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Virtual + Oral Testimony for House Committee on Health and Human Services
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Good afternoon and thank you for the opportunity to testify virtually before this committee.

On behalf of our members in Kansas and advocates across the country, as we stand with casino workers making their plea for the same protections as all other workers, we urge your support of HB2622 to close the casino smoking loophole in the KS Indoor Clean Air Act.

We applaud Representative Donohoe for introducing this legislation to ensure that all workers have access to a safe and healthy workplace and urge the Committee to **vote YES on the bill - as written** – to maximize public health protections, ease enforcement and prevent troublesome loopholes that unfairly cover some workers or workspaces and that could lead to the potential for litigation.

The KS Indoor Clean Air Act was signed into law in 2010, extending life-saving protections to all except those who work in Kansas casinos. Health authorities for the past six decades have documented that smoking and secondhand smoke remain leading causes of death and disease. The Centers for Disease Control and Prevention state: "There is no risk-free level of secondhand smoke, and even brief exposure can cause immediate harm." Everyone should have the right to breathe clean air.

With more than 20 states and 1,000 smokefree casinos across the U.S., there is more than sufficient evidence that smokefree casinos are economically viable and popular with the public and employees. In fact, most of the top-grossing casinos across the country are smokefree. In the absence of action, workers will continue to get sick and die from their exposure to secondhand smoke.

Only 100% smokefree indoor air can protect workers and patrons from the toxic chemicals in secondhand smoke. Smoking sections or ventilated areas will not address health hazards. According to the American Society of Heating, Refrigeration and Air-conditioning Engineers (ASHRAE) -- the experts on ventilation systems – **there is currently no system on the market that can address the hazards of secondhand smoke or e-cigarette aerosol.**

Pressure from the casino industry to maintain indoor smoking compromises the integrity of the Indoor Clean Air Act. A clear pattern has emerged from casino executives and lobbyists. Time after time, the gaming industry makes claims that turn out to be false, then they turn to the next weak argument to defend indoor smoking.

[A report](#) conducted by Las Vegas-based C3 Gaming indicates that "banning smoking no longer causes a dramatic drop in gaming revenue. In fact, **non-smoking properties appear to be performing better** than their counterparts that continue to allow smoking." Claims of revenue loss are often based on predicted data from 2002, 2008, or 2015 ignoring current trends that account for declining revenue.

The report goes on to point out the gaming industry's commitment to responsible gaming practices. Requiring smoking patrons to take breaks is a key tenant of responsible gaming.

While this bill only impacts commercial gaming, it's important to note that Tribes have shown leadership on this issue. "Interviews with tribal casino management also revealed that profitability is increasing due to reduced maintenance costs. So far, 157 tribes were able to push smoking out of their casinos at no economic cost."

Smokefree casinos will save lives and we stand with workers who are demanding the same conditions guaranteed to every other worker in Kansas. It's not every day or with every piece of legislation that you can so tangibly improve the lives of thousands of Kansas. HB2622 is one of those bills.

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