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Testimony of Senator Paul Davis
In Support of L.D. 1550, An Act to End the Sale of Flavored Tobacco Products
Before the Joint Standing Committee on Health and Human Services
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Senator Claxton, Representative Meyer and members of the Joint Standing Committee on Health and Human Services. I am Senator Paul Davis and I represent Senate District 4, which includes communities in Piscataquis, Penobscot and Somerset Counties. I am here as a co-sponsor of L.D. 1550, An Act to End the Sale of Flavored Tobacco Products.

This bill does exactly what the title states – it prohibits the sale of all flavored tobacco products, including menthol cigarettes. You will hear from advocates behind me about the science behind this proposal and the research that shows it will significantly reduce tobacco consumption and prevent youth from ever using tobacco products. This is something I strongly believe we need to address as a state. Tobacco is the only product that, when used as intended, causes addiction, disease, and death. I know this personally. When I left the army, I was heavily addicted to tobacco smoking two packs a day. Tobacco has also tragically affected my family. I lost both my father and brother to lung cancer.

My generation, and that of many of us in the Legislature and our great state, has been gripped by the addiction of tobacco. Many of us started smoking before the dangers of smoking were well known - before the tobacco industry was caught lying to Congress about the health effects and addictive nature of tobacco. We can, however, help ensure that the current generation of kids in middle and high school don't get trapped by this addiction and indeed could become the first tobacco-free generation.

My family is not alone in experiencing the tragic impacts of tobacco use. I was surprised to learn that Maine has the 6th highest rate of tobacco-related cancer cases in the nation and the 11th highest rate of tobacco-related cancer deaths. Piscataquis County has the highest adult smoking rate of all counties in Maine with more than 1 in 5 adults who smoke. In Maine, more than 1 in 4 high school students use e-cigarettes, a rate that nearly doubled in the two years between 2017 and 2019. Piscataquis County saw the greatest increase in high school e-cigarette use in that two-year period, where the use rate quadrupled. We must do more to reduce the impact of tobacco on our state.

You will likely hear from opponents of this legislation about how this legislation will do more harm than good and how businesses will close. In 2017, when I sponsored legislation to increase the minimum sales age of tobacco products to 21 years of age, opponents made the same claims, labeling the policy as radical, saying businesses would close and it would cause illicit sales. If you look at the testimony submitted on that bill, you will likely see the same arguments as you hear today. I was proud when Maine was one of the first states in the nation that passed that legislation because I knew it was the right thing to do. It only took two years for the entire nation

to follow suit when President Trump signed federal legislation to raise the legal sales age. When we passed the law in 2017, we did not see the so-called unintended consequence the industry warned us about and I doubt we will see it by passing this legislation.

You will hear these are legal products that some adults enjoy and should have the choice to buy. When I was younger and smoking two packs a day, it didn't feel like a choice. Losing a brother and father to lung cancer doesn't seem like something we should be saying is an adult right to protect. Something that is worth protecting, however, is the health and longevity of future generation's lives by putting a stop to enticing and addictive products such as flavored tobacco.

Let's stay focused on the point of this straightforward legislation – most kids first use tobacco products that are flavored. The flavors attract them to use the products and make it harder to quit. Flavors like menthol also make it more difficult for adults to quit. Getting rid of the flavors will prevent and reduce tobacco use. When Maine ranks in the top 10 for tobacco-related cancer cases, we cannot wait for federal action. These cancer cases are real lives that impact families like mine. We must lead the nation again because it's the right thing to do.

I thank you for your consideration of this bill and ask that the committee unanimously support it.