

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
118TH LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 134, L.D. 413, Bill, "An Act to Ban All Smoking within Workplaces, Restaurants and Public Accommodations"

Amend the amendment by striking out all of sections 1 to 4 (page 1, lines 32 to 51 and page 2, lines 2 to 33 in amendment) and inserting in their place the following:

'Sec. 1. 22 MRSA §1541, sub-§4, as enacted by PL 1993, c. 342, §1 and affected by §9, is amended to read:

4. **Public place.** "Public place" means any place, including a restaurant, not open to the sky into which the public is invited or allowed. Except as provided in section 1542, subsection 2, paragraph J, a private residence is not a public place.

Sec. 2. 22 MRSA §1541, sub-§5, as enacted by PL 1993, c. 342, §1 and affected by §9, is repealed and the following enacted in its place:

5. **Restaurant.** "Restaurant" means any enclosed indoor restaurant or other enclosed establishment that invites the public to be served food for consumption on the premises. "Restaurant" does not include a Class A lounge as defined in Title 28-A, section 2, subsection 15, paragraph L or a separate, enclosed area of a restaurant that is used primarily for the service of alcoholic beverages.

SENATE AMENDMENT " " to COMMITTEE AMENDMENT "A" to S.P. 134,
L.D. 413

Sec. 3. 22 MRSA §1542, sub-§2, ¶D, as enacted by PL 1993, c.
342, §1 and affected by §9, is repealed.

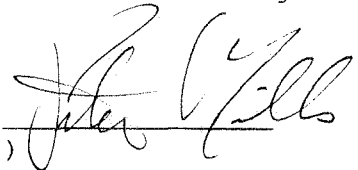
Sec. 4. 22 MRSA §1579-A, as amended by PL 1989, c. 451, §§1
and 2, is repealed.'

FISCAL NOTE

This amendment removes the minor additional cost to the
Department of Human Services that is associated with designated
smoking areas in taverns and lounges.

SUMMARY

This amendment amends Committee Amendment "A." It retains
the ban on smoking in restaurants, while allowing smoking in
Class A lounges and separate, enclosed areas of restaurants used
primarily for serving alcoholic beverages. It removes the
requirement that taverns and lounges set up no-smoking areas.

SPONSORED BY: 
(Senator MILLS)

COUNTY: Somerset