

2005 DRAFTING REQUEST

Senate Amendment (SA-AB15)

Received: **01/30/2006**

Received By: **btradewe**

Wanted: **Today**

Identical to LRB:

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

By/Representing: **Kurt Simatic**

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

Drafter: **btradewe**

May Contact:

Adl. Drafters:

Subject: **Buildings/Safety - misc.
Environment - air quality**

Extra Copies: **Robin Kite**

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Change the standard for terminating requirement, delay date requirement takes effect

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>
/?							
/1	btradewe 01/30/2006	wjackson 01/30/2006	chaugen 01/30/2006	_____	lnorthro 01/30/2006	lnorthro 01/30/2006	

FE Sent For:

<END>

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/?	btradewe	1/1/30	ch 1-30	ch 1-30			

FE Sent For:

<END>

Tradewell, Becky

From: Simatic, Kurt
Sent: Monday, January 30, 2006 9:36 AM
To: Tradewell, Becky
Subject: FW: Sierra Club Changes RE: Language Consideration Working off LRBa 2106/1
Importance: High
Attachments: combined language per Dave Bender.doc

Becky:

I think we have decided to go back to sunset route with the amendment to the ethanol bill.

The proposed changes are attached. This will be a Senate amendment to Assembly Sub 3.

the changes above include one grammatical change, a possible wrong reference, and a change back to the sunset.

In addition to these changes, we would also like the amendment to include the date change to October 1, 2007 and the "or hemicellulosic" after "lignocellulosic"

Please give me a call to straighten out of this out, because it is no doubt confusing.

Kurt Simatic

Office of Speaker Pro Tem Stephen Freese

608-266-7502

888-534-0051 (toll free)

608-282-3651 (fax)

kurt.simatic@legis.state.wi.us

From: Caryl Terrell, SC-JMC [mailto:cterrell@execpc.com]
Sent: Friday, January 27, 2006 3:52 PM
To: 'Brett Hulsey'; Simatic, Kurt; OBrien, John
Cc: 'bob welch'; 'Chet Gerlach'; knekola@cleanwisconsin.org; Bender@ggmattorneys.com
Subject: Sierra Club Changes RE: Language Consideration Working off LRBa 2106/1
Importance: High

Sierra Club accepts the attached changes which vary slightly from what you emailed.

Best regards, Caryl

Caryl Terrell, Chapter Director
Sierra Club - John Muir Chapter
222 S Hamilton St #1
Madison WI 53703-3201
caryl.terrell@sierraclub.org; wisconsin.sierraclub.org
voice 608-256-0565; fax 608-256-4562

01/30/2006

Make your voice heard! Find out how to get Take Action Alerts and other important Sierra Club messages by email at:
<http://www.sierraclub.org/email>

-----Original Message-----

From: Brett Hulseley [mailto:brett@betterenvironmentalsolutions.com]
Sent: Friday, January 27, 2006 1:45 PM
To: cterrell@execpc.com; knekola@cleanwisconsin.org; Bender@ggmattorneys.com
Cc: 'bob welch'; 'Chet Gerlach'
Subject: FW: Language Consideration Working off LRBA 2106/1
Importance: High

Caryl, Katie and Dave,

Thanks again for all your help on this.

Here's the fix proposed by Senator Kapanke and Rep. Freese.

We would delete the offsets and reiterate the poison pill based on your language of "causes or will cause or contributes to or will contribute to a violation of a federal ambient air quality standards or of a requirement to protect visibility."

I think this is stronger for you, and takes care of our other problems.

Hope you can support it.

Let me know by 3 PM today if you possibly can and I will get it drafted.

Brett

-----Original Message-----

From: OBrien, John [mailto:John.OBrien@legis.state.wi.us]
Sent: Friday, January 27, 2006 1:39 PM
To: brett@betterenvironmentalsolutions.com
Subject: Language Consideration Working off LRBA 2106/1

Brett,

Consider
Deleting Page 2 lines 17, 18 and 19.

Insert as # 2 a reference back to) Page 2 Para C which are lines 1 thru 8 of LRBA 0411/1. Sub 3 (the Assembly adopted substitute amendment}

This should mean a total sunset of the E10 mandate after DNR has determined that E10 causes or will cause or contributes to or will contribute to a violation of a federal ambient air quality standards or of a requirement to protect visibility.

John O'Brien, Staff
Sen. Dan Kapanke

32nd Senate District
608 26 6-5490
800 385 3385
john.obrien@legis.state.wi.us

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At the locations indicated, amend the bill, as shown by assembly substitute amendment 3, as follows:

1. Page 2, line 1: "(3) (c)" and substitute "(3) (b)".
2. NOTE change "on" to "in"

Deleted: 1.

PAGE 2 (c) If the department of commerce receives a notification under s. 285.14 (3) (b),

Deleted: c

it shall inform the revisor of statutes. The revisor of statutes shall publish in the next issue of the Wisconsin Administrative Register a notice that, beginning on the first day of the first month beginning after the month in which the notice is published, the standards for automotive gasoline established under par. (a) do not apply. The standards for automotive gasoline established under (a) do not apply beginning

on the first day of the first month beginning after the month in, which the revisor of statutes publishes a notice under this paragraph.

Deleted: on

- 2 - 2005 - 2006 Legislature
LRBs0411/1
RNK&RCT:wlj&kjfrs
SECTION 1

Page 3 DELETE lines 9-24

Page 4 DELETE lines 1-4

INSERT at Page 3 following line 9, the following:

"285.14 (3) ETHANOL REQUIREMENTS IN AUTOMOTIVE GASOLINE. (a) At least 30 days before the department provides a report under sub. (2), the department shall determine whether the standards for automotive gasoline established under s. 168.04 (2m) (a) cause or will cause or contribute to or will contribute to the violation of a federal ambient air quality standard promulgated under 42 USC 7409 or of a requirement to protect visibility promulgated under 42 USC 7491.

(b) If the department determines under par. (a) that the standards for automotive gasoline established under s. 168.04 (2m) (a) cause or will cause or will cause or contribute to or will contribute to the violation of a federal ambient air quality standard promulgated under 42 USC 7409 or of a requirement to protect visibility promulgated under 42 USC 7491, the department shall notify the department of commerce of that determination.

Deleted: do all of the following:
1.

Deleted: 2. Promulgate rules to reduce emissions of air pollutants enough to offset the emissions that are or will be caused by the standards for automotive gasoline established under s. 168.04 (2m) (a).
(c) If the department has provided notice to the department of commerce under par. (b) 1., the department shall provide a 2nd notice to the department of commerce when the department has promulgated rules required under par. (b) 2."

I think the above does the following. Caryl and Dave

This should mean a total sunset of the E10 mandate after DNR has determined that E10 causes or will cause or contributes to or will contribute to a violation of a federal ambient air quality standards or of a requirement to protect visibility.

John O'Brien, Staff



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa2199/1
RCT.L:....
Wlj

Now

SENATE AMENDMENT ,
TO 2005 ASSEMBLY BILL 15

1 At the locations indicated, amend the bill, as shown by Assembly substitute
2 amendment 3, as follows:

3 ✓ 1. Page 1, line 6: substitute "2007" for "2006".

4 ✓ 2. Page 2, line 1: delete "(3) (c)" and substitute "(3) (b)".

5 ✓ 3. Page 2, line 7: delete "on which" and substitute "in which".

6 ✓ 4. Page 3, line 10: delete the material beginning with that line and ending with
7 page 4, line 4, and substitute:

8 "285.14 (3) ETHANOL REQUIREMENTS IN AUTOMOTIVE GASOLINE. (a) At least 30
9 days before the department provides a report under sub. (2), the department shall
10 determine whether the standards for automotive gasoline established under s.
11 168.04 (2m) (a) cause or will cause or contribute to or will contribute to the violation
12 of a federal ambient air quality standard promulgated under 42 USC 7409 or of a
13 requirement to protect visibility promulgated under 42 USC 7491.

1 (b) If the department determines under par. (a) that the standards for
2 automotive gasoline established under s. 168.04 (2m) (a) cause or will cause or
3 contribute to or will contribute to the violation of a federal ambient air quality
4 standard promulgated under 42 USC 7409 or of a requirement to protect visibility
5 promulgated under 42 USC 7491, the department shall notify the department of
6 commerce of that determination.”.

7 ✓ **5.** Page 4, line 4: after that line, on page 1, line 5, of the material inserted by
8 assembly amendment 4, after “lignocellulosic” insert “or hemicellulosic”.

9 (END)