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*Testimony of Representative Jennifer Poirier in Opposition to*  
**LD 754, “An Act to Ban the Sale, Use and Possession of Single-Use  
Electronic Cigarettes and to Review Extended Producer Responsibility  
Options for All Batteries”**

*Before the Joint Standing Committee on Environment and Natural Resources*

May 12, 2025

Senator Tepler, Representative Doudera, and esteemed members of the Joint Standing Committee on Environment and Natural Resources, I am Jennifer Poirier, and I represent House District 70, which is the wonderful community of Skowhegan.

I respectfully submit this testimony in opposition to LD 754, which proposes to ban single-use electronic cigarettes and review extended producer responsibility (EPR) options for all batteries.

### **Part I: Opposition to the Ban on Single-Use Electronic Cigarettes**

#### **1. Public Health Impact**

- **E-cigarettes as a Harm Reduction Tool:** Numerous studies indicate that e-cigarettes are a less harmful alternative for adult smokers seeking to quit combustible tobacco products. Banning these products may inadvertently encourage a return to more harmful smoking behaviors.
- **Harm Reduction for People in Recovery:** E-cigarettes have been identified as a harm reduction tool for individuals recovering from substance use disorders, particularly those with a history of smoking. A study published in *Addiction Science & Clinical Practice* found that e-cigarettes are perceived as effective for smoking cessation among individuals in residential substance use disorder treatment programs. Participants reported using e-cigarettes to reduce or quit smoking, with many considering them a viable alternative to traditional cigarettes.
- **Youth Usage Trends:** Data from the 2023 Maine Integrated Youth Health Survey shows a decline in high school student vaping from 29% in 2019 to 16%

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in 2023. This suggests that existing regulations and educational efforts are effectively addressing youth vaping without the need for a complete ban.

## 2. **Economic Considerations**

- **Job Losses in the Vaping Industry:** The Vapor Technology Association reported a 23% decrease in vaping-related employment in Maine from 2018 to 2021, correlating with increased regulatory pressures. A ban could further exacerbate job losses in this sector.
- **Tax Revenue Implications:** In 2021, Maine collected over \$4 million in state taxes from the vaping industry. A ban could result in significant revenue loss, impacting funding for public health initiatives.

## 3. **Potential Unintended Consequences**

- **Rise of Black Markets:** Similar bans in other regions have led to the emergence of unregulated black markets, undermining public health goals and reducing state tax revenues.
- **Consumer Substitution:** Research indicates that banning e-cigarettes may lead consumers to revert to more harmful tobacco products, negating potential public health benefits.
- **Increased Relapse Risk:** Banning e-cigarettes may inadvertently lead to increased relapse rates among individuals in recovery. Without access to e-cigarettes as a harm reduction tool, individuals may return to smoking traditional cigarettes, which are associated with higher health risks and may undermine recovery progress.
- **Loss of a Viable Cessation Aid:** For many individuals in recovery, e-cigarettes represent a less harmful alternative to smoking. A ban could remove a critical tool that has helped numerous individuals reduce or quit smoking, potentially hindering their recovery journey.
- **Psychological and Behavioral Setbacks:** The removal of e-cigarettes from the market could lead to psychological and behavioral setbacks for individuals in recovery. The loss of a coping mechanism and the disruption of established routines may contribute to increased stress and anxiety, which are known triggers for relapse.

## **Part II: Concerns Regarding Extended Producer Responsibility for Batteries**

### 1. **Implementation Challenges**

- **Scope and Feasibility:** Extending EPR to all batteries presents significant logistical challenges, including collection, recycling, and enforcement mechanisms. The broad scope may strain existing infrastructure and resources.

### 2. **Economic Impact**

- **Increased Costs:** Implementing EPR for batteries could lead to higher costs for manufacturers and consumers, potentially affecting the affordability and accessibility of battery-powered products.

### 3. **Effectiveness of Current Programs**

- **Existing Recycling Systems:** Maine already has established programs for battery recycling. Further extending EPR may duplicate efforts and divert attention from enhancing current systems.
1. A real-life example happens right here in Augusta. People go into a local vape retailer weekly to collect used vaping products. The people collecting disassemble the products and recycle them to appropriate entities. One retailer estimates 100 vapes are recycled per week from an individual location.

While the intent behind LD 754 is to protect public health and the environment, the proposed measures may have unintended negative consequences. A more effective approach would involve strengthening existing regulations, investing in public education, and supporting harm reduction strategies. It is essential to consider the potential adverse effects on individuals in recovery from addiction. E-cigarettes have been identified as a harm reduction tool that supports smoking cessation and provides psychosocial benefits. Banning these products may inadvertently hinder recovery efforts and increase relapse rates. A more effective approach would involve strengthening existing regulations, investing in public education, and supporting harm reduction strategies. I urge the committee to consider these implications and explore alternative measures that balance public health goals with the needs of individuals in recovery.

I urge the committee to consider these points and oppose LD 754.

Thank you for your time and consideration. I would be happy to answer any questions you may have.

Jennifer Poirier  
State Representative

**Supporting documentation:**

<https://www.centralmaine.com/2023/12/15/fewer-teens-vaping-but-mental-health-struggles-remain-common/>

[https://www.protectingtaxpayers.org/comments-and-testimony/testimony-before-the-maine-health-and-human-services-committee-regarding-banning-the-sale-of-flavored-tobacco-and-vapor-products-2/?utm\\_source=chatgpt.com](https://www.protectingtaxpayers.org/comments-and-testimony/testimony-before-the-maine-health-and-human-services-committee-regarding-banning-the-sale-of-flavored-tobacco-and-vapor-products-2/?utm_source=chatgpt.com)

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<https://pmc.ncbi.nlm.nih.gov/articles/PMC8247797/>  
<https://mainepolicy.org/tobacco-harm-reduction-not-prohibition-is-the-right-path-forward-for-maine/>