

wrong, that Utah is the only state in the country that has a total ban. Minnesota may have just recently accomplished that, I'm not quite sure. But on the other hand, we want to be careful that we actually accomplish what we intend, no more or no less. I think the amendment as offered simply does that and I would ask on behalf of Senator Hall your support for this amendment.

PRESIDENT: Thank you. The question is the adoption of the Hall amendment. All those in favor vote aye, opposed nay. Have you all voted that care to? Record, Mr. Clerk, please.

CLERK: 10 ayes, 18 nays, Mr. President, on adoption of the amendment.

PRESIDENT: The amendment fails. Do you have anything else, Mr. Clerk?

CLERK: Yes, Mr. President, I do. Mr. President, Senator Bernard-Stevens would move to amend the bill. (Bernard-Stevens amendment appears on pages 545-47 of the Legislative Journal.)

SENATOR BERNARD-STEVENS: Thank you, Mr. President, members of the body, the last amendment by Senator Hall was simply a point that was trying to be made, that if we were truly interested in just stopping the sampling to minors, then we'd want to accept the amendment that Senator Hall had, and as I pointed out to the committee, if we would have agreed to the Hall amendment, we would have agreed to what is already statutory law now. Right now as of today, as we speak for the most part, it is against the law for minors to obtain tobacco in any form and use it. What I attempt to do with this amendment, and to be frank with the body, it is basically...it is very similar to the amendment yesterday with some expansionary language in the intent. It did take out in the sections toward the end that part having to do with telephoning because the tobacco industry in general does not use that form. So that was taken out to make it a more complete and different amendment at some point. Quite honestly there has been a lot of confusion on this and I don't want to take a lot more of the body's time because there are so many other issues that are also very, very important that this body needs to spend some time on as well. We have talked about the millions of the tobacco industry and, "Cap", I don't know about you but I'd put "Tuffy Tooth" against the tobacco industry any day. I think "Tuffy Tooth" would probably come out on top. No