

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 889

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S.P. 289

In Senate, March 7, 2017

### An Act To Reduce Youth Cancer Risk

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

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator VOLK of Cumberland.  
Cosponsored by Representative DEVIN of Newcastle and  
Senators: CHIPMAN of Cumberland, GRATWICK of Penobscot, LIBBY of Androscoggin,  
ROSEN of Hancock, Representatives: CHACE of Durham, PERRY of Calais, SEAVEY of  
Kennebunkport, VACHON of Scarborough.

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

2 **Sec. 1. 22 MRSA §689-A** is enacted to read:

3 **§689-A. Tanning facilities; minors**

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

6 A. "Operator" means a person designated by the owner of a tanning facility or the  
7 lessee of a tanning device to operate, or to assist and instruct in the operation and use  
8 of, a tanning facility or tanning device.

9 B. "Phototherapy device" means equipment that emits ultraviolet radiation and is  
10 used in the diagnosis or treatment of disease or injury.

11 C. "Tanning device" means equipment that emits electromagnetic radiation having  
12 wavelengths in air between 200 and 400 nanometers that is used for the tanning of  
13 human skin. "Tanning device" includes a sunlamp, tanning booth or tanning bed but  
14 does not include a phototherapy device used or prescribed for use by a physician.

15 D. "Tanning facility" means a location, place, area, structure or business that  
16 provides persons access to a tanning device, including tanning salons, health clubs,  
17 apartments and condominiums, regardless of whether a fee is charged for access to  
18 the tanning device.

19 **2. Prohibition.** An owner of a tanning facility, a lessee of a tanning device or an  
20 operator may not allow an individual who has not yet reached 18 years of age to use a  
21 tanning device. Proof of age may be satisfied with a driver's license or other government-  
22 issued identification containing the date of birth and a photograph of the individual.

23 **3. Notice.** An owner of a tanning facility or a lessee of a tanning device shall post in  
24 a conspicuous place in the tanning facility notice, in a form developed by the department,  
25 that it is unlawful for a tanning facility or operator to allow a person under 18 years of  
26 age to use a tanning device, that a tanning facility or operator that violates the provisions  
27 of this section is subject to penalties and that an individual may report a violation of this  
28 section to the radiation control program of the Maine Center for Disease Control and  
29 Prevention.

30 **4. Violation; penalty.** A person who violates this section is subject to penalties in  
31 accordance with section 690.

32 **SUMMARY**

33 This bill prohibits tanning facilities from allowing individuals who have not attained  
34 18 years of age to use tanning devices.