

2011 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB498)

Received: **02/21/2012**

Received By: **mkunkel**

Wanted: **As time permits**

Companion to LRB:

For: **Amy Sue Vruwink (608) 266-8366**

By/Representing: **Christian Plata**

May Contact:

Drafter: **mkunkel**

Subject: **Trade Regulation - other**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Vruwink@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Susbsitutes for ozone depleting refrigerants in mobile air conditioners

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	mkunkel 02/21/2012	kfollett 02/21/2012	rschluet 02/21/2012	_____	lparisi 02/21/2012	lparisi 02/21/2012	

FE Sent For:

<END>

2011 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB498)

Received: 02/21/2012

Received By: mkunkel

Wanted: As time permits

Companion to LRB:

For: Amy Sue Vruwink (608) 266-8366

By/Representing: Christian Plata

May Contact:

Drafter: mkunkel

Subject: Trade Regulation - other

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Vruwink@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given


Topic:

Susbsitutes for ozone depleting refrigerants in mobile air conditioners

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>
/?	mkunkel	1/15 2/21		_____	_____		

FE Sent For:

<END>

Kunkel, Mark

From: Plata, Christian
Sent: Tuesday, February 21, 2012 3:45 PM
To: Kunkel, Mark
Subject: FW: Amendment for AB 498

From: Chris Snyder [mailto:CSnyder@watda.org]
Sent: Tuesday, February 21, 2012 3:08 PM
To: Plata, Christian; William Sepic
Subject: RE: Amendment for AB 498

Christian,

At the risk of sounding like I'm running around a tree, here are some talking points in support of making a simple amendments.

AB 498

The purpose of this Bill is to allow for the sale of Any substance used as a substitute for Ozone-depleting chemicals used in conjunction with air conditioning units in motor vehicles. While this Bill takes the sale of certain chemicals out from under the Department of Agriculture Trade and Consumer Protection's regulatory authority, so that individuals with no training can purchase aerosol cans of refrigerant, it allows DATCP to continue to regulate repair facilities. Repair facilities that perform repairs, recycling and reformation of mobile refrigerant have technicians who are trained to handle such materials, but yet under the proposed Bill would still be required to pay for continued certification and training while anyone off the street could walk into a store and buy the same chemical and attempt to repair or top-off a leaking mobile air conditioner.

Section 100.45 of the statutes was passed with the purpose to provide regulatory oversight for mobile air conditioner unit repairs and the sale of chemicals used in those repairs. The state found regulatory oversight necessary because the original chemical used (CFC-12 or Freon) is an ozone-depleting chemical. The federal government prohibited the use of ozone-depleting chemicals in mobile air conditioning units in 1996. Virtually all substitute chemicals used in mobile air conditioning units are non ozone-depleting chemicals. However, the federal government, through the Environmental Protection Agency still require repair facilities who perform, repairs on mobile air conditioning units, that utilize ozone-depleting chemicals to have certified training and periodically update that training. However, the state of Wisconsin, by virtue of section 100.45 (5e) continues to regulate all repairs facilities and those who perform those repairs to pay for certification regardless of whether the chemicals utilized in the repairs are ozone-depleting or not.

In that this legislature is making the effort to allow for the easing of regulation for the sale of non-federally regulated chemicals used in mobile air conditioning repairs to the general public, we would ask that businesses that employ trained personnel to also be relieved of regulatory oversight when they utilize non ozone-depleting chemicals in performing repairs on mobile air conditioning units.

A simple fix of this inconsistency would be to amend 100.45(5e) to state: The department may promulgate rules regarding sub. (3) or (4) for all sales and repairs that consist of or utilize an ozone-depleting chemical.

This would still allow the department to look out for the safety and welfare of the public and industry while also allowing for our citizens and businesses to enjoy the same options and climate as those in neighboring states.



State of Wisconsin
2011 - 2012 LEGISLATURE

Now



LRBs0346/1

MDK...

kyf

**ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 2011 ASSEMBLY BILL 498**

Gen

1 AN ACT ...; relating to: regulation of certain substitutes for ozone-depleting
2 refrigerants.

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

✓

3 SECTION 1. 100.45 (5e) of the statutes is amended to read:

4 100.45 (5e) DEPARTMENT POWERS. The department may not promulgate or
5 enforce rules providing that any portion of sub. (3) or (4) applies with respect to a
6 substance used as a substitute for an ozone-depleting refrigerant.

7 History: 1989 a. 284; 1991 a. 97; 1993 a. 243; 1997 a. 27, 165; 1999 a. 31; 2001 a. 16; 2005 a. 335; 2009 a. 28; 2011 a. 7, 10; s. 35.17 correction in (1) (dm).

(END)