

Forum editorial: Let voters decide ND smoke ban

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Regarding "rights": No one's right to smoke has been taken away. However, North Dakota, Minnesota and nearly everywhere else have limited smoking to locations where other people's health is not threatened by the habit. It's the old argument: The right to throw a punch ends at the other fellow's nose. Secondhand smoke is a punch that can't be pulled back.

The "rights" of business? No business has the absolute right to do what it pleases and the public be damned. Regulation of business is not new with smoking prohibitions. Power companies must control emissions to minimize air pollution. Chemical companies can't willy-nilly dump toxic waste into rivers. Food companies must meet stringent standards for processing and shipping everything from meat to avocados, so that hamburger or salad won't sicken or kill the consumer.

North Dakota's tobacco control committee stirred the debate by proposing a higher per-pack cigarette tax and a statewide ban on smoking and secondhand smoke, similar to restrictions in Fargo and West Fargo. Higher taxes have been shown to reduce youth smoking.(See California, for example.)

A statewide ban has had no traction in the Legislature, where too many lawmakers have apparently been bought and sold by the tobacco industry. It's no surprise the committee would consider a ballot measure because the Legislature has been unable to honestly represent the people of the state. No-exceptions ballot measures have passed in many of North Dakota's major cities. Whenever restrictions have been on the ballot in other states, they have passed handily. Knowing what we know from polls and city votes, it's a good bet a no-exceptions statewide ban would win approval from North Dakotans. Current exceptions include bars, tobacco shops, certain hotel rooms, truck stop enclosures and private-function rooms.

It's not about the "nanny state" or taking away rights. Tobacco policy has been evolving for four decades, culminating with irrefutable evidence that smoking and secondhand smoke are insidious health hazards. As knowledge increased, so did the call for regulation. As behavior of the tobacco companies was exposed, they lost what small measure of trust they had with the public.

Regulation has not come from some ivory-tower government bureaucracy. It's come from voters. Since the men and women who allegedly represent North Dakotans have refused to do the right thing, the new committee should put a comprehensive statewide ban on the ballot and let voters make the call.