

**2013 DRAFTING REQUEST**

**Bill**

Received: **10/15/2012** Received By: **mglass**  
Wanted: **As time permits** Same as LRB:  
For: **Administration-Budget 2668219** By/Representing: **Stritchko**  
May Contact: Drafter: **mglass**  
Subject: **Buildings/Safety - misc.** Addl. Drafters:  
Extra Copies:

Submit via email: **YES**  
Requester's email:  
Carbon copy (CC) to:

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**Pre Topic:**

DOA:.....Stritchko, BB0095 -

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**Topic:**

Transfer of DSPS programs to DATCP

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**Instructions:**

See attached

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**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>
/?	mglass 10/24/2012			_____			
/1	mglass 12/17/2012	scalvin 11/28/2012	rschluet 11/29/2012	_____	sbasford 11/29/2012		State
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/3	mglass	scalvin	rschluet	_____	mbarman		State

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/4	mglass 2/1/2013	scalvin 1/31/2013	jmurphy 1/31/2013	_____	lparisi 1/31/2013		State
/5	rkite 2/8/2013	scalvin 2/1/2013	rschlue 2/1/2013	_____	mbarman 2/1/2013		State
/6	mglass 2/13/2013	csicilia 2/8/2013	phenry 2/8/2013	_____	mbarman 2/8/2013		State
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DOA:.....Stritchko, BB0095 -

**Topic:**

Transfer of DSPPS programs to DATCP

**Instructions:**

See attached

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FE Sent For:

*15 sac  
02/01/2013*

**<END>**

## 2013 DRAFTING REQUEST

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Received: **10/15/2012** Received By: **mglass**  
 Wanted: **As time permits** Same as LRB:  
 For: **Administration-Budget ~~2067597~~** By/Representing: **Stritchko**  
 May Contact: Drafter: **mglass**  
 Subject: **Buildings/Safety - misc.** Addl. Drafters:  
 Extra Copies:

Submit via email: **YES**  
 Requester's email:  
 Carbon copy (CC) to:

**Pre Topic:**

DOA:.....Stritchko, BB0095 -

**Topic:**

Transfer of DSPS programs to DATCP

**Instructions:**

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*Jan 4/31* *Jan 4/31*

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

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01/31/2013*

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**2013 DRAFTING REQUEST**

**Bill**

Received: 10/15/2012 Received By: mglass  
Wanted: As time permits Same as LRB:  
For: Administration-Budget 266 7597 By/Representing: Stritchko  
May Contact: Drafter: mglass  
Subject: Buildings/Safety - misc. Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email:  
Carbon copy (CC) to:

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**Pre Topic:**

DOA:.....Stritchko, BB0095 -

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**Topic:**

Transfer of DSPS programs to DATCP

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**Instructions:**

See attached

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For: Administration-Budget 266 7597 By/Representing: Stritchko  
May Contact: Drafter: mglass  
Subject: Buildings/Safety - misc. Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email:  
Carbon copy (CC) to:

**Pre Topic:**

DOA:.....Stritchko, BB0095 -

**Topic:**

Transfer of DSPTS programs to DATCP

**Instructions:**

See attached

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**2013 DRAFTING REQUEST**

**Bill**

Received: 10/15/2012 Received By: mglass  
Wanted: As time permits Companion to LRB:  
For: Administration-Budget 266 7597 By/Representing: Stritchko  
May Contact: Drafter: mglass  
Subject: Buildings/Safety - misc. Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email:  
Carbon copy (CC) to:

**Pre Topic:**

DOA:.....Stritchko, BB0095 -

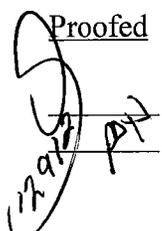
**Topic:**

Transfer of storage tank program to DATCP

**Instructions:**

See attached

**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>
/?	mglass	11 sac 10/24/12	11 sac 10/28/12				

FE Sent For:

<END>

MBW

Bldg + Safety

-387

**Gibson-Glass, Mary**

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**From:** Hanaman, Cathlene  
**Sent:** Monday, October 08, 2012 8:49 AM  
**To:** Kite, Robin; Gibson-Glass, Mary  
**Subject:** FW: Statutory Language Drafting Request  
**Attachments:** White Paper Tanks.docx

**From:** [MeganE.Stritchko@wisconsin.gov](mailto:MeganE.Stritchko@wisconsin.gov) [mailto:[MeganE.Stritchko@wisconsin.gov](mailto:MeganE.Stritchko@wisconsin.gov)]  
**Sent:** Wednesday, October 03, 2012 3:56 PM  
**To:** Hanaman, Cathlene  
**Cc:** Thornton, Scott - DOA; Hynek, Sara - DOA; Stritchko, Megan E - DOA  
**Subject:** Statutory Language Drafting Request

**Biennial Budget:** 2013-15

**Topic:** Storage tanks program transfer from DSPS to DATCP

**Tracking Code:** BB0095

**SBO Team:** EWD

**SBO Analyst:** Stritchko, Megan - DOA  
**Phone:** (608) 266-8219  
**E-mail:** [MeganE.Stritchko@wisconsin.gov](mailto:MeganE.Stritchko@wisconsin.gov)

**Agency Acronym:** DRL

**Agency Number:** 165

**Priority:** High

**Intent:**

Transfer 20.165(2)(r)- Storage Tank Regulation within DSPS to the Weights and Measures section within DATCP. See attached for additional information.

**Attachments:** True

*Please send completed drafts to [statlanguage@wisapps.wi.gov](mailto:statlanguage@wisapps.wi.gov)*

**Date:** September 17, 2012  
**To:** Governor's Office  
**From:** Department of Safety and Professional Services  
**Subject:** Budget White Paper – Tank & Petroleum Testing Programs

1. Summary of Proposed Budget Provision

To address the duplication of effort between two state agencies related to consumer protection activities involving petroleum products, it is recommended to transfer 20.165(2)(r) – Storage Tank Regulation Section within the Department of Safety and Professional Services (DSPS) to the Weights and Measures section within the Department of Agriculture, Trade, and Consumer Protection (DATCP).

2. Rationale

Currently the Storage Tank Regulation Section within DSPS has administrative and regulatory functions which include retail service station inspection and petroleum product testing, as well as permitting and inspection of underground and above ground petroleum products storage tanks. The Regulation and Safety Section of DATCP administers the weights and measures investigation field staff. A responsibility of this unit is to ensure the accuracy of gas station pumps measures.

By transferring the Storage Tank Regulation Section to DATCP efficiencies will be gained and costs saved through the lessening of redundant visits by inspectors to retail gas stations.

3. Statutes Affected and/or Proposed Statutory Language Modification

Wis. Stat. § 101.09 - Storage of flammable, combustible and hazardous liquids  
Wis. Stat. § 168 - Oil Inspection

Wis. Admin. Code § SPS 310 - Flammable, combustible and hazardous liquids  
Wis. Admin. Code § SPS 348 - Petroleum and other liquid fuel products

4. Administrative Significance

The following number of staff and classifications will be transferred from DSPS to DATCP: 1 Petroleum Systems District Supervisor, 4 Environmental Program Associates, 1 Operations Program Associate, 3 Storage Tank Coordinators, 22 Petroleum Systems Specialist Senior (total number of filled positions = 31). These positions are funded through the Petroleum Inspection Fund (PIF).

Two positions are funded with Environmental Agency Protection Grant funds: 1 Storage Tank Regulation Chief and 1 Environmental Program Associate (total number of grant positions = 2).

Currently the following vacancies exist within the Section and will be transferred from DSPS to DATCP: 2 Petroleum Systems District Supervisor, 2 Petroleum Systems Specialist Senior, 2 Mechanical Engineer, 1 Civil Engineer, 1 Engineer Specialist - Adv, 1 Storage Tank Coordinator, 1 Executive Staff Assistant, 1 License / Program Associate, and 0.5 Paralegal (total number of vacant positions = 11.5). DATCP will decide whether the positions will remain vacant or if they should be filled, depending on their business needs.

Two remaining positions will be retained by DSPS: 1 Division Administrator and 1 Bureau Director will be transferred to the Bureau of Integrated Services within DSPS.

#### 5. Fiscal Effect

This change will essentially transfer the entire Tank and Petroleum Testing program from DSPS to DATCP. The DSPS overall budget will decrease by the same amount that the DATCP budget will increase. There will be a minimal effect on expenditures. The long term benefits by efficient use of staff and resources will produce gains.

##### Petroleum Inspection Fund (One Year)

Estimated Salaries (Filled Positions) =	\$ 1,481,400
Estimated Fringe (Filled Positions) =	621,200
Estimated Salaries and Fringe (Vacancies) =	846,900
Estimated Supplies and Services =	<u>1,600,000</u>
TOTAL PROGRAM	\$4,549,500

##### Environmental Protection Agency Grant (Two Years)

Estimated Salaries =	\$ 226,400
Estimated Fringe =	112,400
Estimated Supplies and Services =	<u>939,700</u>
TOTAL GRANT	\$1,278,500

#### 6. Laws/Experience in Other States

Neighboring states of Minnesota and Illinois utilize the proposed model of combining weights and measures with petroleum quality testing within one state agency.

7. Pros and Cons

Pros:

- 1) Increased stakeholder and consumer satisfaction through the consolidation of compliance and administrative functions related to petroleum testing, weights and measures, and tanks.
- 2) Streamline administrative and inspection services related to petroleum testing and tanks.
- 3) Improved responsiveness to complaints related to quality and accuracy petroleum retail service stations.

Cons:

- 1) In order to fully realize maximum cost-savings and efficiencies, existing staff within each agency will need to be trained on the different functions for each program; new procedures and practices will need to be developed. This may result in an initial increase in cost related to training and development.

8. Stakeholder Impact

Major interest groups that would be affected by the provision include: retail fuel suppliers, including terminal operators, bulk plants and retail locations as well as consumers of fuel products. The high confidence in the quality of the state fuel supply should remain unchanged.

(b)  
 (1) (~~1~~) created Wts + measures petroleum products, LS  
 (1a) RA from (2) (dm) Lett Pwly Storage tank monitoring  
 (1m) RA (2) (lm) Removal of under ground st.

20.165

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general fund

petroleum inspection

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## Gibson-Glass, Mary

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**From:** Stritchko, Megan E - DOA <MeganE.Stritchko@wisconsin.gov>  
**Sent:** Friday, November 09, 2012 2:34 PM  
**To:** Gibson-Glass, Mary  
**Subject:** RE: BB0095, transfer of program to DATCP

Hi Mary,

I'm sorry about the delay – I'm waiting to hear back from DSPS regarding s. 101.142 and 101.1435 – in our initial conversations, they indicated that they thought these sections should be included as part of the transfer, but I'm getting the sense that these sections should actually stay at DSPS for now. As soon as I get confirmation from them, I'll let you know.

In the meantime, I do have answers from DATCP regarding the following:

20.165(2)(a) can be transferred to 20.115(1)(a)

20.165(2)(j) will need a new appropriation established at DATCP. The agency suggested *20.115(1)(t), Weight and Measures; retail petroleum.*

20.165(2)(ma) can be transferred to 20.115(1)(m), Federal funds.

Any questions or concerns, please feel free to give me a call.

Thanks!!

Megan

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**From:** Gibson-Glass, Mary [<mailto:Mary.Gibson-Glass@legis.wisconsin.gov>]  
**Sent:** Friday, November 09, 2012 2:26 PM  
**To:** Stritchko, Megan E - DOA  
**Subject:** BB0095, transfer of program to DATCP

Hi Megan,

Any guidance on what to do about the appropriations yet? I can take a crack at them in the preliminary draft if you want.

Thanks,

Mary

Mary Gibson-Glass

Senior Legislative Attorney

Legislative Reference Bureau