P.O. Box 3237
Bismarck, ND 58502
701-751-0229
www.tfnd.org

March 3, 2021
9:30 am CST
House Finance and Taxation Committee for the 67th ND Legislative Assembly

Chairman Headland, and members of the House Finance and Taxation Committee, hello, my name is Heather Austin, and I am the Executive Director for Tobacco Free North Dakota. The mission of Tobacco Free North Dakota is to improve and protect the public health of all North Dakotans by reducing the serious health and economic consequences of tobacco use, the state's number one cause of preventable disease and death. Thank you so much for your time this morning.

Today I am here to encourage a Do Pass on SB 2189, or the bill relating to the licensing of electronic smoking devices and offering language for a study on taxation methods.

By including electronic tobacco products for licensing and regulation, and by looking at their taxing structure in relation to other types of electronic products, including modified risk tobacco products, we create parity with all other tobacco products in North Dakota subject to these policies, and we take a good step forward in protecting our youth from the dangerous nicotine addiction these products promote. We can begin to stem the tide in what the FDA has called an "epidemic" for our youth. By updating our laws to reflect our current state needs and the new products that have joined the market in the last 25 years, we can better monitor and regulate tobacco to keep it out of the hands of our youth, and we can better provide further support to health programs and services for ND citizens.

While we still have much to learn about these new electronic smoking devices, the evidence is already clear that it is unsafe for young people to use e-cigarettes, vapes, JUULs, or any other products containing nicotine. As stated by the Surgeon General, "E-cigarette use poses a significant – and avoidable – health risk to young people in the United States. Besides increasing the possibility of addiction and long-term harm to brain development and respiratory health, e-cigarette use is associated with the use of other tobacco products that can do even more damage to the body."i.

These unlicensed and unregulated electronic products make it easier for beginners – primarily our kids – to try the product and ultimately become addicted. It also makes it difficult to get the full scope of tobacco use in North Dakota, as our data sets are often incomplete due to the lack of regulation electronic tobacco products enjoy. Again, SB 2189, simply aims to correct that and include electronic tobacco products for licensing, and regulation, alongside other existing tobacco products in North Dakota, and by subjecting them to this oversight, we avoid creating product "winners and losers" in our policies, treating all tobacco products equally with respect to regulation. This makes

good sense and provides the added benefit of protecting our kids, and that creates healthier youth and a healthier state.

Again, thank you for this time in front of you, Chairman Headland, and the Committee. It is very appreciated. Please vote Do Pass on SB 2189.

May I take any questions?

Heather Austin
Executive Director, Tobacco Free North Dakota
Cell: 701-527-2811
heather@tfnd.org
www.tfnd.org

i. HHS, Know the Risks: E-Cigarettes & Young People, accessed March 15, 2018 at https://e-cigarettes.surgeongeneral.gov/knowtherisks.html.

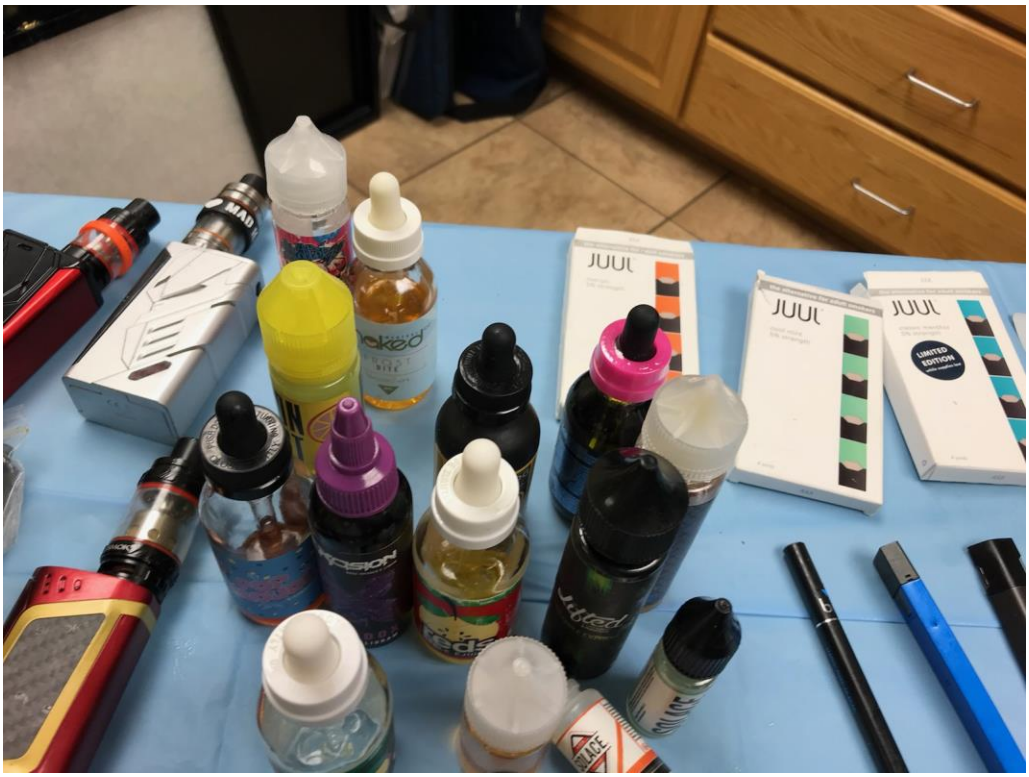

Photo of actual e-juices and electronic tobacco devices confiscated during the fall of the 2018-2019 school year at a North Dakota High School.