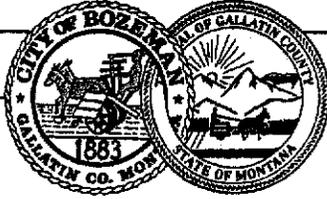


EXHIBIT 14
DATE 2-16-05
HB 643

"Committed to the protection and promotion of public health"



Gallatin City-County Health Department

February 16, 2005

The Honorable Arlene Becker, Chair
Human Services Committee
Montana House of Representatives
Capitol Station
P.O. Box 201701
Helena, Montana 59620-1701

Dear Representative Becker,

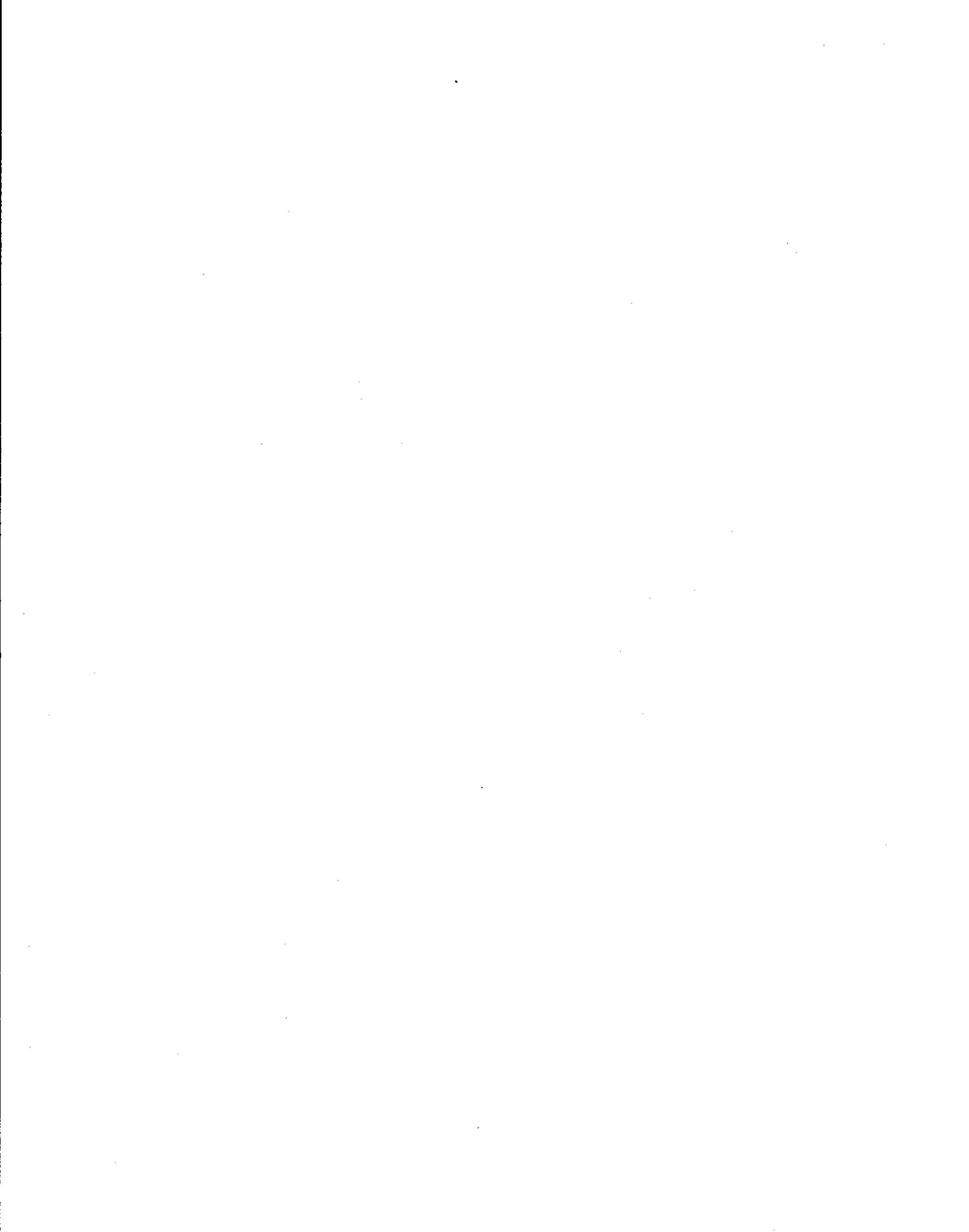
I am writing in support of HB 643. The statistics related to the health hazards of second hand smoke and the associated costs are overwhelming.

This Bill is a commonsense approach to assure that the air our children breath while at school is as clean as possible. Please support HB 643.

Sincerely,

Stephanie Nelson RN, MSN
Health Officer

Cc Bill Warden



February 15, 2005

Dear Representative
Becker and Members of
the House Human Services
Committee:

I write in SUPPORT of HB 643: "An act prohibiting smoking in all public schools and in all places where the public is free to enter..."

It should be as rare for a Montana citizen to breathe second-hand smoke in a public place as it is to encounter any other known carcinogen in a place where the public is free to enter. Yet exposure to this known carcinogen happens daily across the state. There is no justification for treating this known carcinogen differently than we do asbestos, for example, and other known carcinogens or any of the many other hazardous substances that cigarette smoke, itself, contains which are, in fact, individually regulated.

Missoula has had a partial prohibition on smoking in public places for about six years. The only complaints I receive today are of two types:

- 1) Employees of a worksite in which smoking is allowed who complain that they don't really have much of a choice between quitting their low-income job or suffering the harmful effects of breathing smoke their entire shift. Were they being exposed to asbestos or carbon monoxide at their workplace, a complaint would result in a remedy that would allow them to keep both their job and their health. But non-smoking employees of bars and restaurants have a 30% higher risk of lung cancer than all other non-smokers; and,
- 2) Patrons who complain of smoke drifting into the "non-smoking area." In my experience, "drawing a line," as is necessary in a partial ban, is difficult and unsatisfactory on a number of fronts. First, there is no true line between non-smoking and smoking areas – the smoke spreads through the establishment, even into other rooms via the ventilation system. Patrons, even though exposure to lesser amounts of smoke than workers, should also be afforded protection because we know that even a small amount of exposure increases heart disease risk and can trigger asthmatic responses that last for days and require expensive treatments and medications.

Secondly, the jurisdictional boundary of local ordinances, while certainly preferable to having no ability to protect local citizens from smoke, does present its own difficulties. However even-handed a partial prohibition is intended to be, there is a place where the jurisdictional boundary ends. Only a state-wide prohibition in all public places will erase the real problems surrounding the false line between smoking and non-smoking areas and jurisdictions.

I urge you to vote for HB 643 and protect *all* Montana citizens – adults of both good and sensitive health, children, pregnant women, and workers at all income levels – from this known carcinogen.

Sincerely,
Ellen Leahy, RN
Health Officer





Flathead City-County Health Department

1035 First Ave. West Kalispell, MT 59901
(406) 751-8101 FAX 751-8102
www.flatheadhealth.org

Community Health Services
751-8110 FAX 751-8111
Environmental Health Services
751-8130 FAX 751-8131
Reproductive Health Services
751-8150 FAX 751-8151
Home Health Services
751-6800 FAX 751-6807
WIC Services
751-8170 FAX 751-8171

Testimony

Representative Jim Peterson, Chairman
House Natural Resources Committee
Montana House of Representatives
Capital Station
Helena MT 59620

Re: HB 622

Dear Chairman Jim Peterson,

The Flathead City-County Health Department does not support the amendments proposed to the Montana Safe Drinking Water Act proposed in House Bill 622. These amendments dilute the Safe Drinking Water Act and put the public's health at risk.

Many of the conditions cited to allow exemption from the Act are unenforceable and over time will be ignored. This will put the public at risk. These amendments may also jeopardize Montana's primacy as it relates to drinking water laws and will likely transfer responsibilities to the U.S. Environmental Protection Agency if the amendments are passed.

We urge you not to support House Bill 622. Please call me if you have any questions.

Sincerely,

Joseph W. Russell, R.S., M.P.H.
Health Officer

CC: Representatives Brown, Everett and Jopek

**RESOLUTION OF THE YELLOWSTONE CITY-COUNTY BOARD OF HEALTH
IN SUPPORT OF
LEGISLATION TO PROHIBIT SMOKING IN PUBLIC PLACES IN MONTANA**

The mission of the Yellowstone City-County Health Department is to provide public health services through assessment, leadership, education, prevention and direct services in collaboration with our community partners; and,

WHEREAS, numerous credible scientific studies have determined that secondhand tobacco smoke is a major cause of indoor air pollution that contains more than 40 known human carcinogens, many suspected carcinogens, co-carcinogens, carbon monoxide, sulfur dioxide, nitrous oxides, irritants, systemic toxicants, reproductive toxicants, aromatic hydrocarbons, pesticides, heavy metals, EPA-listed hazardous air pollutants, cilia toxic agents, sub-micron-sized particulates; and,

WHEREAS, numerous credible studies have found that breathing secondhand smoke is a cause of disease in healthy non-smokers including lung cancer, ischemic heart disease, coronary heart disease, cerebrovascular accident, sudden infant death syndrome, respiratory infection, decreased respiratory function and bronchi-constriction; and,

WHEREAS, the Surgeon General has declared that smoking is the largest preventable cause of premature death and disability in the United States, and breathing secondhand smoke is the third largest preventable cause of premature death in the United States; and,

WHEREAS, the Governor's Advisory Council on Tobacco Use Prevention, "recognizes the unique role of local public health boards and departments that are legally charged with protecting the public health," and states that one of the goals of the March 14, 2000 Montana Tobacco Use Prevention Plan is to "substantially increase smoke-free establishments, such as . . . workplaces, restaurants, and public facilities, thereby eliminating exposure to environmental tobacco smoke;" and,

WHEREAS, the Environmental Public Health Tracking (EPTH) Project of the Montana Department of Public Health and Human Services (December 2004) found that a survey of 131 (out of 180) Montana county commissioners listed exposure to secondhand smoke as the second most-cited environmental health concern; and,

WHEREAS, the National Association of County and City Health Officials and the National Association of Local Boards of Health, "clearly state their intention to eliminate - to the extent possible - the devastation wreaked on Americans by a product that when used as intended, causes disease, disability and death," and advocate that Local Boards of Health "promote and support policies, legislation or regulations that ensure that indoor air in places and public venues is free from secondhand tobacco smoke;" and,

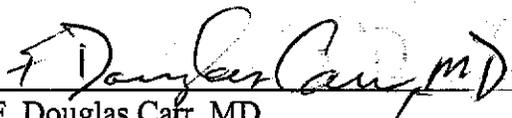
WHEREAS, comprehensive smokefree laws have a strong, documented positive impact on helping smokers quit, and on preventing adolescents and children from ever starting tobacco use; and,

WHEREAS, pursuant to Article II, Section 3 of Montana's Constitution, all persons have certain inalienable rights that include a constitutional right to a "clean and healthful environment." And pursuant to Article IX, Section 1 of Montana's Constitution, "the state and each person shall maintain and improve a clean and healthful environment in Montana for present and future generations;" and,

WHEREAS, for consistency of health and economic interests statewide, any smokefree tobacco legislation should apply equally to all indoor public spaces and workplaces across the State of Montana;

NOW THEREFORE BE IT RESOLVED, the Yellowstone City-County Board of Health strongly supports legislation to prohibit smoking in all public places and workspaces in Montana as well as providing for tobacco-free schools and urges the Legislature to pass and the Governor to sign legislation codifying this important public health policy for Montana.

ADOPTED by the Yellowstone City-County Board of Health on February 14, 2005.


F. Douglas Carr, MD
Board of Health Chair



CITY-COUNTY HEALTH DEPARTMENT

115 4th Street South • Great Falls, MT 59401 • 406-454-6950

RESOLUTION OF THE CASCADE COUNTY CITY COUNTY BOARD OF HEALTH IN SUPPORT OF HB 643

LEGISLATION TO PROHIBIT SMOKING IN PUBLIC PLACES IN MONTANA

WHEREAS, secondhand tobacco smoke has been categorized as a known carcinogen by the United States Environmental Protection Agency (EPA); and,

WHEREAS, numerous scientific studies have determined that secondhand tobacco smoke is a major cause of indoor air pollution that contains more than 40 known human carcinogens; many suspected carcinogens, co-carcinogens, carbon monoxide, sulfur dioxide, nitrous oxides, irritants, systemic toxicants, reproductive toxicants, aromatic hydrocarbons, pesticides, heavy metals, EPA-listed hazardous air pollutants, cilia toxic agents, sub-micron- sized particulates; and,

WHEREAS, numerous studies have found that breathing secondhand smoke is a cause of disease in healthy non-smokers including lung cancer, ischemic heart disease, coronary heart disease, cerebrovascular accident, sudden infant death syndrome, respiratory infection, decreased respiratory function and bronchi-constriction; and,

WHEREAS, the American Cancer Society has determined that secondhand tobacco smoke kills 65,000 nonsmokers in our country annually; and,

WHEREAS, the Surgeon General has declared that smoking is the largest preventable cause of premature death and disability in the United States, and breathing secondhand smoke is the third largest preventable cause of premature death in the United States; and,

WHEREAS, at special risk from secondhand tobacco smoke are infants, children, elderly people, individuals with cardiovascular disease and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease; and,

WHEREAS, a significant amount of secondhand tobacco smoke exposure occurs in the workplace, and studies show that employees who work in smoke-filled businesses suffer a 25-50% increased risk of heart attack and higher rates of death from cardio-vascular disease and cancer, as well as increased acute respiratory disease and measurable decrease in lung functioning; and,

WHEREAS, the National Institute for Occupational Safety and Health, the Environmental Protection Agency, and the Surgeon General have recommended that all preventable measures should be used to minimize occupational exposure to secondhand tobacco smoke; and,

WHEREAS, the Environmental Protection Agency (EPA) has determined that secondhand smoke cannot be reduced to safe levels in businesses by high rates of ventilation. Air cleaners, which are only capable of filtering the particulate matter and odors in smoke, do not eliminate the known toxins in secondhand smoke; and,

WHEREAS, the National Association of County and City Health Officials and the National Association of Local Boards of Health, "clearly state their intention to eliminate - to the extent possible - the devastation wreaked on Americans by a product that when used as intended, causes disease, disability and death," and advocate that Local Boards of Health "promote and support policies, legislation or regulations that ensure that indoor air in places and public venues is free from secondhand tobacco smoke;" and,

WHEREAS, comprehensive smokefree laws have a strong, documented positive impact on helping smokers quit, and on preventing adolescents and children from ever starting tobacco use; and,

WHEREAS, pursuant to Article II, Section 3 of Montana's Constitution, all persons have certain inalienable rights that include a constitutional right to a "clean and healthful environment." And pursuant to Article IX, Section 1 of Montana's Constitution, "the state and each person shall maintain and improve a clean and healthful environment in Montana for present and future generations;" and,

WHEREAS, for consistency of health and economic interests statewide, any smokefree tobacco legislation should apply equally to all indoor public spaces and workplaces across the State of Montana;

NOW THEREFORE BE IT RESOLVED, the Cascade County City County Board of Health strongly supports House Bill 643, a bill to prohibit smoking in all public places and workspaces in Montana as well as providing for tobacco-free schools, and urges the Legislature to pass this important public health policy for Montana.

ADOPTED by the Cascade County City County Board of Health on February 16, 2005.



Marcus Johnson, M.D.
Board of Health Chair

- Members:
- Donald P. Jelinek, DDS
 - Bryan Dunn, Ed.D.
 - Iva "Boots" Wiseman
 - Lyle Meeks
 - Deb McCracken
 - Peggy Beltrone

**RESOLUTION OF THE
LEWIS & CLARK CITY-COUNTY BOARD OF HEALTH
IN SUPPORT OF HB 643**

LEGISLATION TO PROHIBIT SMOKING IN PUBLIC PLACES IN MONTANA

WHEREAS, secondhand tobacco smoke has been categorized as a known carcinogen by the United States Environmental Protection Agency (EPA); and,

WHEREAS, numerous scientific studies have determined that secondhand tobacco smoke is a major cause of indoor air pollution that contains more than 40 known human carcinogens; many suspected carcinogens, co-carcinogens, carbon monoxide, sulfur dioxide, nitrous oxides, irritants, systemic toxicants, reproductive toxicants, aromatic hydrocarbons, pesticides, heavy metals, EPA-listed hazardous air pollutants, cilia toxic agents, sub-micron- sized particulates; and,

WHEREAS, numerous studies have found that breathing secondhand smoke is a cause of disease in healthy non-smokers including lung cancer, ischemic heart disease, coronary heart disease, cerebrovascular accident, sudden infant death syndrome, respiratory infection, decreased respiratory function and bronchi-constriction; and,

WHEREAS, the American Cancer Society has determined that secondhand tobacco smoke kills 65,000 nonsmokers in our country annually; and,

WHEREAS, the Surgeon General has declared that smoking is the largest preventable cause of premature death and disability in the United States, and breathing secondhand smoke is the third largest preventable cause of premature death in the United States; and,

WHEREAS, at special risk from secondhand tobacco smoke are infants, children, elderly people, individuals with cardiovascular disease and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease; and,

WHEREAS, a significant amount of secondhand tobacco smoke exposure occurs in the workplace, and studies show that employees who work in smoke-filled businesses suffer a 25-50% increased risk of heart attack and higher rates of death from cardio-vascular disease and cancer, as well as increased acute respiratory disease and measurable decrease in lung functioning; and,

WHEREAS, the National Institute for Occupational Safety and Health, the Environmental Protection Agency, and the Surgeon General have recommended that all preventable measures should be used to minimize occupational exposure to secondhand tobacco smoke; and,

WHEREAS, the Environmental Protection Agency (EPA) has determined that secondhand smoke cannot be reduced to safe levels in businesses by high rates of ventilation. Air cleaners, which are only capable of filtering the particulate matter and odors in smoke, do not eliminate the known toxins in secondhand smoke; and,

WHEREAS, the National Association of County and City Health Officials and the National Association of Local Boards of Health, "clearly state their intention to eliminate - to the extent possible - the devastation wreaked on Americans by a product that when used as intended, causes disease, disability and death," and advocate that Local Boards of Health "promote and support policies, legislation or regulations that ensure that indoor air in places and public venues is free from secondhand tobacco smoke;" and,

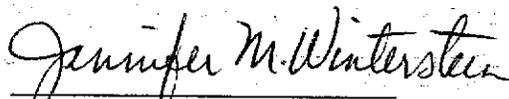
WHEREAS, comprehensive smokefree laws have a strong, documented positive impact on helping smokers quit, and on preventing adolescents and children from ever starting tobacco use, and,

WHEREAS, pursuant to Article II, Section 3 of Montana's Constitution, all persons have certain inalienable rights that include a constitutional right to a "clean and healthful environment." And pursuant to Article IX, Section 1 of Montana's Constitution, "the state and each person shall maintain and improve a clean and healthful environment in Montana for present and future generations;" and,

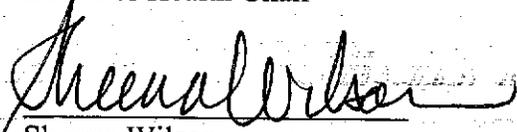
WHEREAS, for consistency of health and economic interests statewide, any smokefree tobacco legislation should apply equally to all indoor public spaces and workplaces across the State of Montana;

NOW THEREFORE BE IT RESOLVED, the Lewis and Clark City-County Board of Health strongly supports House Bill 643, a bill to prohibit smoking in all public places and workspaces in Montana as well as providing for tobacco-free schools, and urges the Legislature to pass this important public health policy for Montana.

ADOPTED by the Lewis and Clark City-County Board of Health on February 16, 2005.



Jennifer Wintersteen,
Board of Health Chair



Sheena Wilson
Vice Chair

Members:

Dr. Joel Cleary

Peter Donovan

Anita Varone

Sandy Oitzinger

Terrie Casey

Dr. Bruce Messinger

Ken Wallace