

State of Wisconsin



1995 Senate Bill 345

Date of enactment: **February 26, 1996**

Date of publication*: **March 11, 1996**

1995 WISCONSIN ACT 144

AN ACT *to renumber* 144.405 (5) (ce); *to renumber and amend* 144.405 (5) (a) and 144.405 (5) (cm); *to amend* 144.405 (5) (d); and *to create* 144.405 (5) (a) 2., 144.405 (5) (ce) 2. and 144.405 (5) (cm) 2. of the statutes; **relating to: eligibility for vapor recovery grants.**

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

SECTION 1. 144.405 (5) (a) of the statutes, as affected by [1995 Wisconsin Act 27](#), is renumbered 144.405 (5) (a) (intro.) and amended to read:

144.405 (5) (a) (intro.) The department shall develop, implement and administer a program to provide financial all of the following:

1. **Financial** assistance to the owner or operator of a gasoline dispensing facility for costs directly incurred after August 15, 1990, for the design, acquisition and installation of a vapor control system necessary for the owner or operator to comply with rules requiring the installation of a vapor control system on those portions of a gasoline dispensing facility located in an ozone nonattainment area with a classification under [42 USC 7511](#) (a) of moderate or worse that relate to a stationary storage tank installed on or before August 15, 1991, or on those portions of a gasoline dispensing facility located in an ozone nonattainment area with a classification under [42 USC 7511](#) (a) of moderate or worse that relate to a stationary storage tank installed after August 15, 1991, that does not increase the stationary storage tank capacity of the gasoline dispensing facility in existence on August 15, 1991.

SECTION 2. 144.405 (5) (a) 2. of the statutes is created to read:

144.405 (5) (a) 2. Financial assistance to the owner or operator of a retail station on which construction began after August 15, 1991, and before May 15, 1993, for costs, except excavation costs, directly incurred for the design, acquisition and installation of a vapor control system necessary for the owner or operator to comply with the rules under sub. (3).

SECTION 3. 144.405 (5) (ce) of the statutes, as created by [1995 Wisconsin Act 27](#), is renumbered 144.405 (5) (ce) 1.

SECTION 4. 144.405 (5) (ce) 2. of the statutes is created to read:

144.405 (5) (ce) 2. The owner or operator of a gasoline dispensing facility is eligible for a grant under par. (a) 2. only if the owner or operator has not received reimbursement for the costs from any other source and if no substantial evidence exists that the applicant applied for or obtained a grant under par. (a) 2. on the basis of fraudulent information. Excavation costs are not eligible for reimbursement under par. (a) 2.

SECTION 5. 144.405 (5) (cm) of the statutes, as created by [1995 Wisconsin Act 27](#), is renumbered 144.405 (5) (cm) 1. and amended to read:

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

144.405 (5) (cm) 1. The owner or operator of a gasoline dispensing facility is not eligible for a grant under ~~this subsection par. (a) 1.~~ unless, before October 1, 1995, the owner or operator submits a report indicating the amount of gasoline dispensed by the gasoline dispensing facility, as required by the department by rule, and, if required by the department by rule, a compliance plan.

SECTION 6. 144.405 (5) (cm) 2. of the statutes is created to read:

144.405 (5) (cm) 2. The owner or operator of a gasoline dispensing facility is not eligible for a grant under par. (a) 2. unless, on or before the 30th day after the effec-

tive date of this subdivision [revisor inserts date], the owner or operator submits a report indicating the amount of gasoline dispensed by the gasoline dispensing facility, as required by the department, and, if required by the department, a compliance plan.

SECTION 7. 144.405 (5) (d) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

144.405 (5) (d) The department may not award a grant under ~~this subsection par. (a) 1.~~ after December 31, 1995. The department may not award a grant under par. (a) 2. after June 30, 1996.
