a comprehensive smoking ban, Mangskau said. If that fails, supporters of smoking restrictions may circulate initiative petitions to put them to a vote, she said.

At current tax rates, North Dakota is expecting to collect \$45.4 million in tobacco taxes over two years. Kathryn Strombeck, a state Tax Department analyst, estimated the proposed tax increases could raise those collections to \$163.4 million, while cutting tobacco consumption by as much as 25 percent.