

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB133)**

Received: **04/30/99**

Received By: **traderc**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Bonderud**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact:

Alt. Drafters:

Subject: **Buildings/Safety - misc.**

Extra Copies:

**Pre Topic:**

LFB:.....Bonderud -

**Topic:**

Petroleum testing

**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>
/?	traderc 04/30/99	gilfokm 05/3/99		_____			
/1			martykr 05/4/99	_____	lrb_docadmin 05/4/99		

FE Sent For:

<END>

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/?	traderc	1-5-3-99 Kmg	Km 5/3	<del>JA</del> Km 5/4			

FE Sent For:

<END>

JFC 4/29/99  
Approved 16-0  
Senator Cowles  
Representative Duff

**COMMERCE - BUILDING AND ENVIRONMENTAL REGULATION**

**Petroleum Laboratory Equipment**  
[LFB Paper #309]

**Motion:**

Move to authorize Commerce to contract with private laboratories to conduct petroleum testing activities currently performed by the Department's 14 petroleum inspection laboratories.

**Motion #643**

1999

Date (time) needed SOON

LRB b 0216 11

**LFB BUDGET AMENDMENT  
[ONLY FOR LFB]**

RET: King:

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**LFB AMENDMENT  
TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

*Note*

At the locations indicated, amend the bill as follows:

#. Page 960, line 14: *after that line insert:*

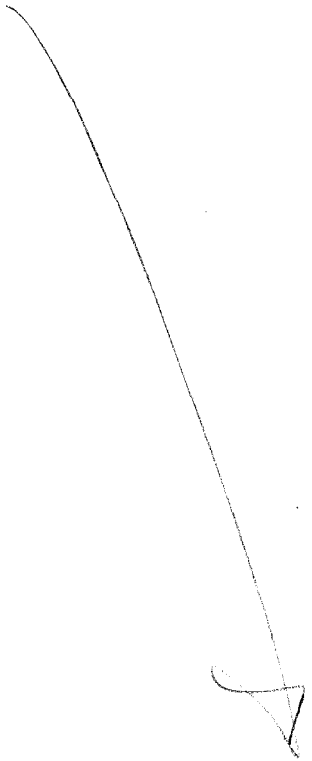
#. Page . . . . ., line . . . . .:

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60216/1

1972g  
Section # 101.02 (18m) of the statutes is amended to read:

or contract for the performance of,

101.02 (18m) The department may perform testing of petroleum products other than testing provided under ch. 168. The department may establish a schedule of fees for such petroleum product testing services. The department shall credit all revenues received from fees established under this subsection to the appropriation account under s. 20.143 (3) (ga). Revenues from fees established under this subsection may be used by the department to pay for testing costs, including laboratory supplies and equipment amortization, for such products. // .

History: 1971 c. 185 ss. 1 to 5, 7; 1971 c. 228 ss. 16, 42; Stats. 1971 s. 101.02; 1975 c. 39, 94; 1977 c. 29; 1981 c. 360; 1983 a. 410; 1985 a. 182 s. 57; 1987 a. 343; 1989 a. 31, 56, 139; 1991 a. 39, 269; 1993 a. 27, 184, 252, 414, 492; 1995 a. 27 ss. 3631 to 3649r, 9126 (19); 1995 a. 215; 1997 a. 191, 237.

#, Page 1065, line 11: after that line insert:  
2303r

b0216/1

Section # 168.07 of the statutes is amended to read:

**168.07 Inspections; requirements.** (1) The inspector shall inspect each sample of petroleum product and if the inspector finds that it meets the minimum specifications prescribed by the department, the inspector shall issue an inspection certificate, except that inspections for particular grade specifications shall be at the discretion of the department. If an inspector believes that a product has been misidentified, an inspection shall be performed. If the inspector finds that the petroleum product does not meet the minimum specifications prescribed by the department, the inspector shall notify the person for whom the inspection was made. After such notice, no person may sell or use the product in this state or remove it from storage as long as it fails to meet the minimum specifications prescribed by the department or until satisfactory disposition is approved by the inspector. Any transporter, wholesaler or distributor of petroleum products who delivers or causes to be delivered a petroleum product that fails to meet the minimum specifications prescribed by the department shall, at the direction of the department, remove the petroleum product and dispose of it in a manner approved by the department.

under sub. (1)

(2) Inspections ~~made by the inspectors~~ shall be conducted, so far as applicable, in accordance with the methods outlined in the latest revision of the ASTM Book of Standards of the American Society for Testing and Materials. // .

History: 1971 c. 206; 1977 c. 29, 418; 1991 a. 302; 1995 a. 27.

(End)

The department may contract for the performance of testing conducted under this subsection.

DNote

Kendra Bonderud:

Please consider whether s. 168.07 should be treated in this draft and, if so, whether the language in the draft is appropriate. Section 168.07 (1) uses the terms "inspect" and "inspection" rather than "test" or "testing". I was not certain whether to authorize Commerce to contract for "inspection" because that may be broader than the motion intends. See s. 168.06 (1), which uses both "test" and "inspections".

RET

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

LRBb0216/1dn  
RCT:kmg:km

May 3, 1999

Kendra Bonderud:

Please consider whether s. 168.07 should be treated in this draft and, if so, whether the language in the draft is appropriate. Section 168.07 (1) uses the terms "inspect" and "inspection" rather than "test" or "testing". I was not certain whether to authorize commerce to contract for "inspection" because that may be broader than the motion intends. See s. 168.06 (1), which uses both "tests" and "inspections".

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State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0216/1  
RCT:kmg:km

LFB:.....Bonderud - Petroleum testing

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 960, line 14: after that line insert:

3 **"SECTION 1972g.** 101.02 (18m) of the statutes is amended to read:

4 101.02 (18m) The department may perform, or contract for the performance  
5 of, testing of petroleum products other than testing provided under ch. 168. The  
6 department may establish a schedule of fees for such petroleum product testing  
7 services. The department shall credit all revenues received from fees established  
8 under this subsection to the appropriation account under s. 20.143 (3) (ga). Revenues  
9 from fees established under this subsection may be used by the department to pay  
10 for testing costs, including laboratory supplies and equipment amortization, for such  
11 products."

1           **2.** Page 1065, line 11: after that line insert:

2           “**SECTION 2303r.** 168.07 of the statutes is amended to read:

3           **168.07 Inspections; requirements.** (1) The inspector shall inspect each  
4 sample of petroleum product and if the inspector finds that it meets the minimum  
5 specifications prescribed by the department, the inspector shall issue an inspection  
6 certificate, except that inspections for particular grade specifications shall be at the  
7 discretion of the department. If an inspector believes that a product has been  
8 misidentified, an inspection shall be performed. If the inspector finds that the  
9 petroleum product does not meet the minimum specifications prescribed by the  
10 department, the inspector shall notify the person for whom the inspection was made.  
11 After such notice, no person may sell or use the product in this state or remove it from  
12 storage as long as it fails to meet the minimum specifications prescribed by the  
13 department or until satisfactory disposition is approved by the inspector. Any  
14 transporter, wholesaler or distributor of petroleum products who delivers or causes  
15 to be delivered a petroleum product that fails to meet the minimum specifications  
16 prescribed by the department shall, at the direction of the department, remove the  
17 petroleum product and dispose of it in a manner approved by the department. The  
18 department may contract for the performance of testing conducted under this  
19 subsection.

20           (2) Inspections ~~made by the inspectors~~ under sub. (1) shall be conducted, so far  
21 as applicable, in accordance with the methods outlined in the latest revision of the  
22 ASTM Book of Standards of the American Society for Testing and Materials.”

23                                   (END)