



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 152

S.P. 39

In Senate, January 17, 2019

An Act To Prohibit the Possession and Use of Electronic Smoking Devices on School Grounds

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MILLETT of Cumberland.
Cosponsored by Representative CARNEY of Cape Elizabeth and
Senators: SANBORN, L. of Cumberland, VITELLI of Sagadahoc, Representatives: CRAVEN
of Lewiston, KESSLER of South Portland, PERRY of Calais.

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

2 **Sec. 1. 22 MRSA §1578-B, sub-§1, ¶D,** as enacted by PL 1987, c. 687, is
3 repealed and the following enacted in its place:

4 D. "Tobacco use" includes:

5 (1) Smoking, which means carrying or having in one's possession an electronic
6 smoking device, as defined in section 1541, subsection 1-A, or a lighted cigarette,
7 cigar, pipe or other object giving off or containing any substance giving off
8 smoke; and

9 (2) The use of smokeless tobacco.

10 **SUMMARY**

11 This bill includes in the prohibition against tobacco use in elementary or secondary
12 schools the possession of an electronic smoking device, which is defined as a device used
13 to deliver nicotine or any other substance intended for human consumption that may be
14 used by a person to simulate smoking through inhalation of vapor or aerosol from the
15 device, including, without limitation, a device manufactured, distributed, marketed or
16 sold as an electronic cigarette, electronic cigar, electronic pipe, electronic hookah or so-
17 called vape pen.