

Prevedel

9:11 AM

96 LSO-0368

SENATE FILE

0070

SENATE FILE 0070

SF0070

AN ACT relating to aboveground storage tanks; amending requirements for aboveground storage tanks as specified; amending authorized capacities for aboveground storage tanks at facilities; amending restrictions on locations of aboveground storage tanks; authorizing continued use of existing installed tanks as specified; repealing provision regarding placement of tanks near certain buildings as specified; and providing for an effective date.

Frank Prevedel

Introduced by:

SENATE ACTION ON SENATE FILE

3/21 [X] Introduced
Aye 36 No 0 Ex 4 Ab 0
[X] Read First Time and Ref. to
Committee No. 9
[] Failed Introduction
Aye ___ No ___ Ex ___ Ab ___
3/27 Returned from Committee No. 9
with Recommendation:
[] Do Pass; [X] Amend & Do
Pass; [] Do Not Pass;
[] W/O Recomm; [] Re-Refer to
Committee No. ___
[] Re-referred to Committee No. ___
[] Returned from Committee No. ___
with Recommendation:
[] Do Pass; [] Amend & Do
Pass; [] Do Not Pass;
[] W/O Recomm; [] Re-Refer to
Committee No. ___
2/29 Considered in Comm. of Whole
[X] Amended
[X] Recommended Do Pass
[] Failed Comm. of Whole
[] Indefinitely Postponed
[] Other: ___
3/1 Read Second Time
[] Amended
[X] Do Pass
[] Do Not Pass
[] Accelerated to 3rd Rdg.
3/4 Read Third Time
[] Amended
[X] Passed [] Failed
Aye 29 No 0 Ex 1 Ab 0
[] Held for Reconsideration
[] Motion to Reconsider
[] Passed [] Failed
Aye ___ No ___ Ex ___ Ab ___
[] Third Reading Vote
(On Reconsideration)
[] Passed [] Failed
Aye ___ No ___ Ex ___ Ab ___
3/4 Sent to House (No Amendments)
3/4 Sent to LSO for Engrossing
3/4 ENGROSSED
3/5 Sent to House

HOUSE ACTION ON SENATE FILE

3/5 Received. Read First Time.
Referred to Committee No. 9
3/8 Returned from Committee No. 9
with Recommendation:
[X] Do Pass; [] Amend & Do
Pass; [] Do Not Pass;
[] W/O Recomm; [] Re-Refer to
Committee No. ___
[] Re-referred to Committee No. ___
[] Returned from Committee No. ___
with Recommendation:
[] Do Pass; [] Amend & Do
Pass; [] Do Not Pass;
[] W/O Recomm; [] Re-Refer to
Committee No. ___
3/11 Considered in Comm. of Whole
[] Amended
[X] Recommended Do Pass
[] Failed Comm. of Whole
[] Indefinitely Postponed
[] Other: ___
3/12 Read Second Time
[X] Amended
[X] Do Pass
[] Do Not Pass
[] Accelerated to 3rd Rdg.
3/13 Read Third Time
[] Amended
[X] Passed [] Failed
Aye 58 No 1 Ex 1 Ab 0
[] Held for Reconsideration
[] Motion to Reconsider
[] Passed [] Failed
Aye ___ No ___ Ex ___ Ab ___
[] Third Reading Vote
(On Reconsideration)
[] Passed [] Failed
Aye ___ No ___ Ex ___ Ab ___
3/13 Sent to Senate
3/13 Sent for Enrolling
SEA No. 39
3/14 Signed by President
3/14 Signed by Speaker
3/18 Approved by Governor
Chapter No. 61

CONCURRENCES/JOINT CONFERENCE COMMITTEES

NOTES: ADDITIONAL SENATE/HOUSE ACTION

3/13 Received from House with
Request to Concur in Amendments.
3/13 ☒ Senate Concurred in House
Amendments.
☐ Senate Did not Concur in House
Amendments.
Aye 29 No 0 Ex 0 Ab 1

1 JCC# 1 1 JCC# 1
Senate Members House Members
Ch. Ch.

1 ☐ Request for New Committee.
1 ☐ Senate Adopted JCC#
1 ☐ Senate Did Not Adopt JCC#
Aye No Ex Ab
☐ House Adopted
☐ House Did Not Adopt
Aye No Ex Ab

1 JCC# 2 1 JCC# 2
Senate Members House Members
Ch. Ch.

1 ☐ Request for New Committee.
1 ☐ Senate Adopted JCC#
1 ☐ Senate Did Not Adopt JCC#
Aye No Ex Ab
☐ House Adopted
☐ House Did Not Adopt
Aye No Ex Ab

1 JCC# 3 1 JCC# 3
Senate Members House Members
Ch. Ch.

1 ☐ Request for New Committee.
1 ☐ Senate Adopted JCC#
1 ☐ Senate Did Not Adopt JCC#
Aye No Ex Ab
☐ House Adopted
☐ House Did Not Adopt
Aye No Ex Ab

AMENDMENT LIST

DATE 3/11

BILL NO. SF70

Circle One: COW 2nd 3rd

SF0070HW001/F

AMENDMENT LIST

DATE 3/12

BILL NO. SF 70

Circle One: COW (2nd) 3rd

SF 70 H 2001 / A

53RD WYOMING STATE LEGISLATURE
BUDGET SESSION 1996

SENATE

SEQUENCE : 67

FEBRUARY 21 1996

BILL : SF0070
AMENDMENT:

4:45 PM

MOVED BY : SEN. PREVEDEL
TITLE :

SECONDED BY:

ACTION : INTRODUCTION

APPLEGATE.....	A	
BARTON.....	A	
CAMERON.....	A	
CATHCART.....	A	
COE.....	A	
ENZI.....	A	
GEIS.....	A	
GILBERTZ.....	A	
GOODENOUGH.....	A	
GRIEVE.....	A	
HARRIS.....	A	
HAWKS.....	A	
KINNISON.....	A	
KUNZ.....	A	
LARSON.....		E
LAWLER.....	A	
MAXFIELD.....	A	
MEIER.....	A	
MILLER.....	A	
PECK.....		E
PHILLIPS.....	A	
PICARD.....	A	
PREVEDEL.....	A	
SARCLETTI.....	A	
SCHIFFER.....	A	
SCOTT.....	A	
TWIFORD.....		E
VINICH.....		E
ZIMMERMAN.....	A	
EDDINS MR PRES.	A	

VOTE REQ: 2/3 OF MEMBERSHIP REQUIRED

AYES : 26
NOES : 0
EXCUSED : 4
ABSENT : 0
CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

FIFTY-THIRD WYOMING STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
BUDGET SESSION
1996

SEQUENCE : 4296

MARCH 13 1996

BILL : SF0070
AMENDMENT:

11:03 AM

MOVED BY :
TITLE :

SECONDED BY:

ACTION : THIRD READING REGULAR

ANDERSON.....	A	MCMURTREY.....	A
BADGETT.....	A	MOCKLER.....	A
BAKER.....	A	MOORE.....	A
BARKER.....	A	MORROW.....	A
BEBOUT.....	A	NAGEL.....	A
BENSEL.....	A	NELSON.....	A
BETTS.....	A	PARADY.....	A
BOSWELL.....	A	PARK.....	A
BOWRON.....	A	PASENEAUX.....	A
BURNS.....	A	PERKINS.....	A
CASE.....	A	PHILP.....	A
DEVIN.....	A	REED.....	A
DEWITT.....	A	ROSE.....	A
DIERCKS.....	A	ROSS.....	A
ERB.....	A	RYCKMAN.....	A
EYRE.....	A	SELBY.....	A
GAMS.....	A	SESSIONS.....	A
GARCIA.....	A	SHIPPY.....	A
HAGEMAN.....	A	SHREVE.....	A
HANES.....	A	SIMONS.....	A
HARRISON.....	A	STAFFORD.....	E
HINCHEY.....	N	STARK.....	A
HINES.....	A	TAYLOR-HORTON..	A
HUCKFELDT.....	A	TEMPEST.....	A
JOHNSON.....	A	TIPTON.....	A
LAW.....	A	TOMASSI.....	A
LUTHI.....	A	WASSERBURGER...	A
MACMILLAN.....	A	WILLFORD.....	A
MASSIE.....	A	ZANETTI.....	A
MCCONIGLEY.....	A	MARTON MR SPKR.	A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 58
NOES : 1
EXCUSED : 1
ABSENT : 0
CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

AMENDMENT LIST

DATE 2-29-96 BILL NO. SF 70 Circle One: COW 2nd 3rd

SF0070 SS001/A Telford

INTRODUCED

SENATE FILE NO. SF0070

Aboveground storage tanks.

Sponsored by: Senator(s) PREVEDEL, HARRIS and SARCLETTI and
Representative(s) BOSWELL, NELSON, RYCKMAN and
ZANETTI

A BILL

for

1 AN ACT relating to aboveground storage tanks; amending
2 requirements for aboveground storage tanks as specified;
3 amending authorized capacities for aboveground storage tanks
4 at facilities; amending restrictions on locations of
5 aboveground storage tanks; and providing for an effective
6 date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 35-9-142(a)(ii)(B) and (D) is amended
11 to read:

12

13 **35-9-142.** Aboveground tank systems at automotive motor
14 vehicle fuel-dispensing station open to the public;
15 requirements.

16

1 (a) Notwithstanding any other provision of this
2 chapter or any regulation or standard adopted pursuant
3 thereto an approved aboveground tank storage system may be
4 installed for storage and dispensing of motor vehicle fuel
5 into the tanks of motor vehicles at retail outlets open to
6 the public if:

7

8 (ii) The tank system:

9

10 (B) ~~Shall not exceed two (2) tanks. The Has~~
11 ~~a capacity of the tanks shall not be less than one thousand~~
12 ~~(1,000) gallons nor more than fourteen thousand (14,000)~~
13 twelve thousand (12,000) gallons per tank and a total of not
14 more than forty thousand (40,000) gallons at any facility.
15 Tanks shall be spaced at least three (3) feet apart;

16

17 (D) Shall not be located within: ~~five~~
18 ~~hundred (500) feet of a building classified as Group A, E,~~
19 ~~H, I or R-1 Occupancy, in accordance with the current~~
20 ~~adopted Uniform Building Code;~~

21

22 (I) Fifty (50) feet of the nearest
23 building on the same property;

24

1 (II) Fifty (50) feet of any fuel
2 dispenser;

3

4 (III) Fifty (50) feet of the nearest
5 side of a public way;

6

7 (IV) One hundred (100) feet of any
8 property line that is or might be built upon, including the
9 opposite side, of a public way.

10

11 **Section 2.** This act is effective immediately upon
12 completion of all acts necessary for a bill to become law as
13 provided by Article 4, Section 8 of the Wyoming
14 Constitution.

15

16 (END)

Aboveground storage tanks.

96LSO-0368.L1

FISCAL NOTE

No fiscal or personnel impact.

SF 70

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

Cheyenne, February 26, 1996

Mr. President:

Your Committee No. 9 on MINERALS, BUSINESS & ECONOMIC DEVELOPMENT to whom was referred SF0070 respectfully reports same back to the Senate with the recommendation that it DO PASS with the following amendment(s): (SEE SCHEDULE A)

MEMBERVOTE

Twiford, Chairman
Cameron
Hawks
Lawler
Phillips

Aye
Aye
Aye
Aye
Aye

...*/s/ Twiford*.....
Chairman

BILL JACKET

Schedule A

SF0070SS001

- 1 Page 1-line 5 After "tanks;" insert "repealing provision
2 regarding placement of tanks near certain
3 buildings as specified;".
4
- 5 Page 1-line 10 Delete "(D)" insert "(C)".
6
- 7 Page 2-lines 17-20 Delete and insert:
8
9 "(C) Shall not be placed ~~less than fifty (50)~~
10 ~~feet from any dispensing device, occupied buildings, nearest side~~
11 ~~of any public way or property line which can be built upon,~~
12 within:".
13
- 14 Page 3-After line 9 insert and renumber as necessary:
15
16 "Section 2. W.S. 35-9-142(a)(ii)(D) is repealed."
17 TWIFORD, CHAIRMAN

mlq

SF0070SS001/A

1 Page 1-line 5 ✓ After "tanks;" insert "repealing provision
2 regarding placement of tanks near certain
3 buildings as specified;".
4
5 Page 1-line 10 ✓ Delete "(D)" insert "(C)".
6
7 Page 2-lines 17-20 Delete and insert: ✓
8
9 "(C) Shall not be placed ~~less than fifty (50)~~
10 ~~feet from any dispensing device, occupied buildings, nearest side~~
11 ~~of any public way or property line which can be built upon;~~
12 within:".
13
14 Page 3-After line 9 insert and renumber as necessary: ✓
15
16 "Section 2. W.S. 35-9-142(a)(ii)(D) is repealed."
17 TWIFORD, CHAIRMAN

mls

53RD WYOMING STATE LEGISLATURE
BUDGET SESSION 1996

SENATE

SEQUENCE : 183

MARCH 4 1996

BILL : SF0070

10:06 AM

AMENDMENT:

MOVED BY :

SECONDED BY:

TITLE :

ACTION : THIRD READING

APPLEGATE.....	A	
BARTON.....	A	
CAMERON.....	A	
CATHCART.....	A	
COE.....		E
ENZI.....	A	
GEIS.....	A	
GILBERTZ.....	A	
GOODENOUGH.....	A	
GRIEVE.....	A	
HARRIS.....	A	
HAWKS.....	A	
KINNISON.....	A	
KUNZ.....	A	
LARSON.....	A	
LAWLER.....	A	
MAXFIELD.....	A	
MEIER.....	A	
MILLER.....	A	
PECK.....	A	
PHILLIPS.....	A	
PICARD.....	A	
PREVEDEL.....	A	
SARCLETTI.....	A	
SCHIFFER.....	A	
SCOTT.....	A	
TWIFORD.....	A	
VINICH.....	A	
ZIMMERMAN.....	A	
EDDINS MR PRES.	A	

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 29

NOES : 0

EXCUSED : 1

ABSENT : 0

CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

THE LEGISLATURE OF THE STATE OF WYOMING

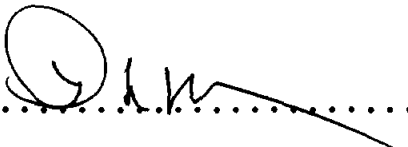
House of Representatives

Cheyenne, March 8, 1996

Mr. Speaker:

Your Committee No. 9 on MINERALS, BUSINESS & ECONOMIC DEVELOPMENT to whom was referred SF0070ENG respectfully reports same back to the House with the recommendation that it DO PASS.

<u>MEMBER</u>	<u>VOTE</u>
Burns	Aye
Erb	Aye
Massie	Aye
Parady	Aye
Stafford	Aye
Taylor-Horton	Aye
MacMillan, Chairman	Aye
Park	No
Moore	Excused

..........
Chairman

BILL JACKET

SF0070HW001

/F

C

1
2
3
4
5

[TO ENGROSSED COPY]

Page 2-line 13

Reinsert stricken language.

Page 2-line 14

Delete "twelve thousand (12,000)". PARK

[TO ENGROSSED COPY]

Page 1-line 5 ✓ After ";" insert "authorizing continued use of existing installed tanks as specified;".

Page 1-line 11 ✓ After "(C)" insert "and by creating a new subsection (e)".

Page 3-After line 10 Insert:

"(e) Notwithstanding paragraph (a)(ii) of this section, any tank which was duly approved for installation under tank size requirements in effect when installed may continue to be used, provided the tank does not pose a danger to health or safety of the public under the tank size standards applicable when installed." DEVIN, PARK

53RD WYOMING STATE LEGISLATURE
BUDGET SESSION 1996

SENATE

SEQUENCE : 382

MARCH 13 1996

BILL : SF0070
AMENDMENT:

3:45 PM

MOVED BY : SEN. PREVEDEL
TITLE :

SECONDED BY:

ACTION : CONCURRENCE

APPLEGATE.....	A	
BARTON.....	A	
CAMERON.....	A	
CATHCART.....	A	
COE.....	A	
ENZI.....	A	
GEIS.....	A	
GILBERTZ.....	A	
GOODENOUGH.....	A	
GRIEVE.....	A	
HARRIS.....	A	
HAWKS.....	A	
KINNISON.....	A	
KUNZ.....	A	
LARSON.....	A	
LAWLER.....	A	
MAXFIELD.....	A	
MEIER.....	A	
MILLER.....	A	
PECK.....	A	
PHILLIPS.....	A	
PICARD.....	A	
PREVEDEL.....	A	
SARCLETTI.....	A	
SCHIFFER.....	A	
SCOTT.....	A	
TWIFORD.....		X
VINICH.....	A	
ZIMMERMAN.....	A	
EDDINS MR PRES.	A	

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 29
NOES : 0
EXCUSED : 0
ABSENT : 1
CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

HOUSE OF REPRESENTATIVES
WYOMING STATE LEGISLATURE

Message No.253

Concurrence Requested

Mr.President:

March 13, 1996

S.F. No. 0070 Aboveground storage tanks.

The Senate File listed above passed on third reading in an amended form as follows by the vote indicated.

SF0070H2001/AE

[TO ENGROSSED COPY]

Page 1-line 5

After "," insert "authorizing continued use of existing installed tanks as specified;".

Page 1-line 11

After "(C)" insert "and by creating a new subsection (e)".

Page 3-After line 10 Insert:

"(e) Notwithstanding paragraph (a)(ii) of this section, any tank which was duly approved for installation under tank size requirements in effect when installed may continue to be used, provided the tank does not pose a danger to health or safety of the public under the tank size standards applicable when installed." DEVIN, PARK

Ayes 58 Noes 1 Excused 1 Absent 0

Sincerely,



Paul S. Galeotos
House Chief Clerk

Bill Jacket Attached

SENATE FILE NO. SF0070

Aboveground storage tanks.

Sponsored by: Senator(s) PREVEDEL, HARRIS and SARCLETTI and
Representative(s) BOSWELL, NELSON, RYCKMAN and
ZANETTI

A BILL

for

1 AN ACT relating to aboveground storage tanks; amending
2 requirements for aboveground storage tanks as specified;
3 amending authorized capacities for aboveground storage tanks
4 at facilities; amending restrictions on locations of
5 aboveground storage tanks; repealing provision regarding
6 placement of tanks near certain buildings as specified; and
7 providing for an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 35-9-142(a)(ii)(B) and (C) is amended
12 to read:

13

14 **35-9-142. Aboveground tank systems at automotive motor**
15 **vehicle fuel-dispensing station open to the public;**
16 **requirements.**

1

2 (a) Notwithstanding any other provision of this
3 chapter or any regulation or standard adopted pursuant
4 thereto an approved aboveground tank storage system may be
5 installed for storage and dispensing of motor vehicle fuel
6 into the tanks of motor vehicles at retail outlets open to
7 the public if:

8

9 (ii) The tank system:

10

11 (B) ~~Shall not exceed two (2) tanks. The Has~~
12 a capacity of the tanks shall not be less than one thousand
13 (1,000) gallons nor more than fourteen thousand (14,000)
14 twelve thousand (12,000) gallons per tank and a total of not
15 more than forty thousand (40,000) gallons at any facility.
16 Tanks shall be spaced at least three (3) feet apart;

17

18 (C) ~~Shall not be placed less than fifty (50)~~
19 ~~feet from any dispensing device, occupied buildings, nearest~~
20 ~~side of any public way or property line which can be built~~
21 upon; within:

22

23 (I) Fifty (50) feet of the nearest
24 building on the same property;

25

1 (II) Fifty (50) feet of any fuel
2 dispenser;

3
4 (III) Fifty (50) feet of the nearest
5 side of a public way;

6
7 (IV) One hundred (100) feet of any
8 property line that is or might be built upon, including the
9 opposite side, of a public way.

10

11 **Section 2.** W.S. 35-9-142(a)(ii)(D) is repealed.

12

13 **Section 3.** This act is effective immediately upon
14 completion of all acts necessary for a bill to become law as
15 provided by Article 4, Section 8 of the Wyoming
16 Constitution.

17

18 (END)