

GASP (Global Advisors on Smokefree Policy) Report of Activities, July 2008 through March 2009

Compile and update information on smokefree casinos

The following information pertains to activities in Atlantic City:

- Health Officer Ron Cash accepted NJ GASP's offer to draft a letter of notice to the casinos, to assist with compliance of the ordinance to help with a smooth transition.
- Strategies were discussed with Maureen Simon, Atlantic City Visitor and Convention Authority, on plans to market smokefree casinos to conventioners and tourists. Reviewed the 2008 visitor survey done by the Atlantic City Visitors and Convention Authority; only 23% of gamblers smoke; nonsmokers spend more than smokers in AC. A link for the survey is available on the NJ GASP website.
- Continued coordination between UAW with Atlantic City Smokefree Coalition, to facilitate working cooperatively and strategically on the Atlantic City smokefree casinos initiative; provided to UAW, suggestions and strategy for UAW compliance reporting tool to be provided to casino workers on October 15, the implementation date of the smokefree casino ordinance.
- Planned strategies with UAW and colleagues to support casino workers and patrons for the period when smoking was once again permitted on casino gaming floors.
- Coordinated with Atlantic City Smokefree Coalition and participated in conference calls and visits with Atlantic City colleagues to strategize for implementation of smokefree gaming floors ordinance to take effect on October 15, and later, for the return of smoking permitted areas on November 16.
- Created a list of Atlantic City casinos that are building smoking lounges on the gaming floor.
- Provide updates on smokefree casino initiatives in Atlantic City, on monthly national smokefree casino task force conference calls with advocates from across the nation.
- Analyzed Ordinance #95, which was first introduced as #16H, that was voted through 5-4 and signed by Mayor Evans, and which took effect on November 16, 2008. Ordinance #95 allows up to 25% of casino gaming floors to be smoking permitted, and requires the reconsideration of this amendment in one year.
- Sent action alerts to colleagues, members, casino workers and patrons to encourage the Atlantic City council to keep AC casino gaming floors smokefree; posted information on Action Alert webpage.
- Conducted air monitoring in casinos during the smokefree period, October 15 – November 15, before the delay was implemented.
- Updated/revised NJ GASP website sections on smokefree casinos during/after ordinance amendment process; updated lists of smokefree gaming jurisdictions (North America, regional and global).
- Atlantic City ordinances uploaded on the website in the sections on gaming and legislation and added to the GASP library.

Blumenfeld provided updates on smokefree casino initiatives in Atlantic City and elsewhere, on monthly national smokefree casino task force conference calls with advocates from across the nation.

Karen Blumenfeld was invited to speak at the Eastern European Gaming Conference in Bulgaria. Blumenfeld traveled to Bulgaria and presented twice to the attendees at the conference on smokefree gaming in the United States, particularly in Atlantic City, and the smokefree gaming locations around the world. Materials were distributed, which included updated lists of global smokefree gaming jurisdictions.

Blumenfeld participated in discussions and plans with colleagues from many states for participation at the January 2009 Conference of National Council of Legislators from Gaming States (NCLGS). Documents were prepared for distribution at the conference. The NCLGS smokefree gaming resolution, which Blumenfeld created, was overwhelmingly passed on January

10 at the conference held by the National Council of Legislators from Gaming States (NCLGS). An alert was placed on the GASP website with links to the resolution and the NCGLS press release, which included a quote from Blumenfeld and acknowledged the support received from NJ GASP.

Research and provide information on smokefree housing

There were 87 inquiries this period. Information was updated for tenants, landlords and condo owners. Information was given by phone, fax, email, and 56 informational packets were sent by mail. Contacts were made and individual informational packets were also sent to select health officers and educators. Materials included health studies, multi-unit building air transfer study, legal opinions on no constitutional right to smoke, legislation and regulations, legal options, policy suggestions by property management, lawsuit decisions, lease amendments, and news clips. Conference calls on smoke seepage in multi-housing units were held with staff, tenants, condo owners, and a specialized attorney on smokefree housing issues. Staff is now receiving inquiries from landlords about making their buildings smokefree.

Provide a minimum of 300 consultations

There were 370 consults this period. The majority of the consults concern smoke seepage in multi-unit housing, and legislation for smokefree casino gaming floors. Contacts were made with apartment management and condo associations about making buildings smokefree. Research was conducted on tenant/condo owner lawsuits.

Provide educational presentations/trainings

Blumenfeld presented information to individuals and groups on smokefree casinos, the current amendment to the Atlantic City ordinance, smokefree vehicles with children present, smokefree housing, and other legislative issues.

Upon request by Atlantic City Councilman Ward, Blumenfeld presented information to the City Council of Atlantic City regarding the amendment to delay the implementation of the ban on smoking on casino gaming floors.

Senator Lesniak requested a presentation to Senator Codey by Blumenfeld on prohibiting smoking in vehicles when children are present.

Blumenfeld presented at two sessions at the Eastern European Gaming Conference in Bulgaria. There were 18 individual presentations during this period.

Maintain and update website to provide the most current data

A new home page was created to show a more up-to-date image. The website is being changed to make it more user-friendly and easy to navigate. A search button has been added for ease in finding specific documents. More information is being added to the Smokefree Housing section to help support tenants, landlords, property management, condo owners, and associations in attaining smokefree multi-housing residences.

The Action Alert section was updated in July 2008 with information to: increase the cigarette tax by 43.5 cents to bring it to \$3.00 per pack; increase the licensing fees to sell cigarettes; and re-classify little cigars as cigarettes so as to be able to tax them as cigarettes.

An alert was posted on the new State law that bans flavored cigarettes. As of December 1, 2008, New Jersey is the first state to implement a ban on the sale or distribution of flavored cigarettes under NJSA 2A:170-51.5 et seq. (menthol and clove are exempted). The alert on flavored cigarettes gives information to health officers, inspectors, tobacco retailers, and citizens

on the guidelines of the implementation of the law. The alert includes links to images of cigarette packs that are banned.

The Action Alert section was continually updated primarily for information on activities in Atlantic City.

The sections on smokefree casinos and legislation for state and local laws have been updated. All updates of current documents, including "Jurisdictions with legislation requiring smokefree gaming" and "Protecting children from secondhand smoke in foster homes and cars" have been updated on the website.

The New Jersey GASP website continues to receive many visits. During this period there were a total of 66,871 visitors, the daily average was 244, with 2,799 staying at least one minute, 2,353 staying 1-3 minutes, and 13,682 staying from 3 minutes to more than 30 minutes.

Research and produce materials as needed

A complete binder of information (more than 100 pages) was prepared for the NCLGS Conference in January 2009. A second binder of smokefree casino information was created specifically tailored for testimony submitted to the NJ Senate Health Committee, at their hearing on S236, which would ban smoking in the casinos. The binders contain lists of jurisdictions in the United States and globally, that require 100% smokefree gaming. Information also included the most recent studies on air monitoring, health, and economic issues. Atlantic City casino revenues comparisons were researched, with conclusions shared: during the one month of smokefree gaming (October 15 - November 15, 2008), vs. prior to and after that time, when the casinos were 25% smoking-permitted, revenues were higher during the one month of smokefree gaming; when comparing 2008 with 2007 monthly revenues, the revenue loss was less during the smokefree month, than when smoking is permitted on the gaming floors.

Staff continues to research and update information on protecting children from secondhand smoke exposure, especially in vehicles and private homes.

Research was initiated on the sale and use of electronic cigarettes, which is a nicotine delivery system. The research was provided to colleagues, including U.S. Senator Frank Lautenberg's staff.

All research and information to be used to support smokefree casinos, residences, and in vehicles is placed on our website.

Distribute materials by mailings, grouped and individual

Information was sent to individual inquirers, including tenants, condo owners, apartment management, condo associations, and individual attorneys, about tobacco smoke seepage in multi-unit housing, information on the enforcement of the New Jersey Smoke-Free Air Act, and the passage and implementation of local legislation. All NJ GASP members were notified about the new Executive Director and new Board of Trustees, and reminded about our change of address. They were also invited to attend the annual meeting held September 5.

The binders on smokefree gaming have been distributed to colleagues, legislators, media, and citizens.

A Legislators' Information Service on Tobacco (LIST) mailing was sent to all NJ legislators about the National Council of Legislators from Gaming States adoption of the resolution to support 100% smokefree casinos. Included in the mailing: the resolution, press release, editorials from *The New York Times* and the *Star Ledger*; air testing study from the University of Nevada; key findings

from the Atlantic City Visitors Profile Study; and monthly revenues from Atlantic City casinos. A LIST mailing was sent in March regarding supporting documentation on smokefree casinos.

Track local and State laws

Five municipal New Jersey tobacco-control ordinances were passed or discovered this period. Atlantic City banned smoking on the casino gaming floors, but then rescinded the ordinance. Fort Lee Borough and Woodbridge Township banned the sale of candy cigarettes. Franklin Lakes banned the possession or use by minors under the age of 19 in public areas. Woodbury Heights Borough banned the use and discard of tobacco products on all Borough property. All ordinances are available on the searchable database under the Legislation section of the GASP website.

Federal and State laws are tracked upon introduction and movement on votes within committees.

GASP staff offered technical assistance and research to legislators and decision makers on policy and legislation.

Maintain a database of tobacco-control colleagues in New Jersey

The colleague database, including all health officers, was updated during this period. All contact information was verified and new colleagues entered. The current number of colleagues is 303, including DHSS staff, community partners, youth coordinators, NJ Prevention Network, NJ Breathes, American Cancer Society, American Heart Association, American Lung Association, other grantees and health officers.