

MAINE STATE LEGISLATURE

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R. of S.

1

L.D. 353

2

(Filing No. S- 81)

3

STATE OF MAINE

4

SENATE

5

113TH LEGISLATURE

6

FIRST REGULAR SESSION

7

SENATE AMENDMENT " A " to H.P. 270, L.D. 353,
8 Bill, "AN ACT to Prohibit Smoking in Public Areas of
9 Publicly Owned Buildings."

10

Amend the bill in that part designated "§1578-A."
11 in subsection 1 by striking out all of paragraph B
12 and inserting in its place the following:

13

'B. "Publicly owned buildings" means any build-
14 ing owned, leased to or occupied by State Govern-
15 ment.'

16

STATEMENT OF FACT

17

Legislative Document 353 prohibits smoking in all
18 buildings which are owned by, leased to or occupied
19 by any governmental body, regardless of whether that
20 governmental body is at the municipal, county or
21 state level. This amendment excludes municipal and
22 county buildings from the bill in recognition of, and
23 out of respect for, the importance of local control.
24 Historically, it has been the prerogative of local
25 government to make decisions and policies affecting
26 the control and management of local buildings. This
27 amendment preserves this fundamental and
28 long-established principle of government.

29

This amendment also recognizes the fact that
30 cities and towns throughout the State have already
31 adopted smoking policies for their buildings. Fur-
32 thermore, 2 comprehensive state laws restricting
33 smoking have been enacted in the past 6 years. The
34 first was the Clean Indoor Air Act, enacted in 1981,
35 which regulates smoking at public meetings. More re-
36 cently, the 112th Legislature enacted the Workplace

R. 018

SENATE AMENDMENT "A" to H.P. 270, L.D. 353

1 Smoking Act of 1985 which regulates smoking in
2 workplaces throughout Maine. This amendment elimi-
3 nates the unnecessary and improper additional regula-
4 tion of smoking at the local level.

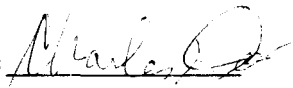
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6

(Sen. Dow)

7

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