



The Oregon Coalition of Local Health Officials

HB 4101A
Senate Health Care
February 21, 2022

Chair Patterson and members of the committee. My name is Sarah Lochner, here on behalf of the Coalition of Local Health Officials, – “CLHO” – representing local public health directors across the state.

It is with great sadness that I inform you all that the Coalition voted on Thursday to oppose the amended version of HB 4101. We were supportive of the bill as introduced, and were really hoping to help Rep. Schouten get this bill across the finish line during her last session. However, the amendment carved out restaurants and bars from the expanded requirement – allowing them to keep the 10 foot distance.

CLHO believes this exemption makes the bill largely ineffective. Where does most public smoking happen? Restaurants and bars. This is especially true now with our hybrid office work environments.

We believe there are equity concerns here too. Most back-of-the-house restaurant employees are people of color. These would be the people taking out the trash, bussing tables, taking a 15 minute dinner break out back – probably directly adjacent to the smoking shacks and covered patios where people are allowed to smoke.

In addition, restaurants and bars tend to be clustered on busy streets, most near lower income housing. Think about 82nd in Portland. What type of housing do you think butts up against the backside of those restaurants and bars?

The Coalition also believes that this double sided policy will be very confusing for the general public and will drive complaints up drastically.

Stanton Glantz, a professor at the University of California, San Francisco, is a researcher in this area and says that the real value in smoking buffers and indoor clean air act rules is about changing the cultural norm. I would argue this is the perfect time to implement this change, as people are aching to reconnect with friends and return to “normal social interactions.” This summer, people are going to be flocking to restaurants and bars. A new increased smoking

buffer is NOT going to deter them. I think everyone will be more accepting of a new normal, including an increased smoking buffer, and just glad to be out and about.

In this new world we are living in, keep in mind that we will have quite a few folks dealing with post-Covid respiratory issues as well. They deserve to be able to enjoy eating outdoors without exacerbating their health issues.

For these reasons, CLHO encourages you to re-amend the bill back to its original form. This policy would be consistent with science and with our surrounding states.

Thank you for hearing my testimony today.