

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2251/1dn  
MGG:wlj:nwn

April 26, 2007

Attention: Nadine Gratz

1. I have incorporated the parts of the Kentucky legislation, which is based on the model act, that were marked in the materials I was provided. However, this legislation, and the model act itself, are at times difficult to follow. To incorporate this language into the existing language found in 2005 Senate Bill 398 (LRB-2231/1) and to conform to our drafting goals, principals, and conventions, substantial changes needed to be made. Please have all interested parties review this bill very carefully.
2. Even though it was not requested, I thought there needed to be some marking requirements in order for the prohibition against sales to be easily enforced. See s. 167.35 (4).
3. Note that the "trigger" for being able to use alternative testing methods and alternative performance standards is that Commerce determines that the cigarette involved cannot be tested using the testing method specified in the bill. OK?

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