



# HOUSE OF REPRESENTATIVES

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***Testimony of Representative Rebecca Millett presenting  
LD 1523, An Act To Establish the Trust for a Healthy Maine  
Before the Joint Standing Committee on Health and Human Services***

Good morning, Senator Claxton, Representative Meyer and esteemed colleagues on the Health and Human Services Committee. I am Representative Rebecca Millett and I represent House District 30, which includes most of Cape Elizabeth. I am honored to present for your consideration LD 1523, “An Act to Establish the Trust for a Healthy Maine”.

As a member of the Education and Cultural Affairs Committee, I always assess public policy, first and foremost, through the lens of what’s best for Maine children and families. And like most of us, I have watched with sadness and anger as another generation of Maine youth have fallen prey to the tobacco industry as e-cigarette use, or “vaping”, has reached epidemic proportions in our schools and communities.

The reality is, the tobacco industry has been stacking the deck against Maine kids for decades with predatory marketing campaigns, product promotions, and the promise of fitting in, being cool, and feeling a relief from stress and anxiety.

Our job as policymakers is to protect Maine kids and put strong guardrails around the tobacco industry. We can do that by 1) getting products that hook kids off the store shelves; 2) fully funding a best practice tobacco prevention and treatment program; and 3) investing our tobacco settlement as it was originally intended: preventing youth tobacco use and giving our young people the chance to grow up free from nicotine addiction, with healthy brains and bodies, in communities that give them hope, connection, and opportunity.

This bill will assure two of those three, while the bill you’ll hear later this morning ([LD 1693](#)), will assure the third. I hope you will join me in seeing both the opportunity and the responsibility before us to set things right, fix what’s broken, and stand up for the health and well-being of Maine kids and communities.

Maine is at a critical juncture. Tobacco settlement revenues are about to drop again, and this time dramatically, which will make the current Fund for a Healthy Maine baseline of \$55 million per year impossible to sustain in the next biennium. We have an important decision to make. We can

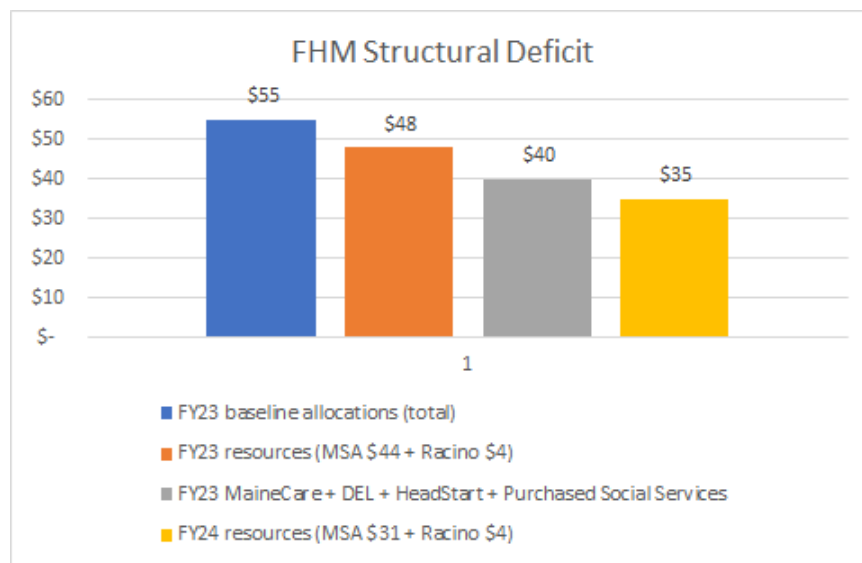
do nothing and hope for the best, or we can restructure and modernize this 20-year-old fund for the health of our children and our future.

Doing nothing is a lose/lose scenario. Without action, medical care, public health, and prevention programs in the Fund for a Healthy Maine will be pitted against each other for limited resources in the next biennium, at a time when we can all agree, we need to be doing so much more to strengthen and integrate our health care and public health systems, especially in our rural regions and in communities experiencing health disparities.

Alternately, acting now will be a win/win. By restructuring the tobacco settlement in this biennium, there is no immediate threat to programs, nothing to bargain away, and no fiscal impact. With a simple transfer of funds and the creation of a long-term public health trust, we can stabilize MaineCare, HeadStart, child care, and Drugs for the Elderly programs in the General Fund; automate the full funding of Maine’s tobacco prevention and treatment program; create an ongoing revenue stream to address health disparities and support community-based infrastructure; and allow for longer-range planning and investing of settlement dollars in alignment with the highest priorities of our state health plan.

Specifically, this bill will create the Trust for a Healthy Maine, which will be funded with annual tobacco settlement payments (estimated at \$31 million/year starting in FY 24). The Governor will appoint, and the Maine Senate will confirm all members of the Trust for a Healthy Maine. After the creation of the Trust, racino revenue will continue to flow into the Fund for a Healthy Maine and fund a portion of the Drugs for the Elderly (DEL) program. The Fund for a Healthy Maine will also remain available for other revenue and allocations as determined by the Legislature and Administration.

I’ve included a simple bar graph in my written testimony and others following me will speak to the financial details in this bill’s proposed restructuring of the tobacco settlement into the Trust for a Healthy Maine.



The amendment I am submitting with my testimony today includes the language necessary to resolve the structural deficit in the Fund for a Healthy Maine, which will then allow for the creation of our new public health trust - the Trust for a Healthy Maine.

Now it's time to decide. Will we take action, or will we let this final window of opportunity pass us by?

I urge us to act now - not just because it's good policy, but because it's right and just policy. A public health trust, designed for the future and funded from the ethical/moral imperative of not losing one more child to tobacco addiction, will be an inspirational, motivational, community-building moment for the entire state of Maine – something we can all be proud of - reminding us of our ability to come together to solve big problems and do what's right for our kids and communities in a fiscally responsible way.

Much research, informed thought, and collaboration have gone into developing the model outlined in LD 1523. It is based on the successful structure of the Efficiency Maine Trust and heavily informed by our experiences here in Maine and those of other states in protecting the tobacco settlement. A tremendous amount of work has also gone into resolving all of this committee's questions and concerns from two years ago, when [LD 1961](#) was left unfinished due to the COVID pandemic.

I'll end by reminding us that the 119<sup>th</sup> Legislature did an amazing thing more than 20 years ago in their creation of the Fund for a Healthy Maine. It has served us well and longer than most states' efforts to protect this revenue stream. As proud members of the 130th Legislature, it's now our responsibility to chart a course for the next 20 years. There could not be a more important moment to be doing so.

I'm honored to be working with all of you on an issue of such significance to our children and our state. Thank you and I am happy to answer any questions.