

**GOVERNOR'S STATEMENT UPON SIGNING FOR
SENATE BILL NO. 3265
(FIRST REPRINT)**

Today I am signing Senate Bill No. 3265 (First Reprint), which prohibits the sale of flavored vaping products in the State. This legislation aligns with the findings of the Electronic Smoking Device Task Force ("Task Force") that I convened in September 2019 when I signed Executive Order No. 84. The Task Force's Report cited national data regarding the appeal of flavored vape products to young adults. The availability of flavors like "bubble gum" and "cotton candy" have been proven to entice middle-school aged children and younger to start vaping in alarming numbers. We have seen the rate of cigarette use among New Jersey youth decline significantly over the past 20 years due in large part to the tireless efforts of the Department of Health and impassioned advocates and parents. Since 2014, the number of young people who use vaping products has risen exponentially. This bill is a necessary step to address the vaping epidemic among our State's youth.

I am particularly proud that New Jersey will become the first state with a legislatively-passed ban on flavored vaping products. This new law is a testament to the commitment of both my Administration and the Legislature to address this issue expeditiously. I want to especially thank the bill's first prime sponsors, Senator Shirley Turner and Assemblyman Herb Conaway, as well as Senator Joseph Vitale, who has been a leader on confronting this public health risk.

I have declined, however, to sign Assembly Committee Substitute for Assembly Bill Nos. 5922 and 5923, which revises certain statutory requirements for the sale of tobacco and vapor products. While I appreciate the Legislature's effort to implement many of the Task Force's recommendations, particularly provisions that would help curb sales to children and young adults, I cannot support a piecemeal approach to a problem that requires a comprehensive solution.

In its original form, the bill - then two separate bills - would have required an overhaul and expansion of the current limited licensing system for vapor businesses and increased the tax on vapor products. My office strongly suggested that the Legislature consider reworking the current tax scheme, which is unnecessarily complicated and favors certain players in the marketplace, and conveyed our concerns to the Legislature about the bill's inconsistent treatment of different vaping retailers and manufacturers. Unfortunately, the bill's final form did not

address these concerns. I look forward to working with the Legislature in this new legislative session to determine best practices for regulating the vaping industry and hope that we can reach a result that treats all affected entities fairly, protects the health of New Jersey residents, and penalizes the bad actors in the vaping marketplace.

Date: January 21, 2020

/s/ Philip D. Murphy

Governor

Attest:

/s/ Robert L. Garrenger III

Acting Chief Counsel to the Governor