

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 296

H.P. 228 House of Representatives, February 6, 1987  
Reference to the Committee on Human Resources suggested  
and ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative MANNING of Portland.  
Cosponsored by Representative PINES of Limestone.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT Concerning Smoking in Public.

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

22 MRSA §1579-A is enacted to read:

§1579-A. Smoking in food stores and restaurants

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

A. "Restaurant" means any enclosed indoor res-  
taurant or other enclosed indoor establishment  
which invites the public to be served food for  
consumption on the premises.

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

5           C. "Smoking" includes being in possession of or  
6           responsible for a lighted cigar, cigarette, pipe  
7           or any other lighted smoking equipment.

8           2. Provision of signs. Restaurants and retail  
9           food stores shall display signs according to this  
10           subsection.

11           A. Restaurants shall display prominently, at or  
12           near the entrance, a sign indicating their policy  
13           on seating for smokers and nonsmokers, and shall  
14           encourage their patrons to make their seating re-  
15           quests known.

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

19           3. Provision of no-smoking area in restaurants.  
20           Restaurants shall provide a no-smoking area.

21           4. Smoking prohibited in retail food stores.  
22           Smoking is prohibited in all retail food stores as  
23           defined in this section.

24           5. Violation. Any person who violates this sec-  
25           tion commits a civil violation for which a forfeiture  
26           not to exceed \$100 may be adjudged.

1 STATEMENT OF FACT

2 This bill accommodates the 63% of the Maine popu-  
3 lation that does not smoke by requiring that restau-  
4 rants provide a no smoking area for their patrons and  
5 post notice of their policy. The bill also prohibits  
6 smoking in retail food stores with a public area of  
7 1,500 square feet or more and also requires posting  
8 of that policy. The bill provides a \$100 forfeiture  
9 for any violation of the smoking policies for restau-  
10 rants and retail food stores.

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