

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 859

S.P. 269

February 23, 2007

### **An Act To Restrict the Smoking Exemption for Tobacco Specialty Stores**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator TURNER of Cumberland.

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

2 **Sec. 1. 22 MRSA §1541, sub-§8** is enacted to read:

3 **8. Waterpipe or hookah.** "Waterpipe" or "hookah" means a device used for  
4 smoking tobacco that consists of a tube connected to a container where the smoke is  
5 cooled by passing through water.

6 **Sec. 2. 22 MRSA §1542, sub-§2, ¶L**, as amended by PL 2005, c. 223, §2, is  
7 further amended to read:

8 L. Smoking is not prohibited in a tobacco specialty store. The on-premises service,  
9 preparation or consumption of food or drink, if the tobacco specialty store is not  
10 licensed for such service or consumption prior to January 1, 2007, is prohibited in  
11 such a store. Smoking a waterpipe or hookah is prohibited in a tobacco specialty  
12 store that is newly licensed or that requires a new license after January 1, 2007.

13 **SUMMARY**

14 This bill limits the exemption granted to tobacco specialty stores from the public  
15 place smoking prohibition. The bill provides that the on-premises service, preparation or  
16 consumption of food or drink, if the tobacco specialty store is not licensed for such  
17 service or consumption prior to January 1, 2007, is prohibited in such a store. It also  
18 provides that smoking a waterpipe or hookah is prohibited in a tobacco specialty store  
19 that is newly licensed or that requires a new license after January 1, 2007.