

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 851
6

7 H.P. 581

House of Representatives, February 28, 1985

8 On Motion of Representative Nelson of Portland, referred to the
9 Committee on Human Resources. Sent up for concurrence and ordered
printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Nadeau of Saco.

11 Cosponsored by Senator Andrews of Cumberland, Representative Bost of
Orono and Representative Kimball of Buxton.

12 STATE OF MAINE
13

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

17 AN ACT to Ban Smoking in Certain Public
18 Access Structures.
19

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

22 Sec. 1. 22 MRSA §1578, as enacted by PL 1981, c.
23 333, is repealed.

24 Sec. 2. 22 MRSA §1578-A is enacted to read:

25 §1578-A. Smoking prohibited in certain places

26 1. Definitions. As used in this section, unless
27 the context otherwise indicates, the following terms
28 have the following meanings.

29 A. "Indoor public waiting area" means any public
30 or private place where members of the public con-
31 gregate as invitees, while awaiting the perform-
32 ance of a service.

1 B. "Public place" means any primary or secondary
2 school, retail store, grocery store, drug store,
3 laundromat, library, museum, hair salon or barber
4 shop, but does not include any bar, cocktail
5 lounge or private club.

6 C. "Public proceedings" means the transactions
7 of any functions affecting any or all citizens of
8 the State by any of the following:

9 (1) The Legislature and its committees and
10 subcommittees;

11 (2) Any board or commission of any state
12 agency or authority, the Board of Trustees
13 of the University of Maine and any of its
14 committees and subcommittees, the Adminis-
15 trative Council of the University of Maine,
16 the Board of Trustees of the Maine Maritime
17 Academy and any of its committees and sub-
18 committees; and

19 (3) Any board, commission, agency or au-
20 thority of any county, municipality, school
21 district or any other political or adminis-
22 trative subdivision.

23 D. "Smoking" includes carrying or having in
24 one's possession a lighted cigarette, cigar, pipe
25 or other object giving off or containing any sub-
26 stance giving off smoke.

27 2. Smoking prohibited. No person may smoke to-
28 bacco or any other substance in any public proceeding
29 held inside, indoor public waiting area or public
30 place, except as otherwise provided in this section.

31 3. No smoking signs posted. There shall be
32 posted in conspicuous places in any place where smok-
33 ing is prohibited by this section an adequate number
34 of "no smoking" signs.

35 4. Exception. Smoking at a public proceeding
36 shall be allowed, provided all members present have
37 given their consent for others to smoke.

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STATEMENT OF FACT

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The purpose of this bill is to ban smoking in indoor waiting areas, such as lobbies of professional offices, banks or other areas where members of the public are required to wait for the performance of a service and in certain public places such as retail stores, museums and public schools.

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