

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
108TH LEGISLATURE  
FIRST REGULAR SESSION

(Filing No. H-757)

COMMITTEE AMENDMENT "A" to H.P. 818, L.D. 991, Bill, "AN ACT to Provide for No Smoking Areas in All State Offices."

Amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

'22 MRSA §§1577 to 1581 are enacted to read:

§1577. Purpose

The purpose of sections 1577 to 1581 is to provide a healthy and productive atmosphere for persons who work in or utilize all facilities owned or operated by the State and to prevent health damage or discomfort to nonsmoking bystanders or workers.

§1578. Definitions

As used in sections 1577 to 1581, unless the context otherwise indicates, the following words shall have the following meanings.

1. Office. "Office" means any enclosed, indoor area owned, rented or leased by the State or the University of Maine and used by persons as a place of work; including but not limited to offices, meeting rooms and education facilities, but excluding private, enclosed offices occupied exclusively by smokers even though such offices may be visited by nonsmokers.

2. Smoke. "Smoke" means to inhale or exhale smoke from tobacco or any other substance, or to carry a lighted cigar, cigarette, pipe

or any other lighted smoking equipment.

§1579. Prohibitions

No person shall smoke in any office of any department, agency or commission of the executive, Legislature or judicial branches of the government of this State or any office of the University of Maine, except in designated smoking areas.

§1580. Designation of smoking areas

Smoking areas may be designated by the head of any department, agency or commission, or his designee, and the Chancellor of the University of Maine, or his designee, except in places in which smoking is prohibited by the fire marshal or by other law, ordinance or regulation.

Where smoking areas are designated, existing physical barriers and ventilation systems shall be used to minimize the toxic effect of smoke in adjacent nonsmoking areas.

§1581. Responsibility of implementation; notification; enforcement

The heads of departments, agencies or commissions, or their designees, and the Chancellor of the University of Maine, or his designee, shall make reasonable effort to prevent smoking in all offices, except those areas designated as smoking areas by posting appropriate signs, asking smokers to refrain from smoking upon request of a client or employee suffering discomfort from smoke, or other means which may be appropriate.'

Statement of Fact

The purpose of this Amendment is to clarify language in the Bill.

Reported by the Majority of the Committee on Health and Institutional Services.

Reproduced and distributed under the direction of the Clerk of the House.  
6/20/77

(Filing No. H-757)