



LAWS OF ALASKA

1975

Source

FCCS SCS CSHB 129

Chapter No.

125

AN ACT

Limiting smoking in public places and vehicles.

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

* Section 1. AS 18.35 is amended by adding new sections to read:

ARTICLE 4. HEALTH NUISANCES.

Sec. 18.35.300. SMOKING IN PUBLIC PLACES, VEHICLES PROHIBITED. Smoking in any form may constitute a nuisance and is prohibited in the following areas, unless otherwise exempted by this chapter:

- (1) a train, limousine for hire, bus, state-operated ferry vessel, or elevator;
- (2) a library, indoor theater, museum, lecture or concert hall, gymnasium, or swimming pool or other indoor publicly owned and operated place of entertainment or recreation;
- (3) a public school; or in a room, chamber, place of meeting or public assembly under the control of the state, or a department or agency of the state, while a public meeting held under the auspices of the state, or a department or agency of the state, is in progress;
- (4) the public waiting room of laboratories associated with health care or the healing arts;
- (5) the waiting room, restroom, lobby or hallway of a hospital, nursing home, rest home or other health care institution or facility; or

(6) a place of business in which the owner, manager, proprietor, or other person who has control of the premises posts a sign conveying the message that smoking is prohibited by law.

Sec. 18.35.310. EXEMPTIONS. Smoking in the places or vehicles set out in sec. 300 of this chapter is permitted if

(1) the smoking is confined to areas which are specifically designated as smoking areas;

(2) the place, vehicle, or passenger carrier is being used for a private gathering or affair which is privately sponsored and is not open to the general public;

(3) the smoking is done by performers upon the stage as part of a theatrical production; or

(4) the state, or a department or agency of the state, has exempted the building or room over which it has control on the basis that the building or room is sufficiently well-ventilated by natural or mechanical means.

Sec. 18.35.320. SMOKING AREAS PROVIDED. (a) In a building covered by sec. 300(2), (3) or (5) of this chapter, reasonable smoking areas must be provided, unless prohibited for the protection of the public safety or the protection and preservation of the building and its contents.

(b) To the extent practicable, the state shall require its lessees or sublessees to provide separate smoking areas.

Sec. 18.35.330. DISPLAY OF SMOKING PROHIBITED SIGNS. Every owner, manager, proprietor or other person who has control of a place or vehicle set out in sec. 300(1) - (5) of this chapter shall conspicuously display in the place or vehicle a sign reading "Smoking Prohibited by Law".

Sec. 18.35.340. PENALTIES. (a) A person who wilfully violates the provisions of sec. 300 of this chapter is punishable by a civil fine of not less than \$5 nor more than \$25 for each offense.

(b) A person who wilfully violates sec. 330 of this chapter is punishable by a civil fine of not less than \$10 nor more than \$100 for each offense.

(c) Punishment under this section shall be initiated only by civil complaint or citation. The court may establish procedures for payment of fines by mail.