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Smith.

SENATOR SMITH: Thank you, Mr. President, members. This type of a bill is particularly interesting for me because I believe that my personal preferences and my personal habits are not reflective of my position on the bill. But I set personal habits and characteristics aside when it's the principle of the matter. And while I do not typically trade at a smoky restaurant, because that's my personal preference, I believe that because that restaurant is privately owned in most cases, that private owner has the prerogative of whether or not to allow smoking in that facility. I think this particular bill sends messages. You know, I'm not sure if smoking or smoke from tobacco is healthier when consumed with alcohol. I'm a little confused there, I'm being quite facetious there as well. But I believe that we're sending a mixed message to many people. And I think that overall this is a huge infringement on private property rights, and I would urge my colleagues to vote "no" on this bill. Thank you.

SENATOR CUDABACK: Thank you, Senator Smith. Senator Hartnett.

SENATOR HARTNETT: Mr. Chairman, members of the body, Senator Thompson, I ask you a question.

SENATOR CUDABACK: Would you yield, Senator Thompson?

SENATOR HARTNETT: What if a restaurant doesn't want to follow this? What's the penalty? I guess I've asked Senator Jensen, what's the penalty if they say, you know, you know, because you talked about earlier public safety, and I think Senator Byars had a bill dealing with safe...you know, with seat belts and we have the law right now you're supposed to wear them. And I think he had a bill to make it, you know, the primary offense to do that. And what's the penalty if I, as a restaurant, say, you know, I want to...because we're obeying, I know, public safety, we're disobeying laws right now. So, you know, what's the penalty if I don't, as a restaurant, want to follow this?

SENATOR THOMPSON: Actually, it's both the smoker and the restaurant owner as this bill would be providing, it's a Class V misdemeanor. I would also point out in talking with the people