



The Treasure State

MONTANA HOUSE OF REPRESENTATIVES

Representative David Bedey
House District 86

July 22, 2020

The Honorable Frederick (Eric) Moore
Chairman, Children, Families, Health, and Human Services Interim Committee
P.O. Box 201706
Helena, MT 59620

Dear Representative Moore,

On June 16, 2020, the Department of Public Health and Human Services proposed administrative rules (MAR Notice No. 37-923, New Rule I, New Rule II and New Rule III), which would prohibit the sale, offer for sale, giving, marketing, advertising, or distribution of flavored electronic smoking devices to all persons within Montana.

This action appears both to exceed statutory authority granted to the agency by the legislature and to contradict the legislature's position on "vaping" as expressed by the actions it took on HB 653 and SB 122 during the 2019 session.

Therefore, I request that, per MCA 2-4-403, the Children, Families, Health, and Human Services Interim Committee poll the members of the legislature to ascertain legislative intent regarding the proposed rules.

Sincerely,

A handwritten signature in cursive script that reads "David F. Bedey".