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LD 1938: An Act Regarding the Regulation of Tobacco

Testimony of Rep. Matt Moonen, Portland

May 13, 2025

Good afternoon, Senator Ingwersen, Representative Meyer, and honorable members of the Joint Standing Committee on Health and Human Services. I am here today to present **LD 1938: An Act Regarding the Regulation of Tobacco**.

This bill proposes a few relatively simple changes to our laws regulating tobacco:

- 1) Our law prohibiting smoking in public places was first adopted in 1993, and it originally had numerous exemptions, which is no surprise considering what a big change that was at the time. But over the years, a number of those exemptions have been repealed, and this bill proposes to eliminate one more: the exemption for hotel and motel rooms.

Whether on business travel or family vacation, nothing ruins a hotel stay quite like the reek of smoke in one's hotel room, which is caused by smoking residue getting absorbed into the furniture, walls, floors, drapes, and other materials throughout a hotel. In addition, the reality is that secondhand smoke can and does travel from smoking rooms to non-smoking rooms. It's more than a nuisance—it's a health hazard.

In the end, the only way to reduce the risks to guests and staff is to eliminate all indoor smoking in a building, which is why we should join our colleagues in California, Colorado, Connecticut, Indiana, Michigan, North Dakota, Vermont, and Wisconsin in requiring all hotels and motels to be 100% non-smoking in guest rooms.

- 2) The bill also proposes to repeal the language authorizing tobacco sales via vending machine. As you probably know, tobacco licenses are renewed every year on April

1st, and the current list indicates that there are zero licensed operators of tobacco sales via vending machine. Given that vending machines do not require face-to-face transactions and therefore are more likely to lead to purchases by those who are underage, and given that this change would impact zero businesses in Maine, it is time that we join our colleagues in Idaho, South Carolina, and Vermont by ending the sale of tobacco via vending machine.

- 3) The bill also proposes to increase the penalties for importing or selling cigarettes without a distributor's license. These penalties have not been altered since 2003, and I believe it's time for a reasonable adjustment.
- 4) Finally, the bill proposes to update the definition of "electronic smoking device" using a definition recommended by the American Cancer Society and the Public Health Law Center in order to fit the current landscape of new and emerging products.

Thank you for your time and attention, and I hope you will join me in supporting this bill.