



## 1995 SENATE BILL 89

March 1, 1995 - Introduced by Senators PANZER and COWLES. Referred to Committee on Environment and Energy.

1     **AN ACT** *to renumber and amend* 144.3716 (1); *to amend* 144.3716 (3) (a) and  
2           168.11 (1) (b); and *to create* 144.3716 (1) (b) and 144.3716 (3) (c) of the statutes;  
3           **relating to:** the sale and purchase of reformulated gasoline containing methyl  
4           tertiary butyl ether or ethyl tertiary butyl ether and the labeling of certain  
5           reformulated gasoline.

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### *Analysis by the Legislative Reference Bureau*

Current state law generally prohibits the sale of any gasoline except reformulated gasoline in certain areas of this state, including areas in which federal law requires the sale of reformulated gasoline because federal standards for ozone in the atmosphere are exceeded. Reformulated gasoline is gasoline formulated to reduce emissions of volatile organic compounds and toxic air pollutants.

Under this bill, between October 1 and April 15, no person may sell reformulated gasoline to a retail gasoline station if the reformulated gasoline contains 2% or more by volume of methyl tertiary butyl ether, ethyl tertiary butyl ether or a combination of those 2 substances. The bill also prohibits a retail gasoline dealer from purchasing such reformulated gasoline between October 1 and April 15.

Under current law, a device that dispenses a gasoline-ethanol fuel blend for sale at retail must be labeled with the percentage of ethanol in the blend. This bill also requires a device that dispenses reformulated gasoline for sale at retail to be labeled with the identity of the oxygenate contained in the reformulated gasoline if the oxygenate is blended at the refinery.

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

1           **SECTION 1.** 144.3716 (1) of the statutes is renumbered 144.3716 (1) (intro.) and  
2 amended to read:

3           144.3716 (1) DEFINITIONS. (intro.) In this section, ~~“reformulated:~~

4           (a) “Reformulated gasoline” means gasoline formulated to reduce emissions of  
5 volatile organic compounds and toxic air pollutants as provided in 42 USC 7545 (k)  
6 (1) to (3).

7           **SECTION 2.** 144.3716 (1) (b) of the statutes is created to read:

8           144.3716 (1) (b) “Retail dealer” has the meaning given in s. 78.005 (13m).

9           **SECTION 3.** 144.3716 (3) (a) of the statutes is amended to read:

10           144.3716 (3) (a) Except as provided in par. (b), ~~beginning on January 1, 1995~~  
11 and subject to par. (c), no person may sell gasoline in an area described under sub.  
12 (2) (a), (am) or (b) unless the gasoline satisfies the minimum specifications for  
13 reformulated gasoline under s. 168.04.

14           **SECTION 4.** 144.3716 (3) (c) of the statutes is created to read:

15           144.3716 (3) (c) 1. Beginning on October 1 of each year and ending on April 15  
16 of the succeeding year, no person may sell reformulated gasoline to a retail dealer for  
17 sale in this state if the reformulated gasoline contains 2% or more by volume of any  
18 of the following:

19           a. Methyl tertiary butyl ether.

20           b. Ethyl tertiary butyl ether.

21           c. A combination of methyl tertiary butyl ether and ethyl tertiary butyl ether.

22           2. Beginning on October 1 of each year and ending on April 15 of the succeeding  
23 year, no retail dealer may purchase reformulated gasoline for sale in this state if the  
24 reformulated gasoline contains 2% or more by volume of any of the following:

25           a. Methyl tertiary butyl ether.

