

# MAINE STATE LEGISLATURE

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L.D. 1286

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(Filing No. H-288)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
114TH LEGISLATURE  
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 920, L.D. 1286, Bill, "An Act to Prohibit Boarding Care Facility and Nursing Home Facility Personnel from Smoking"

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Amend the bill by striking out the title and inserting in its place the following:

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'An Act Relating to Smoking in Nursing Homes and Boarding Care Facilities'

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Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

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'Sec. 1. 22 MRSA §1580-B is enacted to read:

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§1580-B. Smoking in residential facilities

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The following provisions apply to smoking in nursing homes licensed under chapter 405, boarding care facilities of more than 6 beds licensed under chapter 1665 and any other boarding care facilities which are constructed as boarding care facilities after October 1, 1989.

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1. Smoking area. Residents, visitors and personnel may smoke only in a specifically designated smoking area which is enclosed and separate from common areas of the home or facility.

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2. Nonsmoking homes permitted. Nothing in this section may be interpreted to prevent the owners of a home or facility from prohibiting smoking completely.

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Sec. 2. 22 MRSA §1825, as enacted by PL 1983, c. 293, is repealed.

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Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1989-90

**HUMAN SERVICES, DEPARTMENT OF**

**Intermediate Care - Payments to Providers**

All Other \$123,900

Provides funds for renovation and ventilation costs to enclose smoking areas in nursing homes.

**State Supplement to Federal Supplemental Security Income**

All Other \$630,000

Provides funds for renovation and ventilation costs to enclose smoking areas in boarding care facilities.

**DEPARTMENT OF HUMAN SERVICES  
TOTAL**

\$753,900

**Sec. 4. Allocation.** The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Act.

1989-90

**HUMAN SERVICES, DEPARTMENT OF**

**Intermediate Care - Payments to Providers**

All Other \$236,100

Provides matching funds for renovation and ventilation costs to enclose smoking areas in nursing homes.'

**STATEMENT OF FACT**

This amendment provides that smoking in nursing homes and certain boarding care facilities may only be permitted in specifically designated enclosed areas which are separate from the common areas of the home or facility.

Reported by the Committee on Human Resources  
Reproduced and distributed under the direction of the Clerk of the House  
5/24/89

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