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February 3, 2022

Honorable Ned Claxton  
Honorable Michele Meyer  
Cross Building, Room 209  
Augusta, Maine 04333

Re: LD 1693 *An Act to Advance Health Equity, Improve the Well-being of all Maine  
People and Create a Health Trust*

Greetings, Senator Claxton and Representative Meyer,

I am writing this letter to provide information on Part A and in support of Part D of LD 1693.

First, I would like to note that Part A of LD 1693 would create a trust fund (the Trust for a Healthy Maine) to receive money paid to the State pursuant to the Tobacco Master Settlement Agreement and to distribute that money to further important public health goals. Ensuring that the money furthers these goals, and is not used to fill budget holes, is admirable. The Committee may, though, wish to review my testimony on LD 1523, which would establish an identical trust fund. As I note in that testimony, such a fund would not prevent future Legislatures from reallocating the moneys. Further, costs associated with the administration of the fund will reduce the amount of money that can be spent on public health programs.

Second, Part D of LD 1693 prohibits the sale of flavored tobacco products, including cigars and electronic smoking devices. According to the 2019 Maine Integrated Youth Survey, nearly 30% of Maine's high school students and 8% of Maine's middle school students had used tobacco products within the last 30 days. The ongoing research conducted by the Truth Initiative has found that in almost every case, youth initiate tobacco use with a flavored product. In a 2020 national report, the Truth Initiative found that 81% of all youth who tried tobacco chose flavored tobacco for their first tobacco product. Of those youth who used e-cigarettes, 97% used flavored products. 2.93 million middle and high school students in the U.S. used a flavored tobacco product in 2020. Flavored tobacco products are attractive to youth, often under 18, and can lead to lifelong nicotine addictions.

Tobacco use continues to be the number one cause of preventable death. I support LD 1693's ban on the sale of flavored tobacco products in hopes of preventing more young people from becoming addicted to tobacco and reducing tobacco-related diseases and death in future generations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Aaron M. Frey". The signature is fluid and cursive, with the first name "Aaron" being more prominent than the last name "Frey".

Aaron M. Frey  
Attorney General