

1993 Senate Bill 106

Date of enactment: April 8, 1994
Date of publication: April 22, 1994

1993 Wisconsin Act 243 (Vetoed in Part)

AN ACT to repeal 101.177 (2) (b); to renumber and amend 101.177 (2) (a); to amend 20.115 (1) (hm), 20.445 (1) (j), 23.50 (1), 23.65 (1), 100.45 (1) (ar), 100.45 (1) (d), 100.45 (3) (c) (intro.), 2 and 3, 100.45 (4) (intro.), (a) and (b), 100.45 (4) (d) to (f), 100.45 (5) (a) 3, 101.177 (5) (b), 101.35 (10) (a) 7, 144.426 (1), 144.98, 234.65 (2) (c), 560.605 (4), 560.765 (3) (bm) and 560.915 (2) (b) 4; to repeal and recreate 100.45 (3) (b) and 100.45 (4) (c); and to create 100.45 (3) (c) 4 and 5, 100.45 (4) (h), 100.45 (5) (c), 100.45 (5e), 100.45 (5m), 100.50, 101.137, 101.177 (2) (e), 101.177 (2) (g), 101.177 (3m), 101.177 (4) (a) 2m, 101.177 (4m), 101.178, 101.35 (7) (d), 144.421, 144.422 (3e), 234.65 (3) (g), 341.075, ~~560.605 (1) (a), 560.771 (e), 560.78 (3) and 560.915 (2) (b) 3~~ of the statutes, relating to ozone-depleting substances, substitutes for ozone-depleting substances, regulation of the installation and servicing of heating, ventilating and air conditioning equipment, granting rule-making authority, providing penalties and making appropriations.

Vetoed
in Part

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

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

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

SECTION 2. 20.445 (1) (j) of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:

20.445 (1) (j) *Safety and building operations.* The amounts in the schedule for the purposes of subchs. I, II, III, IV and VI of ch. 101, chs. 145 and 168 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335. All moneys received under ch. 145 and ss. 101.177 (4) (a) 4, ~~101.178~~, 101.19, 101.63 (9), 101.73 (12), 101.82 (4), 101.973 (7), 168.12 (6) and 236.12 (7) shall be credited to this appropriation.

SECTION 3. 23.50 (1) of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:

23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit court to recover forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable environmental assessments, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments for violations of ss. 77.09, 134.60, 144.421 (2), 144.422 (2), (2m) (c) and (2r), 147.021, 159.07, 159.08, 159.81, 167.10 (3) and 167.31 (2), subch. VI of ch. 77, this chapter and chs. 26 to 31 and of ch. 350, and any administrative rules promulgated thereunder and violations of local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

SECTION 4. 23.65 (1) of the statutes, as affected by 1993 Wisconsin Act 16, is amended to read:

23.65 (1) When it appears to the district attorney that a violation of s. 134.60, 144.421 (2), 144.422 (2), (2m) (c) or (2r), 147.021, 159.07, 159.08 or 159.81, this chapter or ch. 26, 27, 28, 29, 30, 31 or 350, or any administrative rule promulgated pursuant thereto, has been committed the district attorney may proceed by complaint and summons.

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

100.45 (1) (ar) "Manufacturer" has the meaning given in s. 218.01 (1) (L), except that, if more than one person satisfies the definition in s. 218.01 (1) (L) with respect to a motor vehicle, "manufacturer" means the person who installs the mobile air conditioner that is in the motor vehicle when the motor vehicle is distributed for sale in this state.

SECTION 6. 100.45 (1) (d) of the statutes is amended to read:

100.45 (1) (d) "Ozone-depleting refrigerant" means a substance used in refrigeration that is or contains a class I substance, as defined in 42 USC 7671 (3) or a class II substance, as defined in 42 USC 7671 (4).

SECTION 7. 100.45 (3) (b) of the statutes is repealed and recreated to read:

100.45 (3) (b) No person may sell or offer to sell new or reclaimed ozone-depleting refrigerant for use in a mobile air conditioner or in trailer refrigeration equipment except to one of the following:

1. A person who intends to resell the ozone-depleting refrigerant.

2. A person who holds an annual registration certificate under sub. (4) (h).

SECTION 8. 100.45 (3) (c) (intro.), 2 and 3 of the statutes are amended to read:

100.45 (3) (c) (intro.) ~~After December 19, 1991, no~~ No person may offer to sell, sell or otherwise transfer possession of ozone-depleting refrigerant that was removed from a mobile air conditioner but has not been recycled or reclaimed unless the person does all of the following:

2. Provides to the department upon request the identity of each person to whom it sells or otherwise transfers possession of the recovered ozone-depleting refrigerant.

3. Certifies to the department that it informs each person to whom it sells or otherwise transfers possession of the ozone-depleting refrigerant that the ozone-depleting refrigerant has not been recycled or reclaimed.

SECTION 9. 100.45 (3) (c) 4 and 5 of the statutes are created to read:

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

5. Holds an annual registration certificate from the department.

SECTION 10. 100.45 (4) (intro.), (a) and (b) of the statutes are amended to read:

100.45 (4) SERVICING. (intro.) ~~After February 28, 1991, no~~ No person, including a state agency, as defined in s. 234.75 (10), may perform motor vehicle repair that releases or may release ozone-depleting refrigerant from a mobile air conditioner or trailer refrigeration equipment or may install or service a

mobile air conditioner or trailer refrigeration equipment that contains ozone-depleting refrigerant unless ~~the person certifies all of the following to the department apply:~~

(a) ~~That the~~ The person does not use ozone-depleting refrigerant for cleaning purposes including to clean the interior or exterior surfaces of mobile air conditioners or trailer refrigeration equipment.

(b) ~~That whenever~~ Whenever the person removes ozone-depleting refrigerant from a mobile air conditioner or trailer refrigeration equipment the person pumps the ozone-depleting refrigerant into storage tanks.

SECTION 11. 100.45 (4) (c) of the statutes is repealed and recreated to read:

100.45 (4) (c) The person or another person does one of the following with any used ozone-depleting refrigerant:

1. Recycles the used ozone-depleting refrigerant using approved refrigerant recycling equipment at the establishment where the ozone-depleting refrigerant is removed or at another establishment under common ownership and either reuses the recycled ozone-depleting refrigerant in servicing a mobile air conditioner or trailer refrigeration equipment at one of the establishments under common ownership or sells or otherwise transfers possession of the recycled ozone-depleting refrigerant for conveyance to a refrigerant reclamation facility that is recognized by the department.

2. Removes the used ozone-depleting refrigerant using approved refrigerant recovery equipment and sells or otherwise transfers possession of the recovered ozone-depleting refrigerant in compliance with sub. (3) (c).

SECTION 12. 100.45 (4) (d) to (f) of the statutes are amended to read:

100.45 (4) (d) ~~That the~~ The individuals who use the equipment under par. (c) have the qualifications established under sub. (5) (a) 2.

(e) ~~That the~~ The person does not knowingly or negligently release ozone-depleting refrigerant to the environment, except for minimal releases that occur during efforts to recover or recycle ozone-depleting refrigerant removed from mobile air conditioners or trailer refrigeration equipment.

(f) ~~That the~~ The person inspects and, if necessary, repairs mobile air conditioners or trailer refrigeration equipment that leaks or is suspected of leaking before putting additional ozone-depleting refrigerant into those mobile air conditioners or trailer refrigeration equipment.

SECTION 14. 100.45 (4) (h) of the statutes is created to read:

100.45 (4) (h) The person holds an annual registration certificate from the department.

SECTION 15. 100.45 (5) (a) 3 of the statutes is amended to read:

100.45 (5) (a) 3. Fees to cover the costs of administering subs. (2) (b), ~~(3) (b)~~ and (4).

SECTION 16. 100.45 (5) (c) of the statutes is created to read:

100.45 (5) (c) Issue annual registration certificates to persons required to hold those certificates under subs. (3) (b) and (4) (h).

SECTION 17. 100.45 (5e) of the statutes is created to read:

100.45 (5e) DEPARTMENT POWERS. The department may promulgate rules providing that any portion of sub. (3) or (4) applies with respect to a substance used as a substitute for an ozone-depleting refrigerant.

SECTION 18. 100.45 (5m) of the statutes is created to read:

100.45 (5m) SURCHARGE FOR OPERATING WITHOUT REGISTRATION. An applicant for an annual registration certificate under sub. (5) (c) shall pay a registration fee surcharge of \$160 if the department determines that, within one year before submitting the application, the applicant engaged in an activity for which a registration certificate is required under this section without holding a registration certificate. Payment of the registration fee surcharge does not relieve the applicant from any other civil liability that results from violations of this section, but does not constitute evidence of a violation of law.

SECTION 19. 100.50 of the statutes is created to read:

100.50 Products containing or made with ozone-depleting substances. (1) DEFINITIONS. In this section:

(a) "Class I substance" has the meaning given in 42 USC 7671 (3).

(b) "Class II substance" has the meaning given in 42 USC 7671 (4).

(2) PRODUCT LABELING. Beginning on the first day of the 4th month beginning after the effective date of this subsection [revisor inserts date], no person may represent in advertising or on a label that any product that the person manufactures, packages, distributes or sells is "ozone friendly" or use any similar description that implies that the product does not contribute to the depletion of stratospheric ozone if the product contains or is made with a class I substance or a class II substance.

(3) SALE OF PORTABLE FIRE EXTINGUISHERS. Beginning on the first day of the 4th month beginning after the effective date of this subsection [revisor inserts date], no person may sell or offer to sell a portable fire extinguisher that contains a class I substance except for use by a commercial user.

(4) FIRE-EXTINGUISHING PRODUCTS. Beginning on January 1, 1995, a person may make, package, sell or offer to sell a fire-extinguishing product that contains a class I substance only if the class I substance has been recycled or reclaimed and, in the case of a sale or offer to sell, if sale of the product is not prohibited under sub. (3).

(5) RETURN TO MANUFACTURER. After the sale of a product is prohibited under sub. (3) or (4), a retailer that purchased the product from the manufacturer for resale before the date on which the prohibition takes effect may return the product to the manufacturer and the manufacturer shall refund the purchase price to the retailer.

(6) PENALTY; ENFORCEMENT. (a) Any person who violates sub. (2), (3) or (4) shall be required to forfeit not less than \$250 nor more than \$1,000. Each day on which a person sells or offers to sell in violation of one of those provisions constitutes a separate offense.

(am) If a court imposes a forfeiture under par. (a) on a person for a violation of sub. (2), (3) or (4), the court may order the person to accept the return of the product that is the subject of the violation and to refund the purchase price to the purchaser of that product.

(b) In lieu of or in addition to the remedy under par. (a), the department may seek an injunction restraining any person from violating this section.

(c) The department of justice or any district attorney, upon the request of the department, may commence an action in the name of the state under par. (a) or (b).

SECTION 20. 101.137 of the statutes is created to read:

101.137 Fire suppression; ozone-depleting substances. (1) DEFINITION. In this section, "class I substance" has the meaning given in 42 USC 7671 (3).

(2) SERVICING PORTABLE FIRE EXTINGUISHERS. Beginning on the first day of the 4th month beginning after the effective date of this subsection [revisor inserts date], no person may perform portable fire extinguisher servicing that releases or may release a class I substance unless the person uses equipment approved by the department or an independent testing organization approved by the department to capture the class I substance for recycling or reclaiming.

(3) FIRE FIGHTING TRAINING. Beginning on the first day of the 4th month beginning after the effective date of this subsection [revisor inserts date], no person may conduct fire fighting training using a portable fire extinguisher that contains a class I substance.

(4) TESTING FIRE SUPPRESSION SYSTEMS. Beginning on the first day of the 4th month beginning after the effective date of this subsection [revisor inserts date], no person may test a fire suppression system that contains a class I substance by releasing the class I substance into the air from the system. This subsection does not apply to the testing of a fire suppression system on a ship that was constructed or is being constructed for an agency of the federal government.

(4m) SERVICING FIRE SUPPRESSION SYSTEMS. Beginning on the first day of the 4th month beginning after the effective date of this subsection [revisor inserts date], no person may perform servicing on a fire suppression system that releases or may release a class I substance unless the person uses equipment approved

by the department or an independent testing organization approved by the department to capture the class I substance for recycling or reclaiming.

(5) PENALTY. Any person who violates this section shall be required to forfeit not less than \$250 nor more than \$1,000. Each act of servicing in violation of sub. (2) constitutes a separate offense.

SECTION 21. 101.177 (2) (a) of the statutes is renumbered 101.177 (2), and 101.177 (2) (intro.) and (c) of the statutes, as renumbered, are amended to read:

101.177 (2) SERVICING. (intro.) ~~After December 31, 1991, no~~ No person, including a state agency, as defined in s. 234.75 (10), may install or service a piece of refrigeration equipment that contains ~~5 pounds or more of~~ ozone-depleting refrigerant unless the person certifies all of the following to the department:

(c) That the individuals who use the equipment to transfer ozone-depleting refrigerant under ~~subd. 2 par. (b)~~ have the qualifications established under sub. (4) (a) 2.

SECTION 22. 101.177 (2) (b) of the statutes is repealed.

SECTION 23. 101.177 (2) (e) of the statutes is created to read:

101.177 (2) (e) That the person inspects and, if necessary, repairs refrigeration equipment that leaks, or is suspected of leaking, before putting additional ozone-depleting refrigerant into that refrigeration equipment.

SECTION 25. 101.177 (2) (g) of the statutes is created to read:

101.177 (2) (g) That, for the purposes of determining whether repairs are necessary under par. (e), the person uses a yearly leak rate identified by the federal environmental protection agency.

SECTION 26. 101.177 (3m) of the statutes is created to read:

101.177 (3m) SALE OF NEW OR RECLAIMED REFRIGERANT. No person may sell or offer to sell new or reclaimed ozone-depleting refrigerant except as authorized in s. 100.45 (3) (b) or to one of the following:

(a) A person who intends to resell the ozone-depleting refrigerant.

(b) A person who provides certification to the department under sub. (2).

SECTION 27. 101.177 (4) (a) 2m of the statutes is created to read:

101.177 (4) (a) 2m. Qualifications, which may include training or certification requirements, for individuals who transfer ozone-depleting refrigerant from storage containers to approved refrigerant recycling equipment, approved refrigerant reclaiming equipment or other storage containers.

SECTION 28. 101.177 (4m) of the statutes is created to read:

101.177 (4m) DEPARTMENT POWERS. The department may promulgate rules providing that any portion of sub. (2), (3) or (3m) applies with respect to a substance used as a substitute for an ozone-depleting refrigerant.

SECTION 29. 101.177 (5) (b) of the statutes is amended to read:

101.177 (5) (b) Any person who violates sub. (3) or (3m) shall be required to forfeit not less than \$50 nor more than \$1,000. Each sale in violation of sub. (3) or (3m) constitutes a violation.

SECTION 30. 101.178 of the statutes is created to read:

101.178 Installation and servicing of heating, ventilating and air conditioning equipment. (1) In this section, "political subdivision" means a city, village, town or county.

(2) No person may engage in the business of installing or servicing heating, ventilating or air conditioning equipment unless the person registers with the department.

(3) (a) The department shall promulgate rules for a voluntary program under which a person who engages in the business of installing or servicing heating, ventilating or air conditioning equipment may obtain certification by passing an examination developed or selected by the department.

(b) A political subdivision may not require a person to obtain certification under par. (a) in order to engage in the business of installing or servicing heating, ventilating or air conditioning equipment in that political subdivision unless all of the following apply:

1. On the effective date of this subdivision [revisor inserts date], the political subdivision requires certification, licensure or other approval by the political subdivision in order to engage in that business in the political subdivision.

2. The political subdivision allows a person who has the approval under subd. 1 on the effective date of this subdivision [revisor inserts date], to continue to engage in that business in the political subdivision without obtaining certification under par. (a).

(c) A political subdivision may not require a person who is certified under par. (a) to obtain certification, licensure or other approval by the political subdivision in order to engage in the business of installing or servicing heating, ventilating or air conditioning equipment in that political subdivision.

(d) A political subdivision may not require a person to obtain certification, licensure or other approval by the political subdivision in order to engage in the business of installing or servicing heating, ventilating or air conditioning equipment in the political subdivision unless the political subdivision requires that approval before November 1, 1993.

(4) The department may establish fees to cover the costs of administering this section.

(5) Any person who violates sub. (2) shall be required to forfeit not less than \$50 nor more than \$1,000. Each installation or servicing in violation of sub. (2) constitutes a separate violation.

SECTION 31. 101.35 (7) (d) of the statutes is created to read:

101.35 (7) (d) The business certifies to the local service agency that the business will not begin or expand operations that will increase emissions of any ozone-depleting substance that is listed as a class I substance under 42 USC 7671a.

SECTION 32. 101.35 (10) (a) 7 of the statutes is amended to read:

101.35 (10) (a) 7. That the business has certified that it uses or will use techniques or processes that reduce or eliminate the use of ~~chlorofluorocarbons, halons or other compounds or substances with ozone depletion weights, as set out in 40 CFR part 82 appendix A, of 0.1 or more ozone-depleting substances that are listed as class I substances under 42 USC 7671a.~~

SECTION 33. 144.421 of the statutes is created to read:

144.421 Emission of ozone-depleting substances. (1) DEFINITION. In this section, "class I substance" has the meaning given in 42 USC 7671 (3).

(2) MEDICAL STERILIZERS. (a) The department shall evaluate the progress toward eliminating the use of class I substances in medical sterilizers. The department shall complete the evaluation no later than the first day of the 4th month beginning after the effective date of this paragraph [revisor inserts date].

(b) Based on the results of the evaluation under par. (a), the department shall promulgate a rule that prohibits the use of class I substances in medical sterilizers or, if no adequate substitute for class I substances is available, requires persons who operate medical sterilizers that use class I substances to achieve the lowest achievable emission rate for class I substances.

(3) SOLVENTS. The department shall advise persons who use class I substances as solvents on ways to eliminate that use.

(4) CITATIONS. The department may follow the procedures for the issuance of a citation under ss. 23.50 to 23.99 to collect a forfeiture for a violation of sub. (2).

(5) PENALTIES. Any person who violates sub. (2) shall be required to forfeit not less than \$250 nor more than \$1,000. Each day of violation constitutes a separate offense.

SECTION 34. 144.422 (3e) of the statutes is created to read:

144.422 (3e) DEPARTMENT POWERS. The department may promulgate rules providing that any portion of sub. (2), (2m) or (2r) applies with respect to a substance used as a substitute for an ozone-depleting substance.

SECTION 35. 144.426 (1) of the statutes is amended to read:

144.426 (1) Except as provided in s. 144.421 (5) or 144.422 (4), any person who violates ss. 144.30 to 144.426 or any rule promulgated, any permit issued or any special order issued under those sections shall forfeit not less than \$10 or more than \$25,000 for each violation. Each day of continued violation is a separate offense.

SECTION 36. 144.98 of the statutes is amended to read:

144.98 Enforcement; duty of department of justice; expenses. The attorney general shall enforce this chapter, except ~~s. ss. 144.421 and 144.422~~, and all rules, special orders, licenses, plan approvals and permits of the department, except those promulgated or issued under ~~s. ss. 144.421 and 144.422~~. The circuit court for Dane county or for any other county where a violation occurred in whole or in part has jurisdiction to enforce this chapter or the rule, special order, license, plan approval or permit by injunctive and other relief appropriate for enforcement. For purposes of this proceeding where this chapter or the rule, special order, license, plan approval or permit prohibits in whole or in part any pollution, a violation is deemed a public nuisance. The expenses incurred by the department of justice in assisting with the administration of this chapter shall be charged to the appropriation made by s. 20.370 (2) (ma).

SECTION 37. 234.65 (2) (c) of the statutes is amended to read:

234.65 (2) (c) The authority shall give priority to an application for an economic development loan if the business applying for the loan certifies that it will use techniques or processes that reduce or eliminate the use of ~~chlorofluorocarbons, halons or other compounds or substances with ozone depletion weights, as set out in 40 CFR part 82 appendix A, of 0.1 or more ozone-depleting substances that are listed as class I substances under 42 USC 7671a.~~

SECTION 38. 234.65 (3) (g) of the statutes is created to read:

234.65 (3) (g) The business that will receive the loan certifies that it will not begin or expand operations that will increase emissions of any ozone-depleting substance that is listed as a class I substance under 42 USC 7671a.

SECTION 39. 341.075 of the statutes is created to read:

341.075 Mobile air conditioner servicing information. The department shall provide information concerning the requirements for servicing mobile air conditioners under s. 100.45 (4) to the public.

~~SECTION 40. 560.605 (1) (i) of the statutes is created to read:~~

~~560.605 (1) (i) That the eligible recipient has certified that it will not begin or expand operations that will increase emissions of any ozone-depleting substance that is listed as a class I substance under 42 USC 7671a.~~

Vetoed
in Part

SECTION 41. 560.605 (4) of the statutes is amended to read:

560.605 (4) The board shall give priority for grants or loans under this section to eligible recipients that certify that they use or will use techniques or processes that reduce or eliminate the use of ~~chlorofluorocarbons, halons or other compounds or substances with ozone depletion weights, as set out in 40 CFR part 82 appendix A, of 0.1 or more ozone-depleting substances that are listed as class I substances under 42 USC 7671a.~~

SECTION 42. 560.765 (3) (bm) of the statutes is amended to read:

560.765 (3) (bm) The person's commitment to use techniques or processes that reduce or eliminate the use of ~~chlorofluorocarbons, halons or other compounds or substances with ozone depletion weights, as set out in 40 CFR part 82 appendix A, of 0.1 or more ozone-depleting substances that are listed as class I substances under 42 USC 7671a.~~

Vetoed
in Part

~~SECTION 43. 560.77 (1) (e) of the statutes is created to read:~~

~~560.77 (1) (e) Violates the terms of the statement provided to the department under s. 560.78 (3).~~

~~SECTION 44. 560.78 (3) of the statutes is created to read:~~

~~560.78 (3) No person may be certified under s. 560.765 (3) unless the person states in writing to the department that the person will not begin or expand business operations that will increase emissions of any ozone-depleting substance that is listed as a class I substance under 42 USC 7671a.~~

~~SECTION 45. 560.915 (2) (b) 3 of the statutes is created to read:~~

~~560.915 (2) (b) 3. The manager or the person who controls the fund agrees to provide money from the fund to a new or technically oriented business only if the business certifies that it will not begin or expand operations that will increase emissions of any ozone-depleting substance that is listed as a class I substance under 42 USC 7671a.~~

SECTION 46. 560.915 (2) (b) 4 of the statutes is amended to read:

560.915 (2) (b) 4. The manager or person who controls the fund agrees to give a priority in the use of money from the fund to new or technically oriented businesses that certify that they use or will use techniques or processes that reduce or eliminate the use of ~~chlorofluorocarbons, halons or other compounds or substances with ozone depletion weights, as set out in 40 CFR part 82 appendix A, of 0.1 or more ozone-depleting substances that are listed as class I substances under 42 USC 7671a.~~

SECTION 47. **Nonstatutory provisions.** (1) NATURAL RESOURCES; RULES. The department of natural resources shall submit the proposed rule required under section 144.421 (2) (b) of the statutes, as created by this act, to the legislative council staff for review

under section 227.15 (1) of the statutes no later than June 1, 1994.

(3) INDUSTRY, LABOR AND HUMAN RELATIONS. The department of industry, labor and human relations shall appoint a committee under section 227.13 of the statutes to advise the department with respect to the promulgation of rules under 101.178 of the statutes, as created by this act. The committee shall include representatives of the heating, ventilating and air conditioning industry and equipment manufacturers.

SECTION 48. **Appropriation changes.** (1) AGRICULTURE, TRADE AND CONSUMER PROTECTION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of agriculture, trade and consumer protection under section 20.115 (1) (hm) of the statutes, as affected by the acts of 1993, the dollar amount is increased by \$45,000 for fiscal year 1994-95 to increase the authorized FTE positions for the department by 1.0 PR position, and for related costs, for activities related to ozone-depleting substances.

(2) INDUSTRY, LABOR AND HUMAN RELATIONS. (a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of industry, labor and human relations under section 20.445 (1) (j) of the statutes, as affected by the acts of 1993, the dollar amount is increased by \$62,500 for fiscal year 1993-94 and the dollar amount is increased by \$123,300 for fiscal year 1994-95 to increase the authorized FTE positions for the department by 3.0 PR positions, and for related costs, for the regulation of persons engaged in the business of installing and servicing heating, ventilating and air conditioning equipment.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of industry, labor and human relations under section 20.445 (1) (j) of the statutes, as affected by the acts of 1993, the dollar amount is increased by \$45,700 for fiscal year 1993-94 and the dollar amount is increased by \$45,700 for fiscal year 1994-95 to increase the authorized FTE positions for the department by 1.0 PR position for the activities of the department related to ozone-depleting refrigerants.

(3) NATURAL RESOURCES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (cg) of the statutes, as affected by the acts of 1993, the dollar amount is decreased by \$32,200 for fiscal year 1993-94 and the dollar amount is decreased by \$55,100 for fiscal year 1994-95 to decrease the authorized FTE positions for the department by 2.0 PR positions.

SECTION 49. **Effective dates.** This act takes effect on the day after publication, except as follows:

(1) The treatment of section 101.178 (2) and (5) of the statutes takes effect on the first day of the 4th month beginning after publication of this act.