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STATE OF VERMONT
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May 8, 2019

Dr. Mark Levine, Commissioner
Department of Health
108 Cherry Street
Burlington, VT 05402

Dear Commissioner Levine:

On Wednesday, April 24, 2019, the House of Representatives approved S.86, An act relating to increasing the legal age for buying and using cigarettes, electronic cigarettes, and other tobacco products from 18 to 21 years of age. Shortly before third reading of the bill, Representative Brian Cina shared with the House Committee on Human Services an amendment he planned to offer (attached) that would have created an exception to the prohibition on possession of tobacco products and tobacco paraphernalia by a person under the legal age if the possession was “in connection with participation in a bona fide religious, spiritual, or ceremonial activity.” The Committee took testimony that day from a representative of the Vermont Commission on Native American Affairs and from the Director of Compliance and Enforcement at the Vermont Department of Liquor and Lottery. While a majority of the Committee ultimately did not support the amendment, which was withdrawn on the House floor, we sincerely appreciated the opportunity to begin to learn about the role of tobacco, pipes, and similar items in the Native American culture.

The Committee would like to ensure that our efforts to reduce youth access to tobacco products, electronic cigarettes, and tobacco paraphernalia do not negatively affect the cultural traditions and religious practices of Vermonters. To that end, we request that the Department of Health consult with the Commission on Native American Affairs, the Department of Liquor and Lottery, and other interested stakeholders to develop recommendations for balancing tobacco prevention and cessation efforts in Vermont with respect and due regard for religious, spiritual, ceremonial, and cultural practices that may involve the use of tobacco, pipes, hookahs, and similar regulated items. We would appreciate receiving your suggestions by January 1, 2020 so that we may consider legislation to address these issues during the 2020 legislative session.

Sincerely,

Representative Ann Pugh, Chair
House Committee on Human Services

Cc: Patrick Delaney, Commissioner, Department of Liquor and Lottery