

## 2013 DRAFTING REQUEST

**Bill**

Received: 1/21/2014 Received By: mkunkel  
Wanted: As time permits Same as LRB: -2665  
For: Jeremy Thiesfeldt (608) 266-3156 By/Representing: Hariah Hutkowski  
May Contact: Drafter: mkunkel  
Subject: Trade Regulation - other Addl. Drafters:  
Extra Copies: MPG

Submit via email: YES  
Requester's email: Rep.Thiesfeldt@legis.wisconsin.gov  
Carbon copy (CC) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

Certifications regarding mobile air conditioners

**Instructions:**

Prepare preliminary draft that repeals s. 100.45.

**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 1/21/2014	scalvin 1/21/2014	jmurphy 1/21/2014	_____	lparisi 1/21/2014	lparisi 1/21/2014	State

FE Sent For:

→ At Intro.

<END>

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Received:	1/21/2014	Received By:	mkunkel
Wanted:	As time permits	Same as LRB:	-2665
For:	Jeremy Thiesfeldt (608) 266-3156	By/Representing:	Hariah Hutkowski
May Contact:		Drafter:	mkunkel
Subject:	Trade Regulation - other	Addl. Drafters:	
		Extra Copies:	MPG

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/1	mkunkel	/1 SAC 01/21/2014	/1 SAC 01/21/2014	_____	_____	_____	State

FE Sent For:

<END>

## Kunkel, Mark

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**From:** Hutkowski, Hariah  
**Sent:** Tuesday, January 21, 2014 2:50 PM  
**To:** Sieg, Tricia; Kunkel, Mark  
**Subject:** RE: LRB -2665/1 Topic: Certifications regarding mobile air conditioners

Thanks, yes, please send us a draft over as soon as you can.

Hariah Hutkowski  
*Research Assistant*  
**Rep. Thiesfeldt's office**  
1-888-529-0052  
FAX: 608-282-3652

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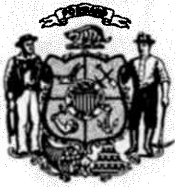
**From:** Sieg, Tricia  
**Sent:** Tuesday, January 21, 2014 2:45 PM  
**To:** Kunkel, Mark  
**Cc:** Hutkowski, Hariah  
**Subject:** LRB -2665/1 Topic: Certifications regarding mobile air conditioners

Mark,

Thank you for turning that p draft into a /1 so fast I appreciate it. Representative Theisfeldt's office is going to offer the Assembly companion to LRB 2665/1. Could you please draft the an assembly companion for them for you get a chance. I have cc'd Hariah from Rep. Theisfeldt's office on this email so he knows.

Thank you in advance. You are totally entitled to my first born child for doing all of this! ☺

Tricia  
Senator Lazich's office



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-2665/1

MDK:sac:jm

stays

O-NOTE

2013 BILL

-405711

now

no changes

gen cat

1 AN ACT to repeal 100.45 (5) (a) 2., 100.45 (5) (c) and 100.45 (5m); and to amend  
2 20.115 (1) (hm), 100.45 (3) (b) 2., 100.45 (3) (c) 4., 100.45 (4) (d) and 100.45 (4)  
3 (h) of the statutes; relating to: the regulation of motor vehicle air conditioners.

**Analysis by the Legislative Reference Bureau**

Current state law imposes various requirements on the use of ozone-depleting refrigerants (ODRs) in motor vehicle air conditioners, including prohibiting a person from installing or servicing a motor vehicle air conditioner containing an ODR unless the person holds an annual certification issued by the Department of Agriculture, Trade and Consumer Protection (DATCP). Current state law also allows DATCP to charge an applicant for annual certification a surcharge if DATCP determines that the person violated the certification requirement prior to applying for certification. In addition, current state law requires DATCP to promulgate rules establishing qualifications for persons who use equipment for removing or recycling ODRs from motor vehicle air conditioners. The qualifications may include training and certification requirements. Also under current state law, a person may sell new or reclaimed ODRs for use in motor vehicle air conditioners only to resellers and persons holding annual certifications. Current state law also requires persons to transfer unreclaimed ODRs that are removed from motor vehicle air conditioners to either reclamation facilities recognized by DATCP or to persons holding annual certifications.

Current federal law also regulates the use of ODRs, including prohibiting a person from servicing a motor vehicle air conditioner unless the person is "properly

**BILL**

trained and certified,” which is defined as training and certification in conformity with standards established by the federal Environmental Protection Agency (EPA).

This bill eliminates DATCP’s duty to promulgate rules establishing qualifications for persons who use equipment for removing or recycling ODRs from motor vehicle air conditioners. The bill also eliminates the requirement for DATCP to issue the annual certifications described above. Instead, the bill prohibits a person from servicing a motor vehicle air conditioner containing an ODR unless the person is properly trained and certified as specified by the EPA. In addition, under the bill, a person may sell ODRs for use in motor vehicle air conditioners only to resellers and persons who are so properly trained and certified. Also, the bill allows persons to transfer unreclaimed ODRs removed from motor vehicle air conditioners only to DATCP-recognized reclamation facilities or to persons who are so properly trained and certified.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 20.115 (1) (hm) of the statutes is amended to read:

2           20.115 (1) (hm) *Ozone-depleting refrigerants and products regulation.* The  
3 amounts in the schedule for administration of the mobile air conditioner servicing  
4 and refrigerant recycling programs and for responsibilities under ss. 100.45 and  
5 100.50 relating to sales and labeling of products containing or made with  
6 ozone-depleting substances. All moneys received from fees under s. 100.45 (5) (a)  
7 3. ~~and (5m)~~ shall be credited to this appropriation.

8           **SECTION 2.** 100.45 (3) (b) 2. of the statutes is amended to read:

9           100.45 (3) (b) 2. A person who ~~holds an annual registration certificate under~~  
10 sub. (4) (h) is properly trained and certified as specified by the federal environmental  
11 protection agency under 42 USC 7671h.

12           **SECTION 3.** 100.45 (3) (c) 4. of the statutes is amended to read:

13           100.45 (3) (c) 4. All of the recovered ozone-depleting refrigerant is conveyed in  
14 a safe and timely manner to a refrigerant reclamation facility that is recognized by

**BILL**

1 the department or to a person who ~~holds an annual registration certificate under sub.~~  
2 ~~(4) (h) for recycling and reuse or resale~~ is properly trained and certified as specified  
3 by the federal environmental protection agency under 42 USC 7671h.

4 SECTION 4. 100.45 (4) (d) of the statutes is amended to read:

5 100.45 (4) (d) The individuals who use the equipment under par. (c) have ~~the~~  
6 ~~qualifications established under sub. (5) (a) 2.~~ been properly trained and certified as  
7 specified by the federal environmental protection agency under 42 USC 7671h.

8 SECTION 5. 100.45 (4) (h) of the statutes is amended to read:

9 100.45 (4) (h) The person ~~holds an annual registration certificate from the~~  
10 ~~department~~ has been properly trained and certified as specified by the federal  
11 environmental protection agency under 42 USC 7671h.

12 SECTION 6. 100.45 (5) (a) 2. of the statutes is repealed.

13 SECTION 7. 100.45 (5) (c) of the statutes is repealed.

14 SECTION 8. 100.45 (5m) of the statutes is repealed.

15 (END)

D-Netz

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4057/1dn

MDK:/:...

*See*

*- date -*

Rep. Thiesfeldt:

This is a companion to LRB-2665/1.

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.wisconsin.gov](mailto:mark.kunkel@legis.wisconsin.gov)



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4057/1dn  
MDK:sac:jm

January 21, 2014

Rep. Thiesfeldt:

This is a companion to LRB-2665/1.

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.wisconsin.gov](mailto:mark.kunkel@legis.wisconsin.gov)

**Parisi, Lori**

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**From:** Hutkowski, Hariah  
**Sent:** Tuesday, January 21, 2014 4:25 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -4057/1 Topic: Certifications regarding mobile air conditioners

Please Jacket LRB -4057/1 for the ASSEMBLY.