

State of Misconsin 2007 - 2008 LEGISLATURE

## 2007 ASSEMBLY BILL 495

September 6, 2007 – Introduced by Representatives MURSAU, BERCEAU, FIELDS, GUNDERSON, TOWNSEND and A. WILLIAMS, cosponsored by Senators A. LASEE and BRESKE. Referred to Committee on Small Business.

1 AN ACT to amend 101.16 (5); and to create 101.16 (2m) of the statutes; relating 2 to: requiring the publication of a class 1 notice before approval of the 3 construction of certain liquefied petroleum gas installations.

### Analysis by the Legislative Reference Bureau

Under current law, the Department of Commerce (Commerce) regulates the design, construction, location, installation, operation, repair, and maintenance of equipment for storing, handling, using, and transporting liquefied petroleum gases for certain uses. Under rules promulgated by Commerce, a person proposing the construction of a liquefied petroleum gas installation that uses containers of 2,000 gallons or larger water capacity or that has an aggregate water capacity of at least 4,000 gallons must obtain approval from Commerce before beginning construction of the installation.

This bill prohibits Commerce from approving the proposed construction of a liquefied petroleum gas installation that uses containers of 15,000 gallons or larger water capacity unless Commerce has published a class 1 notice of the proposed construction at least 90 days before the date on which construction is proposed to begin or at least 90 days before the date on which Commerce receives a request for approval of the proposed construction, whichever is longer. A class 1 notice requires one insertion in a newspaper likely to give notice in the area or to the persons affected.

### **ASSEMBLY BILL 495**

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.** 101.16 (2m) of the statutes is created to read:

101.16 (2m) The department may not approve the proposed construction of a
liquefied petroleum gas installation that uses containers of 15,000 gallons or larger
water capacity unless the department has published a class 1 notice, under ch. 985,
of the proposed construction at least 90 days before the date on which construction
is proposed to begin or at least 90 days before the date on which the department
receives a request for approval of the proposed construction, whichever is longer.

### **SECTION 2.** 101.16 (5) of the statutes is amended to read:

9 101.16 (5) Any person, firm, association or corporation violating this section 10 <u>sub. (3) or (4)</u>, or any standard, rule, or regulation adopted by the department 11 pursuant to this section, or issuing a false statement under sub. (4), shall be fined 12 not less than \$25 nor more than \$100, or imprisoned not less than 30 days nor more 13 than 6 months.

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### SECTION 3. Initial applicability.

(1) This act first applies to a request to the department of commerce for
approval of the construction of a liquefied petroleum gas installation made on the
effective date of this subsection.

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#### (END)