

FLASH REPORT

MONEY IN POLITICS PROJECT



REPORT #8

Tobacco Policy:

How political contributions from tobacco companies and their allies tilt the playing field in the Maine legislature.





ABOUT THIS SERIES

The Money in Politics Project is a series of twelve reports about the role and effect of money on Maine politics. The reports combine a review of publicly available campaign finance data with on-the-ground analysis of how money influences Maine's elections, government, and public policy. **Maine Citizens for Clean Elections** launched this project because money in politics is an issue of vital concern to the people of Maine, one that goes to the heart of our democratic system.



The *Money in Politics Project* is a program of **Maine Citizens for Clean Elections**, a nonpartisan organization that has been working in the public interest to advocate for, increase public support for, defend and improve the Maine Clean Election Act and related campaign finance law since 1995. MCCE is a 501(c)(3) organization.

The *Money in Politics Project* team includes Andrew Bossie, John Brautigam, Ann Luther, BJ McCollister, and Alison Smith. MCCE appreciates the efforts of many others whose contributions enhanced this report.

MCCE welcomes your comments, questions, and suggestions. Please contact us at:

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Tobacco Contributions— The Smoking Gun?

Six Mainers die every day from tobacco-related causes—2,235 deaths annually. Tobacco addiction costs Maine \$602 million in health care expenses each year.

In addition to the devastating personal toll from myriad fatal or chronic medical conditions, smoking also causes enormous economic waste and loss of productivity.

Yet smoking prevention measures continue to face serious opposition in the State House. Opponents point to the regressive nature of tobacco taxes and the impact on businesses selling these products. They argue that restrictions generate a black market in tobacco products and encourage customers to purchase from out-of-state.

In this legislative session, public health advocates have focused their smoking reduction efforts on two bills—LD 1326 and LD 1406. Final action on both bills is pending at the time of this report, but it is already clear where the battle lines are drawn. The tobacco industry and their retail partners are strongly opposed to these bills, and their passage seems highly unlikely.

The outcome of this legislative debate is likely to have a significant impact on Maine for years into the future. There are strong arguments on both sides of the bills, and MCCE takes no position on the legislation. The committee of jurisdiction (Taxation) and the full legislature must weigh the arguments and the data and make a policy decision in the best interest of the people of Maine.

On such a vital policy issue, however, the public deserves to know that pro-tobacco interests have been active campaign contributors for many years in Maine, helping to shape the makeup of the legislature and the outcome of such debates.

LD 1326 would require that all tobacco products be taxed at rates equivalent to the current tax on cigarettes. The bill would also increase funding for a tobacco hotline for people who are seeking to quit tobacco use.

LD 1406 would increase the cigarette tax by \$1.50 per pack, from \$2.00 to \$3.50, to help deter the initial use of cigarettes by youth. It would also fund smoking cessation programs through the Fund for a Healthy Maine.

This report examines the campaign contributions to candidates, PACs, and party committees since 2000 from interests who support and oppose these bills and their allies. Contribution records show that pro-tobacco interests give far more money than the public health, medical, and non-profit organizations who support legislation such as LD 1326 and LD 1420.

When special interest money plays such a major role in political campaigns, it damages the public's confidence that the legislative outcome reflects the true interests of the people.

Figure 8-1 shows contributions from entities that are associated with the tobacco industry, retail tobacco sales, and/or who testified in opposition to LD 1326 or LD 1406.

Altria/Philip Morris is one of the largest tobacco companies in the world. Maker of Marlboro cigarettes and Stag's Leap wines, the company continues to make political contributions to influence Maine campaigns while preferring not to testify in public hearings such as those for LD 1326 and LD 1406.

Pro-tobacco Contributors

FIGURE 8-1

Name	Total Contributions	Number	Avg. Contribution
Altria/Philip Morris	\$208,906	170	\$1,229
RJ Reynolds	\$132,550	96	\$1,381
Maine Energy Marketers / Energy PAC	\$88,100	157	\$561
Pine State Trading Company	\$51,281	70	\$733
C.N. Brown Company	\$15,625	21	\$744
Cigar Association of America	\$5,750	9	\$639
Harold Jones	\$4,750	10	\$475
J & S Oil Company	\$4,550	24	\$190
Smokeless Tobacco Council	\$3,500	4	\$875
Charles and Gena Canning	\$3,000	7	\$429
John Babb	\$2,850	13	\$219
Jinger Duryea	\$1,990	8	\$249
Cheryl Timberlake	\$1,946	10	\$195
Tally's Wholesale Tobacco	\$1,500	1	\$1,500
Shelley Doak	\$1,225	10	\$123
NE Convenience Store Association	\$1,000	4	\$250
David Powers	\$250	1	\$250
Maine Grocer's Association	\$100	1	\$100

RJ Reynolds is the manufacturer of Camel and Winston cigarettes and is the second largest cigarette maker in the United States. The company has ties to the American Legislative Exchange Council, which seeks to influence state legislatures across the country.

Maine Energy Marketers/Energy PAC represents oil dealers and convenience stores across the state. Formerly known as the Maine Oil Dealers Association, the organization is active on legislative issues including energy policy, tax, and other issues impacting their 500 members.

Figure 8-2 shows contributions from entities that testified in support of LD 1326 or LD 1406 and/or are associated with an organization that opposes tobacco use or promotes medical care that relates to tobacco usage or cancer.

Maine Medical Association operates the Maine Physicians Action Fund—a consistent contributor to both Democratic and Republican recipients. Tobacco policy is one of many issue areas where the physician group is involved at the State House.

Ed Miller has been a longstanding opponent of tobacco and smoking in Maine. Miller serves as Executive Director of the American Lung Association of Maine and has published articles on nicotine addiction. His average contribution was \$163.

Maine Osteopathic Association represents osteopathic physicians before the legislature. The organization is registered to lobby on 30 separate bills in 2013, most of which focus on health care benefits, insurance, and costs.

Anti-tobacco Contributors

FIGURE 8-2

Name	Total Contributions	Number	Avg. Contribution
Maine Medical Association	\$74,526	230	\$324
Maine Osteopathic	\$12,300	57	\$216
Richard Polkinghorn	\$4,500	8	\$563
Pam Cahill	\$2,625	21	\$125
Sarah Shed	\$1,700	8	\$213
Ed Miller	\$1,625	10	\$163
AARP	\$1,550	3	\$517
Rick McCarthy	\$1,525	15	\$102
Family Planning	\$1,400	5	\$280
Susan Clifford	\$1,000	2	\$500
Thomas Sellers	\$750	2	\$375
Michele Johns	\$725	6	\$121
Deborah Deatrick	\$700	5	\$140
Lisa Harvey-McPherson	\$690	12	\$58
Kathleen Brogan	\$590	7	\$84
Delvyn Case	\$500	3	\$167
Douglas Light	\$200	2	\$100
Dennise Whitley	\$178	2	\$89
Joanne Joy	\$150	2	\$75
Rebecca Smith	\$150	2	\$75
Mary Henderson	\$150	2	\$75
William Crangle	\$125	2	\$63
Nicholas Desiderio	\$50	1	\$50
Randy Schwartz	\$50	1	\$50
Tina Pettingill	\$50	1	\$50

Pro-tobacco

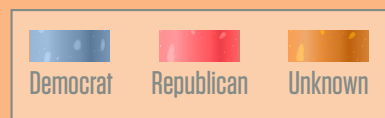


Anti-tobacco



Contributions from Pro-tobacco and Anti-tobacco Interests and Allies (Grouped by Party Association of Recipient)

FIGURE 8-3



Every session of the legislature features proposals to reduce smoking or increase taxes on tobacco products. The tobacco industry has been engaged in these policy fights for years and is among the most consistent political contributors in Maine, providing far more money than the non-profits and associations that fight to solve the problem of tobacco addiction.

Both Democrats and Republicans receive tobacco money, but the balance tilts toward the Republican Party and its PACs and candidates.

There are two sides to this policy debate, and MCCE takes no position on its merits. While the health care impact of tobacco is beyond debate, the policy choice is complicated by issues of fairness, personal freedom, and the financial impact of further regulation.

As Maine policy makers continue to weigh the scourge of tobacco addiction against the concerns of tobacco advocates, the public may wonder whether there is a level playing field or whether tobacco money ensures access and influence despite the industry's negative reputation and the well-known public health impacts of these products.

Greatly reducing this special interest money would help restore public confidence in the outcomes of these and many other legislative battles.

Contributions from Pro-tobacco and Anti-tobacco Interests and Allies

FIGURE 8-4



Figure 8-5 shows who has received \$5,000 or more since 2000 from contributors identified with the tobacco industry and/or their supporters and allies.

Recipients of Pro-tobacco Money

FIGURE 8-5

Name	Total Contributions	Number	Average Contribution
House Republican Fund	\$63,105	35	\$1,803
Maine Senate Republican Committee	\$43,650	26	\$1,679
Leadership for Maine's Future	\$42,200	14	\$3,014
Maine Republican Party	\$39,090	20	\$1,955
Maine Senate Republican Majority	\$24,000	12	\$2,000
Senate Democratic Campaign Committee	\$22,210	23	\$966
House Democratic Campaign Committee	\$19,300	24	\$804
Majority 2004	\$18,691	10	\$1,869
Vote for Maine	\$15,000	1	\$15,000
Diamond PAC	\$14,700	13	\$1,131
Republican Speakers Fund	\$12,975	9	\$1,442
Senate Republican Leadership for the 21st Century	\$12,097	10	\$1,210
Fighting for Maine's Future	\$10,000	1	\$10,000
Time for Change	\$8,600	6	\$1,433
Aroostook PAC	\$8,500	6	\$1,417
Maine Democratic State Committee	\$7,800	8	\$975
House Republican Majority Fund	\$6,700	4	\$1,675
Maine Senate PAC	\$6,500	3	\$2,167
Paul R. LePage	\$6,450	8	\$806
Leadership for a Sensible House	\$6,388	3	\$2,129
The Right Direction	\$6,050	3	\$2,017
Majority 101	\$6,000	9	\$667
Committee for a Responsible Senate	\$5,000	3	\$1,667
Capital Leadership PAC	\$5,000	4	\$1,250

Distribution of Pro-tobacco Contributors

FIGURE 8-6

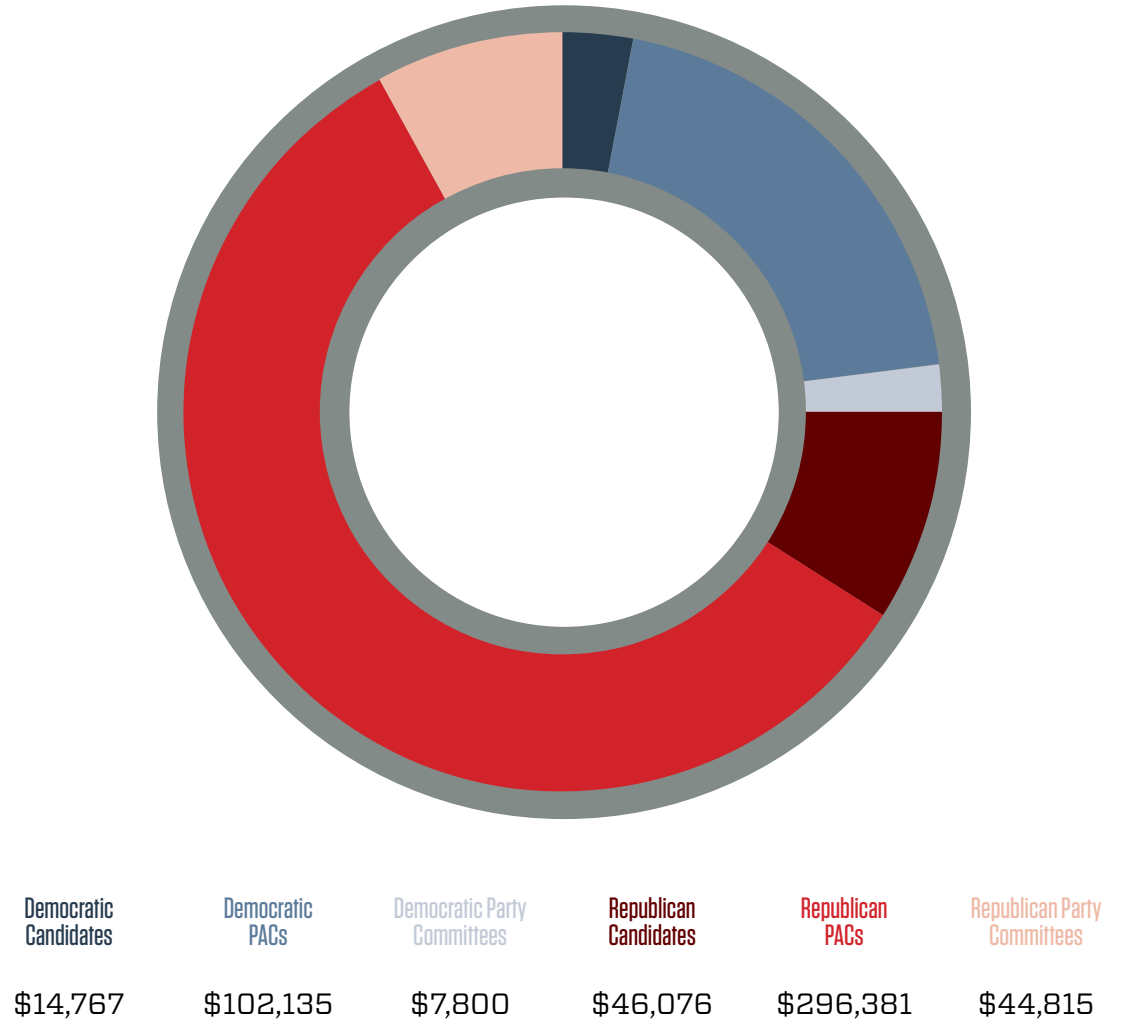


Figure 8-7 shows candidates and committees who have received \$1,000 or more since 2000 from contributors identified with the anti-tobacco position.

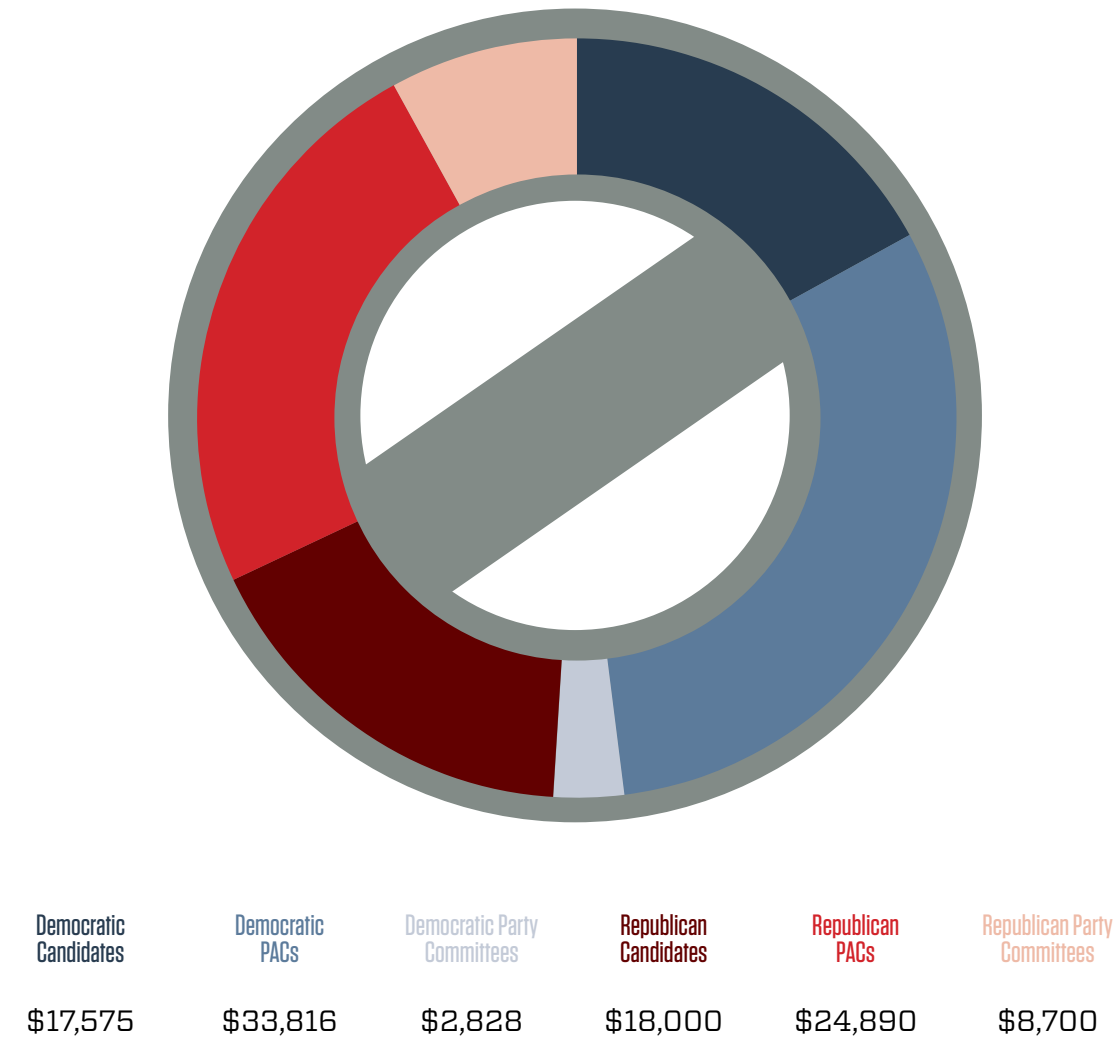
Recipients of Anti-tobacco Money

FIGURE 8-7

Name	Total Contributions	Number	Average Contribution
House Democratic Campaign Committee	\$12,390	27	\$459
Senate Democratic Campaign Committee	\$7,925	22	\$360
Maine Republican Party	\$7,700	16	\$481
Maine Senate Republican Committee	\$7,675	9	\$853
House Republican Fund	\$4,815	16	\$301
John E. Baldacci	\$4,500	13	\$346
Majority 2004	\$3,750	5	\$750
Maine Democratic State Committee	\$2,828	8	\$354
Steven G. Rowe	\$2,625	20	\$131
Alfond Business, Community & Democracy PAC	\$2,250	2	\$1,125
Majority 101	\$2,250	4	\$563
Leadership for Maine's Future	\$2,100	10	\$210
Maine Senate Republican Majority	\$1,950	7	\$279
Senate Republican Leadership for the 21st Century	\$1,900	7	\$271
Treat Leadership Fund	\$1,250	5	\$250
Business Minded Democrats	\$1,150	4	\$288
Cummings Leadership Fund	\$1,150	4	\$288
Debra D. Plowman	\$1,100	5	\$220
Steven W. Abbott	\$1,050	4	\$263
Committee for a Responsible Senate	\$1,000	1	\$1,000
SCICOM PAC	\$1,000	4	\$250
Bill Diamond	\$1,000	4	\$250

Distribution of Anti-tobacco Contributors

FIGURE 8-8





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