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Survey of Texas Voters

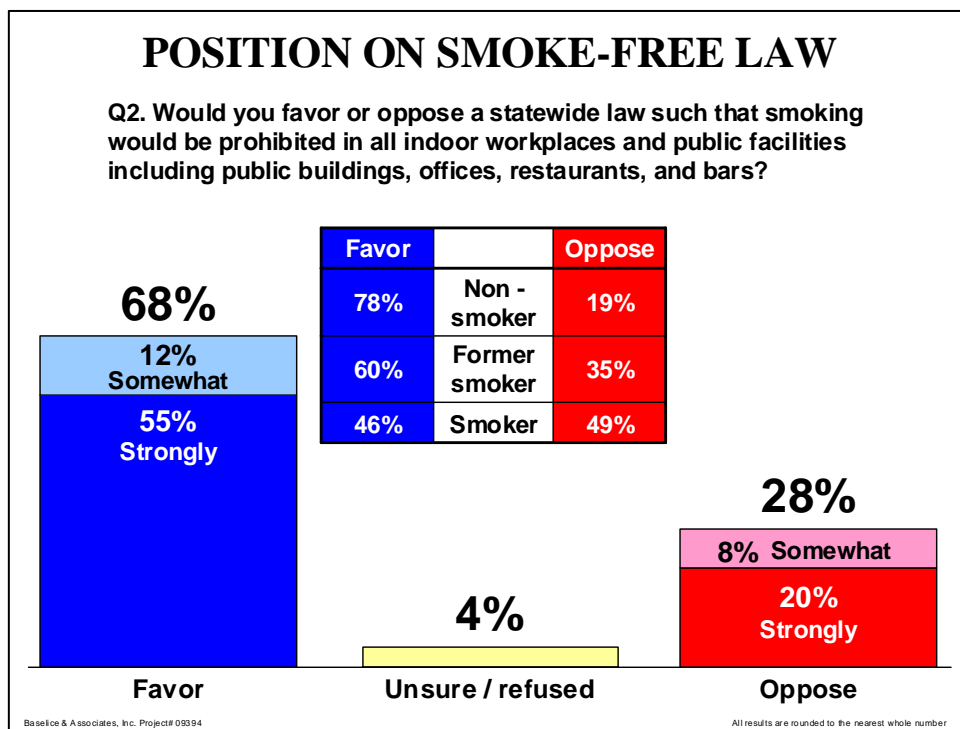
Baselice & Associates, Inc. was retained to conduct survey research for the purpose of studying attitudes and opinions of voters in Texas. This survey was conducted among N=601 randomly selected voters on January 18-19, 2009. The margin of error for a sample of this size is $\pm 4.1\%$ at the .95 test level.

Position on Smoke-Free Law

The results to this survey indicate that 68% of Texas voters favor, and 28% oppose, a proposed statewide law that would prohibit smoking in all indoor workplaces and public facilities including public buildings, offices, restaurants, and bars. The following graphic shows five of nine (55%) voters strongly favor the statewide law while one in five (20%) strongly oppose it.

Support for the proposed statewide law is widespread and observed across various subgroups. The highest levels of support can be found among Democrats (77%), African-Americans (78%), Hispanics (74%), females (73%), voters 18-39 years old (73%) and voters residing in the Austin/Waco/Bryan media markets (75%).

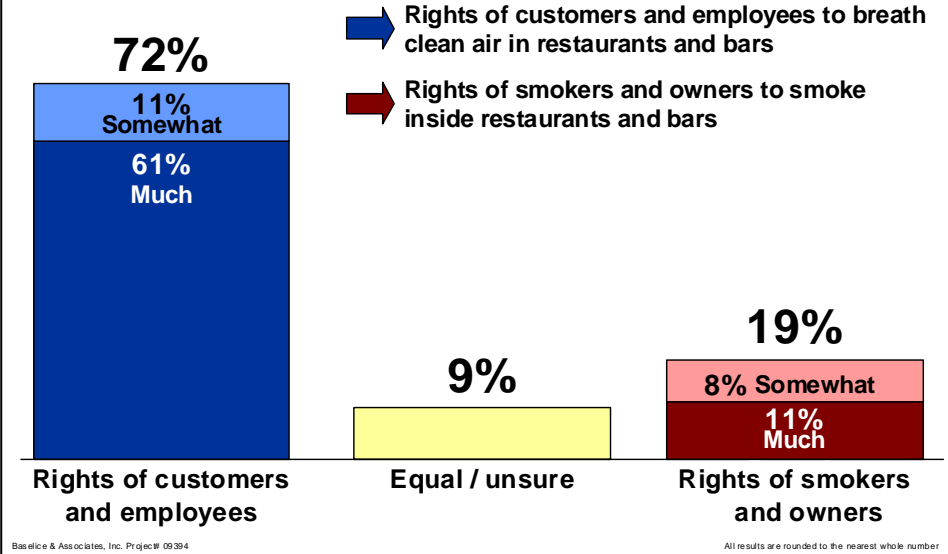
Additionally, two in three Republicans (65%), three in five Independents (59%), two in three Anglos (65%), two in three voters over the age of 40 (67%), and five in eight males (62%) support the proposal.



The graphic also shows the levels of support among the key subgroups of non-smokers, former smokers, and smokers. NOTE: Four in seven Texas voters (57%) state they have never smoked tobacco products and are classified as “non-smokers” while one-quarter of all voters (25%) are “former smokers.” One in six Texas voters (17%) state they smoke occasionally or regularly and are classified as “smokers”.

RIGHTS OF SMOKERS VS. CUSTOMERS

Q6. Which of the following do you think is more important?



Rights of smokers vs. right of customers

Support of the smoke-free law is driven by various attitudes and beliefs. One such belief is that the rights of customers and employees to breathe clean air in restaurants and bars (72%) is paramount to the rights of smokers to smoke and owners to allow smoking inside restaurants and bars (19%).

Even 53% of regular or occasional smokers say the rights of customers and employees are more

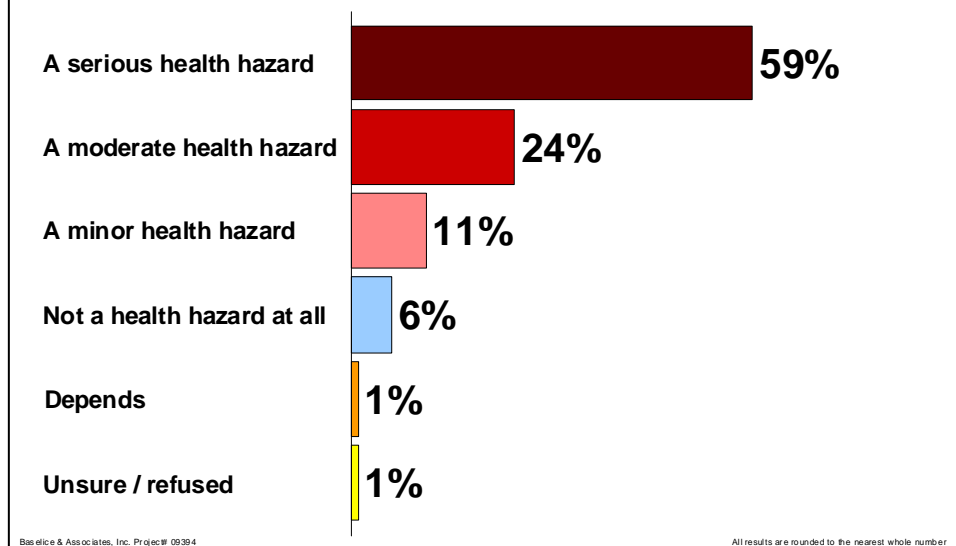
important than the rights of smokers and restaurant/bar owners (31%). While 45% of those opposed to the smoke-free law side with the rights of smokers and restaurant/bar owners, 34% of those opposed to the smoke-free law side with the rights of customers and employees.

Views on secondhand smoke

Another attitude and belief that correlates with support of the smoke-free law is one's view of the hazard of secondhand smoke. Three in five (59%) voters view secondhand smoke as a "serious health hazard," and of these voters, 85% support a smoke-free law. Support of the measure is lower, but still a majority of the one in four voters who consider secondhand smoke to be a "moderate health hazard" favor the smoke-free law (56%). Thirty-seven percent (37%) of voters who consider secondhand smoke to be only a "minor health hazard" support the measure.

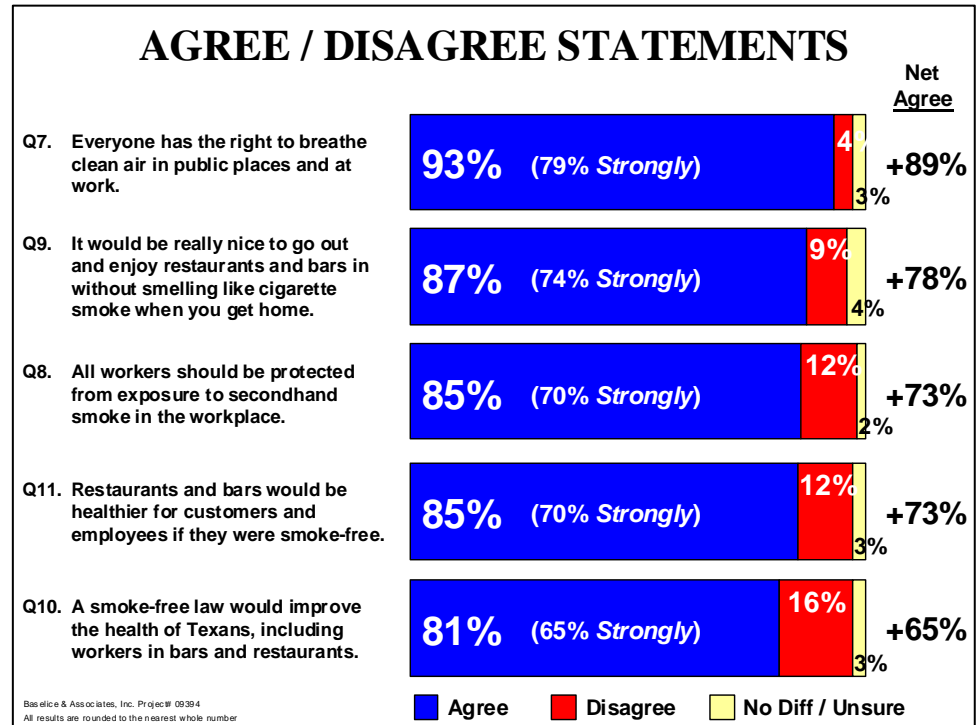
HAZARD OF SECONDHAND SMOKE

Q5. In general, do you feel that exposure to secondhand smoke is ...?



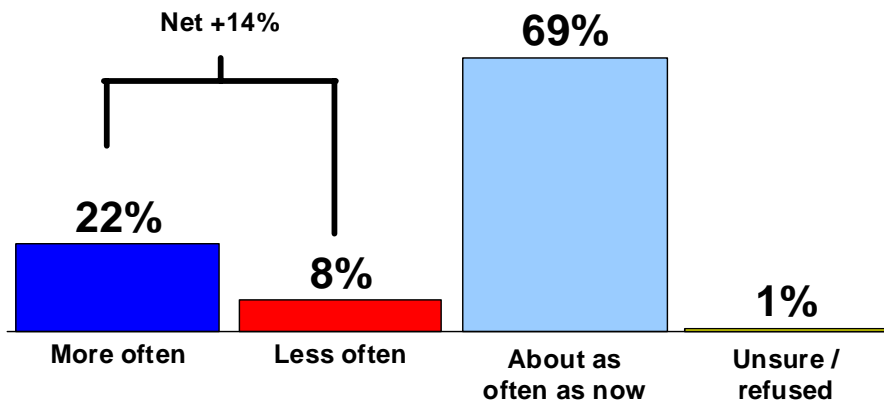
Attitudes on concepts of smoke-free laws

A large majority of Texas voters agree with all five statements regarding the concepts behind smoke-free laws. Nearly eight in ten (79%) Texas voters *strongly* agree that everyone has the right to breathe clean air. Even seven in eight smokers (87%) and seven in nine of those opposed to the smoke-free law (77%) agree that everyone has the right to breathe clean air.



SMOKE-FREE IMPACT ON DINING OUT

Q12. If the legislature passed a law making all restaurants and bars smoke-free, would you go out to bars and restaurants (Ver X: more often, less often / Ver Y: less often, more often), or about as often as you do now?



Impact of Smoke-Free law on dining out

A majority of non-smokers, former smokers, and current smokers indicate they would go out to bars and restaurants about as often as they do now if the legislature passes a law making all restaurants and bars smoke-free. The following chart does illustrate, however, that there should be a net increase of 14% (22% more often minus 8% less often) in terms of going out if the smoke-free law was in effect.

The 14% net gain in patrons would extrapolate to over 1.8 million voters dining out more often if the smoke-free law was in place.