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An Act To Protect Maine's State Parks and State Historic Sites

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

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:

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

§ 1580-E. Smoking in state parks and state historic sites

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

- A. "Enclosed area" has the same meaning as in section 1541, subsection 2;
- B. "Public place" has the same meaning as in section 1541, subsection 4;
- C. "Smoking" has the same meaning as in section 1541, subsection 6;
- D. "State historic site" has the same meaning as "historic site" in Title 12, section 1801, subsection 5; and
- E. "State park" has the same meaning as "park" in Title 12, section 1801, subsection 7.

2. Smoking prohibited. A person may not smoke tobacco or any other substance in, on or within 20 feet of a beach, playground, snack bar, group picnic shelter, business facility, enclosed area, public place or restroom in a state park or state historic site.

3. Signs; public education. To the extent possible within existing budgeted resources, the Maine Center for Disease Control and Prevention shall erect signs and undertake public education initiatives regarding the prohibition on smoking in certain areas of state parks and state historic sites.

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

Effective May 1, 2009.