

EDITORIAL: Don't say 'butt' on beach, park smoking ban

The tide has turned and Gov. Chris Christie should go with the flow. A bill to prohibit smoking at all public beaches and parks in the state, first introduced four years ago, has now made it to Christie's desk. The governor has 45 days to sign the bill, suggest changes to it or veto it.

He should sign it quickly.

Public smoking is a health problem, a fire safety problem and a nuisance. And given the number of cigarette butts that wind up littering beaches and parks, it's an environmental and aesthetic problem as well.

The smoking prohibition would apply to any state park or forest, county or municipal park, or state or municipal beach, but would not include any parking lot that is adjacent to but outside the public park or beach or any boardwalk. Smokers would face fines ranging from \$250 to \$1,000.

The day when smokers could make the case that because smoking is legal, bans infringe upon their rights, has long passed. No right exists without limits. As the legal adage goes, "Your right to wave your fist in the air ends where my nose begins." That goes for smoking in public as well: "Your right to smoke ends at my nose and lungs."

A bit troubling, but not a deal breaker, is an amendment included in the bill that would allow a municipality or county to designate a smoking area on a beach up to 15 percent of the total area of the beach. Given the strength and changeability of summer ocean breezes, this amendment would tend to defeat the purpose of the law. We hope more and more municipalities will recognize this and ban smoking on their beaches altogether.

We would rather see zero tolerance for smoking on public property than exceptions that carve out space for a shrinking minority of the population. But this bill makes significant progress.

Under the bill, the year-round smoking ban at state parks or forests includes any state-owned or leased land, water or facility administered by the Department of Environmental Protection, including, but not limited to, a park, forest, recreational area, marina, historic site, burial site or natural area. It would not include a wildlife management area or reservoir land.

This bill is a logical extension of the New Jersey Smoke Free Air Act passed in 2006, which prohibited smoking in indoor public places and workplaces. It is heartening that even without this pending legislation, at least 18 beaches in the state had already banned smoking as of 2011, the latest year for which figures were available. Several more have since imposed prohibitions. And at least 220 of New Jersey's 565 municipalities already ban smoking in parks. Christie should support this broadened ban in the name of fire safety, health, the environment and simple respect for others. He should sign into law the bill, with no butts about it.

<http://anr.no-smoke.org/site/R?i=02U-dlF-aWG2Diu7STFKxg>