

# MaineHealth

## MaineHealth Member Organizations:

Franklin Community Health Network  
LincolnHealth  
MaineHealth Care At Home  
Maine Behavioral Healthcare  
Memorial Hospital  
Maine Medical Center  
NorDx  
Pen Bay Medical Center  
Southern Maine Health Care  
Synernet  
Waldo County General Hospital  
Western Maine Health

## Part of the MaineHealth Family:

MaineHealth Accountable Care Organization

## MaineHealth Affiliates:

MaineGeneral Health  
Mid Coast-Parkview Health  
New England Rehabilitation Hospital of Portland  
St. Mary's Health System

## Testimony of Katie Fullam Harris, MaineHealth

In Opposition to L.D. 1329, An Act to Allow Tobacco Retail Establishments to Serve Alcohol

January 9, 2018

Senator Brakey, Representative Hymanson, and distinguished members of the Health and Human Services Committee:

Thank you for the opportunity to be here today. I am Katie Fullam Harris and I'm the Senior Vice President of Government Relations and Accountable Care Strategy for MaineHealth. As part of MaineHealth's mission of "Working Together So Maine's Communities are the Healthiest in America," I am here today in opposition to L.D. 1329, An Act to Allow Tobacco Retail Establishments to Serve Alcohol, because it runs counter to this mission and vision.

L.D. 1329 represents a concept that has been before the Legislature multiple times, in various iterations, since loopholes in Maine's smoking laws were closed – and the concept has continuously met no success. Previous bills have represented regressive efforts to roll back Maine's strong support of tobacco-free environments – taking environments exclusive to the sale of tobacco and expanding the scope of service to include the sale and use of alcohol. These bills are contrary to overwhelming public opinion that is supportive of tobacco free environments as well as evidence that the prohibition of smoking in bars has no demonstrated economic impact to their respective revenue. For example, according to the Behavioral Risk Factor Surveillance System, 9 out of every ten Mainers agree that people should be protected from secondhand smoke. Further, national studies have consistently demonstrated that smoke-free laws in restaurants and bars have no economic impact on the establishment's revenue pre- and post-implementation of the smoke-free law.<sup>1</sup>

The intent of L.D. 1329 is no different, and potentially represents a more significant threat because of its broad impact. There are approximately 100 licensed tobacco retailers in Maine that would be eligible to receive an alcohol license under this bill. Considering the number of stores and distribution throughout Maine, this bill creates a notable number of environments that would effectively act as bars that allow smoking – rather than what is seemed to be implied by the bill, tobacco stores that allow for the sale of alcohol. What

<sup>1</sup> Loomis BR, Shafer PR, van Hassett M. The Economic Impact of Smoke-Free Laws in Restaurants and Bars in 9 States. Prev Chronic Dis 2013; 10: 120327.

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has historically been a niche approach has much broader implications in the current bill.

A further factor against this bill is the likelihood for significant public confusion based on which retailers it would effect. It pertains to retailers with greater than 50 percent of their revenue from tobacco products; not all of these stores, though, maintain a Tobacco Specialty Store license, which is what allows for the use of tobacco products while in the store area. This allows for the possibility for the sale of alcohol in stores that both allow and don't allow tobacco use. It is not as though the public references which tobacco retailers maintain certain licenses and understand the nuances between levels of tobacco revenue as a means of being permitted to serve alcohol in a store.

Because of the factors noted above, I urge you to vote Ought Not to Pass on this bill. Thank you for your time and consideration and I would be happy to answer any questions.