

amendment, probably need to work on some other language that will take care of our hallway, our entryway problem.

PRESIDENT MOUL: Thank you, Senator Moore. Senator Haberman, followed by Senator Schimek. Senator Haberman.

SENATOR HABERMAN: Madam President, members of the body, Senator Schimek, I'd like to ask you to reconsider your saying that the machine has to be within five feet of the cashier, because many, many places that will be impossible. We're dictating to...we're dictating to private enterprise, you're going to have to remodel your place, you're going to have to do this, you're going to have to do that or we're going to fine you. So I would strongly suggest that you do not try to pass that amendment, because it's not going to work. And I don't think the government can go around saying to private enterprise, you shall, within five feet of your cashier, place...put a vending machine. I don't think that's proper or correct, so I'd like to ask you to withdraw your amendment. Thank you.

PRESIDENT MOUL: Thank you, Senator Haberman. Senator Schimek. Does anyone else wish to speak on the amendment at this time? Senator Chambers.

SENATOR CHAMBERS: Madam President, members of the Legislature, I had neglected to turn my light on earlier because I was working on an amendment. What Senator Schimek's amendment does is to coincide with a comment that Senator Hefner made about the people at these well run establishments that dispense liquor supervising these machines and their utilization. Senator Schimek's amendment is taking Senator Hefner at his word and making it easy for this kind of supervision to occur. If you have a one-person operation and that person is at the cash register, that person can see what is happening with this machine. I'm sure if it's close enough to the cash register, the interest that the proprietor would have in maintaining the integrity of that cash register would make it easy to observe anything that happens within five feet of it. If there is a genuine concern with the interests of minors, as far as the obtaining of tobacco products from vending machines, Senator Schimek's amendment is reasonable. I don't see this amendment saying people have to remodel their establishment, because there is nothing in the law that mandates the sale of tobacco products from vending machines. If it is too onerous to comply with the law, they will not sell tobacco products from a vending machine.