



RETAIL
ASSOCIATION OF
MAINE
Voice of Maine Retail

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February 14, 2023

Senator Nicole Grohoski, Chair
Representative Joseph Perry, Chair
Members of the Taxation Committee

RE: Testimony in OPPOSITION to LD 191, An Act to Amend the Laws Regarding Certain Business Equipment Tax Benefits

Dear Senator Grohoski, Representative Perry and members of the Taxation Committee:

My name is Curtis Picard and I am the President and CEO of the Retail Association of Maine. I am a resident of Topsham. We have more than 350 members statewide and represent retailers of all sizes. Maine's retailers employ more than 80,000 Mainers. I am here today in opposition to LD 191.

LD 191 would exclude a business from Maine's BETR and BETE programs if a business chooses to ban, boycott or otherwise restrict the sale of a product that is produced, harvested or grown in the State based on a 3rd party certification. We understand the genesis of this bill, and let me be clear that the Retail Association of Maine stands with Maine Lobstermen. Retail Maine looks at all bills and puts a lot of energy into positions, whether they be popular or not. In this case, the unintended consequences of putting this type of law on the books tips the scales towards our opposition.

First, we do not think the State should dictate to businesses what they can or cannot sell. In the case of LD 191, wouldn't a business simply be able to say that a particular product was not selling well, and it was discontinued? Additionally, which 3rd party certifications are included in this bill? We know this is referring specifically to the Marine Stewardship Council and their misguided designation of Maine lobster, but we cannot begin to understand the breadth of 3rd party certifications that currently exist. Consumers and retailers do appreciate certain certifications, and often these products command a premium price. If a Maine organic producer lost their certification, for example, why should the retailer be punished and lose their tax incentives for no longer selling products that are no longer certified? It is clear many certifications serve an important function. They are important for the business brand, consumer choice, and this bill will cause unintended consequences.

Ultimately, we believe that the best arbiter of situations like this is the consumer. They choose where to spend their money. They will support businesses that provide the products, selection and pricing that meets their needs, and they will choose to avoid businesses that do not meet their needs or values.

While we understand why this bill was submitted, we feel that it is unneeded. We urge the committee to vote Ought Not to Pass on LD 191.

Thank you for the consideration of our comments.

Curtis Picard, CAE
President and CEO