

MINUTES: Public Health ENDS (Electronic Nicotine Delivery Systems) Meeting

1/4/2019

In Attendance:

Matt Murdock, Mayor, Town of Pinedale

Alan Huston, Sublette County Sanitarian and concerned parent

Erik Makelky, Principal, Skyline Academy; Vice Principal, Pinedale Middle School

Dr. Johnston, County Health Officer

Deputy Ryan Day, Big Piney High School, SUBSO School Resource Officer

Mike Crosson, County Attorney - Elect

Stephanie Lund, Nurse Manager, Sublette County Public Health

Kelsi Sluyter, University of Wyoming School of Social Work, Public Health Intern

Trisha Scott, Sublette County Public Health Prevention Coordinator

Purpose of meeting:

- Public Health and Sub #1 and Sub #9 school officials will present current information on use of ENDS among Sublette County schools to county and town officials.
- Public Health will present information on health effects of chemicals in ENDS and the effects of nicotine addiction on the developing adolescent brain.
- Gather information from town and county officials on policy options/legal considerations at local and state level to restrict high school and middle school student's access to ENDS.

Description of the current problem from school personnel:

Mr. Makelky reported recent survey of PHS students revealed that 80% of students had tried ENDS, 30% report they use ENDS regularly. Both Mr. Makelky and Deputy Day reported difficulty of keeping ENDS out of schools as they are designed to be "sneaky" and look like USB thumb drive. Mr. Makelky reported school is looking into an ENDS detector for the school bathrooms called "Flysense", cost for one is \$1,000, manufacturers are out of stock due to heavy demand.

18 year old students can legally purchase ENDS for younger students, Deputy Day characterized this as a "business opportunity" for 18 year olds who can buy ENDS at the local Loaf 'n Jug. Deputy Day reported difficulty of determining who is buying as kids won't tell: "It's a prison system" where the distributor is protected. Students can also easily buy ENDS on-line. Deputy Day reported the ENDS epidemic is not limited to kids who typically get involved in substance misuse: "It's the quarterback of the football team and the star basketball player whose parents go to church every Sunday who are getting caught" with ENDS. Reported 12 y/o students at the middle school have had ENDS confiscated.

Discussion of how ENDS manufacturers, particularly JUUL, have marketed aggressively to teens with flavors attractive to teens ("Skittles, Cotton Candy, Creme Brulee, and Mango), discussed the incorrect and pervasive teen perception that they can get ENDS without nicotine in the pods. Deputy Day: "All the devices we have tested test positive for nicotine". School officials reported concern with health effects of nicotine addiction; schools have informed students and parents that students who ask for help to quit ENDS will not be punished.

Both school officials reported that schools are increasing efforts to educate parents.

Policy discussion:

Alan Huston presented 4 possible policy options that other states and local jurisdictions have implemented to address children and teens use of ENDS:

- Restrict location of sales to business establishments that you must be 21 and over to enter, like liquor stores, reducing the 18 y/o buying for under 18 y/o.
- Encourage and support legislation prohibiting internet sales of ENDS, at state level.
- Increase or adopt excise tax on ENDS (Wyoming currently has no excise tax on ENDS). Noted that Minnesota has 95% tax on ENDS. Noted that tax increase on cigarettes in the past resulted in decrease of smokers.
- Consider prohibiting advertising and promotion of ENDS.

Action Steps:

- Mayor Murdock reported that because of Home Rule the Town of Pinedale may pass an ordinance restricting ENDS sales to liquor stores. Mayor Murdock raised the question about enforcement by SUBSO, stated he would discuss an ordinance with the Town Attorney. Mayor Murdock reported that he will communicate with Marbleton and Big Piney town officials about similar ordinance possibility in the south county. Possibility of WAM (Wyoming Association of Municipalities) writing/introducing a bill adopting excise tax on ENDS and possible ban on internet sales on ENDS, to be introduced in the current legislative session. Must be written by Thursday January 10.
- Alan Huston will provide Mayor Murdock with model ENDS legislation and ordinances from other municipalities and states. (Completed 1/4/19).
- Doc Johnston will write a letter to Rep. Albert Sommers and the county commissioners summarizing this meeting. (Completed 1/4/19)
- Those in attendance agreed to meet 3 weeks out to follow up on actions discussed.