

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1055

H.P. 751

House of Representatives, April 5, 1989

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MANNING of Portland.

Cosponsored by Representative BURKE of Vassalboro, Senator COLLINS of Aroostook and Senator TWITCHELL of Oxford.

STATE OF MAINE

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

An Act to Restrict Smoking in Enclosed Shopping Malls.



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

3 Sec. 1. 22 MRSA §1671, sub-§2 is enacted to read:

5 2. Smoking. "Smoking" means carrying or having in one's
7 possession a lighted cigarette, cigar, pipe or other object
giving off or containing any substance giving off tobacco smoke.

9 Sec. 2. 22 MRSA §1672-A is enacted to read:

11 §1672-A. Smoking restricted

13 1. Policy notice. The owner or manager, or designee, of
15 every shopping center subject to this chapter shall establish a
17 written policy concerning smoking and nonsmoking by members of
19 the public in any enclosed common area of the center. In order
21 to protect the public from detrimental effects of smoking by
23 others, the policy shall prohibit smoking, except in designated
smoking areas. The policy may prohibit smoking throughout the
facility, but must not permit smoking throughout the facility.
A printed copy of this policy shall be posted in conspicuous
locations throughout the common areas governed by the policy.

25 2. Designated smoking areas. Areas designated as smoking
27 areas shall be located in areas designed to minimize the effect
of environmental tobacco smoke on the public.

29 3. Violations. This section may be enforced only against
31 the owners and managers of shopping centers, or their designees.

33 STATEMENT OF FACT

35 The bill restricts smoking in enclosed shopping centers.
37 Under this bill, owners or managers of shopping centers are
39 required to establish policies restricting smoking and
41 designating certain areas as "smoking areas." The provision is
allocated to the Maine Revised Statutes, Title 22, chapter 270,
which defines "shopping centers" and contains an enforcement
provision. Accordingly, under this bill, the failure of
managers or owners to establish and post policies is a civil
violation for which a maximum fine of \$200 may be adjudged.