

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1751

S.P. 618

March 27, 2007

An Act To Address Smoking in Senior Housing

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 SULLIVAN of York.

Cosponsored by Representative PERRY of Calais and Senators: BROMLEY of Cumberland, HOBBS of York, MARTIN of Aroostook, Representatives: BEAUDOIN of Biddeford, CAMPBELL of Newfield, CASAVANT of Biddeford, FAIRCLOTH of Bangor.

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

2 **Sec. 1. 22 MRSA §1580-E** is enacted to read:

3 **§1580-E. Smoking in assisted housing**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 **A. "Assisted housing"** means a facility for senior citizens that:

7 **(1) Qualifies as an assisted living program as defined in section 7852, subsection**
8 **2; or**

9 **(2) Is funded, licensed or otherwise regulated by the department.**

10 **B. "Smoking"** means carrying or having in one's possession a lighted cigarette,
11 cigar, pipe or other object giving off or containing any substance giving off tobacco
12 smoke.

13 **2. Prohibition.** Beginning January 1, 2008, a person may not smoke tobacco or any
14 other substance in any enclosed area of assisted housing or within 100 yards of assisted
15 housing.

16 **Sec. 2. Rules regarding smoking in assisted housing.** The Department of
17 Health and Human Services, Office of Elder Services shall adopt routine technical rules,
18 as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, to
19 implement the requirements of this Act.

20 **SUMMARY**

21 This bill prohibits smoking in assisted housing or within 100 yards of assisted
22 housing. "Assisted housing" is defined as a facility for senior citizens that is an assisted
23 living program or that is funded, licensed or otherwise regulated by the Department of
24 Health and Human Services. The prohibition takes effect January 1, 2008.