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Smoking Ban is a Blow to Individual Liberty

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In November 2007, the Kansas Health Policy Authority (KHPA) published its 21-point reform plan to reform health care in Kansas. Now that the legislative session has begun, there has been some movement towards the implementation of the reforms. A group of senators introduced a smoking ban last week for consideration in the Legislature, the first of a projected three bills to be submitted on the recommendation of the KHPA.

Senate Bill 493 bans smoking in public areas and “any place of employment.” Many states have passed smoking bans as a way of signifying their commitment to prevent the hazards of second-hand smoke from impacting other people who come into contact with smokers at restaurants, bars or other public areas.

But consider this, especially if you run your own business and have a stake in providing services to consumers. A ban on smoking in a bar or restaurant may cost you business. A ban on smoking in state-owned casinos created by legislation in last year’s session and endorsed by the governor as a revenue enhancer for Kansas may wind up actually costing the state revenue. There are many Indian nation casinos in Kansas and Oklahoma which are but a few hours from big metropolitan areas such as Wichita and Kansas City. The Indian casinos won’t be affected by the state ban. If the state bans smoking in public buildings, what is to stop many Kansans from crossing the border in order to have a smoke while gambling?

The bigger issue involved with the ban concerns individual liberty. When it comes to consumption of a legal product, individuals should have the right to make their own choices regarding their own lives, even if others consider them to be poor choices. If a business owner wants to serve people who smoke, as well as those who don’t, that’s the business owner’s choice. Why is it the government’s business who smokes in a private establishment? People who don’t want to be around smoking can choose to take their money to establishments which ban smoking by choice.

Government wants to remove all risk from individual lives, and they do so in the most hypocritical way possible reducing smoking saves money in health care costs, they say (which can then be spent on something else). The government then proposes a tax increase on cigarettes to fund health care reforms. Cost is the biggest issue being focused on in this debate. Recently some doctors in Britain were reported to suggest that lifelong smokers with chronic diseases related to smoking and elderly patients who need liver transplants after drinking liquor

their entire lives might be better off being denied treatment. Is this what we can expect when costs trump compassion?

The smoking ban is another blow to the responsible choices of those who are free to smoke tobacco (since it is legal) but are constrained in doing so because of the purported impact of secondhand smoke on the health of others. The smoking ban is yet another step on the road to the nanny state and another stake in the heart of individual liberty.

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