

UNC System Smoke-Free Campus Initiative

Signature Honors Project

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East Carolina University

Honors 4500/4550

Advisor: Dr. Tim Christensen

Abstract

The state of North Carolina is one of the leading producers of tobacco in the United States. As such, the tobacco industry has played a significant role in North Carolina politics for decades. The relationship between big tobacco companies and the state legislature has resulted in a restrictive policy for University of North Carolina System schools. General Statute 143, Article 64, Sections 595-601 establish that UNC System schools cannot restrict campus tobacco use farther than 100 feet from buildings, with the exception of health science campuses. Originating in Honors 2000, our group has conducted collaborative research to advocate for legislative change for over a year. Now, with support from the Student Government Association at East Carolina University, the ECU Faculty Senate, and the statewide Association of Student Governments, we are well-positioned to amend the current legislation. Our proposed bill amendment has also gained approval from Representative Kandie Smith and Representative Donna White, who will act as sponsors to advance our bill through the North Carolina General Assembly.

Introduction

We are a group of students from the East Carolina University Honors College who are working to counter the increasing use of nicotine and smokable products on North Carolina college campuses, especially among young adults. Under current North Carolina law, the public colleges of the UNC System are unable to restrict campus tobacco use past 100 feet from university buildings. While a rising number of college campuses all over the country are adopting smoke-free campuses, North Carolina law restricts the right of students and faculty at constituent universities to seek further tobacco and nicotine restrictions on campus. A growing number of students at East Carolina and other UNC universities seek to change this law to improve student and faculty health on college campuses and create an overall healthier North Carolinian. The legislation we sought to amend is North Carolina General Statute Chapter 143 Article 64 Parts 596 and 597 to allow universities to pursue tobacco-use and smoking regulation policies beyond 100 feet from buildings. Each UNC System campus and student body has differing needs and campus facilities; this makes it necessary for policies to be flexible and without restriction as it pertains to nicotine and smoking regulations. Our efforts proved successful with the drafting of House Bill 467 in the North Carolina General Assembly.

Group beginnings

When our group began in Honors 2000 in August of 2019, our group was focused on finding solutions to combat the opioid crisis. The group had roughly 7 members, including current members Rachel Davis, Mia Ferry, and Darby White. As our group faced struggles with how to combat this large issue, we turned to addictive substances other than opioids as the focus of our project. Early on in the 2019 fall semester the group transitioned to solutions surrounding tobacco use and tobacco products. We ultimately decided to focus on the tobacco policy on East

Carolina University's Campus. The current tobacco policy stated that smoking was permitted only 100 feet away from buildings, yet we as a group felt that this was not restrictive enough and decided to promote a tobacco-free ECU campus. As we conducted interviews with Dr. Joseph Lee and Bill Koch, the Associate Vice Chancellor of Environmental Health and Campus Safety at ECU, it came to our attention that the current smoking policy at ECU was the most restrictive it could be based on North Carolina law. It was impossible to advocate for a tobacco-free campus because it was simply not an option for ECU unless the state law was changed.

After group deliberation, we decided that our project's new focus would be to change the state law so that schools in the UNC System would not be restricted from enacting a tobacco-free policy on their respective campuses. This idea was finalized before the ending of Honors 2000, and our project was selected to continue to Honors 3000 in the Spring of 2020. Our group was then expanded to 12 members, including current members Ally Fulcher and Ethan Norris. It was during this time that we gained support from Representative Perrin Jones, who promised to help introduce our bill. Since it was an even year, the State legislature was undergoing a short session, meaning only budget bills are introduced. This posed an issue for the group, for we had to tie in our bill with a budget bill. Our legislation never made it to filing due to the states focus on the COVID-19 pandemic and we were forced to wait until the Spring of 2021, during a long session, to file our bill. Our group was selected to move on to Honors 4500 in the fall of 2020, and our group was reduced to our 5 current members.

§143-596

Our group's mission to reduce smoking on campus by making ECU tobacco free came upon an obstacle in the form of a North Carolina General Statute. General Statute 143-597 states all of the areas that can be designated as non-smoking areas which includes the facilities and

grounds of the UNC school system schools. However, the grounds of a building only covers up to 100ft away from each building, meaning that while a school may own a piece of land, unless all of it is within 100ft of a building the whole area of land cannot be made tobacco free (Nonsmoking areas in State Controlled Buildings, 2007). This leaves many areas on many UNC system campuses unable to be designated as non-smoking in a way that is not evident without closely reading the text of the law and considering the exact definitions of the terms defined early in the General Statutes (Definitions, 2007).

The law was written to specifically allow the designation of non-smoking areas only up to 100ft from a building on a UNC university campus, as can be seen by the passage of General Statute 143-599, which allows for the designation of private and community colleges in North Carolina as fulling smoke-free (Exceptions, 2007).

With this legal boundary preventing our group from advocating for tobacco-free policies on ECU's campus, our group began working to change the North Carolina law to allow the UNC system schools to become tobacco free. At that time the North Carolina General Assembly was in a short session, which means that they could only pass legislation relating to the state budget, so we contacted then representative Perrin Jones about sponsoring a bill. Perrin Jones was at that time the representative for the North Carolina 9th House district, which ECU resides in, so he was open to writing the legislation but it needed to be in the format of an amendment to the budget bill the General Assembly was working on at the time. Our group drafted an amendment to the 2019-2020 House Bill 966 to add a definition to §143-596 that covered the whole of a campus becoming tobacco-free, and then applied that definition to §143-597 (see Figure 1).

That bill was never introduced and the Covid-19 outbreak put all non-Covid related legislation on the backburner for the rest of the 2019-2020 session of the North Carolina General

Assembly. Once the election for the 2021-2022 session had concluded our group began contacting legislators to introduce a bill that would allow the UNC system schools to become tobacco-free, and found three primary sponsors who were willing to do so representatives Donna White, Kandie Smith and Joe John.

Our group also began working with the Student Government Association (SGA) of ECU and the Association of Student Governments for the University of North Carolina System (ASG) to let students know about the existence of G.S. §143-597 and to garner support from those organizations for the law's change. In order to effectively advocate for our project we began by creating a new type of legislation called a concurrent resolution, that would allow us to pass legislation at ECU and then at ASG where it would be sent to each individual institution to be passed. This was done by introducing GB 01 Concurrent Resolution Act (see figure 2) to ASG and then utilizing the passage of GB 01 to pass AR 5-04 at ECU. AR 5-04 was introduced in November of 2020 and gave our group the explicit support of the East Carolina Student Assembly for the changing of G.S. §143-597 to allow for all UNC system schools to become tobacco free and made it into a concurrent resolution to be sent to ASG (see figure 3). AR 5-04 was then edited slightly to make the wording more appropriate for the Association of Student Governments to pass and became CR-01. CR-01 was introduced at the November meeting of ASG passed through their assembly, giving our group the explicit support of the student representatives of each UNC system institution (see figure 4).

The office of representative Donna White drafted and introduced the bill for us, which was numbered as House Bill 467 "Allow Flexible Smoking Policies/ECU" (White et al. 2021). The drafted legislation that representative White introduced for us only allows for ECU to become tobacco free. Should the bill pass in this legislative session as is, ECU would be able to

make itself tobacco-free and thus completing our original mission, but not encompassing the rest of the system as we expanded our goal to. This is where the draft is currently at, though our group is still working to get other schools that would like to be able to become tobacco-free to be added to the exception, with the ideal of all 16 institutions that would be impacted eventually being added.

Objectives and methodology

Our group's proposed solution to the selected issue was a bill amendment that would remove the limit of 100 feet from the current legislation and allow UNC System universities to devise their own tobacco policies. In turn, this would allow universities the choice to become completely tobacco-free if they desired. This amendment would affect all tobacco products, smokable and smokeless, as well as electronic cigarettes. Our purpose was to limit policy restrictions for UNC System schools and promote a cleaner, healthier environment for students, faculty, and members of the community.

Towards the end stages of Honors 3000, we began to thoroughly research the North Carolina General Assembly and its legislative processes. We created our own draft bill amendment and established the goal of contacting every NC state legislator. By the end of the semester, we had reached out to all 170 legislators and received promising responses from a select few. A couple of our group members met with Rep. Joe John (D-40) to gain more insight about the potential obstacles we would face. We also established a good working relationship with Dr. Perrin Jones (R-09), who was willing to sponsor a bill amendment. However, our group lost contact with him over the course of the summer.

At the beginning of Honors 4500, we once again contacted every member of the NCGA, and received several more positive responses. We scheduled virtual meetings with some of the

representatives, including Rep. Kandie Smith (D-08) and Rep. Donna White (R-26), who would later act as primary sponsors to our bill. We also conducted virtual meetings with several ECU faculty members, including Bill Koch, the head of facilities. Mr. Koch offered our group valuable insight and information that helped us strengthen our argument. Mia conducted a presentation for the Faculty Senate and helped gain their support; they soon passed a resolution to approve our proposed change. Ethan worked with SGA and ASG to pass another resolution in favor of our bill amendment. The passage of the resolution by ASG was very significant; it meant we had attained the support of the student representatives for the entire UNC System.

In Honors 4550, our bill began to become reality; together, our group devised a thoroughly detailed concept paper and sent it to Rep. Smith and Rep. White. Rep. White's office then began drafting our bill. As of recently, our bill, HB 467, has been filed and will soon be voted on in the Education/Universities Committee. However, the bill amendment only includes ECU, as opposed to the entirety of the UNC System. Currently, we have reached out to our primary sponsors and we are now searching for representatives who would be willing to propose an amendment to include every UNC System school.

Future recommendations

Overall, the sequences of honors classes have been extremely beneficial in terms of learning how to work collaboratively with a team over an extended period of time. Through this process, our team has learned the in and outs, the good and bad, and the overall reality of how the political system works. Throughout the past year our group has taken away some key points that we would enact regarding the political system that would have made our project run more smoothly and also make the political system be more engaged with the citizens they are supposed to be representing.

The harsh reality of the political system is that it is extremely difficult to make contact with certain representatives. A few times, our group would receive immediate feedback, but a majority of the time, it would take a lot of persistence with emails and phone calls to be able to talk about our project with representatives. Additionally, our age raised a few challenges with being taken seriously with some of the people we reached out to. Being a group of college students made it more difficult because we do not have years of experience in politics that many people have in this field. In the future, this group would like to see representatives be more responsive to both citizens they are representing and also the young people of North Carolina, as we are the future of this state.

Individual Reflection

Through the months of hard work, this initiative has made extensive progress at inspiring meaningful change. My passion for this project has steadily grown leading to increased success in advancing these legislative changes. I successfully built working relationships with Representatives White and Smith that pushed our bill into being filed in the House of Representatives. Networking with legislators, students, and faculty all over the state became a priority of mine. I also worked to create a concept paper that became the document that was sent to legislative bill drafting. My group has met much opposition, but we have also been praised for our initiative. This project is unique to anything I've ever worked on, which has made it rewarding in an equally unique way. The more success my group finds, the more it pushes me toward the end goal of having a bill passed in the General Assembly. This project has had more success than I've ever thought possible for a group of students. The process of self-leading a project that made it all the way into the state legislature as a group of college students has been an empowering learning experience that I will carry with me for life.

Conclusion

As a group, we are passionate students interested in public policy and health. Our legislative bill, House Bill 467, has the potential to have significant impacts on student and staff health all over the state of North Carolina. We utilized the East Carolina University Honors College principles of design thinking to innovate our way towards a legislative solution to a statewide issue. We hope to aid in decreasing nicotine-use and smoking, particularly among youth, and create a culture on North Carolina public universities that promotes public health and safety.

Bibliography

Definitions, N.C. G.S. § 143-596 (2007)

https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_143/Article_64.html

Exemptions, N.C. G.S. § 143-599 (2007)

https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_143/Article_64.html

Nonsmoking areas in State-controlled buildings N.C. G.S. § 143-597 (2007)

https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_143/GS_143-597.html

White, D., Smith, K., & John, J. (2021, March 31). House Bill 467 (2021-2022 Session) - North Carolina General Assembly. [ncleg.gov](https://www.ncleg.gov).

<https://www.ncleg.gov/BillLookUp/2021/H467>.

Appendix

Figure 1

Original Honors 3000 Class Bill

NORTH CAROLINA GENERAL ASSEMBLY

AMENDMENT

House Bill 966

AMENDMENT NO. _____

(to be filled in by

Principal Clerk)

H996-AMR-10[v.8]

Page 1 of 2

Amends Title [NO]

Date _____ 2020

Third Edition

Senator _____

1 moves to amend the bill on page 118, lines 5822 and 5823 by inserting within those lines:

2 **SECTION 8A. 13.(a)** This section becomes effective August 1, 2020

3 Part 596 of Article 64 of Chapter 143 is amended by adding a new definition to read

4 : “§ 143-596 DEFINITIONS.

5 (9) Campus. – The location of a university, college, or school’s main buildings including

6 all lands owned by the University”

7 **SECTION 8A.13 (b)** Part 597 of Article 64 of Chapter 143 is amended to rewritten to

8 read:

9 “Except as provided in G.S. 143-599(11), any facilities of The University of North
 10 provide Carolina and the ~~grounds~~ campuses of those facilities. Each constituent
 11 institution, except for the North Carolina School of Science and Mathematics, shall make
 12 a reasonable effort to provide residential smoking rooms in residence halls in proportion
 13 to student demand for those rooms. For purposes of this subdivision, the term "facilities"
 14 includes all of the following:

- 15 a. State-owned buildings allocated to the University of North Carolina.
- 16 b. State-owned buildings allocated to the University of North Carolina and
 17 leased to a third party
- 18 c. The area of any building owned by a third part and occupied by the
 19 University of North Carolina as lessee”

SIGNED _____
 Amendment Sponsor

SIGNED _____
 Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

Figure 2

Concurrent Resolution Act

**GENERAL ASSEMBLY OF THE UNC ASSOCIATION OF STUDENT
GOVERNMENTS**

**49th SESSION, 2020-2021
GOVERNMENT BILL 02**

**A BILL TO BE ENTITLED
AN ACT TO AMEND STATUTES FOR THE PURPOSE OF CREATING CONCURRENT
RESOLUTIONS**

Short Title: Concurrent Resolution Act (Public)

Sponsored by: Ethan Norris East Carolina University corresponding

Secondary Sponsors: [The names of sponsors added after First Reading]

Signatories: [Individuals who are not members of the General Assembly]

Submission Date: 9/18/2020

First Reading: 9/25/2020	First Reading Status: [SBP/Internal Op
Second Reading: [9/26/2020]	Second Reading Status: approved
Third Reading: [DATE] <i>(as needed)</i>	Third Reading Status: [COMMITTEE/TABLE/VOTE] <i>(as needed)</i>

Referred to: SBP and Internal Operations

Section 1. The General Assembly of the University of North Carolina Association of Student Governments adopts the following Bill:

WHEREAS, Article I. **Mission, Purposes and Membership.** Section Two-**Purposes.** Subsections **A. B. E. F. G. I.** of the Constitution of the University of North Carolina Association of Student Governments reads:
SECTION TWO – **Purposes.** As noted in the University of North Carolina Board of Governors policy formally recognizing the Association of Student Governments as the student organization designated to represent the interests of students in the deliberations of the Board, the purposes of the Association shall be to:

A. represent the students of the University before the University of North Carolina Board of Governors;

B. develop and maintain open lines of communication between institutions, promote each student's right to a quality education, and promote the issues deemed beneficial to students;

E. address and act on the collective interests of students enrolled in member institutions;

F. involve students in the political process by educating students on the issues affecting them and the university;

G. actively involve students in the area of governmental relations so as to promote the passage or defeat of legislation, which the Association deems relevant to the education of students, their institutions, and higher education in North Carolina;

I. promote unity and cooperative efforts between the seventeen public institutions of The University of North Carolina

; and,

WHEREAS, Resolutions and Bills passed by the General Assembly of the North Carolina Association of Student Governments currently cannot be introduced in any of the 17 member institutions; and,

WHEREAS, the Association of Student Governments does not have a permanent presence on the campus of any of the 17 member institutions; and,

WHEREAS, the makeup of the delegations from each of the 17 member institutions is not subject to the student bodies of those institutions; now, therefore, be it

ENACTED, Resolutions adopted by the General Assembly that are subsequently adopted, in full, by the student government of one or more constituent institutions. If no constituent institution chooses to adopt the resolution, it shall remain an Association or Assembly resolution, as enacted. Concurrent resolutions may originate from the student government of any constituent institution or in the General Assembly.

Section 2. This Act shall be effective upon [enrollment, or optional effective date].

Figure 3

ECU SGA's UNC System Policy Deregulation

ASSEMBLY RESOLUTION 5-04

A RESOLUTION

To Request the Amending of North Carolina

General Statute Chapter 143 Article 64

Parts 596 and 597

Primary Sponsor: Director Ethan Norris

Cosponsor(s): Representative Logan Harrison

First Reading: _____

Referred to: _____

Second Reading: _____

Be it resolved by the Student Assembly of the Student Government Association of East Carolina University,

SECTION 1. SHORT TITLE

This Resolution may be cited as the "UNC Tobacco Policy De-Regulation"

SECTION 2. North Carolina General Statute Chapter 143 Creates Restrictive Parameters on UNC System Schools' Tobacco Policies

WHEREAS, North Carolina General Statute Chapter 143, Article 64 Parts 596 and 597 reads:

“§ 143-596 DEFINITIONS.

(1a) Grounds. – The area located and controlled by State government that is within 100 linear feet of any of the following:

- a. A State-owned building allocated to and occupied by State government.
- b. A State-owned building leased to a third party.
- c. A building owned by a third party and leased to State government.

§ 143-597. Nonsmoking areas in State-controlled buildings

(6) “Except as provided in G.S. 143-599(11), any facilities of The University of North Carolina and the grounds of those facilities. Each constituent institution, except for the North Carolina School of Science and Mathematics, shall make a reasonable effort to provide residential smoking rooms in residence halls in proportion to student demand for those rooms. For purposes of this subdivision, the term "facilities" includes all of the following:

- a. State-owned buildings allocated to the University of North Carolina.
- b. State-owned buildings allocated to the University of North Carolina and leased to a third party
- c. The area of any building owned by a third part and occupied by the University of North Carolina as lessee”, and;

WHEREAS, as it is currently worded North Carolina General Statute Chapter 143, Article 64 Parts 596 and 597 prevent UNC system schools from having full discretion over the tobacco policies of their campuses, and;

WHEREAS, each UNC system campus and student body has differing needs and campus facilities which necessitates that policies vary from campus to campus to meet those needs ,and;

Now, therefore, be it,

RESOLVED, the East Carolina University Student Assembly supports the amending of North Carolina General Statute Chapter 143, Article 64, Parts 596 and 597 to allow UNC System Schools full discretion over their own campus tobacco policies, and;

Be it, further,

RESOLVED, this resolution shall be sent to the Association of Student Governments for consideration as a Concurrent Resolution.

SECTION 3. DATE EFFECTIVE.

This Resolution shall be effective upon its passage by a majority affirmative vote of the Student Assembly and its signing by the Student Body President.

Final Vote:

I hereby certify that this Resolution was read and adopted in the Student Assembly of the East Carolina University Student Government Association,



X
Matthew Miller, Speaker of the Student Assembly

WITNESSED:



X
Danielle Maurice, Student Body Secretary

Action Taken by the President:
(VETOED)

(Enacted)

I hereby signify my approval of this Resolution as adopted by the Student Assembly of the East Carolina University Student Government Association, this.

X 
Tucker Robbins, Student Body President

Figure 4

ASG Tobacco Deregulation Act

**GENERAL ASSEMBLY OF THE UNC ASSOCIATION OF STUDENT
GOVERNMENTS**

**49th SESSION, 2020-2021
CONCURRENT RESOLUTION 01**

**A RESOLUTION TO REQUEST THE AMENDING OF THE
NORTH CAROLINA GENERAL STATUTE CHAPTER 143
ARTICLE 64 PARTS 596 AND 597**

Short Title: Tobacco Policy Deregulation Act (Public)

Sponsored by: ECU SGA

Secondary Sponsors:

Signatories: Timothy Christensen, Rachel Davis, Mia Ferry, Ally Foster, Darby White

Submission Date: November 6th, 2020

First Reading: 11/13/2020

First Reading Status: referred

Second Reading: 11/14/2020

Second Reading Status: Passed

Third Reading:
(as needed)

Third Reading Status:
(as needed)

Referred to: The Council of Student Body Presidents

Be it resolved by the General Assembly of the UNC Association of Student Governments,

SECTION 1. SHORT TITLE

This Resolution may be cited as the “UNC Tobacco Policy De-Regulation”

SECTION 2. North Carolina General Statute Chapter 143 Creates Restrictive Parameters on UNC System Schools’ Tobacco Policies

WHEREAS, North Carolina General Statute Chapter 143, Article 64 Parts 596 and 597 reads:
“§ 143-596 DEFINITIONS.

(1a) Grounds. – The area located and controlled by State government that is within 100 linear feet of any of the following:

- a. A State-owned building allocated to and occupied by State government.
- b. A State-owned building leased to a third party.

- c. A building owned by a third party and leased to State government.

§ 143-597. Nonsmoking areas in State-controlled buildings

(6) “Except as provided in G.S. 143-599(11), any facilities of The University of North Carolina and the grounds of those facilities. Each constituent institution, except for the North Carolina School of Science and Mathematics, shall make a reasonable effort to provide residential smoking rooms in residence halls in proportion to student demand for those rooms. For purposes of this subdivision, the term "facilities" includes all of the following:

- a. State-owned buildings allocated to the University of North Carolina.
- b. State-owned buildings allocated to the University of North Carolina and leased to a third party
- c. The area of any building owned by a third part and occupied by the University of North Carolina as lessee”, and;

WHEREAS, as it is currently worded North Carolina General Statute Chapter 143, Article 64 Parts 596 and 597 prevent UNC system schools from having full discretion over the tobacco policies of their campuses, and;

WHEREAS, each UNC system campus and student body has differing needs and campus facilities which necessitates that policies vary from campus to campus to meet those needs, and;

Now, therefore, be it,

RESOLVED, the UNC Association of Student Governments supports the amending of North Carolina General Statute Chapter 143, Article 64, Parts 596 and 597 to allow UNC System Schools full discretion over their own campus tobacco policies, and;

Be it, further,

RESOLVED, this resolution shall be sent to the member institutions of the University of North Carolina System for introduction as a Concurrent Resolution from the UNC Association of Student Governments.

SECTION 3. DATE EFFECTIVE.

This Resolution shall be effective upon its passage by a majority affirmative vote of the General Assembly and its signing by the President of the Association of Student Governments. Upon passage by 13 of the UNC member institutions it

shall be considered to have received the explicit support of the students of the UNC System.
