

**2003 DRAFTING REQUEST**

**Bill**

Received: **01/10/2003**

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Dale Schultz (608) 266-0703**

By/Representing: **john**

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: **Sen.Schultz@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 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 01/10/2003	jdye 01/10/2003		_____			State
/1			chaskett 01/13/2003	_____	sbasford 01/13/2003	mbarman 01/14/2003	

FE Sent For:

7  
at intro 1/29

<END>

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1/?	rmarchan	1/11/03 jld	1/13/03 cph	Self 1/13			

FE Sent For:

<END>

**Marchant, Robert**

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**From:** OBrien, John  
**Sent:** Friday, January 10, 2003 12:43 PM  
**To:** Marchant, Robert  
**Subject:** LRB 1128/1



03-11281.pdf

Please jacket this for introduction to the Senate

Thank you..  
John O'Brien  
Staff to Senator Dale Schulz  
1 (800) 978-8008 (In State Only)  
26 6-0703  
John.O'Brien@legis.state.wi.us

*500w*

*+ JLD* *Blank*

**2003 BILL**

*Regen*

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 Commerce (Commerce) to set minimum specifications for gasoline, reformulated gasoline, and kerosene and authorizes Commerce to set minimum specifications for other types of fuel.

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

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<sup>✓</sup> of the statutes is renumbered 168.04 (1) and amended to  
5 read:

**BILL****SECTION 1**

1           168.04 (1) The department by rule shall prescribe minimum product grade  
2 specifications for gasoline, automotive gasoline, reformulated gasoline, as defined in  
3 s. 285.37 (1), and kerosene and may prescribe product grade specifications for  
4 ~~automotive gasoline~~, gasoline-alcohol fuel blends, aviation gasoline, fuel oils, and  
5 diesel fuels. ~~Automotive gasoline specifications shall include lead content. The rules~~  
6 ~~shall, to the extent feasible, be in conformity with nationally recognized standards,~~  
7 ~~specifications and classifications, such as those published by the American society~~  
8 ~~for testing and materials, the society of automotive engineers and the U.S.~~  
9 ~~environmental protection agency. The department may not promulgate or enforce~~  
10 ~~a rule prohibiting additional information from placement on the dispensing device.~~

11           **SECTION 2.** 168.04 (2) <sup>✓</sup> of the statutes is created to read:

12           168.04 (2) (a) In this subsection:

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

15           2. "Nonattainment area" has the meaning given in s. 285.01 (30).

16           (b) Except as provided in pars. (c) and (d), the rule promulgated by the  
17 department under sub. (1) to set standards for automotive gasoline shall require  
18 automotive gasoline to meet the following minimum ethanol fuel blend  
19 requirements:

20           1. Beginning on July 1, 2004, automotive gasoline shall contain at least 3%  
21 domestic ethanol.

22           2. Beginning on July 1, 2006, automotive gasoline shall contain at least 6%  
23 domestic ethanol.

24           3. Beginning on July 1, 2008, automotive gasoline shall contain at least 10%  
25 domestic ethanol.



**BILL**

1 (c) The standards established under par. (b) do not apply to automotive gasoline  
2 sold or used in a nonattainment area for ozone.

3 (d) The standards established under par. (b) do not apply to automotive  
4 gasoline sold as fuel for tractors, farm machinery, aircraft, small engines, boat  
5 motors, motorcycles, and antique motor vehicles specified by the department, by  
6 rule. In determining which tractors, farm machinery, aircraft, small engines, boat  
7 motors, motorcycles, and antique motor vehicles to specify, the department shall  
8 consider whether the use of an ethanol-gasoline fuel blend will cause engine damage  
9 to or significantly reduce the efficiency of the tractor, farm machinery, aircraft, small  
10 engine, boat motor, motorcycle, or antique motor vehicle.

11 **SECTION 3.** 168.04 (3)<sup>✓</sup> of the statutes is created to read:

12 168.04 (3) Except as otherwise provided in this section, rules promulgated  
13 under this section shall be in conformity with nationally recognized standards,  
14 specifications, and classifications, such as those published by the American Society  
15 for Testing and Materials, the Society of Automotive Engineers, and the U.S.  
16 Environmental Protection Agency. The department may not promulgate or enforce  
17 a rule prohibiting the placement of additional information on the dispensing device.

18 **SECTION 4.** 168.04 (4)<sup>✓</sup> of the statutes is created to read:

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

22

(END)

**Barman, Mike**

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**From:** OBrien, John  
**Sent:** Tuesday, January 14, 2003 5:27 AM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB-1433/1 Topic: Ethanol in gasoline

It has been requested by <OBrien, John> that the following draft be jacketed for the SENATE:

Draft review: LRB-1433/1 Topic: Ethanol in gasoline