

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
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1987

and housing resources. The therapeutic residence program shall be staffed by individuals trained in mental health treatment and proficient in deaf communication.

2. Report. The Bureau of Mental Health shall prepare a biennial report which describes accommodations and services available and identifies additional service needs and a plan to address these needs. The Bureau Director shall include representatives from deaf communities, families and public and private service agencies in the preparation of the report. The report shall be submitted to the joint standing committee of the Legislature having jurisdiction over human resources by January 15th of every even-numbered year.

Effective September 29, 1987.

CHAPTER 332

H.P. 270 — L.D. 353

AN ACT to Prohibit Smoking in Public Areas of Publicly Owned Buildings.

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

22 MRSA §1578-A is enacted to read:

§1578-A. Smoking in publicly owned buildings

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

A. "Public area" means any area in which members of the public are allowed.

B. "Publicly owned buildings" means any building owned, leased to or occupied by any state, local or county government or their subdivisions.

C. "Smoking" includes carrying or having in one's possession a lighted cigarette, cigar, pipe or other object giving off smoke or containing any substance giving off smoke.

2. Prohibition. Notwithstanding section 1580-A, no person may smoke tobacco in any public area of any publicly owned building.

3. Exceptions. The following are exceptions to subsection 2.

A. For any portion of publicly owned buildings which are used exclusively for nonpublic purposes or leased by private organizations, corporations or entities, except as provided in paragraph B, this section does not apply.

B. For any enclosed indoor restaurant or cafeteria or other enclosed indoor area which serves food for consumption on the premises of the publicly owned building, a no smoking area reasonably calculated to address the needs of the nonsmoking public shall be made available. In addition, a sign indicating the policy on seating smokers and nonsmokers shall be prominently displayed at or near the entrance. A sign need not be displayed if a host or hostess seats patrons and indicates verbally at the time of seating the policy of the eating establishment.

C. For civic auditoriums, as defined in Title 28, section 2, smoking may be allowed in the hallways and lobby areas as long as a no smoking area is maintained between the main entrance to the building and one or more doors to the auditorium or area where performances or other events occur.

D. For public proceedings held in publicly owned buildings, section 1578 shall apply.

4. Public employees. If public employees' rights provided in collective bargaining agreements are affected by this section, the employees shall have the right to reopen negotiations for the purpose of bargaining for smoking areas in nonpublic areas of publicly owned buildings.

Effective September 29, 1987.

CHAPTER 333

S.P. 572 — L.D. 1707

AN ACT to Clarify the Organization of the Maine Sardine Council.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Sardine Council has business meetings scheduled for the summer months this year; and

Whereas, because of seasonal demands in the sardine industry, a quorum is often difficult to attain during the summer months; and

Whereas, this bill will alleviate the difficulty of the council in attaining a quorum so that business may be conducted; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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