

about coupons and two blocks away from the schools, but it acknowledges what I think, by the way, David has done a good public service for all of us in doing, and that is in calling to our attention the need for a criminal statute on possession and purchase of smokeless tobacco or all tobacco items by kids. And what "Cap" is doing with this amendment as far as I can tell by trying to piece it together, he is taking those criminal provisions for kids who are purchasing or possessing tobacco products or for sellers of them who are doing it to kids and putting them into his bill, but turning down the rest of the Bernard-Stevens amendment. That, by the way, is a goal that I initially on General File thought was an excellent idea and I intend to support this amendment. I think that "Cap" is right on the basic issue. If you have a form of sampling that is out there and it is available to adults, it is going to be available for abuse. You can't have it both ways. We can't police it so carefully to make it work. If you're going to have free sampling, kids are going to get it through the free sampling method. Better to do away with free sampling, even though it does curtail free samples to adults, because I think you're going to be able to get to and stop the free samples for kids. At the same time, I think David has done a nice job in saying, wait a second, our existing statutes are a little inadequate here, we ought to have a provision that says you can't sell to kids and, kids, you can't buy or possess. "Cap" has reached into the Bernard-Stevens amendment and found those sections and are putting them into 48. I think that is appropriate. I intend to support this amendment. With it, I am then prepared to support 48 and I hope that the rest of you will as well.

PRESIDENT: Thank you. Senator Moore, did you wish to speak to the...okay, to the Dierks' amendment.

SENATOR MOORE: Mr. President and members, first off, I want to make it clear that this is not quite what I'd call a compromise by any way, shape or form. If Senator Dierks is trying to lead you to believe that, and once again, well, I'd better not say it that way, then he is misleading you because it's sure not...it's far from a compromise. If Senator Dierks would answer a few questions for me, please.

PRESIDENT: Senator Dierks.

SENATOR DIERKS: Yes.