

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1349

H.P. 951

House of Representatives, February 18, 1999

An Act to Protect Citizens from the Detrimental Effects of Tobacco.

Submitted by the Department of Human Services pursuant to Joint Rule 204.
Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative ETNIER of Harpswell.
Cosponsored by Senator PINGREE of Knox and
Representatives: BELANGER of Caribou, BRUNO of Raymond, KANE of Saco, ROWE of
Portland, Senators: AMERO of Cumberland, GOLDTHWAIT of Hancock, LAWRENCE of
York, MILLS of Somerset.

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

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Sec. 2. 22 MRSA §1541, sub-§5, as enacted by PL 1993, c. 342, §1 and affected by §9, is repealed and the following enacted in its place: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 an establishment that according to its licensing requirements under Title 28-A generally prohibits minors from being served or present.

Sec. 3. 22 MRSA §1542, sub-§2, ¶D, as enacted by PL 1993, c. 342, §1 and affected by §9, is repealed.

Sec. 4. 22 MRSA §1579-A, as amended by PL 1989, c. 451, §§1 and 2, is repealed.

SUMMARY

This bill includes a restaurant in the definition of "public place" where smoking is prohibited. Smoking continues to be permitted in a Class A lounge or tavern.