

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

April 7, 2005 LB 480

doing to my sinuses and my lungs. You have...I mean, just out of curiosity. I suppose...I would like to read this, because it kind of goes with what I've been thinking about this issue for quite a long time. Public health officials have concluded that secondhand smoke from cigarette causes disease, including lung cancer, heart disease in nonsmoking adults, as well as causes conditions in children such as asthma, respiratory infections, cough, wheeze, otitis media, which is a middle ear infection, and Sudden Infant Death Syndrome. Let's assume for a second--and I'm going to, I'm going to take it for what it's worth--that secondhand smoke, let alone firsthand smoke, kills us prematurely. I mean, there are a lot of things that do, but that's one of them. Let's assume that. The statistics are overwhelming, undisputable, if they are--and I'm assuming it, remember. Why is this a legal product? Why do we let people smoke? We legislate behavior all the time. People send us e-mails and say, don't legislate my life, don't tell me what to do. After the feeding tube fiasco that I created, or others did, I don't really want to name any names, I got people telling me, keep government out of my life. We do it all the time. This is a public health issue. I agree 100 percent with the people that have stood up, raised the point, said, this is a public health issue. Why is this product legal? It kill...marijuana is not legal. I don't have any documentation from anybody that says that this is causing Sudden Infant Death Syndrome. I think there's people smoking dope out there. It's illegal. We don't want them to do it. Cigarettes...we may have some interstate commerce issues here. If I were to try to ban smoking in this state, there could be some constitutional problems with that. I'm not really sure, but I think I'd like to double check. Here's my point. I think the time for incrementalism...and Senator Thompson was quite right, I think we have done good work in the encroachment, scope creep, incrementalism, as far as the public health is concerned on this issue. I think the time for incrementalism is over. Are we going to...shall we wait for California or New York or Maryland--and they're always first, you know they are, probably because they're the most liberal states, well, next to...oh, Senator Bourne...Senator Bourne flinched on that one. Here's the point. Let me step away from the political piece. All right? Are we going to wait for those states to be the most