

MAINE STATE LEGISLATURE

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DK
R. of S.

L.D. 904

(Filing No. S-232)

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STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 666, L.D. 904, Bill, "An Act to Protect Maine Citizens From the Effects of Environmental Tobacco Smoke"

Amend the amendment by inserting after the title and before the first indented paragraph the following:

'Amend the bill in section 1 in that part designated "~~§1541.~~" in subsection 3 in the 2nd line (page 1, line 27 in L.D.) by striking out the following: "2 persons" and inserting in its place the following: 'one person' '

Further amend the amendment in the first indented paragraph in the first line (page 1, line 17 in amendment) by striking out the following: "Amend" and inserting in its place the following: 'Further amend'

Further amend the amendment by striking out all of the 2nd and 3rd indented paragraphs (page 1, lines 22 to 30 in amendment).

Further amend the amendment by inserting after the 4th indented paragraph the following:

'Further amend the bill in section 1 in that part designated "~~§1542.~~" in subsection 2 in paragraph E (page 1, line 19 in L.D.) by inserting at the end the following: 'If public employees' rights provided in collective bargaining agreements are affected by this section, the employees have the right to reopen negotiations for the purpose of bargaining for smoking areas in nonpublic areas of publicly owned buildings.'

Further amend the bill in section 1 in that part designated "~~§1542.~~" in subsection 2 in paragraph G in the first and 2nd lines (page 2, lines 24 and 25 in L.D.) by striking out the following: "or other facilities serving primarily alcohol" '

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2 Further amend the amendment in the 5th indented paragraph in
the 5th line (page 1, line 41 in amendment) by striking out the
following: "when all persons present in the office consent"

4
6 Further amend the amendment in the 6th indented paragraph by
striking out all of paragraph K and inserting in its place the
following:

8
10 'K. Smoking is not prohibited in public places when beano
or bingo games are being conducted in accordance with the
provisions of Title 17, sections 314 and 314-A.

12
14 L. Smoking is not prohibited in a retail store under 2,000
square feet that primarily sells tobacco or tobacco-related
products.

16
18 M. Smoking is not prohibited on privately chartered buses.'

20 Further amend the amendment by inserting before the 7th
indented paragraph the following:

22 'Further amend the bill in section 1 in that part designated
"§1542." by striking out all of subsection 3.

24
26 Further amend the bill in section 1 in that part designated
"§1542." by renumbering the sections to read consecutively.

28 Further amend the bill in section 4 in that part designated
"§1578-B" in subsection 4 in the 3rd line (page 3, line 38 in
30 L.D) by inserting after the word "board" the following: 'or
school employees' and by inserting after the word "establish" the
32 following: 'through collective bargaining'

34
36 **STATEMENT OF FACT**

38 This amendment accomplishes the following.

40 1. The amendment removes the definition of tavern or lounge
and clarifies that the prohibition does not apply to taverns or
42 lounges.

44 2. The amendment exempts from the prohibition a private
office that consists of an enclosed work area for one person.

46 3. The amendment deletes the provision regarding minimum
48 standards.

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2 4. The amendment enacts exemptions for smoke shops and
chartered buses.

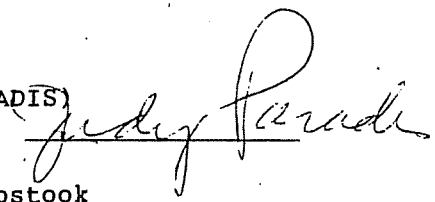
4 5. The amendment clarifies that school boards and school
6 employees retain collective bargaining rights with respect to the
establishment of designated smoking areas.

8 6. The amendment preserves collective bargaining rights for
10 public employees by incorporating into the Maine Revised
12 Statutes, Title 22, section 1542, subsection 2, paragraph E
language found currently in Title 22, section 1578-A, subsection
4.

14

16 (Senator PARADIS)

18 SPONSORED BY:



COUNTY: Aroostook

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SENATE AMENDMENT