

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

*Joint Committee for
Review of
Administrative Rules
(JCR-AR)*

Sample:

- Record of Comm. Proceedings
- 97hrAC-EdR_RCP_pt01a
- 97hrAC-EdR_RCP_pt01b
- 97hrAC-EdR_RCP_pt02

- Appointments ... Appt
-
- Clearinghouse Rules ... CRule
-
- Committee Hearings ... CH
-
- Committee Reports ... CR
-
- Executive Sessions ... ES
- 97hr_JCR-AR_ES_pt02b
-
- Hearing Records ... HR
-
- Miscellaneous ... Misc
-
- Record of Comm. Proceedings ... RCP
-

— JCRAR Executive Session
February 20, 1997

JAN 08 1997



State of Wisconsin / OFFICE OF THE COMMISSIONER OF INSURANCE

Tommy G. Thompson
Governor

Josephine W. Musser
Commissioner

January 6, 1997

121 East Wilson Street
P.O. Box 7873
Madison, Wisconsin 53707-7873
(608) 266-3585
http://badger.state.wi.us/agencies/oci/oci_home.htm

HONORABLE RICHARD GROBSCHMIDT
SENATE CO-CHAIRPERSON
JOINT COMM FOR REVIEW OF ADM RULES
100 N HAMILTON ST RM 404
MADISON WI 53702

Joh

Re: Rule, Section Ins 18.07 (5) (b), Wis. Adm. Code, relating to decrease in
HIRSP rates

Emergency Rule Extension Request

Dear Senator Grobschmidt:

I am requesting an extension of an emergency rule under s. 227.24(2), Wis. Stat. It is necessary to extend the emergency rule because it expires the end of February 1997 and the permanent rule process has been delayed due to the 1996 "even-numbered year" provision of s. 227.19(2).

If you have any questions regarding this, please contact Peter Farrow at 264-6239.

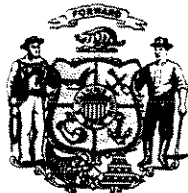
Best Regards,

Josephine W. Musser
Josephine W. Musser
Commissioner of Insurance

JWM:SM

Tommy G. Thompson
Governor

Michael J. Sullivan
Secretary



Mailing Address
149 East Wilson Street
Post Office Box 7925
Madison, WI 53707-7925
Telephone (608) 266-2471

State of Wisconsin Department of Corrections

January 17, 1997

Ben Brancel, Speaker
Wisconsin State Assembly
211 West State Capitol
Madison, Wisconsin 53702

Fred Risser, President
Wisconsin State Senate
Room 102
119 Martin Luther King Blvd.
Madison, Wisconsin 53702

Re: Clearinghouse Rule 96-175
An order to create DOC 309.05 (2) (d), relating to stamping outgoing prisoner mail.

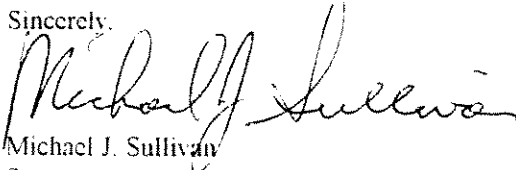
Gentlemen:

As provided in s. 227.19 (2), Stats., notice is given that the above-mentioned rule is in final draft form. This notice and the report required under s. 227.19 (2) and (3), Stats., are submitted in triplicate.

The rule was submitted to the Legislative Council for review under s. 227.15, Stats. A copy of the Council's report is also enclosed.

If you have any questions about the rule, please contact Deborah Rychlowski at 266-8426.

Sincerely,


Michael J. Sullivan
Secretary

Enclosures

cc: Gary Poulson, Deputy Revisor of Statutes
Senator Richard Grobschmidt, JCRAR
Representative Glenn S. Grothman, JCRAR

PROPOSED ADMINISTRATIVE RULES--DOC 309.05 (2) (d)
ANALYSIS FOR LEGISLATIVE STANDING COMMITTEES
PURSUANT TO s. 227.19 (3), STATS.

Need for Rule

Wisconsin state prison inmates' outgoing mail is generally not reviewed or censored. Inmates have used mail to:

1. Contact the victims of their crimes, which has caused severe emotional distress;
2. Threaten and harass elected officials, law enforcement officers, and other persons; and
3. Defraud mail order and other businesses.

Since November 1, 1993, pursuant to Internal Management Procedure #35, the department has stamped outgoing inmate mail to indicate that the mail was sent from the Wisconsin state prison system. IMP #35 was adopted to protect victims of crime, the public, and businesses from inmate harassment and fraud. The Wisconsin Court of Appeals ruled in an unpublished decision that IMP #35 had to be promulgated as an administrative rule to ensure that victims of crime are not further victimized by inmate mail, that members of the public are not threatened or harassed, and that business are not defrauded.

Responses to Clearinghouse Recommendations

All comments of the Legislative Council's Rules Clearinghouse were accepted.

Public Hearings

The department held three public hearings on the proposed rule. The public hearing were held in Madison on January 10, 1997; in Waukesha on January 13, 1997; and in Eau Claire on January 14, 1997. No one appeared to testify at any of the public hearings. Two persons submitted written comments during the open comment period. The names of those submitting written comments and summaries of the written comments are included in the report attached to this analysis.

Modifications Made as A Result of Public Hearing Testimony

No modifications were made to the proposed rule in response to comments received during the public review of this rule.

Final Regulatory Flexibility Analysis

This proposed rule is not expected to impact on small businesses as defined in s. 227.114 (1).

Attachment

DOC 309.05 (2) (d)--The Stamping of Outgoing Inmate Mail

Public hearings were held in Madison on January 10, 1997; in Waukesha on January 13, 1997; and in Eau Claire on January 14, 1997.

Deborah Rychlowski, Office of Legal Counsel, attended all of the public hearings.

The hearing record was left open until January 15, 1997, for receipt of written comments.

Registered	0
Testified	0
Written comments	2
Support the rule	0
Oppose the rule	2

The following is a list of the persons who submitted written comments on the rules:

1. Charles Downing
Inmate
Waupun Correctional Institution
P. O. Box 351
Waupun, WI 53963-0351
2. Harlan Richards
Inmate
Fox Lake Correctional Institution
Box 147, Unit 3
Fox Lake, WI 53933

SUMMARY OF PUBLIC HEARING TESTIMONY AND
WRITTEN COMMENTS AND DEPARTMENT RESPONSES

DOC 309.05 (2) (d) The Stamping of Outgoing Inmate Mail

RESPONDENT

COMMENT

Charles Downing

Mr. Downing requested to inspect any evidence that the DOC had for its three reasons for the stamping of outgoing inmate mail. 1) contacting victims of crimes which has caused them severe emotional distress; 2) threatening and harassing of elected officials, law officers and others; and 3) mail fraud. Mr. Downing also wrote that inmates can already be punished by Section 303 of the Wisconsin Administrative Code for the three reasons cited. Mr. Downing gave a brief history of the DOC's stamping of outgoing inmate mail, and alleged that DOC abused its discretion by promulgating the emergency rule relating to the stamping of outgoing inmate mail. Mr. Downing suggests that all the institutions should amend their handbooks/rulebooks to require that all inmates write the full name of the institution in their return address on all outgoing inmate mail. Mr. Downing suggests that this will save money on stamping equipment and litigation. Mr. Downing points out that inmates can have their mailing privileges suspended if they violate certain administrative rules. Mr. Downing suggests that the rule is meant to discourage the recipients of inmate mail from maintaining relationships with inmates because neighbors and others will realize they are receiving mail from inmates.

Response

Over the years the department has experienced a steady increase in complaints caused by inmates' use of the mail. Inmates have used false names and titles in mail to defraud members of the public, credit card companies, and businesses. Inmates have sent pornographic mail to female minors whose names or pictures appear in newspapers. Inmates have ordered huge quantities of books and magazines, records, cassettes, computer equipment and CDs with no intention of paying. Significant credit card scams have been run through the mail by prison inmates while they are in prison. The fraud involved both in-state and out-of-state victims. Inmates convicted of molesting children send the child victims mail threatening or attempting to seduce them, compounding the already substantial trauma of the children and their parents and making them victims once again.

By stamping the mail, DOC does not open or censor the mail. DOC leaves it up to the recipient of the mail to decide if he or she wants to open the mail. If the recipient of the mail decides to open and read the

mail, he or she is alerted to the fact that it came from a prison inmate and that any financial offers, orders, etc. contained therein may be suspect. Since it is a matter of public record that a person is an inmate in a Wisconsin prison, there is no harm caused to the inmate by labeling the mail. Federal courts have upheld similar procedures in other states. The federal prisons' regulations also say that federal inmates' mail may be stamped with a message from the institution. DOC did not abuse its discretion by promulgating the emergency rule relating to the stamping of outgoing inmate mail.

There are provision in Wis. Admin. Code DOC 303 which provide that inmates are not to engage in fraudulent or threatening conduct and that abuse of the mail may lead to having mailing privileges revoked. However, these rules are enforced after the fact, after the fraud or harassment has occurred. This rule is designed to prevent the fraud or harassment from occurring.

It is easier for DOC to stamp each piece of outgoing mail rather than to examine each piece of mail to determine if the institution's name is spelled completely in the return address. Also, DOC already has the mail stamps, and the cost of the mail stamps is insignificant. The purpose of this rule is to protect the public, not to discourage recipients of inmate mail from maintaining relationships with inmates.

Harlan Richards

Mr. Richards cites DOC's reasons for the rule, that in order to protect the public welfare of the state, it is necessary for the Department to adopt a rule to ensure that victims of crime are not further victimized by inmate mail, that members of the public are not threatened or harassed, and that businesses are not defrauded. Mr. Richards states that as laudable as these goals are, they are not in any way connected to the proposed rule. Prisoners may still write to victims of crimes, have a constitutional right to write to public officials and if they are predisposed to defrauding a business they are still going to do it whether or not there is a stamp on the outside of the envelope. In order to survive judicial review, it must be reasonably related to a legitimate governmental interest. Although the proposal cites legitimate governmental interests, there is no rational connection between the rule and the interests listed. Mr. Richards states that the administrative code already provides procedures to follow when prisoners misuse the mail and states that if there is a problem with threats or fraud, they should be handled under the current provisions of the code. Mr. Richards states that the new rule is unwarranted. Mr. Richards states that he and the people he corresponds with have a privacy right not to be subjected to publication of his status as a

prisoner and the ensuing infamy which results therefrom. Mr. Richards requests that the proposed rule be withdrawn.

Response

The goals cited by DOC are connected to the rule. The purpose of the rule is to prevent crimes or harassment of the public by alerting the public that the mail is originating from the Wisconsin prison system. The stamp would allow a recipient to determine if he or she wishes to open the letter. A crime victim may then choose not to open a letter from the perpetrator of a crime. This would prevent any harassment of the victim from occurring. This would be preferable to the victim opening the letter and being subjected to harassment by an inmate. Likewise, a recipient of an unsolicited letter from an inmate may determine not to participate in a business deal if the recipient is aware that the sender is an inmate in the Wisconsin prison system. The proposed rule would help prevent a crime from occurring. The proposed rule would help protect the public by providing it with additional information about the person sending the mail. There are rules which prohibit inmates from engaging in mail fraud and harassment. However, these rules are enforced after the fact, after the fraud or harassment has occurred. This rule is designed to prevent the fraud or harassment from taking place. The fact that a person is an inmate in the Wisconsin prison system is a matter of public record. There is no privacy right to prevent that information from being disclosed.

PROPOSED ORDER OF THE
DEPARTMENT OF CORRECTIONS
CREATING RULES

The Wisconsin department of corrections proposes an order to create DOC 309.05 (2) (d).

Statutory authority: ss. 301.03 (2) and 227.11 (2) (a), Stats.
Statutes interpreted: s. 301.03 (2)

Analysis Prepared by the Department of Corrections

Wisconsin state prison inmates outgoing mail is generally not reviewed or censored. Inmates have used mail to:

1. Contact the victims of their crimes, which has caused severe emotional distress;
2. Threaten and harass elected officials, law enforcement officers, and other persons; and
3. Defraud mail order and other businesses.

Since November 1, 1993, pursuant to Internal Management Procedure #35, the department has stamped outgoing inmate mail to indicate that the mail was sent from the Wisconsin state prison system. IMP #35 was adopted to protect victims of crime, the public, and businesses from inmate harassment and fraud.

The Wisconsin Court of Appeals ruled in an unpublished decision that IMP #35 had to be promulgated as an administrative rule. In order to protect the public welfare of the state, it was necessary for the department to adopt an emergency rule to ensure that victims of crime are not further victimized by inmate mail, that members of the public are not threatened or harassed, and that businesses are not defrauded. This is the permanent version of the emergency rule.

SECTION 1. DOC 309.05(2)(d) is created to read:

DOC 309.05(2)(d) All outgoing inmate mail shall be stamped. The stamp shall identify the mail as coming from the Wisconsin state prison system.

This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s.227.22 (2) (intro.), Stats.

WISCONSIN DEPARTMENT OF CORRECTIONS

Dated: _____

By: _____
Michael J. Sullivan
Secretary

Seal:

WISCONSIN LEGISLATIVE COUNCIL STAFF

LCRC
FORM 2

RULES CLEARINGHOUSE

Ronald Skiansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 96-175

AN ORDER to create DOC 309.05 (2) (d), relating to stamping outgoing prisoner mail.

Submitted by **DEPARTMENT OF CORRECTIONS**

11-11-96 RECEIVED BY LEGISLATIVE COUNCIL.

12-10-96 REPORT SENT TO AGENCY.

RS:PS;jt;kjf

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

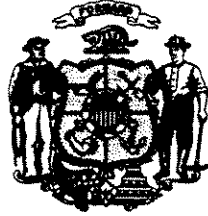
Comment Attached YES NO

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 96-175

Comments

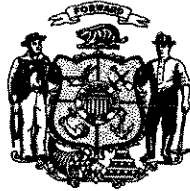
[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

2. Form, Style and Placement in Administrative Code

- a. The text of this rule should not be underscored, as it is an entire, newly created rule unit. See s. 1.06 (1), Manual.
- b. The two occurrences of "will" should be changed to "shall," as required by s. 1.01 (2), Manual.

Tommy G. Thompson
Governor

Linda Stewart
Secretary



JAN 21 1997

OFFICE OF THE SECRETARY
201 East Washington Avenue
P.O. Box 7946
Madison, WI 53707-7946
Telephone: (608) 266-7552
FAX: (608) 266-1784

State of Wisconsin
Department of Workforce Development

January 21, 1997

The Honorable Richard Grobschmidt
Room 404, 100 North Hamilton Street
Madison, Wisconsin 53702

The Honorable Glenn Grothman
125 West, State Capitol
Madison, Wisconsin 53702

Re: HSS 201.135, (eventually to be renumbered by the Revisor's Office as DWD 11.135)

Dear Senator Grobschmidt and Representative Grothman:

Administrative rule HSS 201.135, relating to the 60-month lifetime limit on participation in the Job Opportunities and Basic Skills (JOBS) program or a Wisconsin Works (W-2) employment position or combination thereof, was promulgated as an emergency rule on October 1, 1996, under s. 49.145(2)(n), Stats., as created by 1995 Wisconsin Act 289, s. 49.50(2), Stats., and s. 275(3) of 1995 Wisconsin Act 289.

The Wisconsin Legislative Council assigned Clearinghouse Rule number 96-156 to HSS 201.135.

A public hearing was held on HSS 201.135 on November 19, 1996, and the deadline for written testimony was held open until November 26, 1996. The rule was submitted to the presiding officers of the Legislature on January 14, 1997.

This letter is a request for a 60 day extension of the emergency rule. The Department expects to file the permanent rule late in February to become effective May 1, 1997.

If this emergency rule is not extended, the administrative rules would conflict with the statutory provisions of 1995 Wisconsin Act 289. On the basis of this emergency rule, time-limited benefits were implemented statewide. Failure to extend the emergency rule would cause confusion and disruption in the implementation of this component of the Wisconsin Works program.

Thank you for your consideration of this request. Please contact Katie Mnuk, the Department's Legislative Liaison, at 7-3200, if you have any questions concerning this request.

Sincerely,

A handwritten signature in cursive script that reads "Linda Stewart".

Linda Stewart
Secretary Designate

James Stewart

ORDER OF THE
DEPARTMENT OF WORKFORCE DEVELOPMENT
CREATING A RULE

The Legislature in s.275(3) of 1995 Wisconsin Act 289 directed the Department to promulgate the rule required under s.49.145(2)(n), Stats., as created by Act 289, by using emergency rulemaking procedures but without having to make a finding of emergency. The rule will take effect on October 1, 1996.

Analysis Prepared by the Department of Workforce Development

Under the Aid to Families with Dependent Children (AFDC) program an individual may apply and be determined eligible for AFDC benefits with no regard to whether the individual has received benefits in the past or the number of months an individual may have already received benefits. Wisconsin Works (W-2), the replacement program for AFDC, as created by 1995 Wisconsin Act 289, includes a provision limiting the amount of time an individual may receive AFDC benefits, W-2 employment position benefits or a combination thereof. Under s.49.145(2)(n), Stats., as created by 1995 Wisconsin Act 289, the total number of months in which an adult has actively participated in the Job Opportunities and Basic Skills (JOBS) program under s.49.193, Stats., or has participated in a W-2 employment position or both may not exceed 60 months. The months need not be consecutive. Extensions to the 60 month time limit may be granted only in unusual circumstances in accordance with rules promulgated by the Department. Section 49.141(2)(b), Stats., as created by 1995 Wisconsin Act 289, provides that if a federal waiver is granted or federal legislation is enacted, the Department may begin to implement the W-2 program no sooner than July 1, 1996. Participation in JOBS under s.49.193, Stats., begins to count toward the 60-month limit beginning on October 1, 1996.

The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) was signed into law by President Clinton on August 22, 1996. It creates the Temporary Assistance for Needy Families (TANF) program which provides that a state may not use any part of the TANF grant to provide assistance to a family that includes an adult who has received assistance for 60 months, whether consecutive or not, under a state program funded by the TANF block grant. Wisconsin submitted its TANF Block Grant State Plan to the federal Administration for Children and Families on August 22, 1996. The Department will implement time limits October 1, 1996, for AFDC recipients who are actively participating in the Job Opportunities and Basic Skills (JOBS) Training Program. Implementation of the time limits is part of the continuing transition from AFDC to the W-2 program. W-2 will be implemented statewide in September 1997.

Time limits reinforce the idea that AFDC is a temporary support for families, rather than a long-term source of income. Wisconsin's Work Not Welfare (WNW) demonstration project which is operating in Fond du Lac and Pierce Counties, has shown that time limits create a sense of urgency for families to actively seek alternatives to AFDC. Time limits stress mutual

responsibility: government provides support and services designed to promote employment and participants who are able must prepare for and enter employment.

The rule defines the term "actively participating" in the JOBS program and includes criteria a county or tribal economic support agency would use to determine whether an extension of the 60 month time limit should be granted. The Department retains the right to review an economic support agency's decisions related to extensions.

ORDER

Pursuant to the authority vested in the Department of Workforce Development by s.49.145(2)(n), Stats., as created by 1995 Wisconsin Act 289, s.49.50(2), Stats., and s.275(3) of 1995 Wisconsin Act 289, the Department of Workforce Development hereby creates a rule interpreting s.49.145(2)(n), as created by 1995 Wisconsin Act 289, as follows:

SECTION 1. HSS 201.135 is created to read:

HSS 201.135 TIME LIMITS. (1) **ELIGIBILITY.** An individual is not eligible for AFDC if, beginning on the date the individual attained the age of 18 and during which he or she actively participated in the JOBS program under s.HSS 206, he or she has received AFDC for 60 months. The months need not be consecutive. Participation in JOBS under s.49.193, Stats., begins to count toward the 60-month limit beginning on October 1, 1996. In this subsection, "actively participated" means that the individual was enrolled under s.HSS 206.07 in the JOBS program.

(2) **ADDITIONAL MONTHS OF ELIGIBILITY.** An agency may extend the 60 month time limit only under unusual circumstances. In this subsection, "unusual circumstances" means:

(a) A JOBS program participant is unable to work because of personal disability or incapacity, as defined under s.HSS 207.11(1)(a), or is needed as determined under s.HSS 201.19(1)(i) to remain at home to care for another member of the household whose incapacity is so severe that without constant in-home care provided by the JOBS program participant, the incapacitated AFDC group member's health and well-being would be significantly affected;

(b) A JOBS program participant has significant limitations to employment such as:

1. A JOBS program participant's low achievement ability, learning disability or emotional problems of such severity that they prevent the individual from obtaining or retaining unsubsidized employment, but are not sufficient to meet the criteria for eligibility for SSI under 42 USC 1381 to 1381d or social security disability insurance (SSDI) under 42 USC 401 to 433;
or

2. Family problems of such severity that they prevent the JOBS program participant from obtaining or retaining unsubsidized employment; or

(c) The adult JOBS program participants have made all appropriate efforts to find work and are unable to find employment because local labor market conditions preclude a reasonable job opportunity. "Reasonable job opportunity" means a job that pays the federal minimum wage prescribed in 29 USC 206(a)1, and meets the conditions under 45 CFR Part 251.

(3) DEPARTMENT RESPONSIBILITY. The department may review an agency's decision to extend eligibility beyond the 60 month lifetime limit and may overturn an agency's decision.

(4) DETERMINATION OF BENEFITS. For purposes of determining the number of monthly benefit payments permitted under s.49.145(2)(n), Stats., and this section, a JOBS program participant shall be considered to have received a monthly benefit in a month in which, as a result of a sanction under s.HSS 201.19(2) or (2m), a reduced monthly AFDC benefit or no monthly AFDC benefit is paid.

(5) WHO IS NOT SUBJECT TO TIME LIMITS. An individual who is one of the following is not subject to sub.(1):

(a) Dependent 18 year old as defined under s.HSS 201.24;

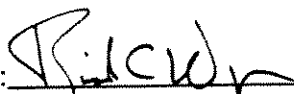
(b) A participant enrolled in the JOBS pay for performance (PFP) control group under s.HSS 201.045(4)(b)1; or

(c) An 18 or 19 year old Learnfare participant under s.HSS 201.195.

The rule contained in this order shall take effect as an emergency rule on October 1, 1996.

Wisconsin Department of
Workforce Development

Dated: 9/25/96

By: 
Richard C. Wegner
Acting Secretary

CHAPTER DWD 11

RULE RELATING TO THE 60-MONTH LIFETIME LIMIT ON
PARTICIPATION IN THE JOB OPPORTUNITIES AND BASIC
SKILLS (JOBS) PROGRAM OR A WISCONSIN WORKS (W-2)
EMPLOYMENT POSITION OR A COMBINATION THEREOF

Pursuant to the authority vested in the Wisconsin Department of Workforce Development (DWD) by s. 49.145(2)(n), Stats., the Department proposes an order to renumber ch. HSS 201 to DWD 11 and to create DWD 11.135, relating to circumstances under which the 60-month lifetime limit on participation in the Job Opportunities and Basic Skills (JOBS) program or a Wisconsin Works employment position or a combination thereof may be extended.

Analysis

(1) **Background.** Under the Aid to Families with Dependent Children (AFDC) program an individual may apply and be determined eligible for AFDC benefits with no regard to whether the individual has received benefits in the past or the number of months an individual may have already received benefits. Wisconsin Works (W-2), the replacement program for AFDC, as created by 1995 Wisconsin Act 289, includes a provision limiting the amount of time an individual may receive AFDC benefits, W-2 employment position benefits or a combination thereof. Under s. 49.145(2)(n), Stats., as created by 1995 Wisconsin Act 289, the total number of months in which an adult has actively participated in the Job Opportunities and Basic Skills (JOBS) program under s. 49.193, Stats., or has participated in a W-2 employment position or both may not exceed 60 months. The months need not be consecutive. Extensions to the 60-month lifetime limit may be granted only in unusual circumstances in accordance with rules promulgated by the Department. Section 49.141(2)(b), Stats., as created by 1995 Wisconsin Act 289, provides that if a federal waiver is granted or federal legislation is enacted, the Department may begin to implement the W-2 program no sooner than July 1, 1996. Participation in JOBS under s. 49.193, Stats., begins to

count toward the 60-month lifetime limit beginning on October 1, 1996.

The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) was signed into law by President Clinton on August 22, 1996. It creates the Temporary Assistance for Needy Families (TANF) program which provides that a state may not use any part of the TANF grant to provide assistance to a family that includes an adult who has received assistance for 60 months, whether consecutive or not, under a state program funded by the TANF block grant. Wisconsin submitted its TANF Block Grant State Plan to the federal Administration for Children and Families on August 22, 1996. The Department implemented time limits on October 1, 1996, for AFDC recipients who are actively participating in the Job Opportunities and Basic Skills (JOBS) program. Implementation of the time limits is part of the continuing transition from AFDC to the W-2 program. W-2 will be implemented statewide in September 1997.

Time limits reinforce the idea that AFDC is a temporary support for families, rather than a long-term source of income. Wisconsin's Work Not Welfare (WNW) demonstration project which is operating in Fond du Lac and Pierce Counties, has shown that time limits create a sense of urgency for families to actively seek alternatives to AFDC. Time limits stress mutual responsibility: government provides support and services designed to promote employment and participants who are able must prepare for and enter employment.

The rule defines the term "actively participating" in the JOBS program and includes criteria a county or tribal economic support agency would use to determine whether an extension of the 60-month lifetime limit should be granted. The Department retains the right to review an economic support agency's decisions related to extensions.

(2) Authority for rule. s. 49.145(2)(n), Stats., establishes a lifetime limit of 60 months, beginning on an individual's 18th birthday, on the time that an individual may participate in the Job Opportunities and Basic Skills (JOBS) program under s. 49.193, Stats., or the Wisconsin Works (W-2) program under ss. 49.141 to 49.161, Stats. or a

combination thereof. In addition, s. 49.145(2)(n) provides that a W-2 agency may extend the time limit only if the agency determines, "in accordance with rules promulgated by the department, that unusual circumstances exist that warrant an extension of the participation period."

(3) Unusual circumstances. This rule establishes the following as unusual circumstances which may serve as the basis for the determination by a W-2 agency that the 60-month lifetime limit should be extended for a W-2 participant:

(a) A participant is unable to work because of personal disability or incapacity, or because he or she is needed to provide home care for a severely incapacitated member of his or her household.

(b) A participant has significant limitations to employment, such as low achievement ability, learning disability, severe emotional or family problems, or inability to find employment because of local labor market conditions.

(4) Department review. The rule provides that DWD may review and reverse the decision of a W-2 agency to extend a participant's eligibility beyond the 60-month lifetime limit.

(5) Counting sanction months. The rule provides that a month during which a JOBS or W-2 participant receives no payment or a reduced payment due to a sanction does count as a month of participation in JOBS or W-2 for the purposes of the 60-month lifetime limit.

(6) Exceptions. The rule provides that the 60-month lifetime limit does not apply to a dependent 18 year old, an 18 or 19 year old Learnfare participant, or a JOBS participant who is enrolled in a "control group" under the Pay for Performance program.

This is the permanent rule for time limited benefits. This rule replaces the emergency rule which was effective on October 1, 1996.

PROPOSED ORDER

Pursuant to the authority vested in the Department of Workforce Development by s. 49.145(2)(n), Stats., as created by 1995 Wisconsin Act 289, s. 49.33(4), Stats., and s.275(3) of 1995 Wisconsin Act 289, the Department of Workforce Development hereby creates a rule interpreting

s. 49.145(2)(n), as created by 1995 Wisconsin Act 289, as follows:

SECTION 1. ch. HSS 201 is renumbered ch. DWD 11.

SECTION 2. DWD 11.135 is created to read:

DWD 11.135 Time Limits. (1) **ELIGIBILITY.** Except as provided in sub. (2) or (5), an individual is not eligible for participation in the job opportunities and basic skills (JOBS) program or in a Wisconsin works (W-2) employment position under s. 49.147(3) to (5), Stats., if, beginning on the date the individual attained the age of 18, he or she has actively participated in the job opportunities and basic skills program or has participated in a Wisconsin works employment position, or both, for 60 months. The months need not be consecutive. Participation in the JOBS program begins to count toward the 60-month lifetime limit beginning on October 1, 1996. In this subsection, "actively participated" means that the individual was enrolled in the JOBS program under s. HSS 206.07.

(2) **ADDITIONAL MONTHS OF ELIGIBILITY.** An agency may extend the 60-month lifetime limit only under unusual circumstances. In this subsection, "unusual circumstances" means any of the following:

(a) A JOBS program participant is unable to work because of personal disability or incapacity, as defined under s. HSS 207.11(1)(a), or is needed as determined under s. DWD 11.19(1)(i) to remain at home to care for another member of the household whose incapacity is so severe that without constant in-home care provided by the JOBS program participant, the incapacitated AFDC group member's health and well-being would be significantly affected.

(b) A JOBS program participant has significant limitations to employment such as:

1. A JOBS program participant's low achievement ability, learning disability or emotional problems of such severity that they prevent the individual from obtaining or retaining unsubsidized employment, but are not sufficient to meet the criteria for eligibility for SSI under 42 USC 1381

to 1381d or social security disability insurance under 42 USC 401 to 433.

2. Family problems of such severity that they prevent the JOBS participant from obtaining or retaining unsubsidized employment.

(c) The adult JOBS participant has made all appropriate efforts to find work and is unable to find employment because local labor market conditions preclude a reasonable job opportunity. In this paragraph, "reasonable job opportunity" means a job that pays the federal minimum wage prescribed in 29 USC 206(a)1, and meets the conditions under 45 CFR Part 251.

(3) DEPARTMENT RESPONSIBILITY. The department may review an agency's decision to extend eligibility beyond the 60-month lifetime limit and may overturn an agency's decision.

(4) DETERMINATION OF PARTICIPATION. For the purpose of determining the number of months of participation under s. 49.145(2)(n), Stats., and this section, a participant in the JOBS program or a participant in a W-2 employment position under s. 49.147(3) to (5), Stats., shall be considered to have actively participated in a month in which, as a result of a sanction, a reduced payment or no payment is made to the participant.

(5) WHO IS NOT SUBJECT TO TIME LIMITS. An individual who is one of the following is not subject to sub.(1):

(a) A dependent 18 year old as defined under s. DWD 11.24.

(b) A participant enrolled in JOBS pay for performance control group under s. DWD 11.045(4)(b)1.

(c) An 18 or 19 year old learnfare participant under s. DWD 11.195.

STATE OF WISCONSIN

To John

Date 1-22 Time 9:35

WHILE YOU WERE OUT

M Tom Steebig

of _____

Phone _____

Telephoned	Please Call	
Called to See You	Rush	
Returned Your Call	Will Call Again	

Message Would you please
be sure to let him know
when the hearing for
this will be



Party Receiving Call

JAN 22 1997



State of Wisconsin
Tommy G. Thompson, Governor

Department of Agriculture, Trade and Consumer Protection

Alan T. Tracy, Secretary

2811 Agriculture Drive
Madison, Wisconsin 53704-6777

PO Box 8911
Madison, WI 53708-8911

January 22, 1997

The Honorable Richard Grobschmidt
State Senator
Co-Chair, Joint Administrative Rules Committee
100 North Hamilton, Room 404
P.O. Box 7882
Madison, WI 53707

The Honorable Glen Grothman
State Representative
Co-Chair, Joint Administrative Rules Committee
State Capitol, Room 125 West
P.O. Box 8952
Madison, WI 53708

Dear Senator Grobschmidt and Representative Grothman:

Pursuant to s. 227.24(2) of the Statutes, the Department of Agriculture, Trade and Consumer Protection (DATCP) requests approval of a 60-day extension of its emergency rule creating ch. ATCP 139.04(11), Wis. Adm. Code, which prohibits the sale of flammable, hydrocarbon-based refrigerants for use in mobile air conditioning systems.

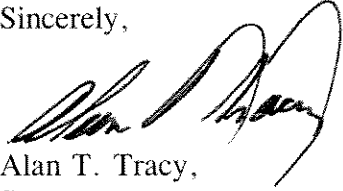
The emergency rule on flammable refrigerants was adopted on October 4, 1996. Two public hearings were held on the emergency rule on October 25 and November 15, 1996. The Board of Agriculture, Trade and Consumer Protection approved a scope statement for a permanent rule banning flammable refrigerants in mobile air conditioning systems at its November 12, 1996 meeting, and approved a hearing draft of this permanent rule on December 10, 1996.

Public hearings have been held on the proposed permanent rule, and a final rule draft will be presented to the Board of Agriculture, Trade and Consumer Protection at its March 11, 1997 meeting. Referral of the permanent rule to the Legislature for standing committee review can be expected later that month.

We currently anticipate a July 1, 1997 effective date for the permanent rule. As a result, we are requesting a full 60-day extension of the existing emergency rule, and we are also alerting you now to the need for a subsequent request for a 60-day extension in April in order to avoid a gap in regulatory coverage of the current flammable refrigerant ban.

Attached is a copy of the emergency rule which was adopted on October 4, 1996 and is currently in effect. Your consideration of this request is greatly appreciated. I will assign appropriate Department staff to be available at the February meeting of the Joint Administrative Rules Committee to respond to any questions which you or other members may have regarding the emergency rule.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan Tracy", with a large, stylized flourish at the end.

Alan T. Tracy,
Secretary



Barry - F.Y.I.
JAN 28 1997
Case

"For these are all our children . . .
we will all profit by, or pay for,
whatever they become." James Baldwin

November 26, 1996

FAXED AND MAILED

Bonnie Kendall
Post Office Box 7935
Madison, WI 53707-7935

Re: Proposed Administrative Rule Relating to Time
Limits on Benefits for Recipients of AFDC Who Are
Actively Participating in JOBS

Dear Ms. Kendall,

This letter contains my comments on the proposed rule relating to the 60 month limit on benefits for JOBS participants.

1. In HSS 201.135(1) the definition of "actively participated" as meaning simply "enrolled" is neither consistent with the common meaning of the two terms nor legislative intent. Assembly Bill 591, as initially introduced on October 2, 1995, included in the 60 month time limit those individuals where the total months "in which the individual has participated in the job opportunities and basic skills program under s. 49.193 . . . does not exceed 60 months." Sec. 49.145(2)(n), LRB-4118/1. By the time Assembly Substitute Amendment 2 was offered by the Committee on Welfare Reform on November 28, 1995, the language had been changed to the total number of months "in which the individual has actively participated" in JOBS. Sec. 49.145(2)(n), LRBs0373/1. That latter wording prevailed and is what passed the legislature and was signed by the governor in Wisconsin Act 289.

Even if the word "participated" could reasonably be interpreted to mean "enrolled," so as to make months of "enrollment," without more, count toward the 60 month limit, urging such an interpretation for "active participation" clearly ignores a deliberate legislative attempt not to count months of non-active participation. The Department therefore exceeds its authority to include those who are "enrolled" but not "actively participating" in the 60 month rule limits.

Nor is it consistent with the policy behind time limits. The idea is not to cast off those who have not received the help of

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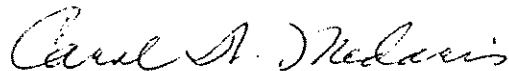
the JOBS program, but rather to make ineligible those who have had the full advantage of the JOBS work-readiness activities. Thus the limit does not apply to those who are otherwise exempt from participation. Similarly, it should not apply to those who are enrolled but not yet actively participating either because of a delay in finding an appropriate placement, a delay while an exemption is being investigated, or some other reason. It is unfair to apply the time limits to those who are not yet actively participating in the program, for whatever reason, and the legislature did not intend for the limits to be applied to them.

2. In HSS 201.135(2)(a) the extension of the time limit to those caring for an incapacitated household member is so unreasonably narrow as to be pointless. It requires a finding that the household member's incapacity be "so severe ~~that~~ without constant in-home care provided by the JOBS program participant, the incapacitated AFDC group member's health and well-being would be significantly affected; . . ."

The whole point of these exemptions is to protect those unable to work a sufficient amount to support their families. Unless someone is able to work at a job paying a substantial amount, this will require a full-time or close to full-time job. Clearly one who is able to leave an incapacitated household member alone, or in someone else's care, for a few hours a day is still unable to support a family with an outside job. Yet this rule, as worded, would not allow an extension to the 60 month time limit in such cases.

The rule should be reworded to provide for extensions when the need for care of an incapacitated household member by the JOBS participant is such that a full-time, outside job (or one yielding equivalent earnings) is not possible. Any other definition increases the burdens for the most vulnerable of Wisconsin's poor families.

Respectfully submitted,

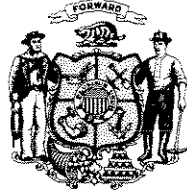


Carol W. Medaris
Project Attorney

JAN 29 1997

Tommy G. Thompson
Governor

Michael J. Sullivan
Secretary



Mailing Address
149 East Wilson Street
Post Office Box 7925
Madison, WI 53707-7925
Telephone (608) 266-2471

State of Wisconsin Department of Corrections

January 28, 1997

John

Senator Richard Grobschmidt
Joint Committee for Review of Administrative Rules
Room 404, 100 N. Hamilton Street
Madison, Wisconsin 53707

Representative Glenn S. Grothman
Joint Committee for Review of Administrative Rules
State Capitol, Room 125 West
Madison, Wisconsin 53708

Dear Senator Grobschmidt and Representative Grothman:

The Department of Corrections has an emergency rule which has received one 60 day extension. The first extension will expire on March 13, 1997, before it can be replaced by a permanent rule. Pursuant to s. 227.24(2), Stats., I ask the Joint Committee to extend the emergency rule creating DOC 309.05(2)(d) by granting a second 60 day extension.

This emergency rule is required to provide for the stamping of outgoing inmate mail. The Department of Corrections has proposed a permanent rule to provide for the stamping of outgoing inmate mail.

Copies of the order creating an emergency rule and the proposed order creating a permanent rule are attached. Three administrative rule hearings were held on this rule. The notice that the rule is in final draft form and the required report were submitted to the Senate Chief Clerk and the Assembly Chief Clerk on January 17, 1997. Copies of the notice and report are attached. This rule was referred to the Assembly Committee on Criminal Justice and Corrections on January 23, 1997, and the Senate Committee on Health, Human Services, Aging Corrections, Veterans and Military Affairs on January 22, 1997.

If you have any questions about our request to extend the effective period of the emergency rule, please contact Deborah Rychlowski of the Department's Office of Legal Counsel at 266-8426.

Sincerely,

Handwritten signature of Michael J. Sullivan in black ink.
Michael J. Sullivan
Secretary

Attachments

cc: JCRAR Members



JAN 30 1997

28 January 1997

Thomas J. Stoebig
Environment & Product Safety Section
Bureau of Consumer Protection
Department of Agriculture, Trade, & Consumer Protection
State of Wisconsin
2811 Agriculture Drive
Madison, Wisconsin 53704-6777

Re: Comments to Proposal to Create s. ATCP 139.04(11) Wis. Adm. Code

Dear Mr. Stoebig:

On behalf of BMW AG, BMW of North America, Inc., hereby submits comments to the docket in response to the State of Wisconsin proposal to ban flammable refrigerants for motor vehicle air conditioning systems.

We appreciate the opportunity to participate in your regulatory process. Should additional information be needed, please contact me at 201-573-2194.

Sincerely,

A handwritten signature in black ink, appearing to read 'Linda K. Gronlund'.

Linda K. Gronlund, Esq.
Manager, Environmental Compliance
Environmental Engineering

Enc.

BMW Comments State of Wisconsin

Proposal to Create s. ATCP 139.04(11), Wis. Adm. Code

As part of its consumer product safety program, the Wisconsin Department of Agriculture, Trade, and Consumer Protection administers Wisconsin's Hazardous Substances Law under s. 100.37, Stats. The department may identify hazardous substances, and regulate them in various ways.

With the proposal to create s. 139.04(11), the department seeks to prohibit the sale of flammable, hydrocarbon-based refrigerants for use in mobile air conditioning systems. With the following suggested revisions, BMW supports such an effort.

Current motor vehicle air conditioning systems are designed to use one of only two refrigerants: for pre-1993 MY vehicles, CFC-12, and for 1993 MY and later vehicles, HFC-134a. Since, under the Montreal Protocol, production of CFC-12 ceased as of December 31, 1995, an effort has been undertaken by industry to identify suitable refrigerants to retrofit into the air conditioning systems designed for CFC-12.

The motor vehicle sector was the first to evaluate the alternatives, and select one refrigerant that would work as a retrofit for CFC-12. That refrigerant is HFC-134a. Retrofit kits are available for most vehicles.

Certain refrigerant suppliers have proposed the use of flammable, hydrocarbon-based refrigerants as retrofit refrigerants for CFC-12 cars, or as an alternative to HFC-134a. BMW feels it is inappropriate, and, indeed, hazardous, to install a flammable refrigerant in a motor vehicle system designed to use something else, ie., CFC-12 or HFC-134a.

BMW recommends that the Proposal be rephrased to prohibit the sale or use of flammable refrigerants in motor vehicles *whose air conditioning systems were designed to use another refrigerant*, such as CFC-12 or HFC-134a.

This modification would allow the flexibility for flammable refrigerants to be used in future vehicles *designed and manufactured specifically to use flammables*. This would involve total system redesign to reduce the hazards of such refrigerants, which may, in the future, have some role as refrigerants. Without total system redesign, however, BMW feels that the use of flammables is too risky.

BMW supports the Department's assertion that flammable refrigerants, used in systems designed for other refrigerants, are hazardous materials that pose an unreasonable risk of substantial personal injury or illness during customary or reasonably foreseeable use. This is due to both the chemical nature of flammable hydrocarbons, and the circumstances in which motor vehicles are used and serviced.

Chemical Nature of Flammable Hydrocarbons

The chemicals most often proposed as air conditioning refrigerants include propane, butane, and isobutane. As a class, they are considered Volatile Organic Compounds (VOCs). They are volatile, because they rapidly and readily change phase from liquid to vapors. It is the vapors that are flammable. The percentage of these vapors in air, within certain ranges, results in an explosively flammable mixture that only requires a source of ignition to react violently.

The vapors are heavier than air, and tend to pool in low areas (ie., vehicle footwell/console areas).

In addition to their flammability, these classes of chemicals also have human health effects on exposure. Inhalation of vapors can result in central nervous system depression. Depending on exposure levels, inhalation can cause dizziness, drowsiness, confusion, and, at very high levels, asphyxiation. None of these things are particularly helpful when one is attempting to operate a motor vehicle.

Risks to Human Health

There are two categories of people who could be at risk should a flammable material be used in a motor vehicle designed to use another refrigerant: vehicle occupants and service technicians.

Vehicle occupants are exposed to the two main categories of risk, flammability and inhalation exposure.

Let us first discuss the flammability issue. Proponents of the use of flammable refrigerants point to the use of flammable fuels in vehicles as justification for the risk of using their refrigerants. Their argument is that the fuel system contains flammables, and everyone accepts that risk. The error of that position is that *no* vehicle manufacturer introduces any portion of the fuel system into the passenger compartment. The nature of current air conditioner system design puts a significant portion of the system, the evaporator and associated components and hoses, into the passenger compartment.

The repair data produced by the Mobile Air Conditioning Society shows that evaporators are the number three source of leaks requiring repair in the general automotive population. Should a flammable refrigerant leak from the a/c system, and this is likely given the higher system pressures that result from the use of those refrigerants, the vapors will collect in the footwell, console, and seating areas of the vehicle. There are plenty of switches in the console and instrument panel that could provide the source of ignition.

In addition, motor vehicles operate in what can best be described as a very "dynamic" environment, including rough road conditions that can induce vibrations, and other conditions resulting in collisions. The risks of fire and

explosion of motor vehicles with flammable air conditioning refrigerants are very real, and very great.

In addition to the fire risk, the health effect risks of breathing vapors that could be readily introduced into the breathing area of the occupants by a system leak are also very real. The nature of central nervous system depression is such that the exposed individual may not recognize something is wrong until he is overcome. The dizziness and drowsiness that can result from exposure could itself lead to a collision, with the resultant increase in likelihood of fire.

The second category of persons at risk of injury or illness through use of flammable refrigerants is service technicians. The technician may not know that the vehicle air conditioning system has been charged with flammable refrigerant, and is likely to connect his recycling equipment to the system.

The current CFC-12 or HFC-134a recovery/recycling equipment has not been designed or certified to handle flammable refrigerants. Neither the SAE specifications for equipment design, nor the UL testing and certification of equipment are compatible with flammable refrigerants. Since all technicians are required to use recycling equipment, the risk of fire when a technician uses what would otherwise be perfectly safe recycling equipment to extract flammable refrigerant clearly exists.

There is an additional issue here, and that is protection of the stratospheric ozone. Should a flammable refrigerant be drawn into recycling equipment, and for some reason the equipment does not catch on fire, the flammable refrigerant contaminates all the CFC-12 or HFC-134a in the equipment container. This means it could be transferred to other vehicles. In addition to the flammability and health concerns, it could cause an otherwise intact CFC-12 system to leak due to material compatibility and system pressure issues. This could result in additional, unnecessary discharge of CFC-12 to the environment.

Alternative Refrigerants

Most vehicles designed to use CFC-12 can be retrofit with HFC-134a, the refrigerant so approved by every automobile manufacturer. It is the only alternative refrigerant approved by BMW. HFC-134a is readily available, and is not flammable. In addition, there is no need for an alternative refrigerant to replace HFC-134a in vehicles designed to use HFC-134a.

Summary

BMW supports the State of Wisconsin efforts to restrict the sale of flammable refrigerants for use in motor vehicles designed to use other refrigerants.

The risk of injury due to fire and human health effects is too great to allow these refrigerants to be used in current systems.



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Saab

Subaru

Suzuki

Toyota

Volkswagen

Volvo

President
P. HUTCHINSON

31 January, 1997

Mr. Thomas J. Stoebig
Environment and Product Safety Section
Bureau of Consumer Protection
Dept. of Agriculture, Trade and Consumer Protection
State of Wisconsin
2811 Agriculture Drive
Madison, WI 53704-6777

Dear Mr. Stoebig:

AIAM is a trade association that represents companies which sell passenger cars and light trucks in the United States that are manufactured both here and abroad. AIAM welcomes the opportunity to comment on your proposal to create section ATCP 139.04(11) of the Wisconsin Administrative Code, which would ban the use of flammable refrigerants for use in motor vehicle air conditioning (A/C) systems.

With the recognized need to eliminate CFCs from motor vehicle A/C systems, the auto industry embarked on a program to identify the most promising alternative. That alternative is HFC-134(a). This new refrigerant has been incorporated in new motor vehicles beginning with the 1993 model year. Currently all cars on the road have been designed for either CFC-12 or HFC-134(a). Our members have designed retrofit kits for most vehicles so that cars originally designed for CFC-12 can be converted to HFC-134(a).

We strongly support the concept of a ban that would prevent the use of flammable refrigerants in cars designed for CFC-12 or HFC-134(a). However, we urge you to include a provision that would allow for the use of flammable refrigerants in motor vehicles that are specifically designed to use such a refrigerant. Some of our members are currently investigating the use of such refrigerants but only if a safe way to package them and service them can be found.

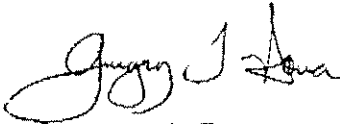
Use of flammable refrigerants in an A/C system not designed for them would present an unreasonable safety risk in both the use of the vehicle and servicing it. In the driving environment, there are many situations where a leak of such a refrigerant near an ignition source could result in fire. In the area of service, connecting recycling

equipment to an A/C system could result in a fire in that system or transfer of refrigerant contaminated with a flammable refrigerant could result in leaks in the A/C system of the motor vehicle causing the system to discharge CFC-12 into the atmosphere.

We support your efforts to ban the use of flammable refrigerants in motor vehicle A/C systems not designed for their use.

If you have any questions on these comments, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gregory J. Dana".

Gregory J. Dana
Vice-President and
Technical Director

GJD:jai

2/13