



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRBa1373/1  
MCP:ahe/amn/wlj

**ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY BILL 600**

February 20, 2020 - Offered by Representative SWEARINGEN.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 2: after “districts” insert “, PFAS laboratory standards, PFAS  
3 research and investigations, and providing an exemption from emergency rule  
4 procedures”.

5 **2.** Page 2, line 2: after that line insert:

6 “**SECTION 2d.** 36.25 (56) (a) 3. of the statutes is created to read:

7 36.25 (**56**) (a) 3. Studying, with schools of public health, PFAS, the health  
8 effects of PFAS, the safe destruction and disposal of PFAS, and safe levels of PFAS  
9 in water and air, and providing information relating to these studies to the public.  
10 In conducting the studies under this subdivision, the collaborative shall consult all  
11 available research and science. In this subdivision, “PFAS” means perfluoroalkyl or  
12 polyfluoroalkyl substances.

13 **SECTION 2k.** 36.25 (56) (f) of the statutes is created to read:

1           36.25 (56) (f) No later than January 1, 2021, the board shall submit a report  
2 showing the scientifically safe levels determined under par. (a) 3. to the chief clerk  
3 of each house of the legislature for distribution under s. 13.172 (3) to the standing  
4 committees having jurisdiction over matters regarding natural resources.

5           **SECTION 2p. Nonstatutory provisions.**

6           (1) TESTING LABORATORIES; EMERGENCY RULES.

7           (a) The department of natural resources shall use the procedure under s. 227.24  
8 to promulgate, no later than the first day of the 7th month beginning after the  
9 effective date of this paragraph, emergency rules establishing criteria for certifying  
10 laboratories to test for any perfluoroalkyl or polyfluoroalkyl substances, including  
11 the standards and methods for such testing, and shall certify laboratories that meet  
12 these criteria. Notwithstanding s. 227.24 (1) (a) and (3), the department of natural  
13 resources is not required to provide evidence that promulgating a rule under this  
14 paragraph as an emergency rule is necessary for the preservation of public peace,  
15 health, safety, or welfare and is not required to provide a finding of emergency for a  
16 rule promulgated under this paragraph.

17           (b) Before emergency rules are promulgated under par. (a), the department of  
18 natural resources may require testing for a perfluoroalkyl or polyfluoroalkyl  
19 substance to be done according to any nationally recognized procedures.

20           (c) Emergency rules promulgated under par. (a) for drinking water shall be  
21 based on federal environmental protection agency protocols, if any, for testing for  
22 perfluoroalkyl and polyfluoroalkyl substances. In promulgating emergency rules  
23 under par. (a) for nondrinking water, the department of natural resources shall take  
24 into consideration the latest version of the federal department of defense's Quality  
25 Systems Manual for Environmental Laboratories.

1           (2) BIENNIAL BUDGET REQUEST. The 2021-23 biennial budget request to the  
2 department of administration from the department of natural resources shall  
3 include funding for addressing any perfluoroalkyl and polyfluoroalkyl substance for  
4 which the department has received a recommendation from the department of  
5 health services under s. 160.07 (3).

6           (3) RECOVERY OF COSTS. The department of natural resources is entitled to  
7 recover the costs of testing, investigations, and providing temporary potable water  
8 provided from the appropriation under s. 20.370 (4) (as) from a significant source of  
9 the substances for which the costs are incurred. Reimbursements to the department  
10 of natural resources under this subsection shall be credited to the environmental  
11 fund for environmental management.

12           (4) RECONCILIATION PROVISION. The treatment of s. 36.25 (56) (a) 3. and (f) is void  
13 if 2019 Assembly Bill 801 or 2019 Senate Bill 712 is not enacted.”.

14   (END)