

2013 DRAFTING REQUEST

Bill

Received: 1/22/2013 Received By: mkunkel
Wanted: As time permits Same as LRB:
For: Scott Krug (608) 266-0215 By/Representing: Randy Thorson
May Contact: Drafter: mkunkel
Subject: Trade Regulation - other Addl. Drafters:
Extra Copies: MPG

Submit via email: YES
Requester's email: Rep.Krug@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit sale of novelty lighters to minors

Instructions:

Redraft 2011 AB 83

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 1/22/2013	evinz 1/31/2013	rschluet 1/31/2013	_____	_____	_____	_____
/1				_____	srose 1/31/2013	srose 3/15/2013	State

per Randy Thorson 3/15/13

FE Sent For:

at intro

<END>

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/?	mkunkel	1 rev 1/31/13		_____	_____		

FE Sent For:

<END>

Kunkel, Mark

From: Thorson, Randy
Sent: Thursday, January 17, 2013 1:28 PM
To: Kunkel, Mark
Subject: Draft legislation relating to the display and sale of novelty lighters

Good afternoon Mark,

Thanks again for your help with our last draft. Representative Krug had it and I didn't know, sorry.

Representative Krug requested that I contact Legislative Reference Bureau Legal and ask to have legislation drafted to prohibit the display and sale of "novelty" lighters.

Legislation has been drafted in the last two legislative cycles pertaining to this issue. The drafting attorney (CTS) is no longer listed in the directory. The attendant directed me to you to have this drafted.

Here are the old bill numbers.

2009=AB 890
2011=AB 83

Thank you for your attention to this matter. Should you have any questions or concerns feel free to contact Representative Krug's office or myself anytime.

Sincerely,

Randy Thorson
Research Assistant to
Scott Krug
State Representative
72nd Assembly district



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0608/1

GTS:jd:re

NOT eeV

O-NOTE

2011 ASSEMBLY BILL 83

1263/1

RM NOT RUN

IN 1-22

SAV
xref N/A

April 7, 2011 - Introduced by Representatives VRUWINK, KRUG, PASCH, BERCEAU, SINICKI, STRACHOTA and BROOKS, cosponsored by Senator LASSA. Referred to Committee on Homeland Security and State Affairs.

PWF

regen

- 1 AN ACT *to create* 100.415 of the statutes; relating to: the display and sale of
- 2 novelty lighters and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits the ~~retail~~ sale of novelty lighters to minors and prohibits the display for retail sale of novelty lighters in an area of a retail establishment that is accessible to the general public. Under the bill, "novelty lighter" means a device containing a combustible fuel intended for use in igniting cigarettes, cigars, or pipes, if any of the following applies: 1) the device is designed to resemble a cartoon character, toy, gun, watch, musical instrument, vehicle, animal, food, or beverage, unless the resemblance is solely the result of printing or decoration with a logo, label, decal, artwork, or a heatshrinkable sleeve; or 2) the device plays musical notes, has flashing lights, or has other features that are appealing to or intended for use by juveniles, except that "novelty lighter" does not include a device manufactured before 1980 or a device intended for use in igniting a fire in a fireplace or wood stove or in of a charcoal or gas grill. A person who violates the prohibitions in the bill is subject to a forfeiture up to \$100.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

ASSEMBLY BILL 83

SECTION 1

1 SECTION 1. 100.415 of the statutes is created to read:

2 100.415 Novelty lighters; sale and display restricted. (1) (a) In this
3 section, subject to par. (b), "novelty lighter" means a device containing a combustible
4 fuel intended for use in igniting cigarettes, cigars, or pipes, if any of the following
5 applies:

6 1. The device is designed to resemble a cartoon character, toy, gun, watch,
7 musical instrument, vehicle, animal, food, or beverage, unless the resemblance is
8 solely the result of printing or decoration with a logo, label, decal, artwork, or a heat-
9 shrinkable sleeve. = (hyph)

10 2. The device plays musical notes, has flashing lights, or has other features that
11 appeals to or ^{are} is intended for use by minors.

12 (b) "Novelty lighter" does not include a device manufactured before 1980 or a
13 device intended for use in igniting a fire in a fireplace or wood stove or in a charcoal
14 or gas grill.

15 (2) (a) No person may display a novelty lighter for retail sale in an area of a
16 retail establishment that is accessible to the general public.

17 (b) No person may sell a novelty lighter to a minor.

18 (3) Any person who violates this section is subject to a forfeiture not to exceed
19 \$100.

20

(END)

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

LRB-1263/1dn

MDK:.....

Leev

date

Rep. Krug:

This bill is a redraft of 2011 AB 83.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

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

LRB-1263/1dn
MDK:eev:rs

January 31, 2013

Rep. Krug:

This bill is a redraft of 2011 AB 83.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov