



New Jersey  
**GASP**  
Group Against Smoking Pollution

# Annual Report

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**May 2003 – April 2004**

## **Program and Organizational Activities and Accomplishments**

### **From the Director**

Dear Members, Supporters, and Colleagues,

It's our 30<sup>th</sup> anniversary! Recently, the former director of the New Jersey state tobacco-control program said that it's hard to imagine tobacco control in New Jersey without New Jersey GASP. And the director of Americans for Nonsmokers' Rights described us as true pioneers of the movement. We have changed the world.

This year, with casinos still a major roadblock to state smokefree air legislation, and with possible lawsuits chilling local legislation, we initiated, created, and are coordinating a project to demonstrate demand for local authority and/or state legislation for smokefree air. Working with health-promotion colleagues and the New Jersey League of Municipalities, we've already gathered resolutions from local governments representing two and a half million New Jersey citizens, plus more resolutions from organizations, businesses, and other entities. Legislators working for protection for nonsmokers say this is what they need to convince their fellow legislators.

To be more effective in Trenton, New Jersey GASP has recently retained former Senate President John Bennett as our lobbyist. This is a real step forward for New Jersey GASP and the tobacco-control movement. Senator Bennett is opening lots of doors for us, giving us an insider's perspective, and he and his staff are a delight to work with.



*Former New Jersey Senate President John Bennett, J.D., top right, now New Jersey GASP's government affairs consultant and lobbyist, strategizing with, left to right, GASP attorney Blumenfeld, director Carlson, and Meghan Bennett Clark, J.D., of his firm.*

We do have a significant, new, local smokefree air law. After years of work by New Jersey GASP and colleagues, Livingston has made workplaces, public places, and restaurants (without liquor licenses) smokefree. And smokefree outdoor ordinances continue passing rapidly and easily. Bergen County, with 10% of New Jersey's population, has made county recreational facilities smokefree. Of approximately 580 outdoor ordinances nationwide, New Jersey has almost 90.

Restaurants are going smokefree faster and easier, too. This year we added 747. This year's directory is so big it had to be bound, not stapled.

We've helped create these successes this year with



New Jersey GASP is a partner in the New Jersey Comprehensive Tobacco Control Program.

Major funding for New Jersey GASP and the New Jersey GASP Tobacco Control Policy and Legal Resource Center is provided by the New Jersey Department of Health and Senior Services. Additional funding is provided by the F.M. Kirby Foundation, New Jersey GASP members, especially Alan Kligerman, and the New Jersey Breathes Coalition, at the Medical Society of New Jersey, funded by the Robert Wood Johnson Foundation.

35 presentations, 535 consultations, 50 media interviews, 29 mass mailings, and providing a website that attracted 67,000 visits. We really work hard to help people and make change. For a family getting smoked out in their condo in Bridgewater, we provided lots of information, contacts with health officials, plus coaching on how to behave in a negotiation – our attorney, Karen Blumenfeld, is also a certified mediator. When someone calls our office and asks, “Can you help me?”, our answer is, “I hope so.”

Our good work has had some sweet recognition this year. Karen Blumenfeld, our attorney, won the highest award of the New Jersey Local Boards of Health Association. I was given the first John Slade New Jersey Tobacco Control Activist award by the Tobacco Dependence Program of the School of Public Health of UMDNJ.

Here are quantified indicators of our scope of work this year:

- Local Authority Resolution Project created and coordinated — as of late September 2004, 370 total resolutions signed, including by municipal governing bodies and boards of health representing 28% of New Jersey citizens, county boards of chosen freeholders, organizations, businesses, and others
- 2 state tobacco-control laws passed
- 27 new local ordinances passed, including 3 county laws, for a total of 450
- 747 new smokefree restaurants added, 572 net
- 35 presentations, media appearances, and trainings
- 535 consultations logged, more provided
- 50+ media interviews
- 67,000 visits to our website — 8,700 of more than a minute
- 40,000+ copies printed of dining directories, laws charts, signs
- 29 mass mailings to 14,500 recipients
- 244 inquirers given free 6-month membership, 23 joined NJ GASP
- 2 awards earned
- \$491,000 expenses, \$454,000 income.

I hope you enjoy the report. We’re proud of what we do and appreciative of your help.

Regina Carlson, Executive Director



*Karen Blumenfeld, Director, New Jersey GASP Tobacco Control Policy and Legal Resource Center, receiving the John Saccenti Award from Paul Roman, President, New Jersey Local Boards of Health Association. (See story, page 11.)*

## Legislation, regulation, and litigation

### Local – municipal and county

**New Jersey GASP initiated, created, and is coordinating a project for local authority and/or state legislation for smokefree air.** In 2000, the Princeton Regional Health Commission passed New Jersey’s first comprehensive smokefree indoor air ordinance for workplaces and public places, including restaurants and bars, but was sued by the tobacco industry and lost. Since then, many other New Jersey local governing bodies and local boards of health have reported that they are interested in enacting smokefree indoor air ordinances but are uncertain about their authority and fear defending a lawsuit like Princeton’s. In summer 2003, New Jersey GASP began considering how to help municipalities with this problem and began discussing ideas with colleagues. Then Assemblywoman Loretta Weinberg, who has introduced legislation to confirm local authority and to create statewide smokefree air legislation, asked for proof of municipal demand. That’s why the Local Authority Resolution Project was created.

**The goal of the project is to have resolutions enacted** that support local authority to enact smokefree air legislation and/or statewide smokefree air legislation, provided the state legislation preserves local authority to enact stronger

legislation. Entities asked to pass resolutions include local governments, state and local organizations, businesses, and others.

**As of late September 2004, 300+ entities had signed 370 resolutions. Specifically:**

- 100+ municipal governing bodies (town council, borough committee, etc.) and 70+ boards of health in 140 municipalities had signed resolutions – 25% of New Jersey’s 566 municipalities are on board
- these municipalities represent close to two and a half million New Jersey citizens – 28% of New Jersey’s population
- 3 county boards of chosen freeholders have signed resolutions – Hunterdon, Monmouth, and Salem.

**New Jersey GASP sought and won many partners for the project** including the New Jersey League of Municipalities, the New Jersey Local Boards of Health Association, the New Jersey Prevention Network and its county Community Against Tobacco (CAT) coalitions and REBEL (teen, anti-tobacco) coalitions, the New Jersey Health Officers Association, and New Jersey Breathes, the statewide tobacco-control coalition with more than 50 members including the American Cancer Society, the American Heart Association, the American Lung Association, and the Medical Society of New Jersey.

**Jersey GASP is coordinating the project, has created the materials for the project, and is tracking all the resolutions.** A new, 25-page section of New Jersey GASP’s website describes the project, provides one-page sample resolutions plus long versions with complete citations, and provides multi-faceted supporting documents including information on local authority, challenges from the tobacco industry, local and state smokefree air legislation in New Jersey and the nation, and other related tobacco-control issues. To see the section, click on Local Authority Resolution Project on the home page ([www.njgasp.org](http://www.njgasp.org)).

**New Jersey GASP is tracking all the resolutions and providing frequent updates** on resolutions signed, other progress or challenges to the project, emerging issues in the process, etc. Resolutions are posted on New Jersey GASP’s website and show category of signing entity, area served by entity, county, legislative district, resolution(s) signed, and date(s) passed.

**This Resolution Project really demonstrates and benefits from the cooperation and specialization of the tobacco control and local government sectors in New Jersey.** New Jersey GASP brings technical assistance, legal expertise, computerized tracking capabilities, and coordination experience to the project. Other partners in the project represent all the appropriate and affected players in the issue and bring expertise, enthusiasm, and authority. Local tobacco-control advocates — especially CAT and REBEL coalitions of the New Jersey Prevention Network, health officers, and staff members of other organizations such as the American Cancer Society — plus the New Jersey Local Boards of Health Association are the backbone of the corps encouraging and gathering petitions.

**Ultimately, this project will give state legislators the demonstration of support for local authority and smokefree legislation that they seek. In addition, it generates more interest in a variety of other tobacco-control possibilities.**

**A smokefree workplace and restaurant ordinance passed in Livingston!** After years of work by Livingston citizens including New Jersey GASP members, health advocates, and New Jersey GASP staff, in June 2004 Livingston passed a smokefree air ordinance for workplaces, public places, and restaurants, excluding only establishments with liquor licenses (but inviting those establishments to elect to be covered by the law). This is the first restaurant ordinance in New Jersey since the Princeton lawsuit in 2000. Livingston is a good-sized town (population 27,000), of fairly high socio-economic status, with about 60 eateries, of which about 50 will be covered by the ordinance.





### The Livingston ordinance is a good example for ordinance passage:

- There were some tobacco issues in town that needed attention.
- Local citizens led the way. An active municipal alliance with one especially committed member, Jane Hecht, dedicated itself to the issue.
- New Jersey GASP staff made at least a half dozen presentations to the town council, the municipal attorney, public meetings, etc., and supplied information dozens of times to individuals involved in the process.
- The former Essex County CAT coordinator and the active new CAT coordinator, Stephanie Kip, nursed the process along at every stage.
- New Jersey GASP members in the area, especially Scott Goldman, were alerted by staff and demonstrated local support,
- Good information moved the town council. For example, New Jersey GASP provided information on the inadequacy of state legislation — council members didn't know that the state work place law only covers workplaces with 50 or more employees and that leaves most employees unprotected. Also, New Jersey GASP staffer Grace Serota called all 60 restaurants in Livingston and found that the 50 restaurants without liquor licenses were all smokefree.

**Fifteen smokefree outdoor ordinances were passed by municipalities located in every area of New Jersey.** Most of these municipal ordinances addressed recreational areas such as beaches and playgrounds, but Livingston also made the town dog park smokefree. Among municipalities enacting ordinances: Avon-by-the-Sea, Eatontown, Hamilton (Atlantic County), Lavalette, Maplewood, Wanaque, and Woodbury Heights.

**Montclair banned “loosies” — single cigarettes. Eatontown and Butler banned self-service cigarette sales and Butler also banned vending machines.** These were among the ordinances controlling tobacco sales that passed this year.

**New Jersey municipalities passed a total of 24 tobacco-control ordinances this year. New Jersey GASP provided individual technical assistance to most of the towns that enacted ordinances** (plus many other towns), supplying model ordinances, critiquing draft ordinances, answering questions, etc. In Livingston, where the comprehensive smokefree air ordinance was passed, New Jersey GASP's attorney made three presentations this year.

**As of April 30, 2004, 279 New Jersey municipalities had passed 435 tobacco-control ordinances.** New Jersey GASP kept a steady flow of news and information going to municipal governments. Attorney Blumenfeld spoke to the town council in Wayne once plus thrice to Livingston (see above), and mailings to municipal governments this year are listed below. To download a chart of all the ordinances or do a customized search of ordinances, go to [www.njgasp.org](http://www.njgasp.org), the only on-line, publicly-available, searchable database of local tobacco-control legislation in the U.S.

### Recipients – contents (chronological)

- Mayors, municipal attorneys, local boards of health – 2003 *Local Laws*, smokefree dining update
- Mayors – information on Local Authority Resolution Project (jointly with New Jersey League of Municipalities)
- Local boards of health – information on Local Authority Resolution Project (jointly with New Jersey Local Boards of Health Association)

**Bergen County, with 10% of New Jersey's population, enacted a smokefree outdoor ordinance.** The Bergen County Board of Chosen Freeholders passed legislation in April to make all county owned or leased playgrounds, ball fields, and swimming pools smokefree. Bergen County CAT coordinators Judie Ranges and Rachel Lendner and county health department staff, assisted by information and counseling from New Jersey GASP over a two-year period, including a presentation to the Freeholders by New Jersey GASP attorney Blumenfeld,

repeatedly reached out to the decision makers. This is New Jersey's first county-wide parks and playgrounds ordinance.

**Since New Jersey GASP began outreach to freeholders several years ago, five boards of freeholders have passed tobacco-control legislation** and three have signed resolutions supporting local and/or state smokefree legislation. The county freeholder project was partially funded by New Jersey Breathes. New Jersey GASP continues the program, although the special funding has ended, and now includes freeholder boards in selected mailings that also go to municipalities or state legislators.

**With speed and grace — as usual — New Jersey GASP attorney Blumenfeld made nine presentations to county boards of chosen freeholders in just a few weeks.** She encouraged the county governing bodies to support local tobacco-control activities, invited them to sign resolutions supporting local authority and /or state legislation for smokefree air, and explained other actions they could take to reduce tobacco problems. Blumenfeld spoke to Atlantic, Bergen, Essex, Hudson, Middlesex, Passaic, Somerset, Union, and Warren counties. GASP's Salem County presentation was made by Evelyn Dries, a past New Jersey GASPer of the Year.

#### [Mailings to the freeholders this year:](#)

- *Local Laws*, info on tobacco-control activities by counties in NJ and USA, offer of presentations by NJ GASP
- Local Authority Resolution Project information
- lists of smokefree air laws around the world, new studies on tobacco's death toll
- list of smokefree bars, new info on secondhand smoke and smokefree air laws and policies including success of New York City legislation
- *100% Smokefree Dining in New Jersey 2004-2005*, new studies on secondhand smoke, smokefree air laws around the world, tobacco industry influence.

*Thank you so much for the outstanding job you did at the REBEL Tobacco Learning Institute. The students and youth coordinators appreciated the valuable information you provided along with your dynamic presentation style.*

Jonathan Foulds, Ph.D., Director, Tobacco Dependence Program,  
UMDNJ School of Public Health

## State

**Former Senate President John Bennett now leads New Jersey GASP's lobbying team.** In spring 2004, New Jersey GASP retained John Bennett, who was a member of the New Jersey Legislature for 24 years, Senate President 2002-2004, and Acting Governor in 2001, as GASP's new lobbyist. As a senator, Bennett was a champion of environmental concerns and had a good relationship with the business community. He now heads the New Jersey government affairs practice group for Dilworth Paxson, a Philadelphia law firm with a tradition of public service and civic involvement. John Bennett brings a high level of experience and contacts to New Jersey GASP and the tobacco-control community. GASP staffers are excited and delighted to be working with Senator Bennett and his staff.

**Since spring 2003, when the casino and restaurant and bar industries defeated the state smokefree air bill, New Jersey GASP has fought back.** After the May 19 Senate Health Committee meeting, where expected approval of state legislation for local authority and state smokefree air failed, New Jersey GASP and the entire tobacco-control community have strategized, sought new allies, met with legislators, conducted research, provided technical assistance on draft legislation, and educated the public via the media. New Jersey GASP initiated, created, and is coordinating the Local Authority Resolution Project (see *From the Director*, page 1, and *Legislation, Local*, page 2), to demonstrate support for legislation by local governments, state and local organizations, and businesses. On September 30, 2004, the introduction of new legislation was announced, with the Resolution Campaign as a major underpinning.

**New Jersey raised the cigarette tax 35 cents, making the tax \$2.40 a pack, in spring 2004.** Last year's 55 cents increase made the cigarette tax \$2.05 a pack and put New Jersey first in the nation. The newest hike puts New Jersey second, behind Rhode Island, where the cigarettes tax is now \$2.46 a pack. New Jersey GASP lobbied for these New Jersey tax increases — proven deterrents to smoking, especially for youth — and had a major role in first attracting legislative attention to tobacco tax increases years ago.



## Federal, other states, international

### New Jersey GASP helped colleagues in Madison, Wisconsin work for smokefree air legislation.

Earlier this year you provided me with material that my local tobacco control coalition used to help one of our towns implement a new policy on smoking in municipal vehicles. Most recently you advised me on issues that we are facing while we work on enacting a 100% smokefree workplace ordinance in Madison, Wisconsin. Over the past several years you have been my advocacy experts, and I really appreciate the help that you continue to give me. Keep up the good work!

Dawn Berney, Tobacco-Free Dane County Coalition, Madison, Wisconsin

## Publications, including website

**“Traffic equal to a small e-commerce site” is flowing to New Jersey GASP’s website**, as decision makers, individuals, media, and colleagues seek information and assistance. The quoted phrase, from one of New Jersey GASP’s website contractors, describes the high level of usage on GASP’s website — 67,000 visits a year, 8,700 of which last one minute or longer. Counting only those longer visits, there’s an average of one visit every 20 minutes during a nine-to-five day or one visit every hour around the clock. Staff also observes that now New Jersey GASP data is cited in media reports even though no reporter called, and reporters call the office, starting a conversation with, “I was on your website. It’s great. But I have another question ....”

**The Resolution Project section constituted a 25% expansion of New Jersey GASP’s website.** There are a whopping 25 pages in that section, adding to an already sizable website (see From the Director and Legislation, Local sections, pp. 1 and 2). Because the website is large, frequent and numerous maintenance and updating are required and have been accomplished this year.

Your new website section for the resolution project looks great! Congratulations.

Bronson Frick, Associate Director, Americans for Nonsmokers’ Rights

**New Jersey GASP lobbied vigorously for increased funding for state tobacco-control programs and helped win a 10% increase**, from ten to eleven million dollars. This funding level is far below optimum, or even minimal, levels recommended by the Centers for Disease Control (\$121 to 45 million) but an increase in this tight budget year was a success.

**New state law prohibits smoking on school buses even when no students are present.** New Jersey GASP had assisted a number of parents whose smoke-sensitive children, with asthma and other health problems, were affected by lingering smoke caused by drivers’ smoking when children weren’t on board. New Jersey GASP reported this problem to legislators and supported the extension of the school buses law, signed in January 2004.

**New Jersey GASP met with legislators** (Buono, Cody, Heck, Tom Kean Jr., O’Toole, and Pou), provided line-by-line analyses of proposed legislation and other technical assistance, and informed legislators with mailings via the Legislators’ Information Service on Tobacco. This year’s mailings covered these topics and included these publications:

- *New York Times* article on Connecticut’s smokefree air law
- 2003 *Local Laws on Tobacco in New Jersey* and May 2003 update to *100% Smokefree Dining in New Jersey*
- smokefree air laws across nation, newborn study
- new health studies, worldwide deaths, list of states with smokefree air laws, Americans for Nonsmokers’ Rights list of local smokefree air laws
- Helena, MT study on heart attacks, New York voters’ approval of New York smokefree air laws, NJ smokefree bars increase (list), and *New York Times* editorial.

**The 2004-2005 edition of 100% Smokefree Dining in New Jersey was so big it had to be bound, not stapled, for the first time, and included a new feature, a town-to-county index.** The 10-page index was created to help users navigate New Jersey's complexities, which include 566 municipalities overlaid with more than 1,500 local "town" names, municipality and town names that repeat around the state, and towns that straddle county borders. The new directory, published in autumn 2003, lists more than 2,850 individual restaurants, compared to 2,200 in the autumn 2002 edition. Restaurant chains with smokefree policies are listed and New Jersey GASP estimates there are at least 1,000 restaurants in those chains. New Jersey GASP staff verified all of the individual restaurants. The press run was more than 15,000 copies.

**Auxiliary restaurant publications were reissued this year.** *Smokefree Dining Is Best* was updated and 10,000 copies printed. New signs for smokefree restaurants were designed and printed. There was also an update to the '03 directory.

**A new edition of Local Laws on Tobacco in New Jersey was prepared** late in FY 03-04, with a June 10, 2004 "closing date." It lists 453 local laws on tobacco marketing, sales, and use passed by 293 local governments and compresses many ordinance provisions and much other data into a 12-page chart.

## Media

**Three TV shows in one day!** New Jersey GASP started off the year's media appearances with a bang on May 15. First, News 12 NJ TV came to the office to interview director Carlson about Morris County outdoor ordinances. Before that crew was gone from the curb, a car arrived to take Carlson and attorney Blumenfeld to New York City for their appearance on the Fox TV "Day Side" show, a nationwide, one-hour, live, talk show. Then the staffers taped a segment for Fox TV News about a new study on secondhand smoke just appearing in the *British Medical Journal*.

**When ABC-TV called, asking for help to find a smoky bar in New Jersey** (because the New York City bars are smokefree), to illustrate a new study

on secondhand smoke, GASP attorney Blumenfeld suggested they also include in their coverage a New Jersey bar that is smokefree. The producers accepted her suggestion and Blumenfeld joined the TV crew in Hoboken on April 23, 2004 and was interviewed on-camera.

**A TV show seen throughout the Northeast and New Jersey magazine turned to New Jersey GASP** for appearances. In May, GASP exec Carlson appeared on CN 8 TV's "It's Your Call" show with Lynn Doyle. The topic of the Emmy-winning show, seen from Maine to Maryland, was smokefree air laws. And a *New Jersey* magazine writer came to the office for a long interview and did many follow-up interviews with staff about New Jersey GASP's 30<sup>th</sup> anniversary and successes in tobacco control through the years.

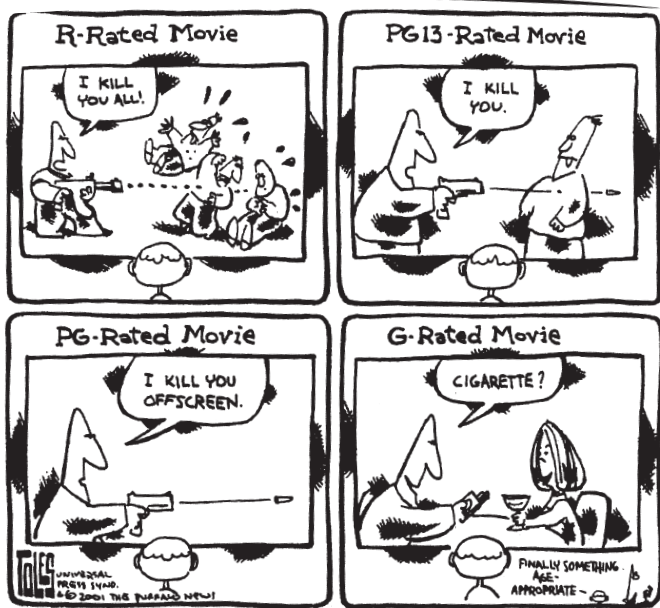
*I really got lots of good stuff from your website.*

*Kathy Matheson, Asbury Park Press*

**New Jersey GASP staff had individual contact with reporters and editors at least 50 times this year.** Here's the year's log of interviews, in chronological order:

### Media – topic

NJ 101.5 – smokefree air legislation  
 Bergen Record – smokefree restaurants  
 Daily Record – Mt. Arlington outdoor ordinance  
 New York Sun – smokers coming to New Jersey to smoke  
 News 12 NJ – Mt. Arlington ordinance, statewide legislation  
 WNYC for national coverage – NJ tobacco control  
 (several interviews)  
 Bergen Record – op ed (at their request), smokefree air legislation  
 CN8 TV, Lynn Doyle show – various topics  
 Bergen Record – Wayne ordinance  
 Asbury Park Press – proposed NJ smokefree air legislation  
 Baltimore Sun – proposed NJ smokefree air legislation  
 Trenton Times – NJ tobacco control and legislation  
 Montclair Times – outdoors policies and laws  
 Raleigh, NC News & Observer – smokefree outdoors  
 Montclair Times – smokefree restaurants and bars  
 Hillsborough Beacon – smokefree restaurants and bars, including Petrock's  
 Daily Record – op ed (at their request) on smokefree air  
 Star-Ledger – cigarette taxes, other issues  
 Suburban Trends – smokefree air ordinances for restaurants  
 Fox News – bars in NYC, nicotine in drinks



and tobacco-control activists from around the nation who were planning their appearance at the Philip Morris annual meeting. The tobacco giant had moved its annual meeting from Virginia to New Jersey, apparently to discourage shareholders' challenging actions, but had several dozen shareholders present challenging actions at the East Hanover meeting April 29. Outside the meeting, several hundred young people from around the nation demonstrated their challenge.

**GASP exec Carlson spoke at the Philip Morris meeting, seconding a proposal** for the company to provide better information to pregnant smokers. On a proxy from Massachusetts state tobacco control director Dr. Gregory Connolly, Carlson advocated more prominent and pictorial information: "Pictures are more effective than words; bigger type is more effective than small type." She also reminded the company that a New Jersey company, Johnson & Johnson, demonstrated corporate responsibility by its decision to remove contaminated bottles of Tylenol from store shelves. She suggested Philip Morris do the same with its cigarettes.

**New Jersey GASP added 572 new smokefree restaurants (net) this year** to its database. GASP thanked all newly-added smokefree restaurants, sent them signs, and told them they were listed on GASP's website directory and would be in future printed directories. Smokefree restaurants and patrons seeking smokefree dining were assisted by paid advertising about the directory that New Jersey GASP placed on New Jersey 101.5, a popular talk radio station.

**One of the "100 Most Powerful People in Healthcare" called New Jersey GASP for help.** Sister Mary Jean Ryan, president and CEO of SSM Healthcare, with 20 hospitals plus other healthcare facilities in four states, called from St. Louis for assistance to create smokefree outdoor policies for the facilities she directs. GASP director Carlson provided lots of information and contacts and enjoyed reminiscing with Ryan about some of the hospitals, since Carlson grew up in St. Louis and she and her father had received medical care in SSM hospitals.

**New Jersey GASP provided more than 535 consultations with individuals like Sister Ryan this year.** An analysis of GASP's consultation database shows that secondhand smoke in restaurants and

Worral News – cigarette vending machines in jails, hospitals  
 Serbian reporter Andjelka Dzeletovic (in Helsinki, at World Conference) – tobacco control  
 Star-Ledger – tobacco lobbying  
 New Jersey magazine – NJ GASP's 30<sup>th</sup> anniversary  
 Steve Aduato TV show, NJN TV – smokefree dining  
 Star-Ledger – funding for tobacco control  
 WGHT – Wayne ordinance  
 Editor & Publisher – NJ GASP history  
 Montclair Times – preemption (several interviews)  
 Trenton Times – NJ GASP dining directory  
 Trentonian – NJ GASP dining directory  
 Bergen Record – NJ GASP dining directory  
 Home News Tribune – NJ GASP dining directory  
 Courier Post – NJ GASP dining directory  
 Asbury Park Press – NJ GASP dining directory  
 Daily Record – NJ GASP dining directory  
 Courier News – NJ GASP dining directory  
 Star-Ledger – NJ GASP dining directory  
 WPHL-TV - Great American Smokeout  
 Burlington County Times – smokefree restaurants  
 Asbury Park Press – 40<sup>th</sup> anniversary of Surgeon General's report (several interviews)  
 New Jersey magazine – NJ GASP's 30<sup>th</sup> anniversary (numerous interviews)  
 Asbury Park Press – response to their earlier report  
 Associated Press – tobacco master settlement agreement  
 Burlington County Times – Mansfield outdoors ordinance  
 Star-Ledger – Montclair ordinance against sale of single cigarettes  
 Herald News – women and lung cancer  
 ABC news – ETS and heart problems

## Policy advocacy, public education

**A nun who said, "I'm at the General Electric annual meeting on Tuesday, Clorox on Wednesday, and Philip Morris on Thursday."** (or some such schedule) was a guest late one night at New Jersey GASP's office, along with priests, attorneys, doctors,

bars was the number one subject of consultations. Colleagues were the most frequent consultees, followed, in essentially identical frequency, by reporters and individual citizens/customers.

**New Jersey GASP made presentations and provided trainings 35 times this year.** The audiences and topics covered by GASP attorney Blumenfeld and director Carlson are listed below, except presentations to local governments (reported in the Legislation section of this report) and media appearances (which are in the Media section).

### Audience – topic

Union County CAT and REBEL coordinators – individual training  
 Metuchen Diocese and others – smokefree air and bingo  
 Dave Kinney, Star-Ledger – half-day interview with full staff about tobacco-control legislation  
 Northern CAT and Rebel quarterly meeting – ordinances, preemption  
 Southern CAT and Rebel quarterly meeting – ordinances, preemption  
 Essex CAT coordinator - individual training  
 Warren CAT coalition - update on state, county, and local activities  
 Churches Organized To Stop Tobacco - bingo problem  
 Union CAT and REBEL meeting – preemption issues  
 Essex CAT - preemption  
 Assemblyman O’Toole – tobacco issues  
 Mary Sibley, Assistant Treasurer of NJ – tobacco-control issues  
 Consumers for Civil Justice conference – Resolution Project  
 Consumers for Civil Justice board meeting – Resolution Project  
 Aurea Vasquez, Governor McGreevey’s health aide – tobacco control issues  
 NJ Local Boards of Health Association – Resolution Project  
 40<sup>th</sup> Anniversary of Surgeon General’s Report conference – tobacco control history in NJ

**New Jersey GASP kept a steady stream of information flowing** to restaurants, media, colleagues, New Jersey GASP members, and others. (Grouped mailings to local and state legislators are listed in those sections of this report.) Here are this year’s mailings to other groups.

### Recipients – contents (in chronological order)

- New Jersey GASP members — May 20 update to 100% *Smokefree Dining in New Jersey*, smokefree air petition
- NJ colleagues — May 20 update to 100% *Smokefree Dining in New Jersey* and smokefree air petition forms
- Smokefree restaurant owners — May 20 update to 100% *Smokefree Dining in New Jersey* and restaurant sign
- NJ colleagues — April 1, 2003 edition of *Local Laws on Tobacco in New Jersey*
- Media editors, NJ non-daily and daily newspapers— May 20 update to 100% *Smokefree Dining in New Jersey* and the April 1, 2003 edition of *Local Laws on Tobacco in New Jersey*
- New Jersey GASP members — 2003 Annual Report and new edition of *Smokefree Dining Is Best*

- NJ colleagues — 2003 Annual Report and new edition of *Smokefree Dining Is Best*
- Health officers, CATs, plus extra colleagues — postcards announcing deadline for the restaurant directory
- Colleagues — *Smokefree Dining in New Jersey 2004- 2005*, restaurant sign, and restaurant order form
- NJ GASP members — *Smokefree Dining in New Jersey 2004-2005*, patron stickers, restaurant order form, return envelope
- Smokefree restaurants owners — *Smokefree Dining in New Jersey 2004-2005*, and restaurant sign
- Participants in the resolution project — fact sheet, summary, and list of participants
- NJ health officers — information about the resolution project and request for ordinances
- Resolution participants and 120 health officers— resolution project updates on the NJ GASP website.

*You were so helpful when you advised us about how we could go totally smokefree.*

*Tracy Orleans, Ph.D., Senior Scientist, Robert Wood Johnson Foundation*

## Research

**Searching out, analyzing, and preparing summaries of all kinds of information are necessary parts of New Jersey’s GASP assistance to decision makers, colleagues, and individuals.** This year, in addition to extensive research on preemption repeal (for the Resolution Project — see Legislation section, lead story), New Jersey GASP sought, and found, information on smoking policies in casinos in Delaware and Quebec, tobacco licensing fees across the U.S., smoking policies at Great Adventure and Disney entertainment parks, smokefree air legislation elsewhere, tobacco taxes on cigarillos, winery licenses, sales of tobacco in liquor stores, nicotine monitors, and smoking policies in the New Jersey Department of Corrections facilities. NJG attorney (and dynamo) Karen Blumenfeld initiated and conducted most of these searches.

**Researching smokefree restaurants occupies almost all the time of GASP staffer Grace Serota.** This year she verified and entered into the database 747 new smokefree restaurants, investigated and dropped 175 previously listed restaurants from the database (there’s rapid turnover in the restaurant business), and pursued hundreds of reports of

possibly smokefree restaurants that turned out not to meet NJG's criteria for listing. Several new sources for finding possible smokefree restaurants have been discovered and were added to the process this year. Throughout summer and autumn 2003, approximately 3,000 restaurants were individually reverified for the 04-05 directory and smoking policies of chain restaurants were re-researched. GASP members and colleagues, especially in local Community Against Tobacco coalitions and health departments, continue to provide many leads for possible restaurants to list and New Jersey GASP gratefully acknowledged their assistance on the first page of the directory.

**Thirty-seven new ordinances were discovered by New Jersey GASP research this year**, including nine municipal ordinances and one county ordinance enacted in past years, in addition to the 24 municipal ordinances and three county ordinances passed this year.

## Capabilities, facilities, staff, equipment

**Financial manager Jeanne Gartland, MBA, reviewed and refined GASP's financial systems**, a process she began when she joined the staff in November 2002. This year new systems were put into place to track lobbying expenses, computerized check writing was initiated, and phone service contracts were reviewed and renegotiated. New equipment this year included an additional computer, a photocopier (better, smaller, and cheaper than the old one), and new shelves and work surfaces customized for the new equipment (built by Kenneth Carlson, GASP's info. tech. systems manager, who donated the carpentry).

## Networking, outreach

**TobaccoScam is a project to curtail big tobacco's use and abuse of the U.S. hospitality industry** to protect tobacco profits. NJG helped TobaccoScam connect with smokefree restaurants in New Jersey so the restaurants could be featured in ads in restaurant industry publications. TobaccoScam is based at the University of California at San Fran-

cisco School of Medicine and its website, with much information NJG recommends, can be accessed at [www.tobaccoscam.org](http://www.tobaccoscam.org).

**GASP attorney Blumenfeld helped the Institute for Continuing Education on Tobacco** of the American Cancer Society of New Jersey. She serves on its Leadership Board, is one of its most active faculty members, and she promoted several trainings and instructed in the sessions. Blumenfeld also traveled to Helsinki for the world conference on tobacco in August 2003 and engaged in vigorous networking, as usual.

*My sincere thank you for all your efforts and work to put on the first advocacy training. It exceeded my expectations for the program content and you did a wonderful job keeping the program lively and interesting even though it was a very long day for many of us.*

Donna Rue, RN, MPH, CHES, Health Educator, Warren County Health Department

**The New Jersey Department of Health and Senior Services continues as New Jersey GASP's main funder and major colleague.** New Jersey GASP works closely with local colleagues, especially Community Against Tobacco coalitions, administered by the New Jersey Prevention Network, and with statewide organizations in the New Jersey Breathes Coalition. New Jersey GASP depends on, and assists, Americans for Nonsmokers' Rights, which, like GASP, has a grassroots origin and ethos. GASP continues as the distributor for the BADvertising Institute artworks and materials, which spoof tobacco ads, and occasionally lends a hand, and always admires, the work of the Student Coalition Against Tobacco, Ocean City.

*Regina, I hope we can maintain the same energy level and commitment that you have. Our sincerest appreciation for your time both at our meeting and for the past 30 years!*

*Karen, You're as good a trainer as you are an advocate and attorney. I am glad you are on our side because you're a serious and effective activist!*

Stephanie Kip, Essex County Communities Against Tobacco (CAT) coordinator

## Awards given, received

**The New Jersey Local Boards of Health Association gave its highest award, the Christopher Saccenti Award, to Karen Blumenfeld,** Director of the New Jersey GASP Tobacco Control Policy and Legal Resource Center. The award was created to honor exceptional service to public health by a member of a New Jersey local board of health. The organization selected Blumenfeld as the first recipient not on a board of health to receive this annual award because of her “tireless efforts fighting on behalf of the citizens of New Jersey for tobacco free air and her assistance to local boards of health in passing clean indoor air ordinances.” The organization also cited her “unselfishly using her considerable legal, organizational, and speaking skills” and noted she has been recognized nationally and in New Jersey for her work, including as a recipient of the Presidential Merit Award from the New Jersey Local Boards of Health Association in 1996.

The Award was created in honor of Christopher Saccenti, whose nine-year battle against leukemia, in the words of the association, “serves as an inspiration. The investigation into the environmental contamination blamed for his illness was the beginning of his parent’s interest in public health”. Most importantly, his courage and positive attitude stand as a model for all of us in and out of public health.” Christopher Saccenti’s father, John Saccenti, is a past president of the New Jersey Local Boards of Health Association and the National Association of Local Boards of Health.

The Association presented Blumenfeld with an engraved Revere bowl, chosen because the first board of health in the United States was created by Paul Revere, the patriot and silversmith. The award was presented to Blumenfeld May 22, 2004. (Photo, p. 2.)

**NJG Executive Director Regina Carlson was given the first John Slade New Jersey Tobacco Control Activist Award** by the Tobacco Dependence Program of the School of Public Health, University of Medicine and Dentistry of New Jersey. The Program provides research, training, treatment, and advocacy to reduce tobacco’s toll. It was created by John Slade, New Jersey GASP’s vice president for many years until his recent death, and an internationally admired tobacco control advocate. The new award was created in his honor and his widow, Frances Fowler Slade, presented the award to Carlson on May 28, 2004. The occasion was a national conference in



*New Jersey GASP Executive Director Regina Carlson, right, about to receive the first John Slade New Jersey Tobacco Control Activist Award from Frances Slade, Dr. Slade’s widow. The award features a facsimile of John Slade’s NO CIGS license plate.*

New Brunswick and the audience gave Carlson a standing ovation.

**Tobacco control activists from around the nation recommended Carlson for the award.** Susan Goldman Kapoor, former director of the New Jersey Department of Health Comprehensive Tobacco Control Program, wrote, “It’s hard to imagine tobacco control in New Jersey without Regina Carlson.” From New York City, Joe Cherner, a mainstay of legislative successes there, wrote, “John would want it.” Edward Sweda, Senior Attorney at the Tobacco Control Resource Center at the Northeastern University School of Law (the think tank for lawsuits against the tobacco industry), praised Carlson’s tenacity and eloquence. Cynthia Hallett, Executive Director of Americans for Nonsmokers’ Rights, wrote that Carlson is one of the true pioneers in the movement and “There is no one better throughout New Jersey to receive this award.” GASP attorney Blumenfeld nominated Carlson and sought the other supporters.

**Ashley Sobrinski, New Jersey GASP honoree, won the Youth Advocate of the Year Award** for the Eastern United States in September 2003. Sobrinski is a member of the Ocean City Student Coalition Against Tobacco (SCAT), which won New Jersey GASP’s highest award, the John Slade Award, in June 2002. Sobrinski was one of the SCAT representatives who accepted New Jersey GASP’s award and spoke at GASP’s June 2002 annual meeting, where many GASPers praised the SCAT students and their faculty advisor, Tom Gahr. New Jersey GASP has trained the students, joined them in projects, recommended Sobrinski for this Youth Advocate Award, and nominated SCAT for the National Youth Advocates of the Year Award in 2001 (and they won it).

## Organizational news

New Jersey GASP's 03-04 annual meeting, May 20, 2004, in Summit, featured a report on the Local Authority Resolution Project, the Altria (Philip Morris) annual meeting, and other updates by director Carlson and attorney Blumenfeld, plus comments by the President. Dr. Douglas Chester was re-elected as President and Sallie Sullivan was re-elected as Secretary. James Katz, Ph.D. was elected vice president. He is a professor of communication at Rutgers University and is currently directing a research project on human rights aspects of tobacco control; he has served on the board for many years. Lorraine Kowalski, M.A.(health education) was elected treasurer. She joined the board last year, has been a long-time tobacco-control colleague, and was the first recipient of New Jersey GASP's Gumption Award in 2003.



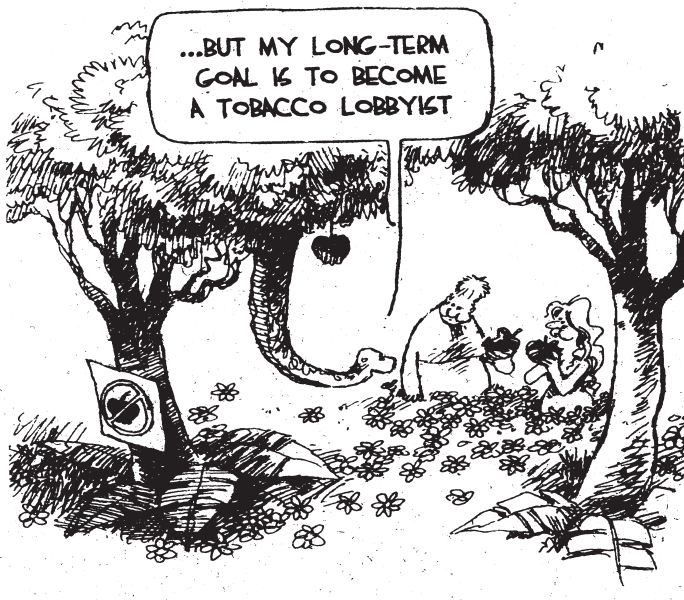
New Jersey GASP Board of Trustees members, meeting. Left to right (staff members' backs to camera), board member Bob Corso; Secretary Sallie Sullivan; President Douglas Chester; then board member, now Treasurer Lorraine Kowalski; then Treasurer Archie Palmer; then Vice President Susan Goldman Kapoor.

**The annual audit for FY 03-04 verified that there are appropriate financial procedures, controls, and records. All required reports were filed including** an IRS return, a New Jersey Charities Registration annual report, and quarterly and annual reports with the New Jersey Election Law Enforcement Commission, plus appropriate reports to funders (who are listed on the bottom of page one). Income was \$453,909, of which \$341,455 came from the NJDHSS. Expenses of \$490,600 included \$381,400 for staff (including retained consultants, contractors, benefits, taxes, etc.), \$48,100 for printing and postage, \$12,400 for contracted and in-house lobbying, and \$48,700 for communications, travel, supplies, information services, advertising, insurance, etc. A reserve fund as specified by the Board of Trustees, is being maintained.

*Each staff member clearly brings a special talent to the organization.*

*Fran Miceli, Prevention Services Director, New Jersey Department of Health and Senior Services*

## Non Sequitur



New Jersey GASP is a nonprofit, educational organization, founded in 1974. Goals: to secure smokefree air for nonsmokers and to ensure tobacco-free lives for children.

### Board of Trustees

President: Douglas Chester, D.D.S.  
Vice President: James Katz, Ph.D.  
Treasurer: Lorraine Kowalski  
Secretary: Sallie Sullivan  
Board Member: Bob Corso

### Staff

Executive Director: Regina Carlson  
Director, Tobacco Control Policy and Legal Resource Center: Karen Blumenfeld, J.D.  
Assistant to the Directors: Ruth Boorujy  
Financial Manager: Jeanne Gartland, M.B.A.  
Administrative Assistant: Grace Serota  
Administrative Assistant: Mary Anne May  
Information Systems Technology Manager: Kenneth Carlson