

2003 DRAFTING REQUEST

Bill

Received: **05/05/2003**

Received By: **rmarchan**

Wanted: **As time permits**

Identical to LRB:

For: **Eugene Hahn (608) 266-3404**

By/Representing: **chet gerlach**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

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

Extra Copies: **RCT**

Submit via email: **YES**

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

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

Pre Topic:

No specific pre topic given

Topic:

Ethanol labelling

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>
/?	rmarchan 05/05/2003	kgilfoy 05/09/2003		_____			
/1	rmarchan 10/10/2003	kgilfoy 10/14/2003	rschlue 05/09/2003	_____	lemery 05/09/2003	amentkow 05/28/2003	
/2			rschlue	_____	sbasford	sbasford	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			10/14/2003 _____		10/14/2003	10/14/2003	

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: **05/05/2003**

Received By: **rmarchan**

Wanted: **As time permits**

Identical to LRB:

For: **Eugene Hahn (608) 266-3404**

By/Representing: **chet gerlach**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

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

Extra Copies: **RCT**

Submit via email: **YES**

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

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

Pre Topic:

No specific pre topic given

Topic:

Ethanol labelling

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>
/?	rmarchan 05/05/2003	kgilfoy 05/09/2003					
/1		12-10/14 kmg	rschluet 05/09/2003		lemery 05/09/2003	amentkow 05/28/2003	

[Handwritten signature]
10-14-308

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: **05/05/2003**

Received By: **rmarchan**

Wanted: **As time permits**

Identical to LRB:

For: **Eugene Hahn (608) 266-3404**

By/Representing: **chet gerlach**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

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

Extra Copies: **RCT**

Submit via email: **YES**

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

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

Pre Topic:

No specific pre topic given

Topic:

Ethanol labelling

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>
/?	rmarchan 05/05/2003	kgilfoy 05/09/2003		_____			
/1			rschlue 05/09/2003	_____	lemery 05/09/2003		

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: **05/05/2003**

Received By: **rmarchan**

Wanted: **As time permits**

Identical to LRB:

For: **Eugene Hahn (608) 266-3404**

By/Representing: **chet gerlach**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

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

Extra Copies: **RCT**

Submit via email: **YES**

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

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

Pre Topic:

No specific pre topic given

Topic:

Ethanol labelling

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>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/? rmarchan

1-5/9
Kmg

5-9-3
UPA

FE Sent For:

<END>

Marchant, Robert

From: Kunkel, Mark
Sent: Friday, May 02, 2003 9:24 AM
To: Marchant, Robert
Subject: Ethanol labelling

Rob:

Wendy

Chet Gerlach (lobbyist) called on behalf of Rep. Hahn to request eliminating a requirement for identifying the amount of ethanol contained in a tank that dispenses fuel. Or something like that. I found a requirement at s. 168.11 (1) (b) 1., stats., which may or may not be what he's talking about. 

Becky says this might be your area. If so, can you call Chet and follow through? He's at 255-9337. If it's not yours, let me know.

Thanks,

Mark D. Kunkel
Senior Legislative Attorney
Legislative Reference Bureau
(608) 266-0131



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2658/1

RJM:.....

IN: 5-5

King
Rene
Dwight

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Sen. Cat.

1 AN ACT *Sen. Cat.*; relating to: labeling of gasoline-ethanol fuel blends sold at retail.

Analysis by the Legislative Reference Bureau

Current law requires any device that dispenses, for sale at retail, a reformulated gasoline that contains an oxygenate other than ethanol to be labeled with the identity of the oxygenate. In addition, current law requires any device that dispenses a gasoline-ethanol fuel blend for sale at retail to be labeled with the percentage of ethanol. This bill repeals the requirement that such a device be labeled with the percentage of ethanol.

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

SEC. #. 168.11 (1) (b) 1. of the statutes is repealed.

2 SECTION 1. 168.11 (1) (b) *was* 3. of the statutes are consolidated, renumbered
3 168.11 (1) (b) and amended to read: *2. and*

4 168.11 (1) (b) ~~A device that dispenses a gasoline-ethanol fuel blend for sale at~~
5 ~~retail shall be marked or labeled with the percentage of ethanol, using one-half inch~~
6 ~~high letters with a stroke of not less than one-eighth inch in width, at all times when~~
7 ~~the product is offered for sale.~~

1 ~~No 11~~ 2. A device that dispenses, for sale at retail, a reformulated gasoline, as defined
2 in s. 285.37 (1), that contains an oxygenate other than ethanol shall be marked or
3 labeled with the identity of the oxygenate at all times when the product is offered for
4 sale. The label shall identify the oxygenate or oxygenates in the manner specified
5 by the department by rule. ~~1~~

6 ~~No 11~~ 3. A label under this paragraph shall be on the front or side of the upper half
7 of the dispensing device and shall be conspicuous and legible to a customer when
8 viewed from the driver's seat of a motor vehicle that is located within 6 feet of the
9 dispensing device. The device may also be marked or labeled with any product grade
10 specifications prescribed under s. 168.04.

11 History: 1971 c. 164, 206; 1977 c. 29; 1979 c. 92; 1987 a. 403; 1989 a. 295; 1993 a. 491; 1995 a. 27, 51, 225, 227; 1997 a. 27.

SECTION 2. 168.14 (2) of the statutes is amended to read:

12 168.14 (2) No person may receive, unload, use, sell or offer for sale in this state,
13 any gasoline, gasoline-alcohol fuel blends, kerosene, fuel oils, diesel fuels or other
14 petroleum distillates which the person knows, or reasonably should know, is
15 misidentified as to name or grade. ~~Gasoline-ethanol blends that are identified in~~
16 ~~compliance with s. 168.11 when sold at retail are correctly identified as to name.~~

17 History: 1971 c. 206; 1977 c. 29; 1979 c. 140; 1989 a. 295.

(END)

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

LRB-2658/1dn

RJM:...

1
RJM

Representative Hahn:

that

Attached is the draft you requested through Chet Gerlach pertaining to ethanol labeling. Currently, under s. 168.14 (3), stats., a person who sells a gasoline-ethanol fuel blend to a person selling or offering to sell it at wholesale or retail must provide information before the sale on the ethanol content of the fuel blend to the person selling or offering to sell it at wholesale or retail. At least one function of this information is to allow a person selling such a fuel blend at retail to comply with the labeling requirements in current law, which this bill deletes. Please let me know if you would like to similarly eliminate the requirement that this information be provided to a person selling such a fuel blend at retail. Also, please let me know if you have any other questions concerning the draft.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: robert.marchant@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2658/1dn
RJM:kmg:rs

May 9, 2003

Representative Hahn:

Attached is the draft that you requested through Chet Gerlach pertaining to ethanol labeling. Currently, under s. 168.14 (3), stats., a person who sells a gasoline-ethanol fuel blend to a person selling or offering to sell it at wholesale or retail must provide information before the sale on the ethanol content of the fuel blend to the person selling or offering to sell it at wholesale or retail. At least one function of this information is to allow a person selling such a fuel blend at retail to comply with the labeling requirements in current law, which this bill deletes. Please let me know if you would like to similarly eliminate the requirement that this information be provided to a person selling such a fuel blend at retail. Also, please let me know if you have any other questions concerning the draft.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: robert.marchant@legis.state.wi.us

Barman, Mike

From: Marchant, Robert
Sent: Wednesday, May 28, 2003 11:54 AM
To: Barman, Mike
Subject: jacketing request

Please jacket LRB-2658 for Rep. Hahn for introduction in the Assembly

Thanks.

Robert J. Marchant
Legislative Attorney
State of Wisconsin Legislative Reference Bureau
608-261-4454

Reference Bureau.

Please redraft this
to exempt fuel used
at airports. Language
attached.

Wendy Menzel
Rep. Hill

OKLAHOMA Repeals Ethanol Labeling Requirement

On May 6, 2002, the Governor of Oklahoma signed into law, SB 879, an Act repealing the current ethanol labeling requirement for motor fuel dispensing pumps containing ethanol. The Act will require the labeling of ethanol at airport facilities where the fuel is used for fueling aircraft. The final Bill states as follows:

"Except as otherwise provided in this section, retail facilities that sell motor fuel shall not be required to post information regarding fuel additives on the motor fuel dispenser or anywhere else on the premises of the facilities. Motor fuel sold at regional or smaller airports in the state for fueling aircraft shall be labeled with the percent of alcohol, if any, in the fuel. The Corporation Commission shall promulgate rules consistent with the provisions of this section".

Under the new bill, the Oklahoma Corporation Commission is required to promulgate rules consistent with the provisions of the law. The law will become effective January 1, 2003.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2658~~A~~ 2
RJM:kmg:rs

IN: 10-10

Rm-NK

2003 BILL

reformulated gasoline
at an airport
unless the device dispenses
for use as aircraft fuel

Gen. Cat.

1 AN ACT to repeal 168.11 (1) (b) 1.; to consolidate, renumber and amend
2 168.11 (1) (b) 2. and 3.; and to amend 168.14 (2) of the statutes; relating to:
3 labeling of gasoline-ethanol fuel blends sold at retail.

Analysis by the Legislative Reference Bureau

Current law requires any device that dispenses, for sale at retail, a reformulated gasoline that contains an oxygenate other than ethanol to be labeled with the identity of the oxygenate. In addition, current law requires any device that dispenses a gasoline-ethanol fuel blend for sale at retail to be labeled with the percentage of ethanol. This bill repeals the requirement that such a device be labeled with the percentage of ethanol.

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

4 SECTION 1. 168.11 (1) (b) 1. of the statutes is repealed.

5 SECTION 2. 168.11 (1) (b) 2. and 3. of the statutes are consolidated, renumbered
6 168.11 (1) (b) and amended to read: Except as otherwise provided in this paragraph, a

7 168.11 (1) (b) ~~2.~~ A device that dispenses, for sale at retail, a reformulated
8 gasoline, as defined in s. 285.37 (1), that contains an oxygenate other than ethanol

BILL

1 shall be marked or labeled with the identity of the oxygenate at all times when the
 2 product is offered for sale. The label shall identify the oxygenate or oxygenates in
 3 the manner specified by the department by rule. ~~3.~~ A label under this paragraph
 4 shall be on the front or side of the upper half of the dispensing device and shall be
 5 conspicuous and legible to a customer when viewed from the driver's seat of a motor
 6 vehicle that is located within 6 feet of the dispensing device. The device may also be
 7 marked or labeled with any product grade specifications prescribed under s. 168.04.

SECTION 3. 168.14 (2) of the statutes is amended to read:

9 168.14 (2) No person may receive, unload, use, sell or offer for sale in this state,
 10 any gasoline, gasoline-alcohol fuel blends, kerosene, fuel oils, diesel fuels or other
 11 petroleum distillates which the person knows, or reasonably should know, is
 12 misidentified as to name or grade. ~~Gasoline-ethanol blends that are identified in~~
 13 ~~compliance with s. 168.11 when sold at retail are correctly identified as to name.~~

(END)

labeled

A device that dispenses a reformulated gasoline that contains ethanol
 need not be ~~labeled~~ as provided in this paragraph, ~~unless~~ the device for use
 dispenses the reformulated gasoline ~~at an airport~~ at an airport as aircraft
 fuel. an an

A label for a device that dispenses a reformulated gasoline that contains
 ethanol at an airport for use as aircraft fuel shall indicate the
percent of ethanol in the gasoline.

percent