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Amend the amendment on page 2 in section 2 in §1560-D in subsection 2 by striking out all of paragraph A (page 2, lines 31 to 33 in amendment) and inserting the following:

‘A. The flavored cigarette or flavored cigar was first on the market prior to January 1, 1985, based on a statement to that effect filed with the Attorney General by the current manufacturer and verified by the Attorney General.’

Amend the amendment on page 3 by striking out all of subsection 5 (page 3, lines 8 to 14 in amendment) and inserting the following:

‘5. Exemptions. For flavored cigarettes and flavored cigars that were first on the market after January 1, 1985, the Attorney General shall establish and administer a process by rule for granting exemptions based on a determination by the Attorney General that the characterizing flavor and the associated packaging, promotion and brand style do not directly or indirectly target youth or encourage the initiation of smoking.’

Amend the amendment on page 3 in subsection 9 in the second line (page 3, line 25 in L.D.) by striking out the following: "routine technical" and inserting the following: 'major substantive'

SUMMARY

This amendment requires the Attorney General to verify the statement by the manufacturer that a flavored cigarette or flavored cigar was on the market prior to January 1, 1985. The amendment also requires the Attorney General to establish and administer a process by rule for granting exemptions for flavored cigarettes and flavored cigars that were first on the market after January 1, 1985 based on a determination by the Attorney General that the characterizing flavor and the associated packaging, promotion and brand style do not directly or indirectly target youth or encourage the limitation of smoking.

This amendment makes the rules adopted by the Attorney General major substantive rather than routine technical.