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Lawmakers want to snuff out smoking in N.J. parks, beaches

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TRENTON - An Assembly committee advanced legislation Thursday that would make New Jersey the first state to ban smoking in all public parks and beaches.

About one-third of New Jersey municipalities have some outdoor public bans in place, supporters said.

"When you look at our public beaches and our public parks, we certainly do not want people to experience secondhand smoke. We certainly don't want to increase the litter of cigarette butts," said Assemblywoman Valerie Vainieri Huttle (D., Bergen), who sponsored the bill.

"This enhances our beaches in New Jersey, and I think it promotes more tourism," she said.

The ban would extend to boardwalks, though smokers could light up in nearby parking lots. Huttle said the bill does not call for designated smoking areas on the beach. It also applies to state parks and forests.

Violators would be subject to fines laid out in the Smoke Free Air Act of 2006 that banned smoking in indoor workplaces and public places: up to \$250 for the first offense, \$500 for the second, and \$1,000 subsequently.

In 2010, New Jersey became the first state to extend that ban to electronic cigarette devices, commonly known as e-cigarettes.

In South Jersey, Burlington County prohibited smoking in all parks last May. Camden County did the same in 2012.

The Assembly Committee on Tourism and Gaming voted, 7-0, to advance the bill, which must clear the full Assembly and Senate. Proponents say the measure would improve public health by reducing opportunities to smoke and limiting exposure to secondhand smoke.

Cigarette butts also pose a danger to wildlife and pollute water, Jeff Tittel, executive director of the New Jersey Sierra Club, told the committee.

Beach sweeps at the Shore by the environmental advocacy group Clean Ocean Action turn up tens of thousands of cigarette butts each year (49,362 in 2012).

Smoke-free parks and recreational areas also set "a healthy example by normalizing smoke-free outdoor environments where children engage in recreational activities," Karen Blumenfeld, executive director of Global Advisors on Smokefree Policy, told the panel.

To others, the bill smacks of state overreach.

"Outdoor bans are based on nothing but controlling a certain segment of the population," Audrey Silk, head of the New York City-based nonprofit Citizens Lobbying Against Smoker Harassment, said in an interview.

She cited a 2013 study in the policy journal Health Affairs, by Ronald Bayer of Columbia University's Mailman School of Public Health, which found that the health, environment, and role-model justifications for outdoor public smoking bans relied on evidence that was "far from definitive and in some cases weak."

Seaside Heights started to phase in smoking bans on the beach and boardwalk in 2009. "I think most people understand it," Mayor William Akers said, adding that enforcement has not been too difficult. "You know you're inconveniencing other people."

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