

# MAINE STATE LEGISLATURE

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L.D. 1945

DATE: 3/22/94

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HUMAN RESOURCES

Reported by: Senator Paradis of Aroostook

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STATE OF MAINE  
SENATE  
116TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 724, L.D. 1945, Bill, "An Act to Amend the Public Smoking Laws"

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

Sec. 1. 22 MRSA §1542, sub-§2, ¶N is enacted to read:

N. When an establishment licensed to sell alcoholic beverages for consumption on premises includes a pool hall or billiards parlor in the same enclosed area where alcoholic beverages are sold and consumed, smoking is not prohibited in that enclosed area if minors are prohibited from that enclosed area at all times.

Sec. 2. 22 MRSA §1542, sub-§4 is enacted to read:

4. Mixed-use area. If 2 or more activities take place within an enclosed area and different smoking laws apply to the 2 or more activities, the law that restricts smoking to the greatest degree applies in that enclosed area.

Sec. 3. 22 MRSA §1545, as enacted by PL 1993, c. 342, §1 and affected by §9, is amended to read:

§1545. Penalty

A person or entity who violates any provision of this chapter commits a civil violation for which a forfeiture not to exceed \$100 may be adjudged. A person or entity who subsequently

**COMMITTEE AMENDMENT**

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COMMITTEE AMENDMENT "A" to S.P. 724, L.D. 1945

2 violates any provision of this chapter within 12 months of a  
3 previous violation commits a civil violation for which a  
4 forfeiture not to exceed \$500 may be adjudged.

6 This section does not prohibit the court from issuing  
7 injunctions or contempt orders to enjoin continued violations of  
8 this chapter.'

10 Further amend the bill by inserting at the end before the  
11 statement of fact the following:

12 **FISCAL NOTE**

14 The Judicial Department may realize some minor savings from  
15 reductions of workload and administrative costs associated with  
16 the minimal number of cases that will no longer be filed in the  
17 court system. Reductions in the collection of fines may decrease  
18 General Fund revenue by minor amounts.

20 The increase of the maximum penalty for subsequent offences  
21 may increase General Fund revenue by minor amounts.'

24 **STATEMENT OF FACT**

26 This amendment grants an exception to the smoking laws for  
27 pool halls or billiards parlors, but only if those establishments  
28 serve alcoholic beverages for consumption on the premises and  
29 prohibit minors from the area in which smoking is allowed.

30 The original bill applied the least restrictive smoking  
31 standard to areas where more than one activity takes place. The  
32 amendment applies the most restrictive smoking standard to those  
33 areas.

36 The amendment strengthens enforcement of the smoking laws by  
37 increasing the maximum penalty for subsequent offenses to \$500.  
38 Currently, the maximum for any offense is \$100.

40 The amendment also adds a fiscal note to the bill.