

PHILIP B. SCOTT  
GOVERNOR



State of Vermont  
OFFICE OF THE GOVERNOR

April 3, 2024

The Honorable John Bloomer, Jr.  
Secretary of the Senate  
115 State House  
Montpelier, VT 05633-5401

Dear Mr. Bloomer:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I'm returning S.18, *An act relating to banning flavored tobacco products and e-liquids*, without my signature because of my objections described herein.

Admittedly, I've struggled with this bill, as it seems hypocritical and out of step with other initiatives that have passed into law recently and over time.

To be clear, I too feel we have an obligation to protect our children, but it must be balanced in such a way that we honor the rights and freedoms of adults to make decisions about their individual lives.

That's why, in 2019, I signed a bill raising the legal age to buy tobacco or e-cigarette products from 18 to 21 and even increased a tax on some of those products to deter use. In my mind, these were reasonable steps that struck the right balance.

From my perspective, this bill is inconsistent with other laws related to legalized substance use. In 2020, the Legislature legalized the commercial sale of cannabis, including edibles and other flavored products, which are now widely available, despite the known risks to youth and their developing brains. Yet, to my knowledge, I'm not aware of an initiative to ban such products, even considering their obvious appeal to minors and negative health impacts.

In addition, we (the State) allow, and in fact actively advertise and profit from, the sale of flavored alcohol products. We also promote and highlight our distilleries and breweries with all their unique flavors, which has been incredibly successful, not only financially, but also from a branding and tourism standpoint. But it can't be denied alcohol abuse has been the root cause of many societal challenges.

I've found people lose faith in government when policies have these types of inconsistencies, because they contradict common sense.

The Honorable John Bloomer, Jr.

April 3, 2024

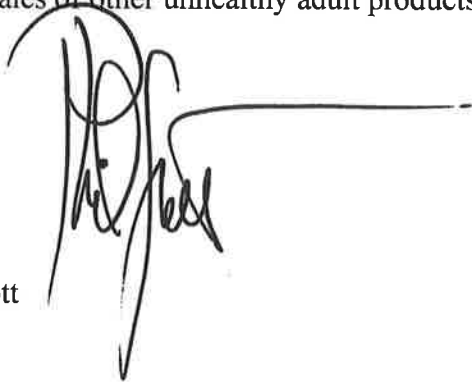
Page Two

Furthermore, from a purely practical point of view, these products would continue to be widely available just across the river in New Hampshire, and through online sales.

Regardless of what becomes of this bill, the Legislature should direct the Attorney General and the Department of Liquor and Lottery to further crack down on direct online sales to minors.

In conclusion, I'm not convinced the in-state prohibition of flavored tobacco, e-liquids and tobacco substitutes only, is justified when sales will remain online, and when State law plainly encourages sales of other unhealthy adult products to continue.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip B. Scott". The signature is written in a cursive style with a large, looping initial "P". A long horizontal line extends from the right side of the signature across the page.

Philip B. Scott  
Governor

PBS/kp