## ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 2005 ASSEMBLY BILL 15

March 3, 2005 - Offered by Committee on Agriculture.

AN ACT *to create* 168.04 (2m) and 168.045 of the statutes; **relating to:** ethanol requirements in automotive gasoline, granting rule–making authority, and providing a penalty.

Current law requires the Department of Commerce (Commerce) to set minimum specifications for gasoline, automotive gasoline, gasoline–alcohol fuel blends, reformulated gasoline, and kerosene and authorizes Commerce to set minimum specifications for other types of fuel.

This substitute amendment provides that, beginning October 1, 2007, the minimum specifications for automotive gasoline must require that automotive gasoline with an octane rating of 87 contain not less than 9.2 percent nor more than 10 percent ethanol. Under the substitute amendment, automotive gasoline that is sold at racetracks for use at motor sports racing events held at a racetrack is exempt from the minimum specifications.

The substitute amendment also prohibits an ethanol producer from delivering or selling ethanol in this state that is intended for use in automotive gasoline unless the ethanol producer tests the ethanol to ensure that it conforms with American Society for Testing and Materials quality standards and files a copy of those tests with Commerce.

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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:

Section 1.	168.04	(2m) of	fthe	statutes	is	created	to	read
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- 168.04 **(2m)** (a) The rule promulgated by the department under sub. (1) to set standards for automotive gasoline shall require that beginning on October 1, 2007, automotive gasoline that has an octane rating of 87 contain not less than 9.2 percent nor more than 10 percent ethanol.
- (b) The standards established under par. (a) do not apply to automotive gasoline that is sold at a racetrack if the gasoline is intended to be used exclusively as a fuel for motor sports racing events at a racetrack.
  - **Section 2.** 168.045 of the statutes is created to read:
- **168.045 Ethanol quality testing.** No ethanol producer may deliver, sell, or offer to sell ethanol intended for use in automotive gasoline in this state to any person in this state unless all of the following apply:
- (1) The ethanol producer tests the ethanol to ensure that it conforms with quality standards for ethanol published by the American Society for Testing and Materials.
- **(2)** The ethanol producer files a copy of the tests conducted under sub. (1) with the department.

18 (END)