



## 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

Legislative Document

No. 67

S.P. 26

January 7, 2009

An Act To Protect Beaches in Maine's State Parks

(EMERGENCY)

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

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator NUTTING of Androscoggin. Cosponsored by Representative PERCY of Phippsburg and Senator: GOODALL of Sagadahoc, Representatives: DUCHESNE of Hudson, HILL of York, HINCK of Portland, TREAT of Hallowell, TRINWARD of Waterville. **Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation needs to take effect before the 2009 summer recreational season begins; and

5 Whereas, in the judgment of the Legislature, these facts create an emergency within 6 the meaning of the Constitution of Maine and require the following legislation as 7 immediately necessary for the preservation of the public peace, health and safety; now, 8 therefore,

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

10 Sec. 1. 22 MRSA §1580-E is enacted to read:

## 11 §1580-E. Smoking on beaches

12 <u>1. Smoking prohibited.</u> A person may not smoke tobacco or any other substance on
13 the beach of a state park. For purposes of this subsection, "state park" has the same
14 meaning as "park," as defined in Title 12, section 1801, subsection 7.

2. Smoking defined. "Smoking" means carrying or having in one's possession a
lighted cigarette, cigar or pipe, or other object used for a similar purpose, giving off or
containing any substance giving off smoke.

18 **Emergency clause.** In view of the emergency cited in the preamble, this 19 legislation takes effect when approved.

## SUMMARY

21 This bill prohibits smoking on the beaches in Maine's state parks.

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