



February 16, 2021

House Committee on Industry, Business and Labor  
North Dakota House of Representatives  
600 East Boulevard Avenue, Room JW327C  
Bismarck, ND 58501

Sent via email to: [mlefor@nd.gov](mailto:mlefor@nd.gov)

Re: House Bill 1152

Dear Chair Michael Lefor, Vice Chair George Keiser and Members of the Committee on Industry, Business and Labor,

I am writing regarding North Dakota House Bill 1152, relating to cigar bars and lounges. ASHRAE, founded in 1894 and headquartered in Atlanta, is a global society advancing human well-being through sustainable technology for the built environment. The Society and its more than 55,000 members worldwide focus on building systems, energy efficiency, indoor air quality, refrigeration and sustainability. Through research, standards writing, publishing, certification and continuing education, ASHRAE shapes tomorrow's built environment today.

I urge you to consider the health effects of these proposed "cigar bars". As a technical Society developing standards for indoor environmental quality, ASHRAE holds the position that the only means of avoiding health effects and eliminating indoor environmental tobacco smoke (ETS) exposure is to ban all smoking activity inside and near buildings. This position is supported by the conclusions of health authorities that any level of ETS exposure leads to adverse health effects and therefore:

- The building and its systems can reduce only odor and discomfort but cannot eliminate exposure when smoking is allowed inside or near a building.
- Even when all practical means of separation and isolation of smoking areas are employed, adverse health effects from exposure in non-smoking spaces in the same building cannot be eliminated.
- Neither dilution ventilation, air distribution (e.g., "air curtains") nor air cleaning should be relied upon to control ETS exposure.
- For multifamily buildings, complete smoking bans inside and near them protects nonsmoking adults and children.

- Further research is needed from cognizant health authorities on the health effects of involuntary exposure in the indoor environment from smoking cannabis, using hookahs, using electronic nicotine delivery systems (ENDS), and engaging in other activities commonly referred to as vaping or using e-cigarettes.

I am attaching a copy of the ASHRAE Position Document on Environmental Tobacco Smoke, updated in July 2020, which more thoroughly discusses this matter. ASHRAE would be happy to address any questions you might have or to offer technical assistance and/or experts from relevant technical committees within ASHRAE. Please feel free to contact me or have your staff contact [GovAffairs@ashrae.org](mailto:GovAffairs@ashrae.org).

For more information on ASHRAE and its standards, programs and resources, please visit [www.ashrae.org](http://www.ashrae.org).

Sincerely,



Andrea L. Phillips  
ASHRAE Government Affairs Regional Vice Chair, Region IX  
816-547-4237  
[andrea.phillips@crbusa.com](mailto:andrea.phillips@crbusa.com)