

it on their bodies and we will have a statute that can help the schools. If they choose to enforce it, it will give them something to choose to do. And, my friends, that is something that Cap's bill cannot and he says will not do because he will not agree to any amendments to his bill. My amendment will do that. I have one final thing to say in the 15 seconds I have and that's on couponing. Cap's bill will ban couponing because the Dental Association does not want people to write in and get free coupons, free samples in the mail. My amendment, ladies and gentlemen, please understand, my amendment will make it illegal ever again in this state for any person ever to receive a free sample of tobacco or smokeless tobacco in the mail...

SPEAKER BARRETT: Time has expired.

SENATOR BERNARD-STEVENS: ...adult or minors they will not. And I thank you, Mr. President.

SPEAKER BARRETT: Thank you. Discussion on the amendment. Senator Landis, followed by Senators Moore, Dierks and Withem.

SENATOR LANDIS: Mr. Speaker and members of the Legislature, I have been silent on this issue, listening to both sides, reading the amendments, doing my best to pick through them, and it's been like dancing in a minefield to try to do that. A couple of first comments, number one, I think the withdrawal of the 12 amendments showed good judgment. I want to thank Senator Moore for doing that. Number two, I do think that there's been a good faith attempt to try to identify middle ground. I do think there's been an attempt to try to make an accommodation to legitimate interests and that deserves to be thanked. And I think David Bernard-Stevens deserves that. Number three, I have an admonition to Cap Dierks and that is that the language in the amendments which outlaw the purchase, by kids, of tobacco products is a good piece of work. If Cap Dierks wants to get at this thing, he ought to reach in there to the DBS amendment and grab that section out and take it. He ought to also reach in there and grab the amendment section that has to do with the sale or the sampling to kids and put that in his bill as well, because that language is better than existing law which, at this point, Cap is silent on. Those out of the way, how do I feel about the amendment versus 48? And this is my thought. We can try to achieve a system, as David has tried to do here, that stops the samples for kids and allows it for adults. His argument is, let's get to the evil that we know is there, let's