

as you would vote anyway. But I just think it is important that this Legislature recognize that from time to time, for whatever reason, we introduce into this body and sometimes pass into law bills which are specifically designed to limit or to influence, adversely, usually, one portion of an industry or an industry. Many times in the time I've served here I've questioned as to why we introduce a bill that is pointed toward just one particular type of enterprise and allow others to continue to exist. First, I want to say that I commend the dentists for their interest in this effort to try to curb the use of tobacco. That's a very laudable goal. And I suppose that I would be even more laudatory in my comments if I thought they were going to extend that to the use of all tobacco, because I think that we all know that tobacco has, in many instances, been the cause of death of some people because of cancer. It's kind of interesting, however, that every effort we have made in this body to try to expand the bill to prohibit the free dispensing of all tobacco products has been met with total blank wall resistance. At the present time, I want to point out that this bill does not make it illegal for minors to purchase and to possess any kind of tobacco. Present law allows them to purchase and to possess. It is illegal for myself to sell to a minor. We all know, however, that many tobacco items are dispensed by machine and it is impossible to enforce the dispensing of that product through a machine. So what we are doing is that we are passing a bill which makes it illegal for two adults to exchange a sample of one kind of tobacco, particularly smokeless. It also, more interestingly, makes it illegal for that tobacco product to be sold at what is called a nominal price. I question, very sincerely, whether or not that is constitutional. I do not believe it is. By some strange quirk of fate, we do have on the statutes a minimum price bill for tobacco. And I would suggest that the passage of this bill will probably precipitate, and I may even participate in that, a challenge of the minimum pricing law for tobacco products. I recall the absolute horror that faced this body several times when there was an effort made to provide a minimum price for agricultural products and the continuing admonition about the free enterprise system and how it ought to be allowed to work. But in the case of tobacco, we are saying that you cannot even sell it for a nominal price. If, for example, my friend in Cliff's Smoke Shop has a sample of smokeless tobacco or has a supply of smokeless tobacco on hand and it's not moving, it is illegal for him to lower the price to a point where it will move, which is an age-old American principle of business, and it