

TESTIMONY NEITHER FOR NOR AGAINST

L.D. 2157

OFFICERS

AN ACT TO PROHIBIT TOBACCO SALES NEAR SCHOOLS

PRESIDENT

Jane Osborne
Deer Isle-Stonington CSD

Senator Baldacci, Representative Meyer, and members of the Health and Human Services Committee. I am Steven Bailey, Executive Director of the Maine School Boards Association, testifying on behalf of the legislative committee of the Maine School Boards Association, neither for nor against L.D. 2157.

PRESIDENT-ELECT

Faye Anderson
RSU 22

Board members certainly agree that our students should not be smoking as cigarettes are highly addictive and can cause illness or death. This bill is intended to place distance restrictions on the sale of tobacco between the entrance to a school and the store where tobacco is sold.

VICE PRESIDENT

Joseph Long
MSAD 35/RSU 35

There are similar restrictions as to distance from a school for the sale of marijuana (1000 feet) and liquor (300 feet).

IMMEDIATE PAST PRESIDENT

Peggy Lembo-Splaine
Boothbay-Boothbay Harbor CSD

The Maine School Boards Association is neither for nor against this bill because there already is law prohibiting the sale of tobacco products to persons under the age of 21, and it is the responsibility of the establishment to correctly and legally check identifications of all persons purchasing tobacco. It can be found under Title 22, Section 1555-B and reads:

EXECUTIVE DIRECTOR

Steven W. Bailey

“A person may not sell, furnish or give away or offer to any person that has not attained 21 years of age, unless the person has attained 18 years of age as of July 1, 2018.”

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MAINE COUNCIL OF SCHOOL BOARD ATTORNEYS

Hannah Wurgaft, Esq., Chair

We assume that requirement was put in to offer a transition period at the time the law was passed. The question we should be asking today is whether the law is being enforced, and, if it is not, why not.

The location of a store in proximity to a school has been long-standing throughout the state, with many stores sharing a border with the school. The legislative committee of MSBA felt it was too restrictive to demand that a store selling tobacco be 1000 feet from the entry to a school for a store seeking to renew a license to do so. They did not oppose a new store wishing to sell tobacco to be 1000 feet or more from the entrance of a school.

What we can do as public schools is continue to educate students about the health dangers related to smoking. The national Center for Disease Control recommends that all schools develop and enforce a policy on tobacco use; provide instruction about the short- and long-term negative effects; and, provide tobacco-use prevention education in kindergarten through grade 12, with a particular emphasis on students age 15 or older.