

State of Misconsin 2017 - 2018 LEGISLATURE

LRB-4286/1 MCP:kjf&amn

2017 SENATE BILL 463

- October 18, 2017 Introduced by Senators STROEBEL, CRAIG, NASS, KAPENGA and WANGGAARD, cosponsored by Representatives KREMER, HORLACHER, ALLEN, AUGUST, BORN, R. BROOKS, GANNON, HUTTON, JACQUE, JARCHOW, KNODL, KUGLITSCH, MURPHY and SKOWRONSKI. Referred to Committee on Government Operations, Technology and Consumer Protection.
- 1 AN ACT to amend 285.37 (3) (a); and to create 285.37 (3) (c) of the statutes;

 $\mathbf{2}$

relating to: sales of reformulated gasoline.

Analysis by the Legislative Reference Bureau

This bill prohibits the Department of Natural Resources from requiring that a person sell reformulated gasoline if certain conditions are met.

Under the federal Clean Air Act and under current state law, reformulated gasoline is the only type of gasoline that may be sold in areas designated by the federal Environmental Protection Agency as not meeting certain federal air quality standards and in certain other areas designated by the governor or by DNR. Reformulated gasoline is gasoline that is specially formulated to reduce emissions of volatile organic compounds and toxic air pollutants.

Under the bill, DNR must request a waiver of the relevant provisions of the federal Clean Air Act relating to reformulated gasoline from the federal Environmental Protection Agency, and, if it receives such a waiver, may not prohibit a person from selling nonreformulated gasoline in the designated areas.

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:

SECTION 1. 285.37 (3) (a) of the statutes is amended to read:

2017 - 2018 Legislature

SENATE BILL 463

285.37 (3) (a) Except as provided in par. (b) or (c), beginning on January 1, 1995,
no person may sell gasoline in an area described under sub. (2) (a), (b), or (c) unless
the gasoline satisfies the minimum specifications for reformulated gasoline under s.
168.04.

- 2 -

5 SECTION 2. 285.37 (3) (c) of the statutes is created to read:

6 285.37 (3) (c) The department shall request a waiver of the relevant provisions 7 of the federal clean air act relating to reformulated gasoline from the federal 8 environmental protection agency. If the federal environmental protection agency 9 grants such a waiver, the department may not prohibit a person from selling gasoline 10 that is not reformulated gasoline in an area described under sub. (2) (a), (b), or (c).

11

(END)