

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 1186

H.P. 815

House of Representatives, March 8, 2005

### **An Act To Clarify the Smoking Ban for Off-track Betting Facilities**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative HOTHAM of Dixfield.  
Cosponsored by Representatives: BLANCHETTE of Bangor, BROWN of South Berwick,  
THOMAS of Ripley.

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

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**Sec. 1. 22 MRSA §1542, sub-§2, ¶N.** as enacted by PL 2003, c. 493, §5 and affected by §14, is amended to read:

N. Smoking is not prohibited in designated smoking areas in an off-track betting facility or simulcast racing facility at a commercial track, if that facility is licensed pursuant to Title 8, chapter 11 ~~and-in-operation-on-June-30,-2003~~, as long as:

- (1) No sales or services are provided in the designated smoking area, except that television equipment and stand-alone betting terminals or other means of placing wagers may be provided;
- (2) No employees work in or are required to pass through the designated smoking area;
- (3) Members of the public, except for those who choose to be present in the designated smoking area, are not required to utilize or pass through the designated smoking area for any purpose; and
- (4) No one under 18 years of age is permitted in the designated smoking area.

**SUMMARY**

This bill clarifies the ban on smoking in off-track betting and simulcast racing facilities licensed after June 30, 2003, allowing existing facilities to move or be sold and without losing their exemption from the smoking ban.