

2017 DRAFTING REQUEST

Bill

For: Mary Felzkowski (608) 266-7694

Drafter: mpfotenh

By:

Secondary Drafters:

Date: 1/26/2017

May Contact:

Same as LRB: -0939

Submit via email: YES  
 Requester's email: Rep.Felzkowski@legis.wisconsin.gov  
 Carbon copy (CC) to: mary.pfotenhauer@legis.wisconsin.gov  
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Pre Topic:

No specific pre topic given

Topic:

Motor fuel sales

Instructions:

See attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u>        | <u>Reviewed</u>       | <u>Submitted</u>     | <u>Jacketed</u>      | <u>Required</u> |
|--------------|-----------------------|-----------------------|----------------------|----------------------|-----------------|
| /1           | mpfotenh<br>1/26/2017 | anienaja<br>1/26/2017 | lparisi<br>1/26/2017 | lparisi<br>1/26/2017 |                 |

FE Sent For:

<END>

*not needed*

## **Pfotenhauer, Mary**

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**From:** Sen.Tiffany  
**Sent:** Thursday, January 26, 2017 3:00 PM  
**To:** Pfotenhauer, Mary  
**Subject:** LRB -0939/1

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Mary –

Can you release this draft to Rep. Felzkowski, please? Thank you!

Tim

**TIMOTHY DUFFY**  
Office of Senator Tom Tiffany  
12<sup>th</sup> Senate District  
608-266-2509



State of Wisconsin  
2017 - 2018 LEGISLATURE

1842/1

LRB-0939/1  
MCP:amn

In 1/24

Assembly  
Congenier

SA ✓  
Pwf ✓

2017 BILL

1 AN ACT to renumber and amend 100.18 (6); and to amend 98.03 (2) and 100.18  
2 (8) of the statutes; relating to: advertising motor fuel prices by the half-gallon.

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*Analysis by the Legislative Reference Bureau*

This bill allows a person who sells less than 15,000 gallons of motor fuel in this state per year to advertise motor fuel prices by the half-gallon. Current law requires motor fuel prices to be advertised by the gallon.

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

3 SECTION 1. 98.03 (2) of the statutes is amended to read:  
4 98.03 (2) The department may issue rules governing the construction,  
5 installation, and use of commercial weights and measures and prescribing  
6 tolerances therefor. The specifications, tolerances, and regulations for commercial  
7 weighing and measuring devices issued by the national institute of standards and  
8 technology shall apply in this state except as modified by such rules or by statute.

**BILL****SECTION 2**

1           **SECTION 2.** 100.18 (6) of the statutes is renumbered 100.18 (6) (a) and amended  
2 to read:

3           100.18 (6) (a) All advertising ~~which that~~ shows or in any manner relates to the  
4 price at which motor fuel is offered for sale at retail, except multiple gallon computers  
5 attached to or forming a part of any dispensing equipment, shall show only ~~(a) the~~  
6 one of the following:

7           1. The single gallon unit price including all applicable taxes in one amount or  
8 (b) the, except that a person who sells less than 15,000 gallons of motor fuel in this  
9 state per year may show the half-gallon unit price including all applicable taxes in  
10 one amount.

11           2. The single gallon product price, the taxes applicable thereto to the product  
12 price, and the total single gallon unit price including all applicable taxes, except that  
13 a person who sells less than 15,000 gallons of motor fuel in this state per year may  
14 show the half-gallon product price, the taxes applicable to the product price, and the  
15 total half-gallon unit price including all applicable taxes.

16           **(b)** In any such advertising under this subsection, all numerals which that  
17 represent either price or taxes shall be of the same type and size except that fractions  
18 of a cent shall be shown in figures one-half the height, width, and prominence of the  
19 whole numbers.

20           **SECTION 3.** 100.18 (8) of the statutes is amended to read:

21           100.18 (8) Every wholesaler and every other person selling or distributing  
22 motor fuel in this state shall keep posted in a conspicuous place, most accessible to  
23 the public at his or her place of business, and on every pump from which delivery is  
24 made directly into the fuel tank attached to a motor vehicle, a placard showing the  
25 net selling price per gallon of all grades of motor fuel and the amount of all taxes per

**BILL**

1 gallon thereon on all grades of motor fuel, except that a person who sells or  
2 distributes less than 15,000 gallons of motor fuel in this state per year may show the  
3 net selling price and amount of taxes per half-gallon. On pumps or other dispensing  
4 equipment from which motor fuel is sold and delivered directly into fuel supply tanks  
5 attached to motor vehicles, ~~such~~ the posting under this subsection shall be in figures  
6 not less than one inch high, except that no ~~such~~ placard shall be required on a  
7 computer pump ~~whereon~~ on which the total net selling price per gallon or half-gallon  
8 including all taxes is legibly shown on its face. Except for sales to drivers of motor  
9 vehicles used by physically disabled persons under s. 100.51 (5), all sales shall be  
10 made at the posted price. Delivery slips shall also show the net selling price per  
11 gallon of all grades of motor fuel and the amount of all taxes per gallon ~~thereon~~ on  
12 all grades of motor fuel, except that a person who sells or distributes less than 15,000  
13 gallons of motor fuel in this state per year may show the net selling price and amount  
14 of taxes per half-gallon. If the wholesaler or person has more than one place of  
15 business in this state, the wholesaler or person shall post that the placard required  
16 under this subsection at all of his or her places of business. All prices posted shall  
17 remain in effect for at least 24 hours after they are posted. It shall be considered  
18 deceptive advertising to advertise or represent in any manner the price of motor fuel  
19 offered for sale at retail to be less than the price so posted on each pump.

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(END)

**Parisi, Lori**

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**From:** Portz, Elisabeth  
**Sent:** Thursday, January 26, 2017 4:45 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -1842/1

Please Jacket LRB -1842/1 for the ASSEMBLY.