

### 2003 DRAFTING REQUEST

#### Bill

Received: **12/13/2002**

Received By: **rmarchan**

Wanted: **As time permits**

Identical to LRB:

For: **Stephen Freese (608) 266-7502**

By/Representing: **kurt**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Freese@legis.state.wi.us**

Carbon copy (CC:) to: **robert.marchant@legis.state.wi.us**

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Ethanol in automotive gasoline

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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>
/?	rmarchan 12/13/2002	chanaman 01/03/2003		_____			State
/1			chaskett 01/06/2003	_____	lemery 01/06/2003	amentkow 01/08/2003	

→ Sent for intro

FE Sent For:

<END>

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/?	rmarchan	<i>amb</i> <i>h</i> <i>12/16</i>	<i>1/3</i> <i>qph</i> <i>1</i>	<i>qph/ps</i> <i>1/6</i>			
FE Sent For:							

<END>

**Tradewell, Becky**

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**From:** Simatic, Kurt  
**Sent:** Thursday, December 12, 2002 12:24 PM  
**To:** Tradewell, Becky  
**Cc:** Richard, Rob  
**Subject:** bill draft request

We would like an updated draft of 1995 AB 52. We would also like the dates of implementation switched from 1996 and 2000 TO 2004 and 2008. Please contact either myself or Rob Richard in our office if you have any questions. Thank you.

This draft is not a priority.

**Kurt Simatic**  
Legislative Assistant  
State Representative Steve Freese

-1794

DN: 12-13

hwr

# 1995 ASSEMBLY BILL 52

January 26, 1995 - Introduced by Representatives FREESE, HARSDORF, LORGE, HAHN, OTT, AINSWORTH, BALDUS, WARD, WILDER, KLUSMAN, KREUSER, SERATTI, MUSSER and OWENS, cosponsored by Senators SCHULTZ and A. LASEE. Referred to Committee on Highways and Transportation.

1 AN ACT to renumber and amend 168.04; and to create 168.04 (2), 168.04 (3)  
2 and 168.04 (4) of the statutes; relating to: requiring ethanol in automotive  
3 gasoline, granting rule-making authority, and providing a penalty.

## Analysis by the Legislative Reference Bureau

Current law requires the department of ~~industry, labor and human relations~~ <sup>Commerce</sup> (DILHR) to set minimum specifications for gasoline, reformulated gasoline, and kerosene and authorizes ~~DILHR~~ <sup>Commerce</sup> to set minimum specifications for other types of fuel.

This bill requires ~~DILHR~~ <sup>Commerce</sup> to set, by rule, minimum specifications for automotive gasoline that require automotive gasoline, with certain exceptions, to contain a specified minimum percentage of ~~domestically produced~~ <sup>produced in the United States</sup> ethanol. The amount of required ethanol is gradually increased from July 1, 1996, to July 1, 2000, by which date automotive gasoline must contain at least 10% ethanol. <sup>2004</sup> <sup>2008</sup>

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:*

4 SECTION 1. 168.04 of the statutes is renumbered 168.04 (1) and amended to  
5 read:

6 168.04 (1) The department by rule shall prescribe minimum product grade  
7 specifications for gasoline, automotive gasoline, reformulated gasoline, as defined in

generally

Proof of stats.

285.37(1) - plain

Prop Fuel Act

2

1 s. ~~144.3716(1)~~, and kerosene and may prescribe product grade specifications for  
2 automotive gasoline, gasoline-alcohol fuel blends, aviation gasoline, fuel oils and  
3 diesel fuels. ~~Automotive gasoline specifications shall include lead content. The rules~~  
4 ~~shall, to the extent feasible, be in conformity with nationally recognized standards,~~  
5 ~~specifications and classifications, such as those published by the American society~~  
6 ~~for testing and materials, the society of automotive engineers and the U.S.~~  
7 ~~environmental protection agency. The department may not promulgate or enforce~~  
8 ~~a rule prohibiting additional information from placement on the dispensing device.~~

9 SECTION 2. 168.04 (2) of the statutes is created to read:

10 168.04 (2) (a) In this subsection:

11 1. "Domestic ethanol" means ethanol that is manufactured or produced in the  
12 United States from grain or feedstock grown in the United States.

285.01(30)

13 2. "Nonattainment area" has the meaning given in s. ~~144.30(2)~~  
14 ~~and (d)~~

15 (b) Except as provided in pars. ~~(b) and (c)~~  
16 ~~department~~ <sup>under sub. (1)</sup> to set standards for automotive gasoline shall require automotive  
17 gasoline to meet the <sup>following</sup> minimum ethanol fuel blend requirements ~~of the following~~  
~~schedule.~~

18 1. Beginning on July 1, <sup>2004</sup> ~~1996~~, automotive gasoline shall contain at least 3%  
19 domestic ethanol.

20 2. Beginning on July 1, <sup>2006</sup> ~~1998~~, automotive gasoline shall contain at least 6%  
21 domestic ethanol.

22 3. Beginning on July 1, <sup>2008</sup> ~~2000~~, automotive gasoline shall contain at least 10%  
23 domestic ethanol. <sup>(c)</sup>

24 ~~(b)~~ <sup>established</sup> The standards ~~set by rule~~ under par. (b) do not apply to automotive  
25 gasoline sold or used in a nonattainment area for ozone.

(d)

standards established under par. (b) do not apply to automotive gasoline sold as fuel for

1 ~~The department shall, by rule, authorize the sale of automotive gasoline~~  
2 ~~that does not meet the standards set by rule under par. (b) for use only by specified~~  
3 ~~tractors, farm machinery, aircraft, small engines, boat motors, motorcycles, and~~  
4 ~~antique motor vehicles. In determining the tractors, farm machinery, aircraft, small~~  
5 ~~engines, boat motors, motorcycles, and antique motor vehicles to be specified by rule,~~  
6 the department shall consider whether the use of an ethanol-gasoline fuel blend will  
7 cause engine damage to or significantly reduce the efficiency of the tractor, farm  
8 machinery, aircraft, small engine, boat motor, motorcycle, or antique motor vehicle.

9 SECTION 3. 168.04 (3) of the statutes is created to read:

provided

10 168.04 (3) Except as otherwise ~~specified~~ in this section, rules promulgated  
11 under this section shall be in conformity with nationally recognized standards,  
12 specifications and classifications, such as those published by the American society  
13 for testing and materials, the society of automotive engineers, and the federal  
14 environmental protection agency. The department may not promulgate or enforce  
15 a rule prohibiting the placement of additional information on the dispensing device.

U.S.

16 SECTION 4. 168.04 (4) of the statutes is created to read:

17 168.04 (4) A person who sells or dispenses automotive gasoline that violates  
18 ~~sub. (2) or any rule~~ <sup>any rule</sup> promulgated under sub. (1) or (2) shall forfeit not less than \$10  
19 nor more than \$100. Each day on which a violation occurs is a separate violation.

20

(END)

Handwritten scribbles and signatures at the bottom of the page.

**Mentkowski, Annie**

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**From:** Simatic, Kurt  
**Sent:** Wednesday, January 08, 2003 12:11 PM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB-1128/1 Topic: Ethanol in automotive gasoline

It has been requested by <Simatic, Kurt> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-1128/1 Topic: Ethanol in automotive gasoline