

11hr\_SC-AFHE\_sb0370\_pt01



(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2011-12

(session year)

Senate

(Assembly, Senate or Joint)

Committee on Agriculture, Forestry, and Higher  
Education...

### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**



January 31, 2012

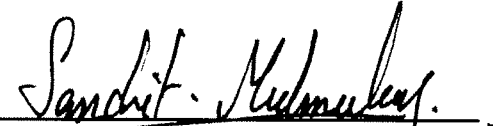
**EXECUTIVE SESSION HELD**

Present: (7) Senators Schultz, Harsdorf, Kedzie, Moulton,  
Hansen, Shilling and King.  
Absent: (0) None.  
Excused: (0) None.

Moved by Senator Hansen, seconded by Senator Kedzie that  
**Senate Bill 370** be recommended for passage.

Ayes: (7) Senators Schultz, Harsdorf, Kedzie, Moulton,  
Hansen, Shilling and King.  
Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 7, Noes 0

  
\_\_\_\_\_  
Sanchit Mulmuley  
Committee Clerk

**Vote Record**  
**Committee on Agriculture, Forestry, and Higher Education**

Date: 1/31/12

Moved by: Hansen

Seconded by: Kedzie

AB \_\_\_\_\_ SB 370 Clearinghouse Rule \_\_\_\_\_  
 AJR \_\_\_\_\_ SJR \_\_\_\_\_ Appointment \_\_\_\_\_  
 AR \_\_\_\_\_ SR \_\_\_\_\_ Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_  
 A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

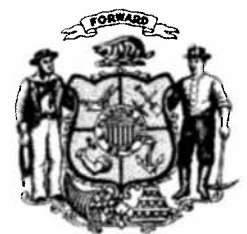
Be recommended for:  
 Passage     Adoption     Confirmation     Concurrence     Indefinite Postponement  
 Introduction     Rejection     Tabling     Nonconcurrency

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<b>Senator Dale Schultz, Chair</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Sheila Harsdorf</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Neal Kedzie</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Terry Moulton</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Dave Hansen</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Jennifer Shilling</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Senator Jessica King</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Totals:</b>	<u>7</u>	<u>0</u>	<u>0</u>	<u>0</u>

Motion Carried       Motion Failed



WISCONSIN STATE LEGISLATURE



**TESTIMONY SUBMITTED  
TO THE  
SENATE COMMITTEE ON AGRICULTURE, FORESTRY, AND HIGHER EDUCATION  
REGARDING  
SENATE BILL 370, RELATING TO REGULATING CERTAIN SUBSTITUTES FOR OZONE-  
DEPLETING REFRIGERANTS  
January 23, 2012**

My name is Aaron Lowe and I am vice president for government affairs for the Automotive Aftermarket Industry Association. AAIA is a national trade association located outside of Washington, DC. AAIA is comprised of 23,000 members and affiliates which manufacture, distribute, sell and install automotive parts, accessories and chemicals. Many of our members package, distribute and sell automotive refrigerant in under 15 pound containers.

I am here to ask for this committee to support Senate Bill 370 introduced by Senator Grothman that would eliminate regulations in place in the State of Wisconsin that restrict the sale to consumers of automotive refrigerants. This outdated law is unnecessary and is sending business out of Wisconsin, negatively impacting our members businesses, consumers and state sales tax revenue.

In 1990, the Clean Air Act mandated the end of production of ozone depleting substances including R-12, also known as Freon, which was used as a refrigerant in vehicle air conditioners. The State of Wisconsin followed the federal lead and banned the sale of R-12, not only in large containers mostly used in professional service facilities, but also in under 15 pound containers that are often used by car owners to recharge their vehicle air conditioning system. This recharge is often necessary since nearly all vehicle air conditioners lose some of their charge over a long period of time. This may be particularly true in Wisconsin since the systems are idle for a longer period of time than in many states which results in a drying out of the seals.

However unlike the EPA or any other state in the U.S., Wisconsin took the additional step of promulgating regulations that also prohibited the sale of R-134a in small containers. 134a was designated by car companies as the replacement refrigerant for Freon since use of 134a would require a minimal change in vehicle air conditioning systems and it does not have an impact on the ozone. One of the major reasons that the Department of Agriculture and Consumer Protection extended the small can ban was concern that during the transition from R-12 to R-134a, car owners would attempt to add the 134a into a vehicle that was using R-12, thus causing cross contamination and ruining the vehicle a/c system.

Nearly 20 years since the transition to a new refrigerant, there is no longer a need to have this outdated regulation on the books. Since many car owners

work on their own vehicle for economic reasons, forcing them to have their vehicle serviced at a professional is costing them nearly \$200 for a service they could do themselves for about \$30.

The reality is that many car owners, if they live near one of our borders, are going to other states to purchase 134a in small containers, costing Wisconsin businesses between \$6-9 million in sales and resulting in a loss of significant sales tax receipts that the state's treasury could sorely use.

In addition, some crafty do-it-yourselfers are using air horns or computer dusters which contain the same 134a, but are not banned from sale to consumers. Of even more concern is the fact that some car owners are likely using propane or butane which, while good refrigerants, are also very flammable.

I want to emphasize that Wisconsin is the only state in the U.S. that currently prohibits the sale or purchase of the refrigerant 134a in small containers. In fact, over the past several years, both California and the U.S. Environmental Protection Agency have looked at the possibility of restricting the sale, but have decided not to take such action based on the fact that the economic impact of such action would fall primarily on low-income families that could least afford to have the work performed by a professional. Further, such action was judged by California to have little to no environmental benefit.

I strongly urge your support for passage of SB 370, both for our member companies but also for the millions of car owners in our great State.



**Tom Fonfara, Partner**  
10 East Doty St, Suite 500 • Madison, WI 53703  
(o) 608 310 5323 • arrowheadstrategies.com  
(c) 608 220 3644 • tom@arrowheadstrategies.com

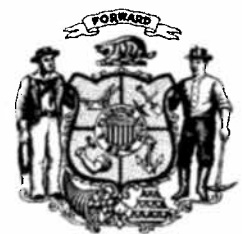


**Aaron Lowe**  
Vice President, Government Affairs

TEL 301.654.6664 DIRECT 240.333.1021  
FAX 301.654.3299  
aaron.lowe@aftermarket.org

[www.aftermarket.org](http://www.aftermarket.org)

7101 WISCONSIN AVE / SUITE 1300 / BETHESDA, MD 20814







# JOE KNILANS

STATE REPRESENTATIVE • 44<sup>TH</sup> ASSEMBLY DISTRICT

- Thank you Chairman Schultz and other committee members for allowing me the opportunity to testify on SB-370. SB-370 will allow the sale of R-134a, a non-ozone depleting Freon substitute. This Freon substitute, is used in vehicle air conditioners when they stop working due a lack of refrigerant.
- This bill will allow R-134a to be sold in your local auto parts stores in cans, available to the public. Allowing R-134a to be sold to the public will save our Wisconsin residents hundreds of dollars. Many people that would purchase R-134a cannot afford to take their cars to a service center to re-charge their air conditioners.
- The part of ban on sales of small containers of R-134a was to prevent the mix of R-12 in the older vehicles with R-134a its replacement. This is not the case now, for the past 20 years R-134a has been used by vehicle manufactures for refrigerant.
- What is real funny is many protesters released a huge amount of R-134a in the Capitol. By blowing their air horns as noise makers they unknowingly sent R-134a into the air. When you clean off your computer key board you unknowingly release R-134a. My point is it is safe to be used by the do-it-yourselfers who are fixing their own cars.
- With the economic recovery going as slow as it has, not too many people can afford up to \$ 200.00 to service their car. As soon as SB-370 is signed into law they will be able to service their own car for around \$30.00.
- This is also important to me because my district is located near the state line. With the passage of SB-370 less of my constituents will have to cross over the state line and purchase R-134a, where I might add it is legal to purchase. Keeping more tax dollars in our state!
- Once again Wisconsin stands alone as the only state that does not allow R-134a to be sold in containers smaller than 15 pounds. This bill will bring Wisconsin up to par with the other 49 states and the EPA.