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Smoking Banned At State Parks And Beaches

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Smoking Banned At State Parks And Beaches [← Back](#)

May 13, 2009 *Reported By: Anne Ravana*

Governor John Baldacci today signed into law a bill to prohibit smoking at state parks, beaches and historic sites. The bill's sponsor and the Department of Conservation don't think it will be difficult to enforce, but others question the need for such legislation.

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Democratic state Senator John Nutting, of Leeds, says his bill to ban smoking cigarettes and other tobacco products at Maine's public parks and beaches stems from concerns about second hand smoke and littering. "A constituent last fall wrote me a very impassioned letter, who had taken her young two-year-old daughter to several state park beaches and always being a typical two-year-old, when she was on the beach she liked to put things in her mouth and ended up putting a lot of cigarette butts in her mouth."

Nutting says that story prompted him to put forth the bill, which was passed as emergency legislation. It took effect immediately this afternoon with Governor Baldacci's signature. The bill was rushed as local parks and beaches are opening for the season. The law prohibits smoking at Maine state parks and historic sites, and includes beaches, playgrounds, snack bars and group picnic shelters.

Nutting says each site will set aside a designated space for smokers. "I think the public, for the most part, is going to comply with this but if there's a problem we can address it next year with enforcement."

Nutting says there are no plans to punish smokers, and the rule will be enforced by lifeguards and park rangers. Signs are going up this week to make the public aware of the new law.

Such a rule has existed for a few years at Range Pond in Poland. Ron Hunt, a regional manager for the Department of Conservation's Bureau of Parks and Lands, says the smoking ban has not been difficult to enforce there. "We try to make certain that people are aware of the rule, number one, and number two that they understand why it's in place. And usually we get voluntary compliance as a result of that effort."

Hunt says he's convinced second hand smoke, even outdoors, is harmful. "When there's a stiff breeze, it usually blows it away, but when things are very still then the smoke hangs in the immediate area of the individual that's smoking and that sometimes becomes somewhat disagreeable with the other people that are in the area."

But Robert Levy, chairman of the Cato Institute in Washington, D.C. has criticized similar legislation in California. He says banning smoking in public places could be considered an infringement of civil liberties. "This legislation is pretty silly. The science is disputable about any harm that's done from smoking in an outdoor setting, and surely people could resolve this problem a whole lot easier by taking a step or two away, by putting their beach blanket down in a different place, so that smokers had their own section and nonsmokers had their section."

Levy says the argument that hundreds, if not thousands of cigarette butts are being tossed on the ground in parks is an issue of littering, not smoking.

Governor Baldacci says the legislation will ensure that tourists find Maine's beaches and parks clean and family-friendly. "It's a way to make the great outdoors greater and kind of reinforce the message that when you're in Maine you can still breathe easy."

A second, related bill was also passed as emergency legislation today to allow the state to rent equipment at parks and to sell appropriate merchandise. The proceeds will be spent on operation and maintenance of state parks.

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