MAINE STATE LEGISLATURE

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1 2	(New Draft of H.P. 244, L.D. 291) (New Title)					
3 4	FIRST REGULAR SESSION					
5 6	ONE HUNDRED AND ELEVENTH LEGISLATURE					
7 8	Legislative Document No. 1455					
9	H.P. 1110 House of Representatives, April 13, 1983					
10 11 12	Reported by Representative Nelson from the Committee on Health and Institutional Services and printed under Joint Rule 2. Original bill sponsored by Representative Dexter of Kingfield. Cosponsored by Representative Nelson of Portland, Senator Diamond of Cumberland and Senator Clark of Cumberland.					
13	EDWIN H. PERT, Clerk					
14 15	STATE OF MAINE					
16 17 18	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-THREE					
19 20 21	AN ACT to Prohibit Smoking in Jury Rooms.					
22 23	Be it enacted by the People of the State of Maine as follows:					
24	22 MRSA §1579 is enacted to read:					
25	§1579. Smoking prohibited in jury rooms					
26 27 28 29	1. Smoking prohibited. No person may smoke tobacco or any other substance in any room used for any meetings or deliberations of a jury, except as otherwise provided in this section.					
30 31 32 33	2. Smoking defined. "Smoking" includes carrying or having in one's possession a lighted cigarette, cigar, pipe or other object giving off or containing any substance giving off smoke.					

3.	Exception.	Smoking	may be p	ermitted	in jury
rooms,	provided al	l members	present	have gi	ven their
consent	for others	to smoke.			

STATEMENT OF FACT

This new draft replaces the bill which had added the prohibition on smoking in jury rooms as a subsection of the prohibition on smoking at public proceedings.

Jury deliberations are certainly not "public proceedings" in the sense of being open to public scrutiny. They are similar to the other sorts of public proceedings at which smoking is prohibited, in that the decisions made there affect citizens of the State. Further, juries are "public" in that they are composed of all members of the public, as peers of the accused.

This new draft makes this prohibition on smoking in jury rooms a new section of the law.

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