

MAINE STATE LEGISLATURE

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Gymnasium and exercise mats, subject to 26 M.R.S.A. Chapter 5,
Article I and II

SYLLABUS:

Gymnasium mats and exercise mats, manufactured with reinforced vinyl coverings over a polyethylene foam core are capable of use for sitting, sleeping, resting or reclining purposes, and are cushions within the definition of a "cushion" contained in 26 M.R.S.A. § 81, sub-§3.

FACTS:

A corporation proposes to market gymnasium mats and exercise mats to institutions and other users in Maine. The mats are manufactured with reinforced vinyl coverings over a polyethylene foam core, and are marketed for gymnasium and exercise use. The mats are capable of uses such as sitting, resting, sleeping or reclining.

QUESTION:

Do such gymnasium and exercise mats come within the requirements of the bedding-upholstered furniture law?

ANSWER:

Yes.

REASON:

A "cushion" is defined in § 81, sub-§3, to mean "any bag or case made of leather, cotton or other textile or plastic material, which is filled in whole or in part with concealed material, capable of use for sitting, sleeping, resting or reclining purposes . . ."

Although the mats, as described by the proposed distributor, are marketed for gymnasium and exercise use, they are in essence a "bag or case made of . . . plastic material, which is filled in whole or in part of concealed material, capable of use for sitting, sleeping, resting or reclining purposes . . ."

The law is designed for the protection of public health and should be liberally construed to that end. It is our opinion, therefore, that these gymnasium mats and exercise mats are cushions within the definition of 26 M.R.S.A. § 81, sub-§3. See Attorney General's Opinion of November 9, 1965, attached hereto.

LWVJr/mf
attachment

Assistant Attorney General