

CHAPTER 399—H.F.No. 1283

An act relating to health; prohibiting smoking in day care centers and health care facilities; prohibiting promotional distribution of tobacco products; amending Minnesota Statutes 1986, sections 144.412; 144.414; and 325F.77, by adding subdivisions; repealing Minnesota Statutes 1986, section 325F.77, subdivisions 1 and 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1986, section 144.412, is amended to read:

144.412 **PUBLIC POLICY.**

The purpose of sections 144.411 to 144.417 is to protect the public health, comfort and environment by prohibiting smoking in areas where children or ill or injured persons are present, and by limiting smoking in public places and at public meetings ~~except in~~ to designated smoking areas.

Sec. 2. Minnesota Statutes 1986, section 144.414, is amended to read:

144.414 **PROHIBITIONS.**

Subdivision 1. PUBLIC PLACES. No person shall smoke in a public place or at a public meeting except in designated smoking areas. This prohibition does not apply in cases in which an entire room or hall is used for a private social function and seating arrangements are under the control of the sponsor of the function and not of the proprietor or person in charge of the place. Furthermore, this prohibition shall not apply to factories, warehouses and similar places of work not usually frequented by the general public, except that the state commissioner of health shall establish rules to restrict or prohibit smoking in those places of work where the close proximity of workers or the inadequacy of ventilation causes smoke pollution detrimental to the health and comfort of nonsmoking employees.

Subd. 2. DAY CARE PREMISES. Smoking is prohibited in a day care center licensed under Minnesota Rules, parts 9545.0510 to 9545.0650 during its hours of operation.

Subd. 3. HEALTH CARE FACILITIES AND CLINICS. (a) Smoking is prohibited in any area of a hospital, health care clinic, doctor's office, or other health care-related facility, other than a nursing home, boarding care facility, or licensed residential facility, except as allowed in this subdivision.

(b) Smoking by patients in a chemical dependency treatment program or mental health program may be allowed in a separated well-ventilated area pursuant to a policy established by the administrator of the program that identifies circumstances in which prohibiting smoking would interfere with the treatment of persons recovering from chemical dependency or mental illness.

(c) Smoking by a patient may be allowed if authorized in writing by the patient's attending physician.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 3. Minnesota Statutes 1986, section 325F.77, is amended by adding a subdivision to read:

Subd. 3. LEGISLATIVE INTENT. Because the state prohibits both the use of tobacco products by minors and the furnishing of tobacco products to minors, and because the enforcement of an age-related restriction on the promotional distribution of tobacco products is impractical and ineffective, it is the intent of the legislature to control the distribution of these products and discourage illegal activity by prohibiting all promotional distribution, except as allowed in this section.

Sec. 4. Minnesota Statutes 1986, section 325F.77, is amended by adding a subdivision to read:

Subd. 4. PROHIBITION. No person shall distribute smokeless tobacco products or cigarettes, cigars, pipe tobacco, or other tobacco products suitable for smoking, except that single serving samples of tobacco may be distributed in tobacco stores.

Sec. 5. REPEALER.

Minnesota Statutes 1986, section 325F.77, subdivisions 1 and 2, are repealed.

Sec. 6. EFFECTIVE DATE.

Section 2 is effective January 1, 1990.

Approved June 4, 1987

CHAPTER 400—H.F.No. 919

An act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state and local bonds; authorizing levies; imposing taxes; appropriating money; amending Minnesota Statutes 1986, sections 297A.01, subdivision 3; and 297A.44, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 16A, 124, and 129B; proposing coding for new law as Minnesota Statutes, chapter 240A.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. CAPITAL IMPROVEMENTS; APPROPRIATIONS.

The sums in the column marked "APPROPRIATIONS" are appropriated from the state building fund, or another named fund, to the state agencies indicated, to be spent to acquire and to better public land and buildings and other public improvements of a capital nature, as specified in this act.

SUMMARY

SUPREME COURT	\$ 32,500,000
ADMINISTRATION	31,267,000

Changes or additions are indicated by underline, deletions by ~~strikeout~~.