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**MARYLAND LAWMAKERS REJECT STATEWIDE SMOKING BAN
FOR RESTAURANTS AND BARS**

(Columbia, MD) – In an evenly-split vote, Maryland lawmakers have killed a statewide smoking ban initiative for the third consecutive year. Members of the Senate Finance Committee rejected the measure on March 4, 2005 by a 5 to 5 vote, effectively killing the bill for the year. Legislation must win more “yea” than “nay” votes in order to pass.

With many predicting the vote was too close to call, this year’s smoking ban debate was without question the most heated in recent years, with both sides accusing the other of providing flawed data about the economic impact of smoking bans. Ultimately, however, the Restaurant Association of Maryland (RAM) prevailed with irrefutable data from the Maryland Comptroller’s office. The Association provided to lawmakers data that showed significant sales losses and sharp declines in the number of restaurants with liquor licenses that filed state sales tax returns from jurisdictions with local smoking bans (Talbot and Montgomery Counties).

“We figured out how smoking ban proponents were manipulating sales data and we simply called them on it,” said Melvin Thompson, vice president of government relations for the Restaurant Association of Maryland. “They’ve been employing the same misleading tactic nationwide -- using industry-wide sales data to downplay the negative impact that smoking bans have on a specific segment of the restaurant industry. Instead of letting them get away with it again, we examined sales data from only those segments of the industry most impacted by smoking bans (establishments with liquor licenses) and successfully convinced lawmakers that this is the only data that is relevant.”

During testimony before the Senate Finance Committee, Talbot County Councilwoman Hillary Spence (the sponsor of Talbot’s smoking ban) questioned the validity of RAM’s data and maintained that Talbot County restaurants were “thriving.” In the wake of the strength of RAM’s figures, however, she has since admitted that she made a mathematical error that led her to think that sales in Talbot County were down by only 1.1 percent. Instead, RAM’s facts accurately show an 11 percent decline.

“This remains a controversial issue and an uphill battle,” Thompson said. “But the debate should begin with data that is accurate and relevant.”

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The Restaurant Association of Maryland currently has 3,000-members statewide. The mission of RAM is to promote, protect and improve the foodservice industry in Maryland. RAM members consist of professionals from the foodservice industry, hotel/motel and lodging industry and businesses that provide products to the hospitality industry.



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