



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5573/1
MCP:skw

2019 ASSEMBLY BILL 921

February 17, 2020 - Introduced by Representatives KITCHENS, MURSAU, NOVAK, KRUG and SWEARINGEN, cosponsored by Senators COWLES and PETROWSKI. Referred to Committee on Environment.

1 **AN ACT to create** 20.370 (4) (ba), 20.370 (4) (bb), 20.370 (4) (bc), 20.370 (6) (ac)
2 and 281.185 of the statutes; **relating to:** providing positions and funding
3 related to PFAS management zones, creating a municipal grant program for
4 PFAS testing, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill creates a municipal grant program for testing for perfluoroalkyl and polyfluoroalkyl substances (PFAS) and authorizes and funds several positions and activities relating to PFAS.

Under the bill, the Department of Natural Resources must award grants to municipalities that are located in PFAS management zones established under the procedure outlined in 2019 Senate Bill (LRB -5179), for the purpose of complying with any PFAS testing requirements or conducting any voluntary PFAS testing of drinking water, surface water, wastewater, groundwater, biosolids, soil, and sediment, including lake and river bed sediment. The bill provides a \$200,000 GPR continuing appropriation in fiscal year 2019-20 to fund this grant program, \$100,000 of which is reallocated under the bill from the existing agricultural chemical cleanup fund.

The bill also provides \$150,000 in a continuing GPR appropriation in fiscal year 2019-20 for sampling and testing for PFAS when establishing PFAS management zones under the procedure outlined in 2019 Senate Bill (LRB -5179), and for sampling and testing within established zones. The bill also creates a \$50,000 continuing GPR appropriation in fiscal year 2019-20 for studying containment,

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treatment, remediation, and disposal techniques for PFAS in watersheds that contain PFAS management zones.

In addition, the bill authorizes DNR to create 1.0 GPR project position for a PFAS management zone coordinator, and creates a sum sufficient GPR appropriation to fund this position. Under the bill, the position terminates, and no money may be expended for the position, after four and a half years.

The bill also authorizes DNR to create 1.0 GPR position for activities related to PFAS management zones under the provisions of 2019 Senate Bill (LRB -5179). Funding for this position may be authorized by a supplemental appropriation authorized by the joint committee on finance.

Finally, the bill increases funding for the existing well compensation program, administered by DNR, by \$100,000 in fiscal year 2020-21, for certain claims based on PFAS contamination.

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

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

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

			2019-20	2020-21
3 20.370 Natural resources, department of				
4 (4) ENVIRONMENTAL MANAGEMENT				
5 (bb) PFAS management zones - test-				
6 ing	GPR	C	150,000	-0-
7 (bc) PFAS management zones -				
8 research	GPR	C	50,000	-0-
9 (6) ENVIRONMENTAL AIDS				
10 (ac) Environmental aids - PFAS test-				
11 ing	GPR	C	200,000	-0-

12 **SECTION 2.** 20.370 (4) (ba) of the statutes is created to read:

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1 20.370 (4) (ba) *PFAS management zones - coordinator position*. From the
2 general fund, a sum sufficient for a coordinator position to administer the duties
3 relating to PFAS management zones under s. 281.18. No moneys may be expended
4 from this appropriation beginning 4 years and 6 months after the effective date of
5 this paragraph [LRB inserts date].

6 **SECTION 3.** 20.370 (4) (bb) of the statutes is created to read:

7 20.370 (4) (bb) *PFAS management zones - testing*. From the general fund, as
8 a continuing appropriation, the amounts in the schedule for sampling and testing for
9 PFAS in the establishment of PFAS management zones, and for sampling and testing
10 for PFAS in PFAS management zones established under s. 281.18 (3).

11 **SECTION 4.** 20.370 (4) (bc) of the statutes is created to read:

12 20.370 (4) (bc) *PFAS management zones - research*. From the general fund, as
13 a continuing appropriation, the amounts in the schedule for studying PFAS
14 containment, treatment, remediation, and disposal techniques in watersheds that
15 contain PFAS management zones and testing regions under s. 281.18.

16 **SECTION 5.** 20.370 (6) (ac) of the statutes is created to read:

17 20.370 (6) (ac) *Environmental aids - PFAS testing*. From the general fund, as
18 a continuing appropriation, the amounts in the schedule for municipal grants for
19 PFAS testing under s. 281.185.

20 **SECTION 6.** 281.185 of the statutes is created to read:

21 **281.185 Municipal grants for PFAS testing.** (1) In this section, "PFAS"
22 means a perfluoroalkyl or polyfluoroalkyl substance.

23 (2) The department shall award grants from the appropriation under s. 20.370
24 (6) (ac) to municipalities that are located in PFAS management zones established
25 under s. 281.18 (3) to comply with any PFAS testing requirements or to conduct any

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1 voluntary PFAS testing of drinking water, surface water, wastewater, groundwater,
2 biosolids, soil, and sediment, including lake and river bed sediment.

3 **SECTION 7. Nonstatutory provisions.**

4 (1) POSITION AUTHORIZATION - PFAS MANAGEMENT ZONE COORDINATOR. The
5 authorized FTE positions for the department of natural resources are increased by
6 1.0 GPR project position, to be funded from the appropriation under s. 20.370 (4) (ba),
7 for the purpose of acting as a coordinator for PFAS management zones under s.
8 281.18. Notwithstanding s. 230.27 (1), the project position authorized under this
9 subsection shall terminate 4 years and 6 months from the effective date of this
10 subsection.

11 (2) POSITION AUTHORIZATION - PFAS MANAGEMENT ZONES. The authorized FTE
12 positions for the department of natural resources are increased by 1.0 GPR position
13 for activities relating to PFAS management zones under s. 281.18. The joint
14 committee on finance may supplement the appropriation under s. 20.370 (4) (ma) to
15 fund the position authorized under this subsection. The joint committee on finance
16 may make a supplementation under this subsection without finding that an
17 emergency exists under s. 13.101 (3) (a) 1.

18 (3) RECONCILIATION PROVISION. This act is void if 2019 Senate Bill (LRB
19 -5179) is not enacted.

20 **SECTION 8. Fiscal changes.**

21 (1) AGRICULTURAL CHEMICAL CLEANUP FUND. In the schedule under s. 20.005 (3)
22 for the appropriation to the department of agriculture, trade and consumer
23 protection under s. 20.115 (7) (wm), the dollar amount for fiscal year 2019-20 is
24 decreased by \$100,000 to reallocate funds for providing grants to municipalities for
25 PFAS testing under s. 281.185.

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1 (2) WELL COMPENSATION PROGRAM. In the schedule under s. 20.005 (3) for the
2 appropriation to the department of natural resources under s. 20.370 (6) (cr), the
3 dollar amount for fiscal year 2020-21 is increased by \$100,000 for claims based on
4 PFAS contamination under s. 281.75 (1) (b) 1m. or 2.

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(END)