

HB 328- Opposition

Public Testimony Submitted to the House Health and Social Services Committee

March 22 – March 26, 2016

39 Individuals

Taneeka Hansen

From: tay harling <guide2fish@yahoo.com>
Sent: Tuesday, March 22, 2016 4:59 PM
To: House Health and Social Services
Subject: Opposing HB 328

Hello local Representatives,

My name is Tay Harling and I have been using vaping products for 3 years. Before that I was smoking a 1/2 pack a day and chewing a can a day. Moving to vape products was the best thing that I could have done to improve my life. My lungs are more clear and breathing is much better. Patches, gum and other products to help quit smoking have not worked.

Vaping is the future for people looking to cut the habbit. It is the best smoke free alternative.

I ask that you all look to vote no on this measure.

Thank you for your time.

Sincerely,
Tay Harling

[Sent from Yahoo Mail on Android](#)

Taneeka Hansen

From: Ryan <ryan7099@hotmail.com>
Sent: Tuesday, March 22, 2016 4:35 PM
To: House Health and Social Services
Subject: HB328 opposition

My name is Ryan Austin

Vaping is not smoke as defined in people vs Thomas in New York, an in sb225 Nevada.

I'm asking you to amend bill to allow vaping in homes no matter if their is a business or not. We as adults choose To go into a vapeshop, we as adults choose to work where we do. We also choose to go into a bar or restaurant whether or not they allow vaping or smoking. That is a choice the individual has made, and should not be infringed upon.

Thanks for reading this.

Ryan Austin

Taneeka Hansen

From: anna vongphachanh <avongphachanh@hotmail.com>
Sent: Tuesday, March 22, 2016 3:51 PM
To: House Health and Social Services
Subject: HB 328

I am an adult in Alaska, age 19 or older, and I oppose HB328. I work at a local vape shop in Anchorage and I have helped many many people that wanted to quit smoking cigarettes that have failed using other methods. Vaping have made it easier for all our returning customers to completely stop smoking. There are countless times when they come into the shop and tell me how much better they feel. That they can finally breathe and play with their grandkids. Most went back to the gym are able to run on the treadmill without struggling to catch a breathe. You have no idea how thankful they are to be able to quit smoking and helping other citizens quit as well. We are a community. In this industry everyone is helping and supporting one another to quit. We never give up on any of us or those who really wants to better their health. Vaping has brought a lot of us closer at a personal level even some became great friends for a long time.

Please don't let this bill pass. With all the hard work that these local vape shops did will be for nothing. We would lose our livelihood and it would put business owners out of business which for them is their only financial income that provides to their families. Please find another way. All the vape shop around the world are mostly locally-owned but one of the most successful industry that can make life a lot healthier.

I was a smoker. E cigarette had helped me quite. Now I no longer need the need to vape. You would've think I would still vape cause I work at a vape shop but really, I'm in it to help everyone in this community helping each other to quit traditional tobacco one person at a time. We may not save the world, but we may save a million lives. Please reconsider.

-Anna Vongphachanh

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

Taneeka Hansen

From: Joshua Land <altoakjl@gmail.com>
Sent: Tuesday, March 22, 2016 2:27 PM
To: House Health and Social Services
Subject: Opposing HB328

I feel that vaping is a safer alternative for cigarettes. I think this bill is wrong for Alaska and harmful to the vaping community in general.

Taneeka Hansen

From: Charis Curry <ayeitscharis@gmail.com>
Sent: Tuesday, March 22, 2016 2:21 PM
To: House Health and Social Services
Subject: Opposing HB328

I believe that taxing vape products will drive people back to smoking, just for the fact that it would be so much more expensive vaping. Smoking is dangerous and the amount of people that have switched from cigarettes to vaping is growing everyday. I believe vaping should be left with the little laws it has now, because it has helped so many people breathe and live better.

Sent from my iPhone

Taneeka Hansen

From: Kyle Tucker <kylet0202@gmail.com>
Sent: Tuesday, March 22, 2016 2:05 PM
To: House Health and Social Services
Subject: HB-328

Hey, I'm Kyle Tucker. I am a 20 year old US citizen. whom believes vapping is a grand thing it has been helping people satiate their craving for nicotine. the fact that vaping is another delivery method for nicotine means it has more room the grow and get bigger but i believe it should stay around, and no laws should be passed upon it othere than a 20% or 40% tax rate on it.

Ive been vaping for a year now and it already feels better than when i was paying for cartons of american spirit blacks all the time.

thanks for hearing my piece.

-KT

Taneeka Hansen

From: bigmike0190 <bigmike0190@yahoo.com>
Sent: Tuesday, March 22, 2016 1:48 PM
To: House Health and Social Services
Subject: Opposing hb328

I was a smoker for 31 years and vaping has enabled me to stop smoking. Vaping is more affordable and less harmful to me. Without this option i would still be smoking cigarettes. My family and friends are thankful that i have finally been able to quit smoking as am i.

Sent from Samsung tablet.

Taneeka Hansen

From: melissa mudd <mrsmudd@hotmail.com>
Sent: Tuesday, March 22, 2016 1:42 PM
To: House Health and Social Services
Subject: HB 328

I am an adult in Alaska, age 19 or older and I oppose HB328. I am a e-cigarette user, not a smoker.

Melissa Mudd
Eagle River, AK
mrsmudd@hotmail.com

Taneeka Hansen

From: Thomas Andre <aleutpride1979@gmail.com>
Sent: Tuesday, March 22, 2016 1:39 PM
To: House Health and Social Services
Subject: HB 328

I am an adult in Alaska, age 19 or older, and I oppose HB 328. I am an e-cigarette user and not a smoker.

Thomas Andre Sr
713 w 45th ave #3
Anchorage ,AK 99503
Sent from my iPhone

Taneeka Hansen

From: JUSTIN SHOUP <justinshoup1@gmail.com>
Sent: Tuesday, March 22, 2016 1:38 PM
To: House Health and Social Services
Subject: HB328

To Whom it Concers,

I am a 29 year old Alaskan Adult and I oppose HB328. I am a e-cigarettes user and have been smoke free for two years. In doing so, my health has improved immensely. Please do not make it more difficult for future smokers choosing a healthier option. Thank you for your time.

Respectfully Submitted
Justin Shoup
USMC Veteran

Taneeka Hansen

From: Rhett Jackson <rhettjackson92@yahoo.com>
Sent: Tuesday, March 22, 2016 1:27 PM
To: House Health and Social Services
Subject: Opposing HB328

My name is Rhett Jackson, I have been vaping for almost two years now. Before vaping I was smoking a pack of cigarettes a day and chewing tobacco as well. I constantly had a fear of cancer and worry of the unknown chemicals and products that were used in my tobacco products. In September of 2014, my daughter was born and that is when I finally decided to look for a healthier alternative. I turned to vaping, there is a lot of information I have researched of the four ingredients in vape juice. The products proved safe for me and others around me. I didn't have to worry about second hand smoke to my daughter or my wife. I knew what I was inhaling into my body. Best of all, I can breathe better and I feel better. I truly believe this is a healthy alternative to traditional tobacco products. Please take people's opinions from the vaping community rather than caring about the government making money off of these products. Vaping is a better alternative to smoking so don't make it impossibly expensive for people to continue vaping and vape shops to continue being open.

Thank you.

Taneeka Hansen

From: irishinak69 <irishinak69@gmail.com>
Sent: Tuesday, March 22, 2016 1:18 PM
To: House Health and Social Services
Subject: HB328

I'm writing this email as opposition to HB328. I am an eliquid manufacturer as well as a creator of the flavors involved. I use four ingredients in my eliquid. Propylene Glycol, a medium used to carry other ingredients in a liquid form, vegetable glycerin, a liquid which creates the physical Vapor that's derived from vegetable matter, liquid nicotine, and flavorings, both natural and artificial. I am a former smoker. I smoked 3 packs of cigarettes a day. On days I worked, I would consume a tube of nicotine lozenges at my place of employment, and still smoke 2 packs before returning to my work in 12 hours. My goal in life is to have people give up their cigarettes, and eventually give up nicotine all together. I, myself, have given up nicotine. I still use my e-cigarette but without nicotine. From reading the basis of your bill, I wouldn't be able to use my e-cigarette, even in my own home, even though I don't use nicotine. Studies have shown that there is no such thing as second hand nicotine or second hand harmful pollutants expelled when using e-cigarettes. This bill is very vague in this regard. There are no acetones or formaldehydes in the liquids that I produce, I even have documentation from a certified laboratory which proves this information. I implore you to remove this bill and allow people like myself, to continue changing people and their health in a positive way. Thank you, Kevin A. Collins, owner of Moose Knuckle eliquid. Anchorage, AK. 99503. 9074401709

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

Taneeka Hansen

From: NorthernLights VaporCo <northernlightsvaporco@gmail.com>
Sent: Tuesday, March 22, 2016 1:07 PM
To: House Health and Social Services
Subject: Please Oppose HB328

Good Afternoon Chairs and Committee Members,

My name is Tessa Lepley and I am an owner of Northern Lights Vapor Company, LLC out of Anchorage, Alaska.

I am writing to urge you not to pass HB328 as it is proposed. It has been said before but I clearly needs to be said again: Vaping IS NOT Smoking. There are many many studies that have taken place all over the globe over the last three years showing that the vapor produced from electronic cigarettes is in no way comparable to the smoke produced by cigarettes. Vapers experience cleaner lungs, lower blood pressure, and find that COPD symptoms are lessened.

Specialized stores that sell only Vapor related products should be exempt from this bill. Vaping should not be banned from indoors. Smokers desperately seeking a less harmful alternative to their smoking habit need to be able to try the products and use them inside a place where they can learn about alternatives to smoking and cigarettes

Banning smoking and vaping in private homes is government overreach plain and simple and anyone who supports a law governing what legal substances a private citizen can put into their bodies within their own private dwelling should absolutely ashamed of themselves. This portion of the law specifically is about as unAmerican as it gets.

Do not allow HB328 to pass as it is written. Vapor products should be exempt. Vapor Shops should be exempt. Private residences should absolutely be exempt.

Thank you for your time.

Tessa Lepley
Northern Lights Vapor Company
Anchorage, Alaska

Taneeka Hansen

From: Christpher Hall <907topher@gmail.com>
Sent: Tuesday, March 22, 2016 12:40 PM
To: House Health and Social Services
Subject: Opposing HB 328

Hello my name is Christopher Hall. I started switching to vaping in 2013. I smoked for 10 years. I no longer smoke.

After switching to vaping I have noticed a great change. I got my taist back, my energy level has increased, and I no longer weeze Ashe I lay down at night.

One single cigarette has 7,000 chemicals.

One bottle of vape juice has 4 chemicals total. I have done a comparison paper with the local college. I understand the difference from smoking and vaping.

Vaping has nothing to do with Tabacco and should go be classified with this bill. Thanks you for not associating vaping with cigarettes.

Thanks you for your time.
Christopher Hall

Taneeka Hansen

From: Mark Massera <thundergun.mm@gmail.com>
Sent: Tuesday, March 22, 2016 12:44 PM
To: House Health and Social Services
Subject: Opposing HB328

Good morning, I am speaking in opposition of HB328.
Independent studies have shown Vaping works as an alternative to smoking.
Vaping should not be tied together with smoking.
HB328 will only aid in closing a industry that is helping the people of Alaska.
I urge you to listen to the people. Don't deny the facts and don't ignore the truth.
Thank you for your time.

Taneeka Hansen

From: mark massera <AK_PALADIN@hotmail.com>
Sent: Tuesday, March 22, 2016 12:18 PM
To: House Health and Social Services
Subject: opposing HB328

Good morning. My name is Mark Massera and I reside in Soldotna. I am speaking in opposition of HB328 and on behalf of the hundreds of adults on the Kenai Peninsula who have made the choice to vape instead of smoke.

An independent research document "Peering through the Mist" by Dr. Burstyn found the TLV's were magnitudes below OSHA limits.

The abstract on page 1 of "Peering through the Mist" states the results and conclusions of Dr. Burstyn's research.

And an independent study, commissioned by Public Health England, found that e-cigarette use is around 95% less harmful to health than smoking and they contain almost none of the chemicals in cigarettes associated with serious diseases like lung cancer and emphysema.

On pages 2 and 3 of the Public Health England study are graphs showing the positive results of e-cig use among adults.

Adults choosing to vape instead of smoke look to unbiased/independent studies like this to help them make informed decisions.

Vaping has saved Alaskans who used to smoke, thousands of dollars and has had a tremendous positive impact on their lives, myself included. There is no way to deny the fact of how better my health has gotten after switching from cigarettes to vaping almost 3 years ago.

It seems that this legislation session is about closing down this industry in Alaska or effectively regulating this healthier alternative out of existence. Unless it's about money and not health and well-being of the citizens of Alaska. The only store in Alaska that would comply with this bill in its current form is a tobacco store in the sponsor's district.

Alaska has the opportunity to show leadership in this new, less harmful way of nicotine delivery.

You may hear otherwise but the truth is provided by independent studies and real world evidence..The truth is that vaping works.

I urge you not to ignore our opposition of HB328, **please do not discard the truth..**

Thank you for your time and thoughtfulness on this issue.

Taneeka Hansen

From: Ang <taccdna@gmail.com>
Sent: Friday, March 25, 2016 8:14 AM
To: House Health and Social Services
Subject: HB328 testimony 2/24/16

Good afternoon Chair Seaton, and members of the Health and Social Services committee. My name is Angela Carroll and I live in Wasilla. I am representing the Smoke Free Alternative Trade Association.

More and more states are looking at Electronic Nicotine Delivery systems as a solution to a tobacco problem. They are looking at the science behind this new technology that is saving lives and could ultimately save billions in health care cost and lost work time, per a scientific study released by State Budget Solutions in March of 2015.

These states are seeing that the opinions of interest groups that rely on the master settlement agreement for funding maybe be skewed in a deadly way. Those states are West Virginia, Pennsylvania, Iowa, Rhode Island among others. Science is showing us that there are no carcinogens, no chemicals, no heavy metals over and above what you would find in a non smoking home or business. And no danger to bystanders, there is no such thing as second hand vapor, contrary to what our opponents say. That statement is based on scientific fact per the 2009 study by Clear Stream Air Project.

We have submitted several peer reviewed studies that prove this. Many governments around the world are embracing electronic nicotine delivery systems as a safer alternative to combustible cigarettes. For instance, Public Health England released a study that shows vaping is 95% safer when compared to combustible cigarettes.

As Representatives of Alaska, YOU have a chance to show your people, those that you represent, that you care about their health. That you are in favor of Alaskans utilizing a safer alternative to combustible cigarettes by supporting vape shops.

Those that work in vape shops, or those that enters a vape shop are there for a reason. They are there because the either want to break the addiction to combustible cigarettes or they want to continue their path to a safer alternative that does not include tobacco. These people make that choice to enter a vape shop to test flavors, to find devices that helps them maintain that safer alternative. Testing devices and eliquid is crucial to maintaining this lifestyle.

This bill would force current vape shop owners to relocate to meet the Stand Alone requirements for tasting the vape products. This one provision will force most vape shop owners out of business in Alaska eliminating the opportunity for adult Alaskans who currently smoke from discovering this alternative to combustible cigarettes.

For these reasons, the members of SFATA are asking for vape language to be removed from this bill. In the alternative SFATA is asking the the stand alone requirement be removed from this version of the bill so they can continue to operate these tasting rooms in their current locations. No shop currently meets this requirement and it would be cost prohibitive from these Mom and Pop establishments to rent stand alone structures. If it passes as is SFATA members would close up existing shops and this alternative to combustible cigarettes would be lost.

I hope you can fix this legislation prior to moving this on to its next committee of referral.

Thank you for your time today.

Taneeka Hansen

From: kaden smith <kaden.smith37@gmail.com>
Sent: Thursday, March 24, 2016 4:18 PM
To: House Health and Social Services
Subject: Opposing HB328

Every year thousands of kids are exposed to cigarettes, alcohol, and many different things. Walking a child down the side of the street is more dangerous than a person vaping. There is no proven fact that vaping is harming the human body. Yes there are rumors, but there are rumors about everything. Getting rid of vape shops and vaping in public areas is ridiculous. This new thing comes out and helps people quit smoking and chewing. Then the state has to tackle it head first. People have been smoking cigarettes in public places, in their cars, and in their homes for year and years giving others second hand smoke cancer and flaring people's asthma up and causing them to have a hard time breathing. If a child grabbing a vape is a worry. How is it looked at if a child grabs a cigarette and tears it up or puts it in his/her mouth looking as if the child is smoking it. One might take a picture of that thinking it's funny or another might see it the way it is suppose be seen. It's still not as bad because we're use to it. So tell me why getting rid of the places us fellow vapers love is going to help anything. That same little kid is going to be grabbing daddy's chew or mommy's cigarettes, he'll maybe even grandpas booze. We have hundreds of thousands of deaths do to drunk driving every year why doesn't a bill on shutting down bars and no drinking in a person home if kids are residents as well. Probably because many people like yourselves drink a beer everyonce and awhile or go out to a bar and have a little fun. Why be selfish and take away things from others when you get to keep the things you like.

Taneeka Hansen

From: Jayce Robertson <jaycerobertson@hotmail.com>
Sent: Thursday, March 24, 2016 11:27 AM
To: House Health and Social Services
Subject: Opposition to HB 328

Members of the House Health & Social Services Committee,

I am writing in opposition of the proposed HB 328, pertaining to the e-cigarette language within the bill as it is written. I was a smoker for over 10 years, and through the use of e-cigarettes I have been tobacco free for over 6 months. There is overwhelming evidence that vaping is substantially less harmful than tobacco. Additionally, I have seen countless people get off tobacco products through the use of e-cigarettes.

I respectfully ask that you amend this bill to remove all the language pertaining to the use, sales, location, consumption, and so forth related to e-cigarettes. Thank you for your time and attention regarding this important matter.

Regards,

Jayce Robertson
Kenai, AK

Sent from my iPhone

Taneeka Hansen

From: stormstorescore <stormstorescore@gmail.com>
Sent: Thursday, March 24, 2016 10:42 AM
To: House Health and Social Services
Subject: Opposing HB328

Hello my name is Ryder Storm, Im a resident of the kenai peninsula and have been my entire life, and i am inquiring about the HB328 bill and how it will negatively impact not only me as an ex smoker but my community and local business as well. I am in agreement that vaping is by no means 'healthy' but the facts dont lie that it is less caustic and money saving then smoking tobacco. I am a first hand account as well as many others i can list who have completely quit smoking with the aid of the local vape industry and the idea of having a stand alone shop is completly preposterous. Examples of stores such as lucky raven, mavric saloon, and many other local establishments are tobacco friendly and customers are taking the liability and risk entering these places willingly exposing themselves to secondhand smoke, witch is a choice. the same can be said with the vape industry. The doors are not proped open to blast bystanders with clouds of vapor or lure them in. People come into vape shops for one thing. Vapes and vape accessories they are taking said accountability for their own health. There does not need to a bill needing stand alone buildings or air scrubbers since there are more harmful chemicals being produced out of the exhaust of a vehicle in autoshops, or the airsole darivatives in hair salon products, polutents in grocery stores, chemicals on fruit, the perfume isle in the local pharmacy. If anything vaping should be encouraged as an alternative to smoking overrall long term reducing medical and healthcare budget cost of the state opening it to other avenues of distribution of the commonwealth of the people and infrastructure of this state. Personal agenda and private funding over these types of bills are what cause a bigger problem then what needs to be drawn attention too. What about the crime rate or mental healtcare status of our residents? Transportation, communication, economic development. That seems a little more important then peoples want to inhale their nicotine.

Ryder storm

Sent via the Samsung GALAXY S®4, an AT&T 4G LTE smartphone

Thank you your time,,

Taneeka Hansen

From: Mark Slichter <evilsnipe@gmail.com>
Sent: Thursday, March 24, 2016 10:32 AM
To: House Health and Social Services
Subject: Opposing HB328

Good morning. My name is Mark Slichter. I reside in Soldotna. I am speaking in opposition of HB328 and on behalf of the hundreds of adults on the Kenai Peninsula who have made the choice to vape instead of smoke.

An independent research document "Peering through the Mist" by Dr. Burstyn found the TLV's were magnitudes below OSHA limits.

The abstract on page 1 of "Peering through the Mist" states the results and conclusions of Dr. Burstyn's research.

And an independent study, commissioned by Public Health England, found that e-cigarette use is around 95% less harmful to health than smoking none of the chemicals in cigarettes associated with serious diseases like lung cancer, emphysema and COPD.

Adults choosing to vape instead of smoke look to unbiased/independent studies like these and hundreds of others to help them make informed decisions.

Vaping has saved Alaskans who used to smoke, thousands of dollars and, because they are not painting their lungs with tar and filling their bloodstream with carbon monoxide, has had a tremendous positive impact on their lives.

This bill as written would close down this job producing industry in Alaska. It would effectively regulate this healthier alternative out of existence. As written it will harm the health and well-being of the citizens of Alaska. The standalone language for vape shops and second hand vape goes against all of the science and research that is available to us today.

I have been vaping for over 3 years now. It has helped my get off of cigarettes and chewing tobacco My mouth has healed, my tobacco cravings are gone, and I feel so much better. I can breath with ease now. I feel wonderful due to this change in life.

"You may hear our opposition say otherwise but the truth, as provided by independent studies and real world evidence, is that vaping works to save lives..

Please don't sentence folks that vape to a slow death by tobacco..

Please remove the vape language from this bill.

Mark Slichter
Soldotna Alaska

Chair and members of the committee,

My name is Alex McDonald owner of Ice Fog Vapor, Inc in Fairbanks, Alaska. I am writing today to oppose HB328.

There are many issues that I have with this bill as written. First, it is a huge invasion of privacy into people's homes. I used to work in the disability field as both a Direct Care Provider and Case Management. There are many people in Alaska that own their own homes and have health care providers come to their home to help care for their loved ones, not to mention elderly that may receive similar assistance. This bill would make their homes smoke free work places and dictate what they can and cannot do in their own homes. Alaska has a long history of respecting people's privacy and what they do in their own homes. This bill goes against that history, privacy and freedom of choice. This bill also strips a business owners' choice to run a business as they wish. Yes, there is a clause in the bill for stand along tobacco or vapor shops but there is only one in the state.

This bill would also take away local choice for communities to regulate these products as they see fit. Alaska is a huge state and what works in one area may not work in others. Every other controlled substance is given local option in Alaska, what makes these products different? The bill states an employee designated by the commissioner may enforce the provisions; and also states that the citation may be issued regardless of whether the violation was committed in the designated employee's presence. This sounds like it would open the door for people being issued citations for non compliance without anyone actually seeing any violation or give people the ability to report false claims.

A major concern I have with this bill is the inclusion of vaporizers and electronic products. These products do not produce combustion, or any combustion by products of any kind. Public Health England reported "e-cigarettes release negligible levels of nicotine into ambient air with no identified health risks to bystanders." This finding has also been reported by European Dr. Farsalinos in many of his studies. The Drexel University study, Peering through the mist, found "no apparent concern" for bystanders of people using electronic cigarettes even under "worse case" assumptions about exposure. The study "Characterization of chemicals released by electronic cigarette use: Is passive vaping a reality?" was concluded by saying that "could be more unhealthy to breath air in big cities compared to staying in a room with someone who is vaping." In England they are embracing this technology to help smokers quit using tobacco products. They are looking at the science and research that is being done and have come to the conclusion these devises can save lives and long term healthcare costs. They are finding that these products are not a gateway to smoking but a gateway away from tobacco. This can be seen by the continued decline in both adult and youth smoking rates.

I switched to from tobacco after 19 years of use. I have now been tobacco free for over two years now, as has is the rest of my family. One of the things that helped me switch was being

able to try different flavors and devices to see what I liked and what worked for me. This bill would take that away from adult Alaskan across the state preventing many smokers with the help and support they need to make the switch from tobacco. Please remove the vaping language from this bill. We all want people to quit smoking and using tobacco products and this can be accomplished if we are all able to work together, see the facts and research that shows electronic products may play a role in this.

Thank you for your time,

Alex McDonald

ANCHORAGE LEGISLATIVE INFORMATION OFFICE

Email: Anchorage.LIO@akleg.gov 907-269-0111/ phone, 907-269-0229/fax

WRITTEN TESTIMONY

NAME: Brain Preble

REPRESENTING: Self Citizen Rights

BILL#/ SUBJECT: HB328
COMMITTEE &

HEARING DATE: 3-22-2016

I feel that our rights as citizens is slowly being infringed upon. As a Personal Contractor I have the right to choose whether or not I take on a job in a home that smoke or vapor is present. Tho I do agree that smoke and vapor should not be present at Public Entrances, to ban all consumption in buildings such as buissnesses that sell vapor ^{products} and personal households is ~~an~~ a attack on American Freedom Liberties. As Employees we already have the right to Deny working in such Environments and refrain from subjecting ourselves. I am against ~~HB328~~ HB328 and would like to see a bill that takes into consideration the Rights of both parties, I do not ~~vape~~ use vapor products around my children tho I do use them. That is my choice and I would prefer them grow up in a environment where they have the choice to smoke/vape and not be controlled by governmental agencies. Also Due to that choice I use my products in my vehicle during work and transport to and ~~from~~ buissnesses.

I would like to thank you for allowing me to share my concerns with House Bill 328.

My name is Jennifer Vargason of North Pole, Alaska.

Vaping has saved my family from the ball and chain of tobacco use. And I am thankful for that! I am healthier, my husband is healthier, and my family is healthier. Why this bill would consider vaping the same thing as smoking or a tobacco product is beyond me. Vapor products do not contain tobacco and there is no combustion! Current research has shown that vaping does not have the harmful effect of smoking and there are no concerns for bystanders. The ingredients in the liquid are in every day foods that we consume. Yes, there can be nicotine in the liquid but there have been studies that show that nicotine is not harmful. The article "Is everything we know about nicotine wrong?" Dr. Neff even states instances where nicotine has been known to help certain conditions such as Alzheimer's disease, depression, Parkinson's disease, and more. It has been found that in those demographics tobacco use is higher. Alternatives to tobacco could help these demographics.

I have been a tobacco user since I was 9 years old. Since then I have gone from Iqmik (natural tobacco mixed with punk ash), Copenhagen, to cigarettes and have never been able to quit. I will be honest and tell you that when I first came upon vaping, I rolled my eyes and thought that it was just another fad that does not work. I was disgusted that my husband would vape, I was hesitant to even try it until I had witnessed my husband go without a cigarette for over a month. I was amazed, as I had seen him try several different methods of quitting, none of which were successful. I did a little research, after seeing the results in person, and I decided to give it a try. When I started vaping, I vaped while I was off work, but I still used Iqmik during normal work hours. Since December of 2014, I have been without

tobacco completely. Nearly 28 years of tobacco use and I haven't yet picked up a cigarette or any form other of tobacco since!
Please reconsider House Bill 328. Thank you again for taking your time to hear my testimony.

Taneeka Hansen

From: Walton <jessiw Walton@hotmail.com>
Sent: Wednesday, March 23, 2016 3:26 PM
To: House Health and Social Services
Subject: Oppose HB328

Good afternoon Chair and members of the committee,

My name is Jessi Walton. I'm from Fairbanks AK. I'm writing to oppose Hb328! I work for people with disabilities in their home and in the community. I've been in this field since 2007. This bill tells my client's mom that she can't vape or smoke in her garage ever, because I work there. That's a privacy problem!

This bill tells the person who lives in a group home setting who pays his rent and is blind he can smoke outside, but now has to be 20 feet away! This person needs help walking from the vehicle to his house door in the winter and you want him to walk 20 feet away? As a health care worker I have to promote independence as often as possible. Now this blind individual needs a staff to walk him 20 feet away and stand there with him and hope another individual doesn't need that staff's assistance while he's outside. I know you've met with many of these people over the years, because they've taken the time to travel to Juneau! This also imposes extra work hazards. A fellow co worker was assisting an individual walking on ice and the individual lost his balance and brought down the staff. The staff needed to get surgery because of this incident. We all know health care has a high turn over rate and we know that when things aren't consistent we back track. I'm asking that you remove residences from HB328

What about the senior citizens who have paid off their mortgages and now need someone to come in and help where they need it?

What about the person who's in hospice care and is bed ridden, because they are about to die any day now? This bill means they can't smoke or vape before they die! As a health care worker I know I'm going into someone's home, THEIR CASTLE!

This bill goes against our constitution and dictates what people can and can't do in their home.

I'll remind you: Article 12 of human rights says,

"No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks."

I've been vaping since Dec 2013 when I received my first starter kit for Christmas from my boyfriend's mom, who is a nurse practitioner. I started smoking combustible cigarettes when I was 13. I've noticed differences since I switched to this healthier alternative. I have energy to run and play with my daughter, as a matter of fact we race each other often and I can keep up with her! I've been to Zumba classes to help loose weight and I don't hack or feel a need to have a cigarette like I use to, getting the snow machine unstuck is easier now too! I no longer stink like an ashtray and food tastes so different now (it's great)! I'm not eating more just to cover the smoke taste in my mouth. I started at 12mg in a protank. I now have a few different set ups and I'm on 3mg! 3mg is lowest nicotine level beside 0mg (zero nicotine). Although I can mix a 3mg with a 0mg and get 1.5mg. It's amazing the harm reduction that I have done for my body and wouldn't have been able to without being introduced to vaping. I've tried chantix, gum and patches. I often found myself with nasty cigarette in my hand and patch on my arm. The patch was itchy, the gum tastes horrible and the way the chantix made me feel was horrible, nausea all the time, the dreams were so intense, I withdrew myself from being around people. Chantix can also cause suicidal thoughts, increased heart rate, depression, changes in mood and thinking, anxiety, panic, aggression, anger, mania, abnormal sensations, hallucinations paranoia and confusion and many other more. None of that is healthy, but is approved by the FDA. Chantix is also banned by the FAA and the military! My boyfriend opened his own store in Fairbanks, AK, because we couldn't find any e liquid or replacement coils for our new devices. We have met so many wonderful people who wanted quit smoking combustible cigarettes for their them selves and their family. So many vaping success stories start with "I have tried many

FDA approved ways and nothing worked!" Many of our military customers who have switched to vaping have reported their PT scores have improved! Unlike the internet, we card everyone! Vape shops are the first defense to underage vaping. Vape shops educate customers in battery safety and building safe coils. Dedicated vape shops carry reputable e liquids! They can tell you everything about the e-liquid and the company they order from! There are many reputable shops around Alaska, everyone is invited to come into a local vape shop or give them a call to become more familiar with vape products and to see what the industry is all about. We are here to educate, support, and offer guidance to all who look for a healthier alternative!

The vaping community is very close knit in Alaska! We support a tobacco free lifestyle! We encourage getting healthy and active again! We celebrate when someone has quit vaping! I'm asking you respectfully to remove vape shops and home residences from HB328! I wouldn't be where I am today without the help of my community!

Thank you for your time

Jessi Walton

Fairbanks, AK

Taneeka Hansen

From: tjoren02@gmail.com
Sent: Wednesday, March 23, 2016 11:00 AM
To: House Health and Social Services
Subject: Oppose HB328

I oppose HB328. I have been tobacco free for 2 months because of vaping. Vaping makes me feel 100% better then when I was smoking. I hate the smell of cigarettes and love vaping. Vaping doesn't make my clothes smell and doesn't harm anyone around me. Being able to vape inside vape shops is something that needs to be allowed since it is not like cigarette second hand smoke at all. I hope you think of all the health factors and benefits by switching to Vaping. Its either cigarette smoke that's bad for everyone or vape which doesn't harm anyone.

Thank you,

Tj Oren

Sent from my LG V10, an AT&T 4G LTE smartphone

Taneeka Hansen

From: Randy Rogers <labdad32@hotmail.com>
Sent: Tuesday, March 22, 2016 8:16 PM
To: House Health and Social Services
Subject: HB328

Please support HB328 as "Vaping" appears no safer to second hand than smoking. Thank you.

Randy Rogers
Soldotna

Sent by Lilly and Rylan's Campa

Taneeka Hansen

From: Robert Burns <levi.side.burns@gmail.com>
Sent: Wednesday, March 23, 2016 8:43 AM
To: House Health and Social Services
Subject: Oppose HB328

Dear, Alaska Legislator

Vaping has changed my life. I have quit smoking cigarettes for 10 months now because of vaping. I use to smoke 2 packs a day. Now none.

I request that we don't take away the right to vape in public places. It's harmless vapors not chemically filled smoke.

Thank you

Taneeka Hansen

From: Kenneth Martin <vapememore@gmail.com>
Sent: Tuesday, March 22, 2016 8:53 PM
To: House Health and Social Services
Subject: HB328

It is no longer a speculating game, vaping is saving lives. The current bill (HB328) as written is putting jobs and lives of Alaskans at risk. I would ask at this time for the wording reflect the facts, thereby exempting vape/vapor from this bill.

Those who visit any building (my home, vape stores) are in less danger than you would be walking down the street in a busy city.

When we stop to look around at family and friends who are fighting cancer or any respiratory illness one might think, this is insane. Tobacco is killing. The alternatives (pharmaceutical) are not working. Albert Einstein is widely credited with saying “The definition of insanity is doing the same thing over and over again, but expecting different results”. With that said why are we wasting time and money doing the same thing over again.

Vaping has had many studies done by many people. Independent studies (the ones I've read) show to be a far healthier alternative for nicotine delivery. Nicotine is not the danger, tobacco IS. Improving lives around us, health increase beyond my expectation, and seeing the happiness from the family's and their kids, I am grateful for your consideration into vaping.

HB328 would close stores, put people out of work, and have an adverse affect on Alaskans. Vaping in stores is what makes the business. Its like test driving a car before the purchase. You would not buy it without that test drive, why endanger and limit the lives that are being saved?, vape/vaping /vapor is exempt.

with respect, Kenneth Martin

<https://www.gov.uk/government/news/e-cigarettes-around-95-less-harmful-than-tobacco-estimates-landmark-review>

Taneeka Hansen

From: Brian Roberts <broberts@knowndistro.com>
Sent: Wednesday, March 23, 2016 1:00 PM
To: House Health and Social Services
Subject: E-Cigarette Testimony

Dear Sir or Ma'am,

I current live in Boise, Idaho. I have been in the Vaping industry for 4 years now and I believe it is a huge mistake to ban vaping.

I Started smoking while deployed to Iraq in 2002 serving in the United States Air Force. Back then smoking was a unhealthy habit that was encouraged to spawn unity among soldiers. I quickly jumped up to 2 or more packs of cigarettes a day.

In 2012 I converted to vaping. I had tried the patch, chewing gums from well known brands and even some of the top drugs from pharmaceutical companies claiming to help people quit when in fact caused more deaths from those drugs than vaping since its inception. There is not one case of someone dying from vaping.

What Government officials have done in Alaska and are proposing to do is a direct violation of our human rights. You allow big pharmaceutical companies to hand out drugs that cause complications and even death. You know the effects of those drugs but approve them. Vaping is shown as the most successful form of quitting traditional tobacco and you attempt to ban it.

Your Job, as a elected official is to protect the publics well being and this is not what is happening. You are only going to cause more people to die from pharmaceutical drugs because it makes you money.

I helped train and open two vape shops in Anchorage, Alaska. Everyday i had people that had switched tell me how much better they feel, how vaping successfully helped them quit and even had many people in tears because we helped save a life.

The United Kingdom has openly told their country that vaping is in fact NOT smoking, and it is 95% healthier and more effective than any form of cessation device ever created.

Please, educate yourself and focus on saving lives with vaping instead of banning a life saving device.

Thank You,

Brian Roberts

Taneeka Hansen

From: Shawn Michlitsch <shawny.michlitsch@gmail.com>
Sent: Wednesday, March 23, 2016 4:12 PM
To: House Health and Social Services
Subject: Opposing HB328

Please do not pass the house bill 328 with the vape language that is in it. Vape shops help educate people, and are a source of knowledge and experience to help me stay away from tobacco. I emlore you to look to the science behind vaping! Voter of kenai peninsula

Taneeka Hansen

From: Tamera Mapes <snowblond@msn.com>
Sent: Thursday, March 24, 2016 1:48 PM
To: House Health and Social Services
Subject: Opposition HB328

Good morning. My name is Tamera Mapes. I reside in Kenai. I am speaking in opposition of HB328 and on behalf of the hundreds of adults on the Kenai Peninsula who have made the choice to vape instead of smoke.

An independent research document "Peering through the Mist" by Dr. Burstyn found the TLV's were magnitudes below OSHA limits.

The abstract on page 1 of "Peering through the Mist" states the results and conclusions of Dr. Burstyn's research.

And an independent study, commissioned by Public Health England, found that e-cigarette use is around 95% less harmful to health than smoking none of the chemicals in cigarettes associated with serious diseases like lung cancer, emphysema and COPD.

Adults choosing to vape instead of smoke look to unbiased/independent studies like these and hundreds of others to help them make informed decisions.

Vaping has saved Alaskans who used to smoke, including myself, thousands of dollars and, because they are not painting their lungs with tar and filling their bloodstream with carbon monoxide, has had a tremendous positive impact on their lives.

This bill as written would close down this job producing industry in Alaska. It would effectively regulate this healthier alternative out of existence. As written it will harm the health and well-being of the citizens of Alaska. The standalone language for vape shops and second hand vape goes against all of the science and research that is available to us today. My grandmother and mother in law Both died of lung cancer and it is ugly.. I made the choice to quit smoking and finally found vaping.

I have been vaping for 2 years now and breath, exercise, and feel about a thousand times better "You may hear our opposition say otherwise but the truth, as provided by independent studies and real world evidence, is that vaping works to save lives..

Please remove the vape language from this bill.

Sent from my iPhone

Taneeka Hansen

From: Tamera Mapes <snowblond@msn.com>
Sent: Tuesday, March 22, 2016 10:29 AM
To: House Health and Social Services
Subject: Testimony for HB328

Good morning. My name is Tamera Mapes and I reside in Kenai. I am speaking in opposition of HB328 and on behalf of the hundreds of adults on the Kenai Peninsula who have made the choice to vape instead of smoke.

An independent research document "Peering through the Mist" by Dr. Burstyn found the TLV's were magnitudes below OSHA limits.

The abstract on page 1 of "Peering through the Mist" states the results and conclusions of Dr. Burstyn's research.

And an independent study, commissioned by Public Health England, found that e-cigarette use is around 95% less harmful to health than smoking and they contain almost none of the chemicals in cigarettes associated with serious diseases like lung cancer and emphysema.

On pages 2 and 3 of the Public Health England study are graphs showing the positive results of e-cig use among adults.

Adults choosing to vape instead of smoke look to unbiased/independent studies like this to help them make informed decisions.

Vaping has saved Alaskans who used to smoke, thousands of dollars and, because they are not painting their lungs with tar and filling their bloodstream with carbon monoxide, has had a tremendous positive impact on their lives.

It seems that this legislation session is about closing down this industry in Alaska or effectively regulating this healthier alternative out of existence. Unless it's about money and not health and well-being of the citizens of Alaska. The only store in Alaska that would comply with this bill in its current form is a tobacco store in the sponsor's district.

There was a time in the not too distant past when people were sure that automobiles were evil and airplanes were foolish... Alaska has the opportunity to show leadership in this new, less harmful way of nicotine delivery..

"You may hear our opposition say otherwise but the truth, as provided by independent studies and real world evidence, is that vaping works..

Taneeka Hansen

From: Rebecca Collins <spotlight2k@gmail.com>
Sent: Wednesday, March 23, 2016 10:52 AM
To: House Health and Social Services
Subject: HB 328

I am an adult in Alaska, age 19 or older, and I oppose HB328.

I am writing to urge you to oppose HB 328. This legislation would include smoke-free vapor products (e-cigarettes) in Alaska's smoke-free law.

Ostensibly, smoking laws are enacted to protect employees from the harm of secondhand smoke. But, smoke-free e-cigarettes have not been shown to cause harm to bystanders. In fact, all evidence to date shows that the low health risks associated with e-cigarettes are comparable to other smokeless nicotine products. A comprehensive review conducted by Dr. Igor Burstyn of Drexel University School of Public Health (biomedcentral.com, 1471-2458/14/18) examined over 9,000 observations of e-cigarette liquid and vapor and found "no apparent concern" for bystanders exposed to e-cigarette vapor. This is true even under "worst case" assumptions about exposure. Furthermore, a groundbreaking review by the UK Department of Health's Public Health England concluded that there was no material risk to bystanders from vapor products.

Many smokers who initially choose to use e-cigarettes just where smoking is prohibited go on to quit smoking conventional cigarettes completely. This is known as "accidental quitting." Prohibiting e-cigarette use in public spaces completely eliminates that incentive to even try e-cigarettes. Unfortunately, the health risks of every one smoker who doesn't quit because vaping is prohibited (and the risks to the children and others who live with them) cumulatively outweigh any good done by eliminating the minuscule exposures to even hundreds of bystanders in public spaces.

There no genuine public health reason to prohibit e-cigarette use in public spaces. The benefits of allowing smokers to use e-cigarettes in public outweigh the low risks of insignificant exposures to bystanders. Allowing e-cigarettes to be used in public spaces will actually improve public health by inspiring other smokers to switch and reduce their health risks by an estimated 99%. Moreover, private businesses in Alaska are already establishing their own policies. They should keep the right to set their own policy since there is no proven health threat to bystanders.

Some have expressed a fear about these products acting as a "gateway" to traditional cigarettes for youth. But, there is no evidence to suggest this is happening. Research actually shows it is unlikely to happen to any significant extent. Teen smoking rates are at their lowest point since smoking became popular and continue to drop. But, there are adults who will continue to smoke until they die unless we promote effective alternatives that they can enjoy.

I urge you to oppose HB 328. It is imperative that existing adult smokers become aware of all the alternatives to smoking that are currently available. It is vital that access to these products remains unimpeded.

I look forward to your response on this issue. I, along with my fellow members of CASAA (Consumer Advocates for Smoke-free Alternatives Association), thank you for considering my comments and hope you will oppose misguided attempts to limit adult use of low-risk, smoke-free e-cigarettes.

Sincerely,
Rebecca Collin

Good morning. My name is Steven Mapes. I reside in Kenai. I am speaking in opposition of HB328 and on behalf of the hundreds of adults on the Kenai Peninsula who have made the choice to vape instead of smoke.

An independent research document “Peering through the Mist” by Dr. Burstyn found the TLV’s were magnitudes below OSHA limits.

The abstract on page 1 of “Peering through the Mist” states the results and conclusions of Dr. Burstyn’s research.

And an independent study, commissioned by Public Health England, found that e-cigarette use is around 95% less harmful to health than smoking and they contain almost none of the chemicals in cigarettes associated with serious diseases like lung cancer and emphysema.

On pages 2 and 3 of the Public Health England study are graphs showing the positive results of e-cig use among adults.

Adults choosing to vape instead of smoke look to **unbiased/independent** studies like this to help them make informed decisions.

Vaping has saved Alaskans who used to smoke, thousands of dollars and, because they are not painting their lungs with tar and filling their bloodstream with carbon monoxide, has had a tremendous positive impact on their lives.

It seems that this bill is about closing down this industry in Alaska or effectively regulating this healthier alternative out of existence. Unless it's about money and not health and well-being of the citizens of Alaska.

There was a time in the not too distant past when people were sure that automobiles were evil and airplanes were foolish... Alaska has the opportunity to show leadership in this proven,, less harmful way of nicotine delivery..

"You may hear our opposition say otherwise but the truth, as provided by **independent studies and real world evidence**, is that vaping works..

Thank you for your time and thoughtfulness on this issue.

Thank you for your time and thoughtfulness on this issue.

Sent from my iPhone

Taneeka Hansen

From: Greg McDonald <gmcdonald@eklutnainc.com>
Sent: Monday, March 21, 2016 11:57 PM
To: Rep. Paul Seaton
Cc: Rep. Liz Vazquez; Rep. Neal Foster; Rep. Louise Stutes; Rep. David Talerico; Rep. Adam Wool; Rep. Chris Tuck; Rep. Charisse Millett; Rep. Bryce Edgmon; Rep. Bob Herron; Rep. Lynn Gattis; Rep. Cathy Munoz; Rep. Geran Tarr; Rep. Bob Lynn
Subject: HB 328
Attachments: SB 1 Letter.pdf; ATT00001.txt

Categories: Taneeka

Representative Seaton -

Please find attached a letter regarding my concerns with HB 328. It is my understanding that this bill is being heard by the HSS Committee on 3/22/16 and I'm copying the Members of the Committee and the Sponsor and Cosponsors of the bill so you are all equally informed of my concerns.

Please remove e-cigarettes and vaporizers from this bill. Vaping does not contain any tobacco products or combustion by products; and has been shown to be the most effective way to reduce tobacco consumption.

Your consideration in this matter will save lives by supporting tobacco users to quit using tobacco products. Including vaping in this bill will not only take away an effective alternative to tobacco products, but it will also force Alaskan small businesses in the vaping industry out of business.

Please feel free to contact me should you have any questions. Thank you.

Best regards,

Greg McDonald
907-632-4224
Gmcdonald@eklutnainc.com

March 21, 2016

Representative Paul Seaton
State Capitol Room 102
Juneau, AK. 99801

Re: HB 328

Dear Representative Seaton:

I am contacting you regarding my concerns regarding HB 328 as you are Chairman of the Health and Social Services Committee hearing the bill. I am also sending a copy of this letter to the other members of the HSS Committee and the Sponsor and Cosponsors of HB 328 to assure you are all equally informed of my concerns, as follows:

- HB 328 is an over reach of State control that would take away local option for communities throughout the State to deal with this matter, which may or may not affect their individual communities.
- Many other substances such as alcohol and marijuana are local options for communities to set up their own regulations regarding their use. The regulations in Southeast and Southcentral Alaska may be appropriate for the communities in those regions; however may be totally inappropriate and unreasonable for the Interior, North Slope and Bush communities.
- Enforcement of HB 328 would be unmanageable equally across the State as resources are thin and likely to become thinner with the anticipated budget reductions.
- Including e-cigarettes and vaporizers in this bill is counterintuitive to the major goal of the bill to limit and reduce the use of tobacco products.

Vaporizers DO NOT contain any tobacco or produce any combustion by products. The vapor that is exhaled by a vaporizer user is an aerosol, which a study by Drexel University found no apparent concern for bystanders of people using e-cigarettes, even under worst case assumptions about exposure. The study can be reviewed at www.biomedcentral.com. A study of tobacco use among adults in Minnesota found a 10% decrease in use from 2010-2014. Of those who attempted to quit tobacco products in the final 12 months of the study showed over 40% tried vaporizers, which is double the rate for traditional Nicotine Replacement Therapies such as gum and patches; and quadruple the rate for pharmaceutical products such as Chantix. Vaporizers were the number one choice people in Minnesota turned to in their attempt to quit tobacco use, which is now at an all time low among adults.

HB 328 would unfairly and without justification treat vaporizers as tobacco products. If the goal of HB 328 is to limit and reduce the use of tobacco products, leave it at tobacco. Including vaporizers in this bill is like including soda pop in an alcohol bill.

- HB 328 in its current form would force Alaskan small businesses out of business. Virtually every vaporizer business in the State are located in shopping centers with other adjoining businesses. If vaping is not allowed in the stores, customers couldn't sample products and sales would be devastated.

Personally, every member of my family has totally quit using tobacco products for over two years through using vaporizers, like the vast majority of customers who frequent Vape shops. We are all healthier and thankful to be done with tobacco products after trying unsuccessfully for years to quit using traditional gum, patches and pharmaceutical products. Please take e-cigarettes and vaporizers out of HB 328 and support helping Alaskans to quit tobacco use.

Thank you for your thoughtful consideration of these concerns regarding HB 328 and I pray you will support helping Alaskans quitting tobacco use. Please feel free to contact me with any questions you may have.

Sincerely,

Greg McDonald
1408 P Street
Anchorage, AK 99501
907-632-4224
Gmcdonald@eklutninc.com

Taneeka Hansen

From: LIO Mat-Su
Sent: Tuesday, March 22, 2016 8:32 AM
To: House Health and Social Services
Subject: FW: Testimony from American Vaping Association for Mat-Su Leg Public Hearing 3-19-16
Attachments: AVA-Mat-Su 3-19-16.pdf

From: tomandersonalaska@gmail.com [mailto:tomandersonalaska@gmail.com] **On Behalf Of** Thomas Anderson
Sent: Saturday, March 19, 2016 9:55 AM
To: Sen. Bill Stoltze <Sen.Bill.Stoltze@akleg.gov>; Rep. Shelley Hughes <Rep.Shelley.Hughes@akleg.gov>; Rep. Cathy Tilton <Rep.Cathy.Tilton@akleg.gov>; Sen. Charlie Huggins <Sen.Charlie.Huggins@akleg.gov>; Rep. Jim Colver <Rep.Jim.Colver@akleg.gov>; Rep. Wes Keller <Rep.Wes.Keller@akleg.gov>; Rep. Lynn Gattis <Rep.Lynn.Gattis@akleg.gov>; Rep. Mark Neuman <Rep.Mark.Neuman@akleg.gov>; Sen. Mike Dunleavy <Sen.Mike.Dunleavy@akleg.gov>
Cc: LIO Mat-Su <LIO.Mat-Su@akleg.gov>
Subject: Testimony from American Vaping Association for Mat-Su Leg Public Hearing 3-19-16

Greetings from the Mat-Su.

Optima oversees public/media relations for Clear the Air Alaska (CTAA), a trade association representing the vaping and electronic cigarette industry in our state. CTAA works with the American Vaping Association (AVA) at the national level to educate policymakers.

Attached is a comprehensive letter, dated today, from AVA's president Gregory Conley. The information conveyed particularly addresses pending legislation (SB 1 / HB 304 / SB 133), all of which adversely affect the vaping industry, and by extension, public health.

Thank you for holding this community hearing and allowing testimony to be submitted.

Respectfully,

--

OptimaPublicRelations

Tom Anderson, Managing Partner

Cell: 907-440-9661

Email: Tom@OptimaPublicRelations.com

OptimaPublicRelations.com

Taneeka Hansen

From: Chuck Butler <hawkingrage@gmail.com>
Sent: Tuesday, March 22, 2016 9:55 AM
To: House Health and Social Services
Subject: Hb 328 opposition

Good Afternoon Representatives My name is Charles Butler I reside in Anchorage AK. I urge you to pull this bill. Smoking and Vaping are two entirely different things and are defined as such in other states for example Nevada passed its own vaping bill SB225, and New York People VS Thomas where a judge stated that vaping is not smoking. This bill is a violation of the states residents, and is discriminating against adults who chose to smoke, and is now classifying individuals such as myself that chose to use a safer alternative known as vaping as smokers. I quit smoking tobacco products six years ago thanks to vaping. I once again urge you to pull this bill as it violates my rights and those of every Alaskan

Definitions taken from SB 225 Nevada

“Vapor product”:

(a) Means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of the shape or size thereof, that can be used to produce vapor from nicotine in a solution or other form.

(b) Includes, without limitation:

(1) An electronic cigarette, cigar, cigarillo or pipe or a similar product or device; and

(2) A vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, cigar, cigarillo or pipe or a similar product or device.

(c) Does not include any product regulated by the United States Food and Drug Administration pursuant to Subchapter V of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 351 et seq.

New York People VS Thomas

New York state law defines smoking as,” ...*the burning of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco.*”

In accordance with the state’s definition of smoking, the court ruled that, “*An electronic cigarette neither burns nor contains tobacco. Instead, the use of such a device, which is commonly referred to as "vaping," involves "the inhalation of vaporized e-cigarette liquid consisting of water, nicotine, a base of propylene glycol or vegetable glycerin and occasionally, flavoring.*”

Thank you

Charles Butler

KENAI LEGISLATIVE INFORMATION OFFICE

Email: Kenai_LIO@akleg.gov

Phone: 907-283-2030 / Fax: 907-283-3075

WRITTEN TESTIMONY

NAME: Chrystal Schoenrock
 REPRESENTING: 4 LANDS BAR & LIQUOR - KPCHARR - STATE CHAIR
 BILL # or SUBJECT: HB 328
 COMMITTEE: HNSS DATE: 3/22/16

I'm sorry but I feel that there is enough places that have no smoking. Also I feel that the smokers should have the same courtesy that no smokers have. They should be able to go some places that allow smoking & not have to go outside in the cold. I don't know why people think they can run your life better than you.

None of these people have ever been in my bar nor will they probably never be in my bar. As I said before all my bartenders smoke & my patrons smoke & this will be a hardship on my business & also other small business & I can't wait for 5 yrs to have my business increase. When you close the mom's & pop's places I hope you have deep pockets then you can tax yourselves. Because people not opened & has no income and not pay taxes & my employees are only working 25 to 30 hrs a week because I can't pay insurance & neither can they so a loss of patrons will hurt me & my employee will be out of work - So I guess they can draw unemployment. Doesn't sound real good to me. I hope you will not pass this at this time because so many are laid off because of the oil prices. so please consider this. Thank you.

PS. why do the kids under 18 have a say in this. They are not

EVEN OLD ENOUGH TO buy Cigs - Cigars - E-cigs? AL
THOUGH I KNOW THAT THEY HAVE THEIR ~~OPINIONS~~
I'M SORRY BUT I FEEL THAT THE SMOKERS a BEING
DISCRIMATED AGAINST ~~THAT~~ THAT OUR RIGHTS ARE BEING
TAKEN AWAY.

From The Desk
Of
Larry J. "Hack" Hackenmiller
518 Farmers Loop Road
Fairbanks, Alaska 99712

Phone: 907-457-1327 Fax: 907-457-1328 Cell: 907-388-4677

March 22, 2016 Public Testimony HB 328. Regulations on Smoking

If you smoke you ain't to smart. Some people would consider this to be stupid. The problem is the constitution gives you the right to be stupid. The choice to smoke, buy Fords, eat French fries or parachute out of a perfectly good air plane is protected under our constitution.

HB 328 seeks to restrict stupid people in those areas of the state that do not have regulations on smoking to eliminate stupid in work places and outdoor baseball stadiums. The secondhand smoke from stupid people in a workplace is claimed to be so hazardous that is harming and killing smart people. Alaska even boasts of their infinite wisdom on secondhand smoke in their tobacco education program to "educate the public about the **lethal** effects of exposure to secondhand smoke." So I lit up a cigarette, blew the smoke into the face of a person I didn't like and the SOB is still living. Go figure!

The Occupational Safety and Health Administration, OSHA, is the authority for enforcing air quality in the workplace. These folks have the power under the Clean Air Act to make sure stupid does not provide a hazardous working condition for smart people in their place of business. All toxic air pollutants in the workplace are regulated from a list of toxins developed by the EPA to determine the concentration of the toxin in the air and the time period of exposure to that concentration for setting health risk levels. Permissible exposure limits, PELs, have been given for all toxins presently on their list. If you breathe a toxin under the PEL it is not considered a high enough health risk to regulate further.

As for secondhand smoke in the workplace OSHA has stated outright that "Field studies of environmental tobacco smoke indicate that under normal conditions the components in tobacco smoke are diluted **BELOW** existing PELs.....it would be very rare to find a workplace with so much smoking that any PEL would be exceeded."

I read the public testimony supporting this bill and the expert testimony of a doctor from the Center for Disease Control, CDC, who didn't cite OSHA as a reference to support his science claims used for his data on stupid people causing major health issues and death to smart people. Now the Surgeon General reports were cited as a reference but no real science on exposure levels and time of exposure for these reports was referenced either. A little odd that OSHA, the authority for indoor air quality, is not referenced by the tobacco control movement or government health agencies as a factor in determining the hazards of secondhand smoke in the workplace. Odd.

The power to restrict smokers lies with the businesses and property owners who feel that secondhand smoke is hazardous to the public they serve. The Fairbanks city council turned down a smoking ban yet most businesses have opted to ban smoking in their buildings. We don't need this law. There are enough smart people around to handle stupid if needed.

From The Desk
Of
Larry J. "Hack" Hackenmiller
518 Farmers Loop Road
Fairbanks, Alaska 99712

Phone: 907-457-1327 Fax: 907-457-1328 Cell: 907-388-4677

Public Testimony SB1 Senate Finance Committee March 14, 2016

The implied intent of this bill is to protect "Alaskan employees" from hazardous workplace conditions by eliminating secondhand smoke in buildings where they work. The supporters of this bill repeatedly state that the intent is not to remove the right of the smoker but simply to have smokers "take it outside".

The Alaska Occupational Safety and Health division, AKOSH, states that there are no occupational safety and health regulations that directly address secondhand smoke in the workplace. That there are 4,700+ chemical compounds in tobacco smoke, not over 7,000 chemicals as implied in written testimony on this bill, and many of the chemicals found in secondhand smoke have been listed in the federal OSHA Air Contaminant Standard (29 CFR 1910.1000) for Permissible Exposure Limits, PELs, on indoor air quality.

PELs are what makes the exposure to hazardous toxins acceptable without any science backed evidence to the contrary where the public health is concerned. Inhaling toxins below the PEL established by the EPA does not constitute a hazard or life threatening condition. A good example of this would be the PEL for driving a fuel driven vehicle. Without PEL's we would all be walking to work. The point here is that we have developed real science standards for exposure to hazardous toxins which are in practice today.

AKOSH states that levels of the contaminants in air resulting from secondhand smoke inside a building are **unlikely to reach levels that approach or exceed OSHA/AKONS PELs.** I will interpret this to mean that secondhand smoke in the workplace does not constitute, imply or substantiate a hazardous working condition.

My statement of facts above is not politically correct. It is based on a document I received from AKOSH when I ask them what the standards were for secondhand smoke in the workplace. Don't take my word for it. Ask them. Health groups did but don't like to talk about it.

So SB1 intends to protect Alaskan employees from a hazardous workplace condition that does not exist. SB1 intends to take away local options by organized municipalities to decide on their own the merits concerning an implied public health issue. SB1 intends to take away the right of businesses who serve the public and presently practice their rights to allow or restrict secondhand smoke exposure in their business without government red tape or penalties.

And the part about smokers taking it outside. There is no hazardous public health issue involved with smoking tobacco in an outdoor baseball stadium yet SB1 declares such. REALLY???

Ever wonder what the outcome would be if some poor smuck who got a \$100 ticket for smoking outside within 20 feet of a building entrance took the state to court to make them prove that dose of secondhand smoke in the open air was a public health hazard?

Attachment 1

Senate Finance Committee Testimony SB1

**Email from Dave Guinn, Health Consultant with Alaska Occupational, Safety & Health
Official response to a the question "What are the OSHA standards
for secondhand smoke in the workplace."**

[Print](#)[Close](#)

OSHA Request 39519602: Environmental Tobacco Smoke

From: **Guinn, Dave (DOL)** (dave.guinn@alaska.gov)

Sent: Fri 3/20/15 11:41 AM

To: icharrfbks@hotmail.com (icharrfbks@hotmail.com)

Cc: Markiewicz, Krystyna A (DOL) (krystyna.markiewicz@alaska.gov)

Hello Mr. Hackenmiller,

My name is Dave Guinn, I'm a Health Consultant with Alaska Occupational Safety and Health, Consultation and Training, and I've been asked to respond to your question: "What are the OSHA standards for environmental tobacco smoke, ETS, or commonly referred to as secondhand smoke, in a workplace?"

The short answer to your question is: OSHA and AKOSH (Alaska Occupational Safety and Health) currently have no occupational safety and health regulations that directly address environmental tobacco smoke (ETS) in the workplace. (See Attachment 1 below for OSHA's position on ETS in the workplace).

However, Alaska Statute AS 18.35.300, Places Where smoking Is Regulated, prohibits smoking in "a place of employment in which the owner, manager, proprietor, or other person who has control of the premises posts a sign stating that smoking is prohibited by law." The text of the Alaska statute addressing smoking can be found at: http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://www.jnu01.legis.state.ak.us/cgi-bin/folioisa.dll/stattx12/query=*/doc/%7bt8695%7d. The state agency with jurisdiction for enforcing this statute is the Alaska Department of Environmental Conservation (ADEC). In addition to state regulations, the following communities have smoke-free workplace laws:

[Anchorage](#)

[Bethel](#)

[Haines](#)

[Juneau](#)

[Klawock](#)

[Nome](#)

[Palmer](#)

PetersburgSkagwayUnalaskaValdezReference: http://dec.alaska.gov/eh/fss/Smoking_Home.html

Tobacco smoke contains many (4,700+) chemical compounds, and some of these are addressed in the OSHA Air Contaminant Standard (29 CFR 1910.1000). Examples of these and their federal and Alaska-specific occupational permissible exposure limits can be found in the table below. For additional information on the hazards of the chemicals listed below, you can use the NIOSH Pocket Guide to Chemical Hazards, which can be found at this link: <http://www.cdc.gov/niosh/npg/>. While ETS is unlikely to produce hazardous chemicals in concentrations high enough to violate enforceable occupational exposure standards, they remain hazardous, and tobacco smoke in combination with exposure to other hazardous substances (e.g. crystalline silica, asbestos, radon gas) increases the health hazards synergistically.

In summary:

There are no OSHA or AKOSH occupational safety and health standards that directly address ETS:

While not regulated specifically, ETS contains hazardous chemicals that may be individually regulated by OSHA and AKOSH standards;

AKOSH PELs may be lower (more protective) than federal OSHA PELs;

While present, levels of these contaminants in air resulting from ETS are unlikely to reach levels that approach or exceed OSHA/AKOSH PELs;

Alaska statutes address smoking in public places, and smoking is prohibited in places of employment that management has designated as non-smoking;

Some Alaska municipalities have smoke-free workplace laws.

Contaminant	Federal PEL ^{1, 2, 3}	Alaska PEL ^{1, 2, 3, 6}
<i>Carbon Monoxide (CO)</i>	50 ppm	35 ppm
<i>Nicotine</i>	0.5 mg/m ³	0.5 mg/m ³
<i>Benzene</i>	1 ppm or 10 ppm ₅	1 ppm or 10 ppm ₅

Formaldehyde ₄	0.75 ppm	0.75 ppm
Methanol (wood alcohol)	200 ppm	200 ppm
Ammonia	50 ppm	35 ppm

Notes:

PEL = Permissible Exposure Limit

PPM = Parts per million (Used for contaminants in the gas phase)

Mg/m³ = milligrams per cubic meter (Used for contaminants in the solid (particulate) phase.)

See 29 CFR 1910.1048

Benzene is covered by a specific standard (29 CFR 1910.1028), which lists a PEL of 1 ppm as an 8-hour time-weighted average. 29 CFR 1910.1028(a)(2) lists exclusions, for which the 10 ppm PEL applies.

Alaska PELs are found in Alaska Administrative Code, 8 AAC 61.1100, Table Z-1-A. Link: <http://www.legis.state.ak.us/aacpdf/ak861100.pdf>

This table includes only 8-hour time-weighted averages; there may be additional exposure limits such as ceilings and short-term exposure limits (STELs), as well as action levels (e.g. 0.5 ppm for benzene), which trigger other requirements for employers. As with other occupational exposure limits, these are unlikely to be triggered by ETS exposure.

If you have any additional questions, please feel free to contact AKOSH at 907-269-4940, or you can contact me directly at 907-269-4949. Thank you for your interest in occupational safety and health.

ATTACHMENT 1: OSHA Policy on Indoor Air Quality: Office Temperature/Humidity and Environmental Tobacco Smoke

February 24, 2003

MEMORANDUM FOR: REGIONAL ADMINISTRATORS STATE PLAN DESIGNEES

THROUGH: R. DAVIS LAYNE
DEPUTY ASSISTANT SECRETARY

FROM: RICHARD E. FAIRFAX, DIRECTOR
DIRECTORATE OF ENFORCEMENT PROGRAMS

SUBJECT: OSHA Policy on Indoor Air Quality: Office Temperature/Humidity and Environmental Tobacco Smoke

On December 17, 2001 OSHA withdrew its Indoor Air Quality (IAQ) proposal and terminated the rulemaking proceeding (66 FR 64946). However, the Agency still receives public inquiries about IAQ, primarily office temperature/humidity and smoking in the workplace. For that reason, we have summarized the Agency's position and guidance on these topics. We are including language in the form of letters you can utilize when responding to complainants on these topics.

Office Temperature/Humidity

As a general rule, office temperature and humidity are matters of human comfort. OSHA has no regulations specifically addressing temperature and humidity in an office setting. However, Section III, Chapter 2, Subsection V of the OSHA Technical Manual, "Recommendations for the Employer," provides engineering and administrative guidance to prevent or alleviate indoor air quality problems. Air treatment is defined under the engineering recommendations as, "the removal of air contaminants and/or the control of room temperature and humidity." OSHA recommends temperature control in the range of 68-76° F and humidity control in the range of 20%-60%.

As a second source of guidance, American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 55, *Thermal Environmental Conditions for Human Occupancy*, addresses "thermal comfort" in an office environment, which means that an employee wearing a normal amount of clothing feels neither too cold nor too warm. This standard discusses thermal comfort within the context of air temperature, humidity, and air movement and provides recommended ranges for temperature and humidity that are intended to satisfy the majority of building occupants. These ranges vary for cold and hot weather. ASHRAE addresses ventilation and the removal of air contaminants in a separate standard, ASHRAE Standard 62, *Ventilation for Acceptable Indoor Air Quality*.

As you know, hazards for which OSHA does not have a specific standard are governed by Section 5(a)(1) of the Occupational Safety and Health Act (the Act; General Duty Clause) which requires that employers provide employment and a place of employment that are free from recognized hazards that are causing or are likely to cause death or serious physical harm. Citations for violations of the General Duty Clause are issued when the four components of this provision are present, and when no specific OSHA standard has been promulgated to address the recognized hazard. These four components are: 1) the employer failed to keep his/her workplace free of a "hazard"; 2) the hazard was "recognized" either by the cited employer individually or by the employer's industry generally; 3) the recognized hazard was causing or was likely to cause death or serious physical harm; and 4) there was a feasible means available that would eliminate or materially reduce the hazard.

Office temperature and humidity conditions are generally a matter of human comfort rather than hazards that could cause death or serious physical harm. OSHA cannot cite the General Duty Clause for personal discomfort.

Environmental Tobacco Smoke (ETS)

Because the organic material in tobacco doesn't burn completely, cigarette smoke contains more than 4,700 chemical compounds. Although OSHA has no regulation that addresses tobacco smoke as a whole, 29 CFR 1910.1000 Air contaminants, limits employee exposure to several of the main chemical components found in tobacco smoke. In normal situations, exposures would not exceed these permissible exposure limits (PELs), and, as a matter of prosecutorial discretion, OSHA will not apply the General Duty Clause to ETS.

For further information to offer to employers/employees as guidance, you may wish to review a document published by the U.S. Environmental Protection Agency (EPA) about the health effects from environmental tobacco smoke, *A Fact Sheet: Respiratory Health Effects of Passive Smoking*. Additional information on indoor air quality in general can be found on the

[Indoor Air Quality Technical Links](#) page on the OSHA website.

We hope you find this information helpful. If you have any questions, please feel free to contact the Office of Health Enforcement at (202) 693-2190

End of Attachment 1

Dave Guinn

Industrial Hygienist

Alaska OSH Consultation & Training Program

Department of Labor and Workforce Development

Phone: 907-269-4949

FAX: 907-269-4950

<http://labor.alaska.gov/lss/osshome.htm>

I work for the Alaska Department of Labor and Workforce Development, Labor Standards and Safety Division and was recently assigned your request. I must preface this response by stating that I am not an attorney; and I cannot provide legal advice. I can provide you with the current clarification of the Occupational Safety and Health Regulations that are applicable in Alaska based upon the facts provided. All requests must be in the form of letter, fax, or electronic transmission to ensure accuracy, and will be retained for future reference. Statements and conclusions expressed herein may change depending upon the inclusion or exclusion of additional facts or background information. Due to periodic changes in OSHA Standards and their interpretations, it is important for you to review them regularly.



TESTIMONY OF GREGORY CONLEY

MARCH 19, 2016

Re: SB 1 & HB 304 / SB 133 -- Vapor Products and Electronic Cigarettes

Members of the Mat-Su Valley delegation:

Thank you for the opportunity to testify on the important topic of vapor products, which are commonly referred to as electronic cigarettes or e-cigarettes. Our organization has great concerns about SB 1, which would prohibit the use of smoke-free vapor products in indoor places of employment, as well as Gov. Walker's proposed budget, which would subject vapor products to an exorbitant tax of 100% of wholesale.

Vapor products are not tobacco products and should not be treated as such. Vapor products are *anti-tobacco technology* products, as they are tobacco-free, smoke-free, often nicotine-free, and are increasing being recognized as a smart way to get smokers to transition away from smoking combustible cigarettes. A recent study undertaken by Public Health England estimated that vapor products are about 95% less hazardous than smoking and pose no material risk to bystanders. This review was endorsed by a dozen of the largest public health groups in the UK, including Cancer Research UK, the Royal College of Physicians, and Action on Smoking & Health (the largest anti-smoking organization in the UK).

As explained below, the AVA urges you to reject the proposed vapor product usage ban, as well as the tax proposal.

Nonetheless, if it not possible to remove vapor products from the smoking / vaping ban, it is imperative that the Legislature take a more reasonable approach by: (1) Exempting all vape stores from the law, regardless of whether they share a wall with another business; (2) Allowing usage in places of employment where minors are not permitted; and (3) Allowing usage in workplaces not open to the general public.

I. Appropriate Exemptions Should Be Made, Including For Vape Shops

Regulation of e-cigarette use is not an all or nothing prospect. If the Legislature is insistent on taking action against vapor products, it should not attempt to fit a round peg in a square hole by simply redefining “smoking” to include the use of smoke-free devices. In light of the fact that the science on e-cigarettes shows no threat to bystanders (see Section II), the Committee should consider making appropriate exemptions that recognize the inherent differences between vapor and smoke.

A. Vape Shops Sell Technology Products – Usage in Stores is Essential For a Number of Reasons

Over the past four years, e-cigarette specialty stores – also known as “vape shops” – have played a vital role in helping transition smokers to far less hazardous alternatives. However, unlike cigarettes, there is a learning curve involved in understanding how vapor products work. First-time customers need to be shown how to use products. Customers of all sorts need help troubleshooting.

Multiple major cities and one state have considered whether to allow or disallow vaping in vape shops. Most have sided firmly with the former. For example:

- Chicago bans “smoking” in any retail tobacco store that shares a common wall with any other home or business. In a city like Chicago where businesses tend to be clustered together, this acts as a de facto ban on the opening of stores where “smoking” is permitted. However, because e-cigarette vapor is not noxious, does not travel through walls, and does not leave behind a lingering odor, when the Chicago City Committee amended their smoking ban to include e-cigarettes, ***an exemption was added allowing vaping in any vape store regardless of shared wall space.*** Chicago is a city that is incredibly hostile to vaping and yet they decided that it made no sense to apply the rules equally.
- New York City law on “smoking” is even stricter. With the exception of some cigar bars that were grandfathered into their anti-smoking bill in 2003, “smoking” is banned in all retail tobacco stores in New York City. Nonetheless, when NYC proposed banning e-cigarette usage last year, an exemption for all current and future vape shops was included and received *no opposition* from the members of the Committee or members of groups like the American Lung Association and Campaign for Tobacco Free Kids.
- Other major cities make similar exemptions, including Philadelphia, Los Angeles, and Baltimore.
- Utah and Delaware ban “smoking” in retail tobacco stores, but both carved out exemptions for vape shops in its e-cigarette usage ban law.

B. Baltimore’s Recent Usage Ban Provides a More Reasonable Model

At the end of 2014, the Baltimore City Council passed usage restriction on vapor products that does not permit their use in most public places. **However, e-cigarette usage will be permitted in bars and restaurants so long as the establishment posts signs indicating that usage is permitted.** This sort of flexibility will allow bars and restaurants the opportunity to, for example,

only permit vaping during certain hours of the day, or only for special events. This is a reasonable approach, especially in the context of places where children are not known to or permitted to congregate, like bars.

The Committee should resist calls to treat cigarettes and e-cigarettes identically. Doing so is not only not supported by science, but it sends the dangerous and incorrect message to smokers that e-cigarette use is just as hazardous as smoking.

II. Science on E-Cigarette Vapor Demonstrates No Risk to Bystanders

As the Committee is aware, research in this field is contentious, but that is true in many other areas that the Committee is forced to consider each year. A thoughtful examination of claims made by opponents reveals flawed and often twisted science. Below, claims with regard to four chemical classes are analyzed.

A. Chemicals in E-Cigarette Vapor are at Trace Levels – Potential of Any Significant Adverse Effects are Minimal

A favorite tactic of e-cigarette detractors is to make reference to chemicals that have been detected in e-cigarette liquid or vapor. Critically, they fail to note the actual levels of these chemicals found. In doing so, they ignore a central tenet of toxicology – the dose makes the poison. It's not just a presence of a chemical that matter, it is the amount that is present.

To our knowledge, the Department of Health has neglected to cite one of the most important studies to ever look at the chemicals that e-cigarette users and bystanders are exposed. Last year, the medical journal *BMC Public Health* published a study by Drexel University Professor and toxicologist Dr. Igor Burstyn entitled "Peering Through the Mist."¹ Dr. Burstyn utilized over 9,000 observations of electronic cigarette liquids and vapor in order to assess possible threats to the direct user and bystanders. Dr. Burstyn concluded that the levels of chemicals in e-cigarette vapor are so low so as to pose no apparent risk to bystanders.

i. Metals

Opponents often note that e-cigarette vapor contains various metals, implying that e-cigarette vapor is a source of inhaled toxic metals. Without proper context, presentation of this information is misleading. Dr. Michael Siegel, a long-time anti-tobacco researcher who testified against cigarette companies in lawsuits that cost them billions, has noted that the levels of metals delivered to vapor product users (bystanders are exposed to much less) are far lower than the daily exposures permitted by the authoritative United States Pharmacopeial Convention for inhalable medications.²

¹ Burstyn, I. "Peering through the mist: systematic review of what the chemistry of contaminants in electronic cigarettes tells us about health risks." *BMC Public Health Journal*, January 2014.

² Siegel, M. "Metals in Electronic Cigarette Vapor are Below USP Standards for Metals in Inhalation Medications," *Rest of the Story – Tobacco Analysis and Commentary*, April 2013. <http://tobaccoanalysis.blogspot.com/2013/04/metals-in-electronic-cigarette-vapor.html>

Dr. Siegel compared the levels of metals expected to be inhaled by the average e-cigarette user vs. the average user of the FDA-approved Nicorette nicotine inhaler and found that the levels were nearly identical. For some metals, electronic cigarette vapor contained LESS metals than the Nicorette inhaler. But again, these trace levels are allowed in medications, and metals in neither e-cigarette vapor nor the mist released by a nicotine inhaler represent a threat to the user or bystander.

There is no evidence that e-cigarettes are a source of any appreciable level of harmful chemicals. In a study funded in part by the National Institutes of Health, 12 different e-cigarette products were tested vs. a traditional combustible cigarette vs. the FDA-approved Nicorette inhaler. That study reported the levels of toxicants and chemicals identified as causing harm in cigarette smoke were present at trace amounts 9-450x less than in cigarette smoke.³ Even more importantly, the researchers noted that the levels were similar to those that are released by the Nicorette inhaler.

ii. Volatile Organic Compounds

As with metals, activists opposed to e-cigarette use often state that volatile organic compounds (VOCs) have been found in e-cigarette vapor. In a study published in the Journal of Indoor Air, German investigators at the Fraunhofer Wilhelm-Klauditz-Institute's Department of Material Analysis and Indoor Chemistry detected virtually no quantifiable levels of 20 VOCs found in cigarette smoke.⁴

Of the six chemicals detected (see below), five were at levels less than 1% the permissible exposure limits (PELs) set by the Occupational Safety and Health Administration. The sixth chemical, formaldehyde, was present at 2.4% of the PEL. However, the researchers noted because formaldehyde was detected at similar levels before the e-cigarette was used, the presence of formaldehyde "might be caused by the person in the chamber itself, because people are known to exhale formaldehyde in low amounts."

³ Goniewicz, M., et. al. "Levels of selected carcinogens and toxicants in vapour from electronic cigarettes," Tobacco Control, March 2013.
<http://tobaccocontrol.bmj.com/content/early/2013/03/05/tobaccocontrol-2012-050859.abstract>

⁴ Schripp T., et. al. "Does e-cigarette consumption cause passive vaping?" Indoor Air 23: 25–31, 2013.
<http://www.ncbi.nlm.nih.gov/pubmed/22672560>

Concentrations (ug/m3) of VOCs in Vapor From Three E-cigarettes (Average) and Smoke From a Cigarette		
VOC	E-cigarette Vapor	Cigarette Smoke
Propylene glycol	*	112
1-hydroxy-2-propanone	*	62
2,3-butanedione	*	21
2,5-dimethylfuran	*	5
2-butanone	2	19
2-furaldehyde	*	21
2-methylfuran	*	19
3-ethenyl-pyridine	*	24
Acetic acid	13	68
Acetone	20	64
Benzene	*	22
Isoprene	*	135
Limonene	*	21
M,p-xylene	*	18
Phenol	*	15
Pyrrole	*	61
Toluene	*	44
Formaldehyde	12	86
Acetaldehyde	2	119
Propanal	*	12

*Unquantifiable/same as empty chamber

iii. Polycyclic Aromatic Hydrocarbons (PAHs)

A flawed study in 2013 asserted that levels of polycyclic aromatic hydrocarbons (PAHs) were raised by 20% after non e-cigarette users were exposed to e-cigarette vapor for a significant period of time. This study has been soundly criticized for its methodological flaws. As explained by Dr. Konstantinos Farsalinos and Dr. Riccardo Polosa – the most published researchers on this topic throughout the world -- in a review of e-cigarette science overlooked by Committee staff:

[A] major methodological problem of this study is that control environmental measurements were performed on a separate day and not on the same day of EC use. This is a major limitation, because the levels of environmental PAHs have significant diurnal and day-to-day variations [Ravindra et al. 2008]; therefore, it is highly likely that the differences in levels of PAHs (which are

mainly products of combustion and are not expected to be emitted from EC use) represented changes due to environmental conditions and not due to EC use. Bertholon and colleagues [Bertholon et al. 2013] examined the EC aerosol exhaled from a user, in comparison with exhaled smoke from a smoker. The authors found that particle size diameters were 0.29–0.033 μ m. They observed that the half life of EC aerosol was 11 seconds compared with 20 minutes for cigarette smoke, indicating that risk of passive vaping exposure is significantly lower compared with passive smoking.⁵

iv. Particulate Matter

With regard to particulate matter, e-cigarette opponents have misinterpreted the science. It is inherently misleading to refer to the aerosol droplets created by e-cigarettes as “particulates,” as doing so leads the reader to believe that liquid droplets are particles that lead to the same health concerns when inhaled as solid particles (i.e., smoke of any kind). As explained by Dr. Carl Phillips, a longtime researcher on tobacco harm reduction, in criticizing what he called “fatal flaws” in a paper cited by Committee staff (Schober, et. al, 2014).

While droplets are particulates in the broadest sense of the term, in the context of environmental pollution that term generally refers to fine solid particles that can lodge in or be absorbed through the lungs intact. A liquid, of course, just dilutes into the bloodstream or other bodily liquids, regardless of particle size and deposition location. Thus, the extensive discussion of particulate size, let alone the explicit claims about health implications, is highly misleading. Indeed, the results they found are not all that different from the “particulate” exposure when someone takes a cold shower in terms of both “particle” size and concentrations, which illustrates the need to characterize the tiny bits of matter that disperse light, not merely determine that they exist.

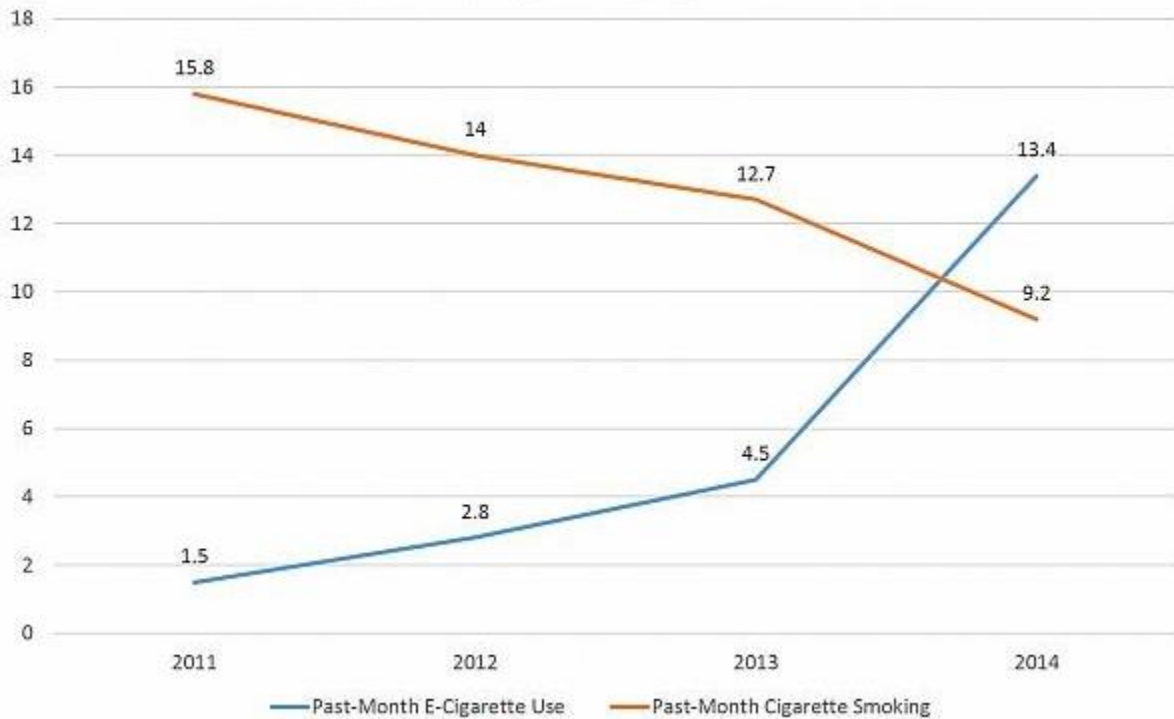
The device the authors used to detect “particles” does not distinguish between droplets and solid particles; to assess any health-relevant particles the authors should have used gravimetric techniques that determine the mass of solid particles emitted into the air. As such, the authors’ work suffers from inadequate testing of their major conclusion and confirmation bias: they assumed health-relevant particles would be present in the aerosol, performed a test that was incapable of ruling that out, and then interpreted their results as confirmation.⁶

⁵ Farsalinos, K., et. al. “Safety evaluation and risk assessment of electronic cigarettes as tobacco cigarette substitutes: a systematic review.” *Ther. Adv. Drug. Saf*; 5(2): 67-68.
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4110871/?report=classic>

⁶ Phillips, C. “Letter re fatal flaws in Schober et al. paper on environmental vapor.” *Anti-THR Lies*. January 2014. <http://antithrlies.com/2014/01/29/letter-re-fatal-flaws-in-schober-et-al-paper-on-environmental-vapor/>

III. E-Cigarette Experimentation by Youth is Occurring as Youth Smoking Hits Record Lows in the United States

For over five years, e-cigarette opponents have contended that the availability of e-cigarettes would lead to increased teen smoking. During that time period, despite increased e-cigarette experimentation by teens, youth smoking has reached historic lows.



Increased e-cigarette experimentation has occurred simultaneously with a sharp decline in teen smoking

IV. Conclusion

The science does not support restricting the use of vapor products where smoking is banned. Therefore, private business owners should retain the ability to allow or disallow e-cigarette usage. However, if the Legislature is to enact a usage ban, it should take efforts to draw distinctions between “smoking” and “vaping” by making common sense exemptions for bars, private workplaces, and most critically, vape shops.

Taxation of vapor products will harm public health. Studies consistently show that vapor products are effective at helping smokers quit and are leading to declines in smoking among youth and adults. Vapor products are readily available on the Internet. No new taxes on these products are justified. Indeed, taxation on these products could harm Alaska’s fiscal health in the long run due to the societal and budget costs imposed on the State by combustible cigarettes.

In making your decisions, please consider the following:

“Health professionals should embrace this potential by encouraging smokers, particularly those disinclined to use licensed nicotine replacement therapies, to try them, and, when possible, to do so in conjunction with existing NHS smoking cessation and harm reduction support. E-cigarettes will save lives, and we should support their use.”

- Royal College of Physicians editorial by Dr Ilze Bogdanovica, Professor Linda Bauld and Professor John Britton from the UK Centre for Tobacco and Alcohol Studies⁷

Thank you for your consideration.

Sincerely,



Gregory Conley, J.D., M.B.A.
President – American Vaping Association

⁷ Bogdanovica, et. al. “What you need to know about e-cigarettes.” Royal College of Physicians. March 2014. <https://www.rcplondon.ac.uk/commentary/what-you-need-know-about-electronic-cigarettes>

Taneeka Hansen

From: Alison Halpin <halpinan@gmail.com>
Sent: Tuesday, March 22, 2016 9:27 AM
To: House Health and Social Services
Subject: HB328 opposition
Attachments: Universal Declaration of Human Rights Preamble.pdf

My name is Alison Halpin and I reside in Anchorage Alaska. I am asking you to amend this bill to allow the use of personalized vaporizers in vapor shops through out the state. The exception that is written in this bill is for ONE existing shop in the entire state. There have been several independent studies done to provide proof that vaping is not harmful to others. Public health England has a report as well showing the health benefits of switching from traditional cigarettes. The vapor shops in this state provide education on this life changing alternative. This bill is government over reach and is infringing on human rights for ALL. I have a right to choose as an adult, and so does every adult in this state. Once again I urge you to allow vaping in vapor shops. I urge you to read the declaration of human rights that were signed and put in place on December 10, 1948 by the United Nations.

Alison Halpin

Universal Declaration of Human Rights Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore,

The General Assembly,

Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law. Article 7
All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile. Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier

penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

1. Everyone has the right to freedom of movement and residence within the borders of each State.
2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
2. Marriages shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

Article 21

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right to equal access to public service in his country.
3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the

arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.
2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Taneeka Hansen

From: Alison Halpin <halpinan@yahoo.com>
Sent: Tuesday, March 22, 2016 2:28 PM
To: House Health and Social Services
Subject: HB328 Opposition E-cigs poised to save medicaid billions
Attachments: E-Cigarettes Poised to Save Medicaid Billions Publications State Budget Solutions.pdf;
ATT00001.htm

My name is Alison Halpin and I am a member of Smoke Free Alternative Trade Association, and would like this document to be documented as opposition for HB328.



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March 7, 2016

FDA Reveals First Wave of E-Cig, Tobacco Study

Results show little evidence of consistent electronic cigarette use

Published in *CSP Daily News*

By [Melissa Vonder Haar](#), Tobacco Editor, CSP

CHICAGO -- Last week's Society for Research on Nicotine and Tobacco Conference included numerous tobacco and nicotine-related presentations, most notably select data from the first wave of the U.S. Food and Drug Administration (FDA) and National Institute of Health's Population Assessment of Tobacco and Health (PATH) study.

"E-cigs were a big topic in the PATH study, along with many other presentations, as the regulatory and scientific communities try to get a better grasp of the implications from this innovation, Vivien Azer, a tobacco analyst at the New York-based Cowen Group, wrote in a research note.

PATH is a longitudinal study, first mandated in 2011, in order for the FDA to gain a better understanding of tobacco use. About 46,000 U.S. tobacco and nontobacco users participate, all above the age of 12. The first wave of the study began in 2013 and was presented at the conference.

The data suggested regular use of electronic cigarettes is still very low, with just 5.5% of adults and 3.1% of 12- to 17-year-olds having used e-cigs in the past month. Azer added that daily e-cig users make up a very small percentage of these 30-day e-cig users.

"In fact, among current adult e-cig users, more than 40% had only used an e-cig less than three times in the past 30 days," she said. "We believe [this] points to the continued lack of consumer adoption of the products."

The data also seemed to dispute claims that e-cigs act as a gateway to other tobacco products, as the majority of e-cig users in the study were already consumers of other tobacco products.

"Overall, 15.9% of adult current e-cig users were nicotine naive," Azer said. "While a smaller 8.5% of daily e-cig users had not previously used tobacco."

In terms of flavors in e-cigs and other tobacco products, PATH researchers found the use of flavors was most prominent in e-cig users across the board. For e-cig consumers 25 years and older, 63% reported using flavors, while 85% of e-cig users ages 12 to 17 reported using flavors (though Azer noted this youth group exhibited a strong flavor preference across all tobacco categories).

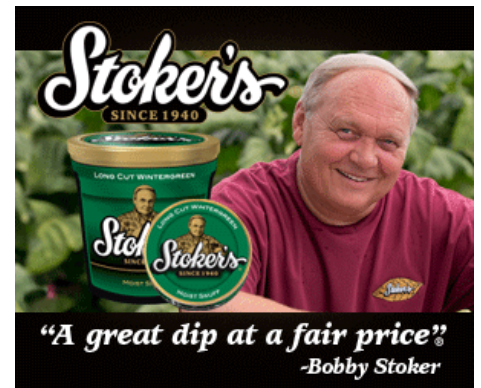
Azer said the Wave 1 database is currently only available for restricted use, but full dataset will be available later this year. The second wave of data is currently being reviewed, and Wave 3 is 40% complete. PATH researchers announced last week that the study will be extended four years and will now include seven waves, with the final wave set to be completed in 2022.

"We view the extension of the study as a positive (given the agency will take time to evaluate findings from the study and could potentially push back any incremental regulations)," Azer said.

KEYWORDS: cigarettes, electronic cigarettes

By [Melissa Vonder Haar](#), Tobacco Editor, CSP

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E-Cigarettes Poised to Save Medicaid Billions
J. Scott Moody, Chief Executive Officer and Chief Economist

Electronic cigarettes (e-cigs) have only been around since 2006, yet their potential to dramatically reduce the damaging health impacts of traditional cigarettes has garnered significant attention and credibility. Numerous scientific studies show that e-cigs not only reduce the harm from smoking, but can also be a part of the successful path to smoking cessation.

The term "e-cig" is misleading because there is no tobacco in an e-cig, unlike a traditional, combustible cigarette. The e-cig uses a battery-powered vaporizer to deliver nicotine via a propylene-glycol solution—which is why "smoking" an e-cig is called "vaping." The vapor is inhaled like a smoke from a cigarette, but does not contain the carcinogens found in tobacco smoke.

Unlike traditional nicotine replacement therapy (NRT), such as gum or patches, e-cigs mimic the physical routine of smoking a cigarette. As such, e-cigs fulfill both the chemical need for nicotine and physical stimuli of smoking. This powerful combination has led to the increasing demand for e-cigs—8.2% use among nondaily smokers and 6.2% use among daily smokers in 2011.¹

The game-changing potential for dramatic harm reduction by current smokers using e-cigs will flow directly into lower healthcare costs dealing

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The game-changing potential for dramatic harm reduction by current smokers using e-cigs will flow directly into lower healthcare costs dealing with the morbidity and mortality stemming from smoking combustible cigarettes. These benefits will particularly impact the Medicaid system where the prevalence of cigarette smoking is twice that of the general public (51% versus 21%, respectively).

Based on the findings of a rigorous and comprehensive study on the impact of cigarette smoking on Medicaid spending, the potential savings of e-cig adoption, and the resulting tobacco smoking cessation and harm reduction, could have been up to \$48 billion in Fiscal Year (FY) 2012.² This savings is 87% higher than all state cigarette tax collections and tobacco settlement collections (\$24.4 billion) collected in that same year.