# MAINE STATE LEGISLATURE

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## (New Draft of H.P. 228, L.D. 296) (New Title) FIRST REGULAR SESSION

### ONE HUNDRED AND THIRTEENTH LEGISLATURE

# Legislative Document

NO. 1600

H.P. 1174 House of Representatives, May 15, 1987 Reported by Representative CLARK from the Committee on Human Resources and printed under Joint Rule 2. EDWIN H. PERT, Clerk

Original bill sponsored 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

1 2	AN ACT Concerning Smoking in Restaurants.
3 4	Be it enacted by the People of the State of Maine as follows:
5	22 MRSA §1579-A is enacted to read:
6	§1579-A. Smoking in restaurants
7 8 9	1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.
L0 L1	A. "Restaurant" means any enclosed indoor restaurant or other enclosed indoor establishment
L2	which invites the public to be served food for

1 2 3 4	B. "Smoking" means carrying or having in one's possession a lighted cigarette, cigar, pipe or other object giving off or containing any substance giving off tobacco smoke.
5 6	2. Restaurants. Smoking in restaurants shall be governed by the following policies.
7 8 9	A. Restaurants shall provide for their patrons a no smoking area reasonably calculated to address the needs of the nonsmoking public.
10 11 12 13 14 15	B. Restaurants shall display prominently, at or near the entrance, a sign indicating its policy on seating smokers and nonsmokers and shall encourage patrons to make their seating requests known. A sign need not be displayed if a host or hostess seats patrons and indicates verbally at the time of seating the restaurant's policy.
17 18 19 20 21	3. Violations. Failure to post a sign or announce a policy, or to establish, post or be responsible for implementation of a policy, is a civil violation for which a forfeiture of not more than \$100 may be adjudged.
22	STATEMENT OF FACT
23 24 25 26 27	This new draft requires restaurants to establish a no smoking area reasonably calculated to address the needs of the nonsmoking public. It deletes the provision establishing no smoking policies for retail food stores.