

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 339

6  
7 H.P. 269

House of Representatives, February 1, 1985

8 Reference to the Committee on Human Resources suggested and ordered  
9 printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Manning of Portland.  
Cosponsored by Pines of Limestone.

11  
12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

17 AN ACT to Regulate Smoking in Retail Food  
18 Stores and Restaurants.  
19

20 Be it enacted by the People of the State of Maine as  
21 follows:

22 22 MRSA c. 270 is enacted to read:

23 CHAPTER 270

24 SMOKING IN FOOD STORES AND RESTAURANTS

25 §1681. Definitions

26 As used in this chapter, unless the context oth-  
27 erwise indicates, the following words have the fol-  
28 lowing meanings.

29 1. Restaurant. "Restaurant" means any enclosed  
30 indoor restaurant or other enclosed indoor establish-  
31 ment which invites the public to be served food for  
32 consumption on the premises.

1       2. Retail food store. "Retail food store" means  
2       any store with a public area of 1,500 square feet or  
3       more which sells articles used for food or drink for  
4       consumption off the store's premises.

5       3. Smoking. "Smoking" includes being in posses-  
6       sion of or responsible for a lighted cigar, ciga-  
7       rette, pipe or any other lighted smoking equipment.

8       §1682. Provision of signs

9       1. Restaurants. Restaurants shall display prom-  
10       inently, at or near the entrance, a sign indicating  
11       their policy on seating for smokers and nonsmokers,  
12       and shall encourage their patrons to make their seat-  
13       ing requests known.

14       2. Retail food stores. Retail food stores shall  
15       display prominently, at or near the entrance, a sign  
16       notifying members of the public that no smoking is  
17       allowed.

18       §1683. Provision of no-smoking area in restaurants

19       Restaurants shall provide a no-smoking area.

20       §1684. Smoking prohibited in retail food stores

21       Smoking is prohibited in all retail food stores  
22       as defined in this chapter.

23                       STATEMENT OF FACT

24       This bill accommodates the 63% of the Maine popu-  
25       lation that does not smoke by requiring that restau-  
26       rants provide a no smoking area for their patrons and  
27       post notice of their policy. The bill also provides  
28       smoking in retail food stores with a public area of  
29       1,500 square feet or more and also requires posting  
30       of that policy.

31                                       1660011785