

# 2009 "Fix It or Nix It" Campaign in Indiana

ADVOCATING FOR A COMPREHENSIVE SMOKEFREE LAW  
AND AGAINST ADOPTION OF HALF-MEASURES

Presented by:

Tim Filler

Wednesday, August 26<sup>th</sup>, 2009

TTAC Webinar



# From the beginning... agreement of support for a comprehensive smokefree workplace law.

From the outset of our coalition's formation, each partner organization signed on to the *Fundamentals of Smokefree Air Policy Development for Hoosier Communities*, a local version of the national "fundamentals" document.

The organization explicitly states in joining the coalition that they seek a comprehensive smokefree law that covers all workers.





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Archive for Tuesday, January 06, 2009

# Indiana smoking ban: Bid to clear air gets a new push

## Campaign for Smokefree Air tries to ignite momentum in

### State Legislator

Mike Smith

INDIANAPOLIS snuffed out in public places in restaurants, bars, casinos, under a lawmaker plans upcoming legislat

"It is a public health Democratic state of Gary, chairman Health Committee. primary aim is protect non-smokers who work in smoke-filled environ

Brown will have plenty from a coalition called Campaign for Smokefree American Cancer Society Campaign for Tobacco-

### Town hall meetin

The coalition conducted a smoke-free ban in all enclosed workpla cities across the state, said Tim Filler,

He said non-smoking employees who allowed are being treated like secondhand smoke.

### Casinos, bars oppose

But Brown will face opposition from some powerful lobbying groups, including Licensed Beverage Association, which represents about 700 bars, restaurants and The Casino Association of Indiana, which represents 12 of Indiana's 13 casinos, will at seek an exemption for casinos

# Statewide smoking ban

BY BOWDEYA TWEH Bowdeya.Tweh@nwtimes.com 219.933.4183 | Thursday, December 18, 2008 | (38) MERRILLVILLE | Anti-smoking advocates gather statewide ban on smoking in enclosed workplac

The Indiana Campaign for Smokefree Air has medical research and personal anecdotes issue.

Terri Martin, executive director of the Ga terms of tobacco control and urged p

"This is a movement, it doesn't stop State Rep. Charlie Brown, D-G pass in next year's legislative work in smoke-filled environ

Brown said detractors of casino losses as an ex

"You could argue illi

Dr. Steve Simps smoking helps dealing with

The coalition held a town hall meeting in Fort Wayne this week to advocate a ban on smoking in all enclosed workplaces in Indiana, and plans similar events in other cities across the state, said Tim Filler, the group's grassroots committee chairman. He said nonsmoking employees in enclosed public places where smoking is allowed are being treated like secondhand citizens because they are subject to secondhand



## Statewide ban on smoking urged

November 15, 2008 by indystar | Staff 0 comments ShareThis

INDIANAPOLIS -- Smoking would be snuffed out in almost all enclosed public places in Indiana, including restaurants, bars, bowling alleys and casinos, under a bill a powerful state lawmaker plans to push in the upcoming legislative session. "It is a public health issue," said state Rep. Charlie Brown, D-Gary, chairman of the House Public Health Committee. Brown will have plenty of backing from a coalition called the Indiana Campaign for Smokefree Air, a group of more than 30 organizations that includes the American Cancer Society, American Heart Association, American Lung Association and the Campaign for Tobacco-Free Kids.

reached her limit. Either the cigarettes d Sullivan, 59, of Hammond.

problems, and she puts part of the blame on restaurant, where friends are always ready to

ampaign for Smokefree Air, which is trying to at an outright ban on smoking in the workplace.

State, which has the sixth-highest adult smoking g-ban bill was introduced, the measure did not the chairman out of testimony of a man who




**Next, we framed our campaign around the workers that in places of employment that would be likely targets for exemptions, particularly casino workers.**

**We built data resources and a grassroots base to support maintaining these venues in our smokefree legislative proposal.**

**This helped keep all of our partners invested in maintaining these venues in our smokefree law.**





## Casino Employees are at a greater risk of lung and heart disease

- # WHY?
- 2006 U.S. Surgeon General's Report: there is "no risk-free level of exposure" to secondhand smoke.
  - Smoky casinos have up to 50 times more cancer-causing particles in the air than a city street clogged with diesel trucks at rush hour.
  - Workers in a "well ventilated" casino had metabolized nicotine levels 300-600% higher than in other smoking workplaces.

**SUPPORT SMOKEFREE GAMING**  
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Indiana Academy of  
Family Physicians  
55 Monument Circle, Suite 400  
Indianapolis, IN 46204

**No one should have to choose between  
their job and their health.**

## don't gamble with secondhand smoke



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Smokefree  
**GAMING**



## Report: Smoky casino air fails EPA standards

Tue. January 13 - 2009

Associated Press

Air quality inside Indiana casinos is far worse than federal standards deem healthy, results released yesterday by anti-smoking advocates and researchers from Purdue University.

The study may not come as a surprise to gamblers smelling of cigarette smoke, but it may spur lawmakers into passing a law to ban smoking in all public places statewide, because of the effects of secondhand smoke.

"It is both the reasonable and responsible thing to do," said Dr. Christopher D. Johnson, who funded the study. "It is unconscionable, especially in this economy, to put workers at risk to health and whether or not to keep their current job."

Opponents of a statewide smoking ban - including the Casino Association of Indiana - have put hundreds of people out of work.

"It truly does impact business," said Mike Smith, the association's president.

Rep. Charlie Brown, D-Gary, plans to introduce a bill that would ban smoking in public places like restaurants, bars and casinos, and says they deserve the same protections against secondhand smoke.

Republican Sen. Gary Dillon of Columbia City has proposed a similar bill. It is expected that the study would help convince lawmakers of dangerous levels of pollutants in casinos.

The U.S. Environmental Protection Agency says it's healthy to have up to 35 micrograms per cubic meter of fine particulate matter in the air over 24 hours. But the study found the average level of fine particle pollution in casino gambling areas was 159 micrograms per cubic meter. Seven of the 11 casinos measured had non-smoking areas, and the average level in those areas was 48 micrograms per cubic meter.

A gambler at Indiana casinos would exceed the EPA's 24-hour health limits within an average of just four hours, said Neil Zimmerman, an associate professor of industrial hygiene at Purdue University who conducted the study.

### Study: Harmful levels of smoke at Ind. casinos

NEWS SOURCE: The Courier-Journal | 4 months ago

Indiana casino workers and customers face harmful levels of secondhand smoke despite ventilation meant to lessen the impact of cigarettes, according to a study released today by an anti-smoking coalition. The study using college students carrying...

### WIBC-FM 93.1, Indianapolis: Study: Smoke in Casinos at Dangerous Levels

NEWS SOURCE: Androscoggin News | 4 months ago

Industrial Hygiene professor Dr. Neil Zimmerman presented his findings on the air quality at Indiana's 11 casinos at the Indiana Statehouse. Zimmerman says while the Environmental Protection Agency says the average fine particle indoor air pollution...

### Ban smoking in casinos, advocates say

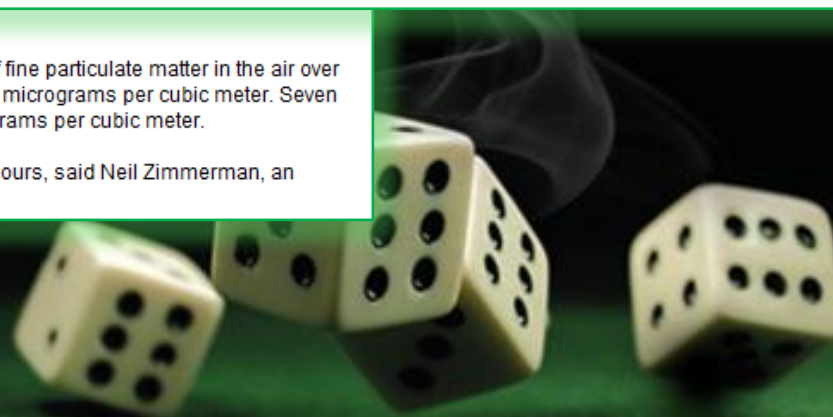
NEWS SOURCE: Courier & Press | 4 months ago

Anti-smoking advocates today urged Indiana legislators to ban smoking in casinos as well as other public places, citing the secondhand-smoke risks to employees. A study of air quality in all 11 Indiana casinos found that the average level of fine...

### Ind. casino smoke report to be released

NEWS SOURCE: The Courier-Journal | 4 months ago

Purdue University researchers and the Indiana Academy of Family Physicians plan to release a study tomorrow about the indoor air quality and secondhand smoke exposure in Indiana's casinos. The announcement at 1:30 p.m. at the Indiana Statehouse will...



## Statehouse smoking ban hearing packed



February 04, 2009 by [Shari Rudavsky](#) | Star staff

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Speakers for and against the state's proposed comprehensive smoke-free workplace bill packed a hearing at the Statehouse today, sharing their thoughts on why or why not Indiana should ban tobacco smoke in every workplace.

Public health advocates argued every employee in the state, including those in casinos and bars, has a right to breathe smoke-free air, while businesspeople from those industries contended the bill would cut unfairly into their revenue.

By the end of 2009, 28 states and Washington, D.C., will have enacted similar laws. Many European countries — including Ireland, which is famous for its pubs culture — have also done so.

For three and a half hours, the House Public Policy Committee listened to testimony about how passing such a bill might affect Indiana.

"I love my job, but the smoking is horrendous in there," said Karen Walter, a casino worker in Southern Indiana who supports the bill. "We don't feel we have to risk our lives to do our jobs."

Second-hand smoke has been linked to a myriad of health ills, including heart disease, lung and breast cancers, and asthma.

Many cities and towns throughout the state already have enacted at least limited bans



**Indiana casino worker Karena Walter testified in support of a comprehensive smokefree law that covers all workers.**



# Ind. bid for state smoking ban may be up in smoke

Posted 3/24/2009 4:55 PM ET

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By Deanna Martin, Associated Press Writer

INDIANAPOLIS — Legislative efforts to ban smoking in public places statewide could be up in smoke.

Indiana lawmakers are clashing over whether they should try to pass a watered-down bill or sacrifice this year's proposal in hopes of passing a stricter rule later.

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## House OKs limited workplace smoking ban



February 18, 2009 by Bill Ruthhart | Star staff

0 comments Share This

### Bars, betting venues excluded from measure

A watered-down version of a statewide smoking ban passed the Tuesday, but its proponents vowed to pressure lawmakers in the the bill.

As introduced, House Bill 1213 would have banned smoking in a the state, but the version that passed the House includes exempt casinos, horse tracks and off-track betting parlors.

HB 1213 would require casinos to set aside 20 percent of their s and would allow nursing homes to have smoking areas. Restaurants would have to prohibit customers younger than 18 if they choose smokers, or else ban smoking outright.

The measure now moves to the Senate after the 70-26 House vote

## Indiana Advocacy Beat

You don't have to be a doctor to save lives...just an advocate with the American Heart Association/American Stroke Association. The Indiana Advocacy Beat is a resource for those of you working hard to fight heart disease and stroke across Indiana and the country. Keep up-to-date on state policy issues, check out what is going on in the media and let us know what you are doing as a You're the Cure advocate!

Wednesday, February 18, 2009

### House Passes Watered Down Smokefree Workplace Bill

The Indiana House of Representatives passed House Bill 1213 yesterday - a bill that, as originally written, would have made all workplaces in Indiana smokefree. Unfortunately, this bill was watered down in Committee with several exemptions for certain establishments, i.e., bars, membership clubs, casinos and even some restaurants.

The bill now moves to the Senate where the American Heart Association will be working hard to restore the bill to its original form to ensure that ALL Hoosier workers are protected from the deadly health consequences of secondhand smoke exposure.

The Senate should begin deliberations on the bill soon so be sure to check back often for updates!

American Heart Association® 

*Learn and Live<sup>SM</sup>*

### You're The Cure

The American Heart Association is always looking for committed and active advocates -- like you-- to join our [You're the Cure](#) advocacy network. This group of volunteers contacts their elected officials to help pass important heart-healthy policies in their state and across the nation.

If you would like to make Indiana more heart-healthy, join [You're](#)



# ACTION ALERT!

E-blast action alert and talking points for advocates

## House Bill No. 1213 is infected and should be KILLED!

We are no longer asking for passage of HB1213. As it stands, the bill is weak and we want it KILLED. The current bill leaves behind the workers who need protection the most.

This flimsy loophole filled bill should be opposed by legislators; **the opportunity for improvement has come and gone.** If and when this bill shows up in a conference committee report, or integrated into another bill in conference committee, it **MUST** be rejected.

We are urging advocates to contact their state representatives and encourage them to kill the bill. We **will not** settle for a **watered-down** bill, and we are willing to wait until next year for a bill that protects ALL workers.

**We need all our advocates to contact their state representative today.**

**Act quickly** there are only three weeks left in this legislative session. If something happens in conference committee, we'll probably have just a day or two make things happen.



## Smokefree Workplace Bill: FIX IT or NIX IT

- The so-called compromise that passed the House is all headline, no substance. It covers a lot of workplaces that are already smokefree but it excludes the workers who are most likely to be exposed to secondhand smoke. And it creates two classes of workers – those that deserve a healthy work environment and those that don't.
- It makes no sense for the Indiana General Assembly to recognize the serious health impact caused by secondhand smoke, but then fail to protect the most exposed groups of workers, such as bar and casino workers.
- The best way to protect people's health is to pass a comprehensive bill the first time. Examples from the local Indiana ordinances have shown that it's very difficult to 'go back and fix' a watered down ordinance once it has been passed. Well-intentioned lawmakers have passed weakened ordinances with the idea of coming back and strengthening them later. All of the comprehensive smokefree air laws that have been passed in Indiana passed the first time in comprehensive form--with the exception of Ft. Wayne. It took Ft. Wayne 10 years to go back and make their smokefree air ordinance comprehensive.
- Partial measures work for politicians but not for health, communities, or businesses. Partial measures create an unlevel playing field and pit business against business. Like other communities, Indianapolis is now looking to fix its ordinance so it extends to all businesses.
- Public opinion and expectations are changing rapidly. It would be irresponsible to accept a measure that would ultimately be a delay and obstruction to the final outcome of a smokefree law that covers all workplaces. The majority of Hoosiers already wants this outcome, and more and more will continue to ask for it. If the legislature does not act to protect all workers now, the issue will continue to be addressed each year until smokefree workplaces become a reality in Indiana.
- We don't measure health improvement solely on a legislative scorecard – this issue has already been progressing without the legislature. If the legislature doesn't have the courage to give us all health protection from secondhand smoke, Indiana communities will continue to step up and protect their citizens.

Remember legislators need to hear our voices!



April 20, 2009

To the Editor:

It's sad when you must turn against legislation you once supported. But the Indiana Campaign for Smokefree Air must do precisely that with House Bill 1213. As originally drafted, this bill would've protected all Hoosier workers from the proven-deadly chemicals in secondhand smoke. But as amended, it leaves too many at risk and creates classes of workers.

Why is half way worse than no way? Because this bill, in its watered-down form:

- Simply covers lots of workplaces that are already smokefree, while excluding the workers who are currently most exposed and least protected.
- Acknowledges that secondhand smoke is deadly, then provides legislative blessing for thousands of workers to be exposed anyway.
- Pits business against business. If all businesses were treated equally, they would all be smokefree and thus competing on the same field.

The best way to protect people's health is to pass a comprehensive bill the first time. History shows it's very difficult to "go back and fix" a watered down ordinance once it has been passed. It took Ft. Wayne 10 years to do so. It's taken Indianapolis four years to even start the conversation again.

A strong majority of Hoosiers wants smokefree air in all workplaces. It would be irresponsible to accept a measure that would ultimately delay that goal.

We will continue to advocate for a comprehensive smokefree workplace law at the state level—as has been enacted in 25 U.S. states, the District of Columbia and Puerto Rico. And we will continue to advocate for local smokefree workplace laws, as have been enacted in many Indiana communities.

In the meantime, legislators should nix any attempt to incorporate the current version of HB 1213 into any legislation. This is bad public policy that will do more harm than good for Hoosier health and the Hoosier economy.

Melissa Lewis  
For the Indiana Campaign for Smokefree Air

Letter-to-the-editor

# Letter to Legislators



April 20, 2009

The Honorable [First Name] [Last Name] [Indiana House of Representatives] or [Indiana Senate]  
200 W. Washington Street  
Indianapolis, IN 46204

Dear [Senator] or [Representative] [Last Name]:

We are writing as a unified coalition of representatives of your constituents afflicted with ailments triggered or exacerbated by secondhand smoke. We ask that you allow the language currently contained in the bill to be amended to protect all workers.

We wholeheartedly supported this bill in its original form. But with its current amendments, it exposes thousands of workers to proven-toxic air. As this bill is currently written, it says, "Well, the legislation hasn't been fixed yet."

Why do we oppose this so-called "compromise" bill?

- In its watered-down form, this bill nixes any attempt to incorporate the current version of HB 1213 into any legislation, while excluding the workers who are currently most exposed and least protected.
- The bill in its current form acknowledges that secondhand smoke is deadly, then provides legislative blessing for thousands of workers to be exposed anyway.
- The bill in its current form pits business against business. If all businesses were treated equally, they would all be smokefree and thus competing on the same field.
- The best way to protect people's health is to pass a comprehensive bill the first time. History shows it's very difficult to "go back and fix" a watered down ordinance once it has been passed. It took Ft. Wayne 10 years to do so. It's taken Indianapolis four years to even start the conversation again.

A strong majority of Hoosiers already wants smokefree air in all workplaces. It would be irresponsible to accept a measure that would ultimately delay that goal.

We will continue to advocate for a comprehensive smokefree workplace law at the state level—as has been enacted already in 25 U.S. states, the District of Columbia and Puerto Rico. And we will continue to advocate for local smokefree workplace laws, as have been enacted in many Indiana communities.

In the meantime, we ask that you nix any attempt to incorporate the current version of HB 1213 into any legislation. This is bad public policy that will do more harm than good for Hoosier health and the Hoosier economy.

Sincerely,

The Members of the Indiana Campaign for Smokefree Air

- Alliance for Health Promotion
- American Cancer Society
- American Heart Association
- American Lung Association of Indiana
- Americans for Nonsmokers' Rights
- Campaign for Tobacco-Free Kids
- Coalition of Advanced Practice Nurses
- Clarian Health
- Hoosier Faith & Health Coalition
- Indiana Academy of Family Physicians
- Indiana Black Expo
- Indiana Cancer Consortium
- Indiana Chapter of the American Academy of Pediatrics
- Indiana Dietetic Association

- Indiana Dental Association
- Indiana Hospice Association
- Indiana Hospice & Palliative Care Association
- Indiana Latino Institute
- Indiana Minority Health Coalition
- Indiana Perinatal Network
- Indiana Public Health Association
- Indiana Rural Health Association
- Indiana Society for Public Health Education
- Indiana State Medical Association
- Indiana University Simon Cancer Center
- March of Dimes – Indiana Chapter
- Mental Health America of Indiana
- The Leukemia & Lymphoma Society

Additionally, 506 local organizations, businesses and coalitions from around the state are supporting members.



## **Tim Filler**

Policy Consultant  
Tim Filler, Inc.

Grassroots Chair, Indiana  
Campaign for Smokefree Air

317.652.6483  
tim@timfiller

