

Last update: January 30, 2002 at 5:35 PM

Hatch: Group should give up smoking-ban campaigns

Deborah Caulfield Rybak and David Phelps, Star Tribune

January 9, 2002 TOBA09

Page: 1 2

Attorney General Mike Hatch has asked the Minnesota Partnership for Action Against Tobacco (MPAAT) to stop funding smoking-ban campaigns and devote more resources to help smokers quit.

During the past two months, Hatch has received complaints about MPAAT from the AFL-CIO, the Minnesota Hospitality Association, a number of chambers of commerce, county and city officials, the Minnesota Taxpayers League, restaurant owners and more than 100 private citizens.

The complaints have accused the nonprofit, anti-tobacco organization of straying from its intended purpose of helping smokers quit and instead funding divisive campaigns to force smoking bans on entire communities.

"We have asked MPAAT to voluntarily cease financing enactment of ordinances or legislation and stick to the bread and butter of helping people to cease using tobacco products," Hatch in an interview Tuesday night.

No more smoking bans? Deb Pastner Star Tribune Hatch made the request Monday to MPAAT general counsel Tom Pursell. The group was created when the state settled its suit against the tobacco industry in 1998.

Hatch, who described his request as "unusual," said he told Pursell: "There are people who are pretty disturbed by all this." Hatch said he also asked, "Is it really the purpose of this nonprofit to go out and do a lot of election contests?"

Pursell said late Tuesday that he immediately had informed the MPAAT board of directors of Hatch's request.

"They are considering a response," Pursell said. "It is very early to know how they will respond."

MPAAT has said that it is in compliance with its legal mandate and that taking steps to extinguish secondhand smoke in restaurants and workplaces is the best way to get smokers to quit and reduce health risks for nonsmokers.

Hatch declined to say what he would do if MPAAT refuses to change direction. But a group of union leaders who oppose MPAAT's methods said they are willing to go to the Legislature to prohibit MPAAT from spending on lobbying.

Hatch's office has the authority to review the finances of nonprofit organizations and can take action if they are not in compliance with the law. In this case, he also could ask Ramsey County District Court Judge Michael Fetsch, who has jurisdiction in the case, to review the court order that created MPAAT. Fetsch could not be reached for comment late Tuesday afternoon, but judges traditionally don't comment on open files before them.

Most complaints Hatch received about MPAAT focused on its spending priorities.

"MPAAT and its board of directors must be held accountable ... for wrongfully spending the state's money and inflicting severe economic consequences on those restaurants that have either closed or lost a significant amount of business because of these smoking bans," Tom Day, vice president of public affairs for Hospitality Minnesota, wrote in a letter to Hatch. The group represents 4,000 Minnesota restaurants, hotels and resorts.

MPAAT was created in 1998 with \$202 million in public money from the state's landmark 1998 court settlement against the tobacco industry. In November, the Star Tribune reported that it had veered from its court mandate to help Minnesota smokers quit and instead spent \$1.4 million on campaigns to ban restaurant smoking in various cities. Most of those efforts have failed.

"A smoke-free environment is a strategy that has been used elsewhere and is a legitimate strategy to be used. We haven't been hiding anything," said MPAAT spokeswoman Julie Jensen. "It's been very clear that we do give grants to advocacy groups and they do lobbying."

Jensen added that the amount awarded to advocacy groups is a small portion of MPAAT's total anti-smoking budget, which includes expenditures for advertising, research and a telephone help line for smokers.

However, MPAAT's decision to push smoking bans went contrary to its own statewide survey, which the group originally said would guide its efforts. That survey, conducted in 1999, showed Minnesotans to be ambivalent about restaurant smoking bans and put smoking restrictions low on the list of motivating factors for smokers to quit. Among the main motivators for quitting: concerns about health hazards and physical fitness.

Clarity MN, an AFL-CIO-endorsed group formed by union leaders to help the estimated 174,000 smokers among Minnesota union workers quit, was among the organizations MPAAT rejected for grant funding. Clarity organizer Tom Koehler, a business representative for the International Brotherhood of Electrical Workers, and Minnesota AFL-CIO President Ray Waldron, asked Hatch last week to review MPAAT's charter and grant procedures.

The AFL-CIO endorsed Clarity's efforts on behalf of its 400,000 members. Clarity asked for \$525,000 during a three-year period to establish on-site programs to help Minnesota workers who wanted to quit smoking, at an estimated cost of \$24 per person. MPAAT rejected the proposal, citing its cost and saying it didn't address secondhand smoke. However, MPAAT went on to budget \$551,000 in 2001 for a telephone help line. Most of

the 10,000 calls were expected to be diverted to callers' insurance companies. The estimated cost per caller: \$55.

Koehler said his group would turn to the Legislature if necessary to press for a bill to prevent MPAAT from spending money on lobbying and smoking-ban campaigns. Smoking bans have been proposed in more than a dozen Minnesota cities. Only Moose Lake, Cloquet and Duluth have passed ordinances, along with Olmsted County, which includes Rochester.

Cloquet City Council Member Ron Johnson is one city official who asked Hatch to freeze MPAAT's funds.

"This blatant and arrogant disregard for the court's directive and the law demands immediate attention," Johnson wrote to Hatch. Cloquet was the scene of a heated and divisive smoking-ban campaign.

On Tuesday, the Minnesota Chamber of Commerce adopted a policy statement calling for close monitoring of MPAAT's grant making as well as that of the Minnesota Department of Health in order to determine their success rate.