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Member of the Idaho Legislature, House and Senate

Dear esteemed Members,

In the summer of 2024 Speaker Moyle and Pro-Tempore Winder assigned Senator Harris and I to co-chair an interim committee labeled "Vape/E-Cigarette Regulatory System" for the purpose of assessing the risk of Vape/E-Cigarette usage and seeking a solution for exposure to minors.

The make-up of our committee was Co-chairs Harris and Raymond, Senators Guthrie, Bjerke and Ward-Engleking as well as Representatives VanderWoude, Barbieri and Burns.

The committee met in Boise on three separate occasions, September 25, October 22 and November 22 and received testimony from a variety of sources including local elected officials, tobacco company representatives, retailers, Idaho Public Television, Public Health Department, School Board Association, Department of Education, medical professionals, American Heart Association, tax analysts and more.

The committee also received testimony from the public and was able to ask questions of them regarding their concerns and potential solutions.

The following is an outline of five items that stand out as opportunities for improvement relating to Vape/E-Cig usage among minors.

1. Health risks...testimony left little doubt that Vape/E-Cig usage is creating a health crisis among our youth today. In addition to lung damage, it is evident that nicotine levels in these products are highly addictive and in some cases are being laced with deadly levels of illicit drugs.
2. Permitting...in previous legislative sessions there have been attempts at curbing usage by taxation and enforcement. Idaho retailers have indicated that audits have confirmed a 98% compliance rate; they are simply not selling to minors. However, it was reported that permitting for Vape/E-Cig outlets is an "on your honor" system and there may be many shops who are not permitted and therefore not being audited.
3. Taxation...as stated, there have been attempts to curb usage through taxation. The 2023 legislature did not have an appetite to tax vape products at the same level as tobacco products. Several attendees testified that they were not opposed to taxation if the cost did not push folks away from vape products and towards tobacco products, AND if the revenue derived from taxation was dedicated to prevention, education and cessation.
4. On-line and "black market" sales...it seemed to be common consent that access to Vape/E-Cig products via internet sales was the most common form of acquisition among minors. Another form of access is adult purchases and sharing with minors.
5. Identification...many Vape/E-Cig products are being camouflaged as innocuous devices, i.e. pens, sharpies, highlighters, etc. Some outside of the committee have suggested a means of identification so that parents, teachers, and other trusted adults know what minors have in their possession.

As a committee we appreciate efforts by those, including Idaho Public Television, Public Health Districts, parent's groups, education organizations, local elected officials and others, who have dedicated time and resources to educating our youth on the dangers of these products and the prevention of their use.

As the 2025 legislative session progresses, we anticipate solutions coming forth in the form of legislative proposals. If you want to be part of the solution, please express your ideas and work together to make Idaho a better place for our youth.

Respectfully submitted,

Representative Jerald Raymond