



State of Wisconsin
2025 - 2026 LEGISLATURE

LRBb0615/2
ZW/MP/ES:cdc&skw

**SENATE AMENDMENT 6,
TO SENATE SUBSTITUTE AMENDMENT 2,
TO SENATE BILL 45**

July 2, 2025 - Offered by Senators HESSELBEIN, SMITH, SPREITZER, DRAKE, L. JOHNSON, ROYS, CARPENTER, DASSLER-ALFHEIM, HABUSH SINYKIN, KEYESKI, LARSON, PFAFF, RATCLIFF and WALL.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** At the appropriate places, insert all of the following:

3 “**SECTION 1.** 13.48 (26m) of the statutes is created to read:

4 13.48 (**26m**) LEAD SERVICE LINE REPLACEMENT. The legislature finds and
5 determines that the prevalence of lead service lines in connections to public water
6 systems poses a public health hazard and that processes for reducing lead entering
7 drinking water from such pipes requires additional treatment of wastewater. It is
8 therefore in the public interest, and it is the public policy of this state, to assist
9 private users of public water systems in replacing lead service lines.

10 **SECTION 2.** 16.035 of the statutes is created to read:

1 **16.035 Community climate action grants.** (1) The department shall
2 establish and administer a community climate action grant program.

3 (2) The department shall do all of the following:

4 (a) From the appropriation under s. 20.505 (4) (cm), award grants to local
5 governmental units and governing bodies of federally recognized American Indian
6 tribes and bands in this state to do any of the following:

7 1. Conduct climate risk assessments and prepare action plans.

8 2. Implement emission-reducing and climate action projects.

9 (b) Assist local governmental units and governing bodies of federally
10 recognized American Indian tribes and bands in this state with the development of
11 climate risk assessment and action plans.

12 **SECTION 3.** 18.08 (1) (a) (intro.) of the statutes is amended to read:

13 18.08 (1) (a) (intro.) All moneys resulting from the contracting of public debt
14 or any payment to be received with respect to any agreement or ancillary
15 arrangement entered into under s. 18.06 (8) (a) with respect to any such public debt
16 ~~and any moneys transferred under s. 20.370 (5) (hq) or (hr)~~ shall be credited to a
17 separate and distinct fund, established in the state treasury, designated as the
18 capital improvement fund, except that:”.

19 **2.** At the appropriate place, replace the schedule for s. 20.320 with the
20 schedule from 2025 Senate Bill 45 covering the environmental improvement
21 program.

22 **3.** At the appropriate place, replace the schedule for s. 20.370 with the
23 schedule from 2025 Senate Bill 45 covering the department of natural resources.

1 **4.** At the appropriate places, insert all of the following:

2 “**SECTION 4.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
3 insert the following amounts for the purposes indicated:

4	2025-26	2026-27
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5 **20.370 Natural resources, department of**

6 (4) ENVIRONMENTAL MANAGEMENT

7	(kb)	Lake Altoona dredging	GPR	C	5,000,000	-0-
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8 (kc) Red Cedar River watershed

9	targeted runoff management	GPR	C	5,000,000	-0-
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10 (5) CONSERVATION AIDS

11 (ha) Grants to nonprofit conservation

12	organizations	GPR	C	-0-	5,000,000
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13	(hb)	Tribal co-management program	GPR	C	-0-	3,000,000
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14 (8) INTERNAL SERVICES

15	(mb)	Department health checks	GPR	C	1,000,000	-0-
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16 **SECTION 5.** 20.320 (2) (a) of the statutes is created to read:

20.320 (2) (a) *Lead service line replacement.* As a continuing appropriation,
the amounts in the schedule for lead service line replacement loans under s. 281.61
(8) (b).

20 **SECTION 6.** 20.370 (1) (es) of the statutes is amended to read:

21 20.370 (1) (es) *Parks and forests — interpretive programs.* All moneys received
22 from fees authorized under s. 27.01 (9) (a) 4. for educational and interpretive

1 programs in state parks or state forests to be used for costs associated with those
2 programs.

3 **SECTION 7.** 20.370 (1) (fe) of the statutes is amended to read:

4 20.370 (1) (fe) *Endangered resources — general fund.* From the general fund,
5 a sum sufficient in fiscal year 1993-94 and in each fiscal year thereafter that equals
6 the sum of the amount certified in that fiscal year under s. 71.10 (5) (h) 3. for the
7 previous fiscal year and the amounts received under par. (fu) in that fiscal year for
8 the purposes of the endangered resources program, as defined in s. 71.10 (5) (a) 2.
9 The amount appropriated under this subdivision may not exceed ~~\$500,000~~
10 \$950,000 in a fiscal year, except that the amount appropriated under this
11 subdivision in fiscal year 2005-06 may not exceed \$364,000 and the amount
12 appropriated under this subdivision in fiscal year 2006-07 may not exceed
13 \$364,000.

14 **SECTION 8.** 20.370 (1) (ga) of the statutes is created to read:

15 20.370 (1) (ga) *Kenosha Dunes restoration.* As a continuing appropriation
16 from the general fund, the amounts in the schedule for erosion control projects in
17 the Kenosha Dunes unit of the Chiwaukee Prairie state natural area in Kenosha
18 County.

19 **SECTION 9.** 20.370 (1) (kf) of the statutes is created to read:

20 20.370 (1) (kf) *Wild rice stewardship in ceded territory waters.* From the
21 general fund, the amounts in the schedule for wild rice stewardship efforts
22 conducted, in consultation with federally recognized American Indian tribes or
23 bands domiciled in this state, within the waters of areas where the American
24 Indian tribes or bands hold treaty-based rights to harvest wild rice. Of the amounts

1 in the schedule for each fiscal year, not less than \$50,000 shall be allocated for
2 public education and outreach pertaining to wild rice harvesting.

3 **SECTION 10.** 20.370 (1) (mr) of the statutes is created to read:

4 20.370 (1) (mr) *General program operations - forestry funds.* From the moneys
5 received by the department for forestry activities, the amounts in the schedule for
6 the operation of fish, wildlife, and parks programs.

7 **SECTION 11.** 20.370 (1) (mu) of the statutes is amended to read:

8 20.370 (1) (mu) *General program operations — state funds.* The amounts in
9 the schedule for general program operations that are conducted under ss. 23.09 to
10 23.11, 27.01, 30.203, 30.277, and 90.21, and chs. 29 and 169, for activities conducted
11 under the ecological inventory and monitoring program of the endangered
12 resources program, for the aquatic and terrestrial resources inventory under s.
13 23.09 (2) (km), and for providing the signage required under s. 23.118, ~~and for~~
14 ~~payments of \$53,700 in each fiscal year, to be credited to the appropriation account~~
15 ~~under s. 20.285 (1) (k), to the University of Wisconsin System for outdoor skills~~
16 ~~training under s. 29.598.~~

17 **SECTION 12.** 20.370 (2) (cr) of the statutes is amended to read:

18 20.370 (2) (cr) *Forestry — recording fees.* From the conservation fund, all
19 moneys received under ss. 77.82 (2m) (d) and (4) and 77.88 (1) (c), (2) (ac) 1., 2., and
20 3., (am), and (c), (3), (3j) (c), and (3m) for the payment of fees to the registers of
21 deeds under s. 77.91 (5).

22 **SECTION 13.** 20.370 (2) (jq) of the statutes is created to read:

23 20.370 (2) (jq) *Forestry-industry-wide strategic plan.* From the conservation
24 fund, from the moneys received for forestry activities, as a continuing

1 appropriation, the amounts in the schedule for the forestry-industry-wide strategic
2 plan and road map under 2025 Wisconsin Act (this act), section 9132 (4).

3 **SECTION 14.** 20.370 (3) (mu) of the statutes is amended to read:

4 20.370 (3) (mu) *General program operations — state funds.* The amounts in
5 the schedule for law enforcement operations under ss. 23.09 to 23.11, 90.21, and
6 323.12 (2) (c) and chs. 29, 30, and 169, and for payments of \$53,700 in each fiscal
7 year, to be credited to the appropriation account under s. 20.285 (1) (k), to the
8 University of Wisconsin System for outdoor skills training under s. 29.598.

9 **SECTION 15.** 20.370 (4) (aa) of the statutes is created to read:

10 20.370 (4) (aa) *Kewaunee Marsh remediation.* As a continuing appropriation
11 from the general fund, the amounts in the schedule for development of a remedial
12 action plan and for the remediation of arsenic contamination in the Kewaunee
13 Marsh in Kewaunee County.

14 **SECTION 16.** 20.370 (4) (aj) of the statutes is amended to read:

15 20.370 (4) (aj) *Water resources—~~ballast water discharge permits~~ commercial*
16 *vessel arrival fees.* From the general fund, all moneys received from fees collected
17 under ~~s. 283.35 (1m) to administer and enforce the ballast water discharge permit~~
18 ~~program under s. 283.35 (1m) and for grants under 2009 Wisconsin Act 28, section~~
19 ~~9137 (3w) s. 299.65 for management, administration, inspection, monitoring, and~~
20 enforcement activities relating to incidental discharges, including ballast water
21 discharges.

22 **SECTION 17.** 20.370 (4) (at) of the statutes is created to read:

23 20.370 (4) (at) *Amcast superfund site.* From the environmental fund, as a

1 continuing appropriation, the amounts in the schedule for remedial action relating
2 to the Amcast superfund site in Cedarburg.

3 **SECTION 18.** 20.370 (4) (kb) of the statutes is created to read:

4 20.370 (4) (kb) *Lake Altoona dredging.* As a continuing appropriation, from
5 the general fund, the amounts in the schedule for the dredging of Lake Altoona.

6 **SECTION 19.** 20.370 (4) (kc) of the statutes is created to read:

7 20.370 (4) (kc) *Red Cedar River watershed targeted runoff management.* As a
8 continuing appropriation, from the general fund, the amounts in the schedule for a
9 targeted runoff management grant program for the Red Cedar River watershed.

10 **SECTION 20.** 20.370 (4) (pf) of the statutes is created to read:

11 20.370 (4) (pf) *General program operations — PFAS; general fund.* As a
12 continuing appropriation, from the general fund, the amounts in the schedule for
13 addressing and preventing perfluoroalkyl and polyfluoroalkyl substances
14 contamination in this state.

15 **SECTION 21.** 20.370 (4) (pq) of the statutes is created to read:

16 20.370 (4) (pq) *General program operations — PFAS innocent landowner*
17 *remediation.* As a continuing appropriation, from the environmental fund, the
18 amounts in the schedule for actions taken under s. 292.31 to address and prevent
19 perfluoroalkyl and polyfluoroalkyl substances contamination in this state.

20 **SECTION 22.** 20.370 (5) (aa) of the statutes is created to read:

21 20.370 (5) (aa) *Resource aids — nonprofit conservation organizations.* From
22 the general fund, the amounts in the schedule for grants to nonprofit conservation
23 organizations under ss. 23.0955, 23.0956, 281.69 (1r), and 281.72 and for grants
24 under 2025 Wisconsin Act (this act), section 9132 (1).

1 **SECTION 23.** 20.370 (5) (fu) of the statutes is created to read:

2 20.370 (5) (fu) *Deer carcass disposal sites.* As a continuing appropriation, the
3 amounts in the schedule to provide financial assistance under s. 29.063 (7).

4 **SECTION 24.** 20.370 (5) (fy) of the statutes is created to read:

5 20.370 (5) (fy) *Resource aids — wildfire suppression reimbursement.* From
6 the moneys received by the department for forestry activities, a sum sufficient to
7 reimburse local fire departments under the fire suppression aids program under s.
8 26.145.

9 **SECTION 25.** 20.370 (5) (ha) of the statutes is created to read:

10 20.370 (5) (ha) *Grants to nonprofit conservation organizations.* As a
11 continuing appropriation, from the general fund, the amounts in the schedule for
12 grants to nonprofit conservation organizations under s. 23.0961.

13 **SECTION 26.** 20.370 (5) (hb) of the statutes is created to read:

14 20.370 (5) (hb) *Tribal co-management program.* As a continuing
15 appropriation, from the general fund, the amounts in the schedule for the tribal co-
16 management program under s. 23.0966.

17 **SECTION 27.** 20.370 (5) (hq) of the statutes is amended to read:

18 20.370 (5) (hq) *Department land acquisition.* ~~From~~ As a continuing
19 appropriation, from the moneys received by the department for forestry activities,
20 the amounts in the schedule for ~~transfer to the capital improvement fund~~ the
21 purposes specified in s. 23.09 (2) (d).

22 **SECTION 28.** 20.370 (5) (hr) of the statutes is amended to read:

23 20.370 (5) (hr) *County forest grants.* ~~From~~ As a continuing appropriation,
24 from the moneys received by the department for forestry activities, the amounts in

1 the schedule for ~~transfer to the capital improvement fund~~ grants to counties under
2 s. 23.0953.

3 **SECTION 29.** 20.370 (6) (aa) of the statutes is created to read:

4 20.370 (6) (aa) *Environmental aids – winter road safety improvement.* As a
5 continuing appropriation, the amounts in the schedule for grants under the winter
6 road safety improvement grants program under s. 281.73.

7 **SECTION 30.** 20.370 (6) (et) of the statutes is created to read:

8 20.370 (6) (et) *Environmental aids — Revitalize Wisconsin program.*
9 Biennially, from the environmental fund, the amounts in the schedule for aid
10 awards under s. 292.66.

11 **SECTION 31.** 20.370 (6) (eu) of the statutes is created to read:

12 20.370 (6) (eu) *Environmental aids — waste removal and sampling.*
13 Biennially, from the environmental fund, the amounts in the schedule to provide
14 financial assistance for the purpose of removing waste materials that have
15 accumulated or been dumped on abandoned properties and to conduct sampling
16 and testing to determine if those properties pose a risk to public health and safety
17 or the environment.

18 **SECTION 32.** 20.370 (6) (ew) of the statutes is created to read:

19 20.370 (6) (ew) *Environmental aids — county well testing grant program.*
20 From the PFAS fund, as a continuing appropriation, the amounts in the schedule
21 for the county well testing grant program under s. 281.54.

22 **SECTION 33.** 20.370 (7) (bd) of the statutes is created to read:

23 20.370 (7) (bd) *Building demolition.* As a continuing appropriation, from the

1 general fund, the amounts in the schedule for demolition of buildings on property
2 owned by the department.

3 **SECTION 34.** 20.370 (8) (mb) of the statutes is created to read:

4 20.370 (8) (mb) *Department health checks.* As a continuing appropriation,
5 from the general fund, the amounts in the schedule for the department to conduct
6 monthly health checks for staff and cooperators.

7 **SECTION 35.** 20.370 (9) (bj) of the statutes is amended to read:

8 20.370 (9) (bj) *Storm water management — fees.* From the general fund, the
9 ~~amounts in the schedule~~ all moneys received under s. 283.33 (9) and under 2009
10 Wisconsin Act 28, section 9110 (11f), for the administration, including enforcement,
11 of the storm water discharge permit program under s. 283.33. ~~All moneys received~~
12 ~~under s. 283.33 (9) and under 2009 Wisconsin Act 28, section 9110 (11f) shall be~~
13 ~~credited to this appropriation account.~~

14 **SECTION 36.** 20.370 (9) (hw) of the statutes is created to read:

15 20.370 (9) (hw) *Credit card handling fees.* As a continuing appropriation, all
16 moneys received by the department as provided under s. 27.01 (19) for fees
17 associated with using a credit card for vehicle admission receipt and camping fees.

18 **SECTION 37.** 20.370 (9) (jq) of the statutes is amended to read:

19 20.370 (9) (jq) *Off-highway motorcycle administration.* As a continuing
20 appropriation, an amount equal to the amount determined under s. 23.335 (20) (a)
21 in that fiscal year for the purposes specified under s. 23.335 (20) (b) and (d), for
22 issuing and renewing off-highway motorcycle registration under s. 23.335 (3), (4),
23 and (5), for grants under the safety grant program under s. 23.335 (15), and for
24 state and local law enforcement operations related to off-highway motorcycles. All

1 moneys received under s. 23.335 (6) shall be credited to this appropriation account.

2 All moneys attributable to off-highway motorcycles and deposited in the
3 conservation fund under s. 25.29 (1) (b) are credited to this appropriation account.

4 **SECTION 38.** 20.370 (9) (pq) of the statutes is created to read:

5 20.370 (9) (pq) *Great Lakes and Mississippi River erosion control revolving*
6 *loan programs.* As a continuing appropriation, from the environmental fund, the
7 amounts in the schedule for the Great Lakes erosion control revolving loan program
8 under s. 23.1991 and the Mississippi River erosion control revolving loan program
9 under s. 23.1993. All moneys received as loan origination fees and repayments of
10 loan principal and interest under ss. 23.1991 and 23.1993 shall be credited to this
11 appropriation account.

12 **SECTION 39.** 20.505 (4) (cm) of the statutes is created to read:

13 20.505 (4) (cm) *Community climate action grants.* Biennially, the amounts in
14 the schedule for grants under s. 16.035 (2).

15 **SECTION 40.** 20.866 (2) (ta) of the statutes is amended to read:

16 20.866 (2) (ta) *Natural resources; Warren Knowles-Gaylord Nelson*
17 *stewardship 2000 program.* From the capital improvement fund a sum sufficient
18 for the Warren Knowles-Gaylord Nelson stewardship 2000 program under s.
19 23.0917. The state may contract public debt in an amount not to exceed
20 ~~\$1,046,250,000~~ \$1,876,250,000 for this program. The state may contract additional
21 public debt in an amount up to \$42,600,000 for this program. The state may
22 contract additional public debt in an amount up to \$90,000,000. Except as provided
23 in s. 23.0917 (4g) (b), (4m) (k), (5), (5g), and (5m), the amounts obligated, as defined
24 in s. 23.0917 (1) (e), under this paragraph may not exceed \$46,000,000 in fiscal year

2000-01, may not exceed \$46,000,000 in fiscal year 2001-02, may not exceed \$60,000,000 in each fiscal year beginning with fiscal year 2002-03 and ending with fiscal year 2009-10, may not exceed \$86,000,000 in fiscal year 2010-11, may not exceed \$60,000,000 in fiscal year 2011-12, may not exceed \$60,000,000 in fiscal year 2012-13, may not exceed \$47,500,000 in fiscal year 2013-14, may not exceed \$54,500,000 in fiscal year 2014-15, and may not exceed \$33,250,000 in each fiscal year beginning with 2015-16 and ending with fiscal year 2021-22. Except as provided in s. 23.0917 (4g) (b), (4m) (f) and (k), (5g), and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this paragraph cannot exceed \$33,250,000 in each fiscal year beginning with fiscal year 2022-23 and ending with fiscal year 2025-26. Except as provided in s. 23.0917 (4g) (b), (4m) (f) and (k), (5g), and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this paragraph may not exceed \$83,000,000 in each fiscal year beginning with fiscal year 2026-27 and ending with fiscal year 2035-36.

SECTION 41. 20.866 (2) (tf) of the statutes is amended to read:

20.866 (2) (tf) *Natural resources; nonpoint source.* From the capital improvement fund, a sum sufficient for the department of natural resources to fund nonpoint source water pollution abatement projects under s. 281.65 (4c) and (4e). The state may contract public debt in an amount not to exceed ~~\$44,050,000~~ \$67,050,000 for this purpose. ~~The state may contract additional public debt in an amount up to \$6,500,000 for this purpose. The state may contract additional public debt in an amount up to \$6,500,000 for this purpose.~~

SECTION 42. 20.866 (2) (th) of the statutes is amended to read:

20.866 (2) (th) *Natural resources; urban nonpoint source cost-sharing.* From

1 the capital improvement fund, a sum sufficient for the department of natural
2 resources to provide cost-sharing grants for urban nonpoint source water pollution
3 abatement and storm water management projects under s. 281.66, to provide
4 municipal flood control and riparian restoration cost-sharing grants under s.
5 281.665, and to make the grant under 2007 Wisconsin Act 20, section 9135 (1i). The
6 state may contract public debt in an amount not to exceed ~~\$53,600,000~~ \$72,600,000
7 for this purpose. ~~The state may contract additional public debt in an amount up to~~
8 ~~\$4,000,000 for this purpose. The state may contract additional public debt in an~~
9 ~~amount up to \$4,000,000 for this purpose.~~ Of those amounts, \$500,000 is allocated
10 in fiscal biennium 2001-03 for dam rehabilitation grants under s. 31.387.

11 **SECTION 43.** 20.866 (2) (ti) of the statutes is amended to read:

12 20.866 (2) (ti) *Natural resources; contaminated sediment removal.* From the
13 capital improvement fund, a sum sufficient for the department of natural resources
14 to fund removal of contaminated sediment under s. 281.87. The state may contract
15 public debt in an amount not to exceed ~~\$32,000,000~~ \$49,000,000 for this purpose.
16 ~~The state may contract additional public debt in an amount up to \$4,000,000 for~~
17 ~~this purpose. The state may contract additional public debt in an amount up to~~
18 ~~\$4,000,000 for this purpose.~~

19 **SECTION 44.** 20.866 (2) (tx) of the statutes is amended to read:

20 20.866 (2) (tx) *Natural resources; dam safety projects.* From the capital
21 improvement fund, a sum sufficient for the department of natural resources to
22 provide financial assistance to counties, cities, villages, towns, and public inland
23 lake protection and rehabilitation districts for dam safety projects under s. 31.385.
24 The state may contract public debt in an amount not to exceed ~~\$25,500,000~~

1 \$54,500,000 for this purpose. ~~The state may contract additional public debt in an~~
2 ~~amount up to \$4,000,000 for this purpose. The state may contract additional public~~
3 ~~debt in an amount up to \$10,000,000 for this purpose.~~

4 **SECTION 45.** 23.0917 (2) (a) 2. of the statutes is amended to read:

5 23.0917 (2) (a) 2. A subprogram for state property development and local
6 assistance parks and recreation.

7 **SECTION 46.** 23.0917 (2) (a) 3m. of the statutes is amended to read:

8 23.0917 (2) (a) 3m. A subprogram for ~~recreational boating aids~~ local
9 recreation boat facilities.

10 **SECTION 47.** 23.0917 (3) (a) of the statutes is amended to read:

11 23.0917 (3) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
12 ~~2025-26~~ 2035-36, the department may obligate moneys under the subprogram for
13 land acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and
14 grants for these purposes under s. 23.096, except as provided under ss. 23.197 (2m),
15 (3m) (b), (7m), and (8) and 23.198 (1) (a).

16 **SECTION 48.** 23.0917 (3) (br) 3. of the statutes is created to read:

17 23.0917 (3) (br) 3. For each fiscal year beginning with 2026-27 and ending
18 with 2035-36, \$14,000,000.

19 **SECTION 49.** 23.0917 (3) (bt) 4. of the statutes is created to read:

20 23.0917 (3) (bt) 4. For each fiscal year beginning with fiscal year 2026-27 and
21 ending with fiscal year 2035-36, \$1,000,000.

22 **SECTION 50.** 23.0917 (3) (bw) 2. of the statutes is amended to read:

23 23.0917 (3) (bw) 2. In obligating moneys under the subprogram for land
24 acquisition, for each fiscal year beginning with fiscal year 2022-23 and ending with

1 fiscal year 2025-26, the department shall set aside the amount transferred to the
2 capital improvement fund under s. 20.370 (5) (hr), 2023 stats., in that fiscal year to
3 be obligated only to provide grants to counties under s. 23.0953.

4 **SECTION 51.** 23.0917 (3) (c) 8. of the statutes is created to read:

5 23.0917 (3) (c) 8. Grants under s. 23.0952 to acquire land for recreational
6 vehicle trails.

7 **SECTION 52.** 23.0917 (3) (dm) 9. of the statutes is created to read:

8 23.0917 (3) (dm) 9. For each fiscal year beginning with fiscal year 2026-27
9 and ending with fiscal year 2035-36, \$15,000,000.

10 **SECTION 53.** 23.0917 (4) (title), (a) and (b) (intro.) of the statutes are amended
11 to read:

12 23.0917 (4) (title) ~~PROPERTY~~ STATE PROPERTY DEVELOPMENT AND LOCAL
13 ~~ASSISTANCE~~ PARKS AND RECREATION SUBPROGRAM. (a) Beginning with fiscal year
14 2000-01 and ending with fiscal year ~~2025-26~~ 2035-36, the department may obligate
15 moneys under the subprogram for state property development and local ~~assistance~~
16 parks and recreation. Moneys obligated under this subprogram may be only used
17 for nature-based outdoor recreation, except as provided under par. (cm).

18 (b) (intro.) The purposes for which moneys may be obligated for local
19 assistance under the subprogram for state property development and local
20 ~~assistance~~ parks and recreation are the following:

21 **SECTION 54.** 23.0917 (4) (b) 5. of the statutes is created to read:

22 23.0917 (4) (b) 5. Grants under s. 23.0952 for construction of recreational
23 vehicle trail crossings for interchange projects.

1 **SECTION 55.** 23.0917 (4) (c) (intro.) and (cm) (intro.) of the statutes are
2 amended to read:

3 23.0917 (4) (c) (intro.) The purposes for which moneys may be obligated for
4 property development under the subprogram for state property development and
5 local ~~assistance~~ parks and recreation are the following:

6 (cm) (intro.) Notwithstanding the purposes for which the department is
7 authorized to obligate moneys under pars. (a), (b), and (c), the department may
8 obligate moneys under the subprogram for state property development and local
9 ~~assistance~~ parks and recreation for any of the following purposes:

10 **SECTION 56.** 23.0917 (4) (d) (intro.) of the statutes is amended to read:

11 23.0917 (4) (d) (intro.) In obligating moneys under the subprogram for state
12 property development and local ~~assistance~~ parks and recreation, all of the following
13 shall apply:

14 **SECTION 57.** 23.0917 (4) (d) 1m. g. of the statutes is created to read:

15 23.0917 (4) (d) 1m. g. For each fiscal year beginning with fiscal year 2026-27
16 and ending with fiscal year 2035-36, \$51,500,000.

17 **SECTION 58.** 23.0917 (4) (d) 2m. c. of the statutes is created to read:

18 23.0917 (4) (d) 2m. c. Beginning with fiscal year 2026-27 and ending with
19 fiscal year 2035-36, the department shall obligate \$36,050,000 in each fiscal year
20 for local assistance.

21 **SECTION 59.** 23.0917 (4) (d) 3. d. of the statutes is created to read:

22 23.0917 (4) (d) 3. d. Beginning with fiscal year 2026-27 and ending with fiscal
23 year 2035-36, \$15,450,000.

24 **SECTION 60.** 23.0917 (4) (e) (intro.) of the statutes is amended to read:

1 23.0917 (4) (e) (intro.) Beginning with fiscal year 2022-23 and ending with
2 fiscal year ~~2025-26~~ 2035-36, of the amounts obligated for property development, the
3 department shall set aside the following amounts for the following purposes:

4 **SECTION 61.** 23.0917 (4) (e) 1. of the statutes is amended to read:

5 23.0917 (4) (e) 1. For grants under s. 23.098, ~~\$500,000~~ \$2,500,000 in each
6 fiscal year.

7 **SECTION 62.** 23.0917 (4j) (title) of the statutes is repealed and recreated to
8 read:

9 23.0917 (4j) (title) LOCAL RECREATION BOAT FACILITIES.

10 **SECTION 63.** 23.0917 (4j) (b) of the statutes is amended to read:

11 23.0917 (4j) (b) For fiscal year 2007-08, the department may not obligate
12 more than \$1,500,000 for cost-sharing with local governmental units for
13 recreational boating projects under s. 30.92. For each fiscal year beginning with
14 fiscal year 2008-09 and ending with fiscal year 2021-22, the department may not
15 obligate more than \$2,500,000 for cost-sharing with local governmental units for
16 recreational boating projects under s. 30.92. For each fiscal year beginning with
17 fiscal year 2022-23 and ending with fiscal year 2025-26, the department cannot
18 obligate more than \$3,000,000 for cost-sharing with local governmental units for
19 recreational boating projects under s. 30.92. For each fiscal year beginning with
20 fiscal year 2026-27 and ending with fiscal year 2035-36, the department may not
21 obligate more than \$9,000,000 for cost-sharing with local governmental units for
22 recreational boating projects under s. 30.92.

23 **SECTION 64.** 23.0917 (5g) (a) of the statutes is amended to read:

24 23.0917 (5g) (a) Except as provided in pars. (b) to (j), if for a given fiscal year,

1 the department obligates an amount from the moneys appropriated under s. 20.866
2 (2) (ta) for a subprogram under sub. (3) or (4) that is less than the annual bonding
3 authority under that subprogram for that given fiscal year, the department may not
4 obligate the unobligated amount in subsequent fiscal years. This subsection
5 applies beginning with fiscal year 2011-12 and ending with fiscal year ~~2025-26~~
6 2035-36.

7 **SECTION 65.** 23.0917 (7) (e) 3. of the statutes is created to read:

8 23.0917 (7) (e) 3. Subdivision 1. does not apply beginning with fiscal year
9 2026-27.

10 **SECTION 66.** 23.0917 (8) (f) 2. of the statutes is amended to read:

11 23.0917 (8) (f) 2. Beginning with fiscal year 2013-14 and ending with fiscal
12 year 2025-26, of the amount set aside for a given fiscal year under sub. (3) (bt), not
13 more than one-third of that amount may be obligated for the purpose of the
14 acquisition of land by the department.

15 **SECTION 67.** 23.0917 (12) of the statutes is amended to read:

16 23.0917 (12) EXPENDITURES AFTER 2026. No moneys may be obligated from
17 the appropriation under s. 20.866 (2) (ta) after June 30, ~~2026~~ 2036.

18 **SECTION 68.** 23.0952 of the statutes is created to read:

19 **23.0952 Motorized recreation grants. (1)** In this section:

20 (a) "All-terrain vehicle trail" has the meaning given in s. 23.33 (1) (d).

21 (b) "Land" means land in fee simple or an easement.

22 (c) "Off-highway motorcycle trail" has the meaning given in s. 23.335 (1) (v).

23 (d) "Recreational vehicle club" means an all-terrain vehicle club, as defined
24 under s. 23.33 (1) (bc), a utility terrain vehicle club, as defined under s. 23.33 (1)

(nh), an off-highway motorcycle association, as defined under s. 23.335 (1) (qm), or a snowmobile club, as defined under s. 350.12 (3j) (bg) 1.

(e) “Snowmobile trail” has the meaning given in s. 350.01 (17).

(2) Beginning with fiscal year 2026-27 and ending with fiscal year 2035-36, the department shall establish a grant program under which the department may award a grant to a county, city, village, town, or recreational vehicle club for any of the following purposes:

(a) To acquire land for the purpose of establishing an all-terrain vehicle trail, off-highway motorcycle trail, or snowmobile trail.

(b) To construct a trail crossing for an all-terrain vehicle trail, off-highway motorcycle trail, or snowmobile trail as part of an interchange project.

(3) Grants under this section shall be awarded from the appropriation under s. 20.866 (2) (ta), and the department shall allocate a total of \$5,000,000 in each fiscal year beginning with fiscal year 2026-27 for these grants. For purposes of s. 23.0917, grants awarded under sub. (2) (a) to acquire land shall be treated as moneys obligated from the subprogram under s. 23.0917 (3) and grants awarded under sub. (2) (b) for the construction of trail crossings shall be treated as moneys obligated from the subprogram under s. 23.0917 (4).

(4) A grant recipient may not convert the land, or any rights in the land, acquired with grant moneys awarded under this section to a use that is inconsistent with the type of trail for which the grant was awarded unless the natural resources board approves the conversion.

SECTION 69. 23.096 (title) of the statutes is amended to read:

1 **23.096** (title) ~~Grants~~ Stewardship grants to nonprofit conservation
2 **organizations.**

3 **SECTION 70.** 23.096 (2m) (intro.) of the statutes is amended to read:

4 23.096 (**2m**) (intro.) Notwithstanding sub. (2) (b), in each fiscal year
5 beginning with fiscal year 2010-11 and ending with fiscal year ~~2025-26~~ 2035-36, the
6 department may award grants under this section that equal up to 75 percent of the
7 acquisition costs of the property if the natural resources board determines that all
8 of the following apply:

9 **SECTION 71.** 23.0961 of the statutes is created to read:

10 **23.0961 Grants to nonprofit conservation organizations.** The
11 department may award grants from the appropriation under s. 20.370 (5) (ha) to
12 nonprofit conservation organizations to support wildlife and habitat management.

13 **SECTION 72.** 23.0966 of the statutes is created to read:

14 **23.0966 Tribal co-management program.** The department shall establish
15 a program under which it coordinates with the federally recognized American
16 Indian tribes or bands domiciled in this state in the management of education
17 infrastructure, land management activities, and other activities on department
18 land, as defined under s. 23.0917 (1) (c).

19 **SECTION 73.** 23.098 (2) of the statutes is amended to read:

20 23.098 (**2**) The department shall establish a program to make grants from the
21 appropriations under s. 20.866 (2) (ta) and (tz) to friends groups and nonprofit
22 conservation organizations for projects for property development activities on
23 department properties. The department may not encumber more than ~~\$500,000~~
24 \$2,500,000 in each fiscal year for these grants.

1 **SECTION 74.** 23.098 (4) (b) of the statutes is amended to read:

2 23.098 (4) (b) The department may not encumber more than ~~\$20,000~~ \$50,000
3 for grants under this section for a department property in each fiscal year.

4 **SECTION 75.** 23.1987 (1) of the statutes is amended to read:

5 23.1987 (1) From the moneys appropriated under s. 20.866 (2) (ta), the
6 department shall set aside \$7,000,000 in fiscal year 2014-15 that may be obligated
7 only for infrastructure improvements to the Kettle Moraine Springs fish hatchery.
8 For purposes of s. 23.0917, moneys obligated under this subsection shall be treated
9 as moneys obligated under the ~~property development and local assistance~~
10 subprogram under s. 23.0917 (4). Section 23.0917 (5g) does not apply with respect
11 to amounts obligated before July 1, 2018, under this subsection.

12 **SECTION 76.** 23.1991 of the statutes is created to read:

13 **23.1991 Great Lakes erosion control revolving loan program.** (1) The
14 department shall administer a revolving loan program to assist municipalities and
15 owners of homes located on the shore of Lake Michigan or Lake Superior where the
16 structural integrity of municipal buildings or homes is threatened by erosion of the
17 shoreline.

18 (2) The department shall make loans under this section from the
19 appropriation under s. 20.370 (9) (pq).

20 (3) The department shall promulgate rules to administer this section,
21 including rules establishing eligibility criteria and income limitations for loans
22 under this section.

23 **SECTION 77.** 23.1993 of the statutes is created to read:

24 **23.1993 Mississippi River erosion control revolving loan program.** (1)

1 The department shall administer a revolving loan program to assist municipalities
2 and owners of homes located on the shore of the Mississippi River where the
3 structural integrity of municipal buildings or homes is threatened by erosion of the
4 shoreline.

5 (2) The department shall make loans under this section from the
6 appropriation under s. 20.370 (9) (pq).

7 (3) The department shall promulgate rules to administer this section,
8 including rules establishing eligibility criteria and income limitations for loans
9 under this section.

10 **SECTION 78.** 23.33 (1) (nh) of the statutes is created to read:

11 23.33 (1) (nh) “Utility terrain vehicle club” means a club consisting of
12 individuals that promotes the recreational use of utility terrain vehicles.

13 **SECTION 79.** 23.405 of the statutes is created to read:

14 **23.405 Report on environmental impacts to covered communities. (1)**

15 In this section:

16 (a) “Covered community” means a census tract that is at or above the 65th
17 percentile for share of households with a household income at or below 200 percent
18 of the federal poverty level and is any of the following:

19 1. At or above the 90th percentile for share of households that are both
20 earning less than 80 percent of area median family income, as determined by the
21 federal department of housing and urban development, and are spending more than
22 30 percent of their income on housing costs.

23 2. At or above the 90th percentile for share of homes built before 1960.

1 3. At or above the 90th percentile for having hazardous waste treatment,
2 storage, or disposal facilities or large quantity generators located within 3.1 miles.

3 4. At or above the 90th percentile for number of proposed or listed sites
4 identified by the federal environmental protection agency as superfund or national
5 priorities list sites located within 3.1 miles.

6 5. At or above the 90th percentile for mixture of particles in diesel exhaust in
7 the air, measured as pounds per cubic foot.

8 6. At or above the 90th percentile for number of vehicles, based on average
9 annual daily traffic, at major roads within 1,640 feet, divided by distance in feet.

10 7. At or above the 90th percentile for risk-screening environmental indicators
11 modeled toxic concentrations at stream segments within 1,640 feet, divided by
12 distance in feet.

13 8. Occupied by a federally recognized American Indian tribe or band.

14 (b) “Cumulative impacts” means the combined past, present, and foreseeable
15 future emissions and discharges occurring in a specific geographical area that are
16 assessed based upon guidance issued by the department for exposure, public health
17 or environmental risk, or other effects to the geographical area.

18 (c) “Facility” means any facility, the operation of which requires a permit
19 issued by the department under ch. 283, 285, 289, or 291.

20 **(2)** The department shall identify and maintain a list of covered communities
21 in the state. The department shall update the list as necessary to reflect the most
22 recent data on household income and the most recent federal decennial census.

23 **(3)** The department may not issue a permit under ch. 283, 285, 289, or 291 for

1 the operation of a facility that is located wholly or partly within a covered
2 community unless the permit applicant does all of the following:

3 (a) Prepares a report assessing the environmental impact of the facility,
4 including any cumulative impacts on the covered community, any adverse
5 environmental effects that could not be avoided if the permit were issued, and the
6 public health impact on the covered community.

7 (b) Makes the report available to the public and provides the report to the
8 department and the governing body and municipal clerk for the municipality in
9 which the covered community is located.

10 (c) Not less than 30 days after providing the report to the department and the
11 governing body and municipal clerk under par. (b), conducts a public hearing in the
12 municipality in which the covered community is located. The permit applicant
13 shall conduct the public hearing in a manner that provides clear, accurate, and
14 complete information about the facility and that provides the opportunity for
15 meaningful public participation by residents of the covered community. Not less
16 than 21 days prior to the hearing, the permit applicant shall publish public notices
17 of the hearing in no fewer than 2 newspapers circulating within the covered
18 community. Not less than 14 days prior to the hearing, the permit applicant shall
19 provide a copy of the public notice to the department and the governing body and
20 the municipal clerk of the municipality in which the covered community is located.

21 (4) If a permit applicant is applying for more than one permit for a proposed
22 new or expanded facility that is subject to sub. (3), the permit applicant is not

1 required to comply with sub. (3) more than once for permits applicable to that
2 facility.

3 (5) Following a public hearing conducted under sub. (3) (c), the department
4 shall consider community support and any testimony presented in its decision to
5 grant or deny a permit and shall evaluate any revisions or conditions to the permit
6 that may be necessary to reduce the adverse impact to public health or to the
7 environment in the covered community.

8 (6) The department shall issue a decision on a permit application that is
9 subject to sub. (3) not less than 60 days following the public hearing held as
10 required by sub. (3) (c). The department may deny an application for a permit for
11 the operation of a facility that is located wholly or partly within a covered
12 community if the department finds that the cumulative impact of the facility, in
13 addition to the existing conditions in the covered community, constitute an
14 unreasonable risk to the environment and the health of the residents in the covered
15 community.

16 (7) The department may promulgate any rules necessary to administer this
17 section.

18 **SECTION 80.** 25.29 (1) (b) of the statutes is amended to read:

19 25.29 (1) (b) One percent of all sales and use taxes under s. 77.61 (1) on all-
20 terrain vehicles, utility terrain vehicles, off-highway motorcycles, boats, and
21 snowmobiles collected under ss. 23.33, 23.335, 30.52 (4), 350.12, and 350.122.

22 **SECTION 81.** 25.43 (2s) of the statutes is repealed and recreated to read:

23 25.43 (2s) The secretary of administration and the secretary of natural
24 resources shall ensure that any moneys required to be repaid to the environmental

1 improvement fund as a result of a transfer under s. 25.43 (2s), 2023 stats., shall be
2 paid from the environmental fund to the environmental improvement fund.

3 **SECTION 82.** 27.01 (9) (bg) of the statutes is created to read:

4 27.01 (9) (bg) *Annual 4th grade pass.* 1. In this paragraph:

5 a. “Fourth grade pupil” means a child receiving a 4th grade level of
6 instruction in a school or a home-based private educational program, as defined in
7 s. 115.001 (3g).

8 b. “Guardian” has the meaning given in s. 48.02 (8).

9 c. “Parent” has the meaning given in s. 48.02 (13).

10 2. The parent or guardian of a child may apply for an annual vehicle
11 admission receipt fee waiver by submitting an application to the department. An
12 application may not be submitted to a regional office of the department or to a
13 person who is subject to an appointment or a contract as authorized under s. 29.024
14 (6) (a) 2. to 4. but must be submitted directly to the main office of the department.
15 An application shall be submitted on a form provided by the department and shall
16 include all of the following information:

17 a. The child’s name.

18 b. The child’s date of birth.

19 c. The name of the school the child is or will be attending or a certification
20 that the child is in a home-based private educational program, as defined in s.
21 115.001 (3g).

22 d. A certification that the child is, was, or will be a 4th grade pupil on the first
23 day of January of the calendar year for which the waiver is issued. This

1 certification may be satisfied with dated report cards, dated and signed enrollment
2 forms, a dated letter from the child's school on official letterhead, or any other proof
3 deemed acceptable by the department.

4 3. Subject to subd. 4., the department shall provide to an individual whose
5 application submitted under subd. 2. is approved an annual vehicle admission
6 receipt fee waiver that is valid for the calendar year in which the waiver is issued.

7 4. A parent or guardian may receive only one fee waiver under this paragraph
8 in his or her lifetime. If a parent or guardian receives a fee waiver under this
9 paragraph, the department may not issue a fee waiver under this paragraph for any
10 other member of the parent's or guardian's household.

11 5. The department shall waive the fee, including the issuing fee, imposed
12 under sub. (7) for an annual vehicle admission receipt for a single vehicle, except a
13 motor bus, that has Wisconsin registration plates and that is operated by a person
14 who holds a valid fee waiver issued under this paragraph.

15 **SECTION 83.** 27.01 (9) (bt) of the statutes is created to read:

16 27.01 (9) (bt) *Annual vehicle admission receipt fee waiver; tribes and bands.*

17 The department shall waive all fees imposed under sub. (7) for an annual vehicle
18 admission receipt for any vehicle, except a motor bus, that has Wisconsin
19 registration plates or a registration plate showing valid registration by a federally
20 recognized American Indian tribe or band and that is owned by a person who
21 produces evidence that he or she is a member of a federally recognized American
22 Indian tribe or band located in this state.

23 **SECTION 84.** 27.01 (10) (f) of the statutes is renumbered 27.01 (10) (f) 1.

1 **SECTION 85.** 27.01 (10) (f) 2. of the statutes is created to read:

2 27.01 (10) (f) 2. The department shall waive the camping fee, including any
3 additional fee under par. (g) or sub. (11) (c), for a person who applies for a
4 reservation under sub. (11) and who produces evidence that he or she is a member
5 of a federally recognized American Indian tribe or band located in this state.

6 **SECTION 86.** 27.01 (19) of the statutes is created to read:

7 27.01 (19) CREDIT CARD HANDLING FEE. (a) In this subsection, “credit card
8 handling fee” means the costs associated with collecting fees that are paid for by
9 using a credit card.

10 (b) In addition to any other fee imposed under this section, the department
11 may collect a credit card handling fee to cover credit card transaction costs incurred
12 in collecting fees for vehicle admission receipt and camping fees that are paid for by
13 using a credit card.

14 (c) If the department collects a handling fee under par. (b), it shall promulgate
15 rules establishing the amount of the fee.

16 (d) If the department has appointed an agent to collect a fee to which this
17 subsection applies, the department may allow the agent to collect any applicable
18 credit card handling fee. The department may allow the agent to retain all or a
19 portion of each credit card handling fee.

20 (e) A credit card handling fee may not be more than the amount necessary to
21 cover the costs of using a credit card to collect the fee to which the credit card
22 handling fee applies.

23 (f) Any fee collected under this subsection by the department shall be credited
24 to the appropriation account under s. 20.370 (9) (hw).

1 **SECTION 87.** 29.063 (7) of the statutes is created to read:

2 29.063 (7) The department shall provide financial assistance to cities,
3 villages, towns, and counties; individuals; businesses; and nonprofit conservation
4 organizations for the purchase of large metal containers in which hunters may
5 dispose of deer carcasses.

6 **SECTION 88.** 30.92 (2) of the statutes is repealed.

7 **SECTION 89.** 30.92 (3) (b) 5. of the statutes is amended to read:

8 30.92 (3) (b) 5. Projects ~~underway~~ in a state of readiness.

9 **SECTION 90.** 30.92 (4) (b) 2. a. of the statutes is amended to read:

10 30.92 (4) (b) 2. a. The department may cost-share, with the approval of the
11 commission, with a qualified lake association or an affected governmental unit,
12 including itself, at a rate of up to 50 percent of any construction, acquisition,
13 rehabilitation, ~~feasibility study~~ or other project costs or any combination of these
14 costs, for the recreational boating project if the costs are the type that qualify for
15 funding under this section.

16 **SECTION 91.** 30.92 (4) (b) 3. of the statutes is repealed.

17 **SECTION 92.** 30.92 (4) (b) 6m. of the statutes is amended to read:

18 30.92 (4) (b) 6m. Notwithstanding subd. 6., the department, with the
19 approval of the commission, may reallocate for expenditure for recreational boating
20 aids without complying with the percentages under subd. 6. any state funds that
21 are not encumbered for expenditure for a fiscal year before the first day of the ~~4th~~
22 3rd quarter of that fiscal year.

23 **SECTION 93.** 70.58 (3) of the statutes is renumbered 70.58 (3) (a) and
24 amended to read:

1 70.58 (3) (a) ~~In Beginning with~~ fiscal year 2017-18, and ~~in each ending with~~
2 fiscal year ~~thereafter~~ 2024-25, an amount equal to 0.1697 mills for each dollar of the
3 assessed valuation of the property of the state as determined by the department of
4 revenue under s. 70.57 shall be transferred from the general fund to the
5 conservation fund for the purposes described under sub. (1).

6 **SECTION 94.** 70.58 (3) (b) of the statutes is created to read:

7 70.58 (3) (b) In fiscal year 2025-26, and in each fiscal year thereafter, an
8 amount equal to 0.1406 mills for each dollar of the assessed valuation of the
9 property of the state as determined by the department of revenue under s. 70.57
10 shall be transferred from the general fund to the conservation fund for the purposes
11 described under sub. (1).

12 **SECTION 95.** 77.88 (2) (ac) 1. of the statutes is amended to read:

13 77.88 (2) (ac) 1. If the land transferred under par. (a) meets the eligibility
14 requirements under s. 77.82 (1) (a), (ag), and (b), the land shall continue to be
15 designated as managed forest land if the transferee, within 30 days after a transfer
16 of ownership, files a form provided by the department signed by the transferee. By
17 signing the form, the transferee certifies to the department an intent to comply
18 with the existing management plan for the land and any amendments to the plan.
19 The transferee shall provide proof that each person holding any encumbrance on
20 the land agrees to the designation. The transferee may designate an area of the
21 transferred land closed to public access as provided under s. 77.83. The department
22 shall issue an order continuing the designation of the land as managed forest land
23 under the new ownership. The transferee shall pay a \$100 fee that will accompany
24 the report. The fee shall be deposited in the conservation fund. ~~Twenty dollars of~~

1 ~~the fee or a different amount of the fee as may be established under subd. 2. shall be~~
2 and credited to the appropriation under s. 20.370 (2) (cr). The department shall
3 immediately notify each person entitled to notice under s. 77.82 (8).

4 **SECTION 96.** 77.88 (5m) of the statutes is amended to read:

5 77.88 **(5m)** WITHDRAWAL FEE. The withdrawal fee assessed by the
6 department under subs. (1) (c), (2) (ac) 2. and 3., (am), and (c), (3), ~~and (3j) (c), and~~
7 (3m) shall be \$300. The fee shall be deposited in the conservation fund and credited
8 to the appropriation under s. 20.370 (2) (cr).

9 **SECTION 97.** 92.14 (18) of the statutes is created to read:

10 92.14 **(18)** PFAS MONITORING. As part of any statewide monitoring program,
11 sampling program, or survey conducted by the department, any samples that are
12 collected and tested shall also, at the department's discretion and where
13 appropriate, be tested for the presence of any perfluoroalkyl or polyfluoroalkyl
14 substance.

15 **SECTION 98.** 160.07 (5) of the statutes is renumbered 160.07 (5) (a) and
16 amended to read:

17 160.07 **(5)** (a) ~~Within~~ Except as provided under par. (b), within 9 months after
18 transmitting the name of a substance to the department of health services under
19 sub. (2), the department of natural resources shall propose rules establishing the
20 recommendation of the department of health services as the enforcement standard
21 for that substance and publish the notice required under s. 227.16 (2) (e), 227.17 or
22 227.24 (3).

23 **SECTION 99.** 160.07 (5) (b) of the statutes is created to read:

24 160.07 **(5)** (b) Within 3 months after receiving a recommended enforcement

1 standard for a perfluoroalkyl or polyfluoroalkyl substance from the department of
2 health services under sub. (3), the department of natural resources shall prepare a
3 statement of scope under s. 227.135 of proposed rules that establish the
4 recommendation of the department of health services as the enforcement standard
5 for that substance.

6 **SECTION 100.** 196.491 (2) (title) of the statutes is amended to read:

7 196.491 (2) (title) STRATEGIC ENERGY ASSESSMENT AND INTEGRATED
8 RESOURCE PLANS.

9 **SECTION 101.** 196.491 (2) (a) 3s. of the statutes is created to read:

10 196.491 (2) (a) 3s. Review the integrated resource plans submitted by electric
11 utilities under par. (h) to help inform the strategic energy assessment.

12 **SECTION 102.** 196.491 (2) (h) of the statutes is created to read:

13 196.491 (2) (h) 1. Each electric utility shall prepare and file an integrated
14 resource plan with the commission. The commission shall by order establish
15 integrated resource plan content and filing requirements, including filing
16 deadlines. An integrated resource plan shall include a set of resource options that
17 an electric utility could use to meet the service needs of its customers over the next
18 5-year, 10-year, and 15-year periods, including an explanation of the supply-and-
19 demand circumstances under which, and the extent to which, each resource option
20 would be used to meet those service needs. Resource options that could be used to
21 meet service needs include using, refurbishing, and constructing electric generating
22 plants and equipment; buying electricity generated by other entities; controlling
23 customer loads; and implementing customer energy conservation. The commission

1 shall approve, reject, or modify an electric utility's integrated resource plan
2 consistent with the public interest. The commission's acceptance of an integrated
3 resource plan under this paragraph does not constitute issuance of a certificate
4 under s. 196.49 or issuance of a certificate of public convenience and necessity
5 under sub. (3).

6 2. An integrated resource plan under this paragraph shall include all of the
7 following:

8 a. A long-term forecast of the electric utility's sales and peak demand under
9 various reasonable scenarios.

10 b. Details regarding the amount of peak demand reduction the electric utility
11 expects to achieve and the electric utility's proposals for achieving the reduction in
12 peak demand, including through load management and demand response.

13 c. If the plan identifies constructing a generation facility as a resource option,
14 the type of generation technology proposed for the generation facility, the proposed
15 capacity of the generation facility, and the projected fuel costs for the proposed
16 generation facility under various reasonable scenarios.

17 d. Projected electricity purchased or produced by the electric utility that is
18 generated from a renewable energy resource. If the electric utility projects the total
19 level of electricity purchased or produced from a renewable energy resource to
20 decrease over the periods described in subd. 1. a., the electric utility shall explain
21 why the decrease is in the best interests of ratepayers.

22 e. Details regarding the impacts of energy efficiency programs on the electric
23 utility's electricity sales and peak demand under various reasonable scenarios,

1 including the total amount of customer energy savings and the associated costs of
2 the energy efficiency programs.

3 f. Projected energy and capacity purchased or produced by the electric utility
4 from a cogeneration resource.

5 g. An analysis of potential new or upgraded electricity transmission options
6 for the electric utility.

7 h. Data regarding the electric utility's current generation portfolio, including
8 the age, capacity factor, licensing status, and estimated remaining operating time
9 for each electric generating facility in the portfolio.

10 i. Plans for meeting current and future capacity needs, including cost
11 estimates for any power purchase agreement, any proposed construction or major
12 investment, and any transmission or distribution infrastructure necessary to
13 support proposed construction or major investments.

14 j. An analysis of the cost, capacity factor, and viability of all reasonable
15 options available to meet projected energy and capacity needs, including existing
16 electric generating facilities in this state.

17 k. Projected total costs for each scenario reviewed under this subdivision.

18 L. If applicable, projected long-term natural gas transportation contracts or
19 natural gas storage that the electric utility will hold to provide an adequate supply
20 of natural gas to new electric generating facilities.

21 m. Any other information required by the commission by order.

22 3. This paragraph does not apply to cooperative associations.

23 **SECTION 103.** 227.139 (5) of the statutes is created to read:

1 227.139 (5) This section does not apply to a proposed rule of the department
2 of natural resources establishing acceptable levels and standards, performance
3 standards, enforcement standards and preventative action limits, monitoring
4 requirements, and required response actions for any perfluoroalkyl or
5 polyfluoroalkyl substance or group or class of such substances in groundwater,
6 drinking water, surface water, air, soil, or sediment.

7 **SECTION 104.** 227.19 (7) of the statutes is amended to read:

8 227.19 (7) NONAPPLICATION. This section does not apply to rules promulgated
9 under s. 227.24, or to rules proposed by the department of natural resources
10 establishing acceptable levels and standards, performance standards, enforcement
11 standards and preventative action limits, monitoring requirements, and required
12 response actions for any perfluoroalkyl or polyfluoroalkyl substance or group or
13 class of such substances in groundwater, drinking water, surface water, air, soil, or
14 sediment.

15 **SECTION 105.** 227.26 (5) of the statutes is created to read:

16 227.26 (5) This section does not apply to a proposed rule of the department of
17 natural resources establishing acceptable levels and standards, performance
18 standards, enforcement standards and preventative action limits, monitoring
19 requirements, and required response actions for any perfluoroalkyl or
20 polyfluoroalkyl substance or group or class of such substances in groundwater,
21 drinking water, surface water, air, soil, or sediment.

22 **SECTION 106.** 281.34 (2) of the statutes is amended to read:

23 281.34 (2) APPROVAL REQUIRED FOR HIGH CAPACITY WELLS. Except as

provided under sub. (2g), an owner shall apply to the department for approval before construction of a high capacity well begins. Except as provided under sub. (2g), no person may construct or withdraw water from a high capacity well without the approval of the department under this section or under s. 281.17 (1), 2001 stats. An owner applying for approval under this subsection shall pay a fee of ~~\$500~~ \$1,000.

SECTION 107. 281.54 of the statutes is created to read:

281.54 County well testing grant program. (1) DEFINITIONS. In this section:

(a) “PFAS” means a perfluoroalkyl or polyfluoroalkyl substance.

(b) “Private water supply” has the meaning given in s. 281.77 (1) (a).

(2) FINANCIAL ASSISTANCE. The department shall administer a program to provide grants from the appropriation under s. 20.370 (6) (ew) to counties for the purpose of providing sampling and testing services to owners of private water supplies to sample and test for PFAS, nitrates, bacteria, and lead.

(3) RULEMAKING. The department shall promulgate rules to administer this section.

SECTION 108. 281.59 (4) (f) of the statutes is amended to read:

281.59 **(4) (f)** Revenue obligations may be contracted by the building commission when it reasonably appears to the building commission that all obligations incurred under this subsection, and all payments under an agreement or ancillary arrangement entered into under s. 18.55 (6) with respect to revenue obligations issued under this subsection, can be fully paid on a timely basis from moneys received or anticipated to be received. Revenue obligations issued under this subsection for the clean water fund program and safe drinking water loan

1 program shall not exceed ~~\$2,526,700,000~~ \$3,329,650,100 in principal amount,
2 excluding obligations issued to refund outstanding revenue obligation notes. ~~The~~
3 ~~building commission may contract additional revenue obligations in an amount up~~
4 ~~to \$24,700,000. The building commission may contract additional revenue~~
5 ~~obligations in an amount up to \$46,000,000.~~

6 **SECTION 109.** 281.59 (4) (f) of the statutes is amended to read:

7 281.59 (4) (f) Revenue obligations may be contracted by the building
8 commission when it reasonably appears to the building commission that all
9 obligations incurred under this subsection, and all payments under an agreement
10 or ancillary arrangement entered into under s. 18.55 (6) with respect to revenue
11 obligations issued under this subsection, can be fully paid on a timely basis from
12 moneys received or anticipated to be received. Revenue obligations issued under
13 this subsection for the clean water fund program and safe drinking water loan
14 program shall not exceed \$2,526,700,000 in principal amount, excluding obligations
15 issued to refund outstanding revenue obligation notes. The building commission
16 may contract additional revenue obligations in an amount up to \$24,700,000. The
17 building commission may contract additional revenue obligations in an amount up
18 to \$46,000,000. The building commission may contract additional revenue
19 obligations in an amount up to \$726,000,000.

20 **SECTION 110.** 281.61 (6) of the statutes is amended to read:

21 281.61 (6) PRIORITY LIST. The department shall establish a priority list that
22 ranks each safe drinking water loan program project. The department shall
23 promulgate rules for determining project rankings that, to the extent possible, give
24 priority to projects that address the most serious risks to human health, that are

1 necessary to ensure compliance with the Safe Drinking Water Act, 42 USC 300f to
2 300j-26, and that assist applicants that are most in need on a per household basis,
3 according to affordability criteria specified in the rules. For the purpose of ranking
4 projects under this subsection, the department shall treat a project to upgrade a
5 public water system to provide continuous disinfection of the water that it
6 distributes as if the public water system were a surface water system that federal
7 law requires to provide continuous disinfection. For the purpose of ranking projects
8 under this subsection, if the department of health services has recommended an
9 enforcement standard for a perfluoroalkyl or polyfluoroalkyl substance, the
10 department of natural resources shall treat a project relating to that perfluoroalkyl
11 or polyfluoroalkyl substance as if a maximum contaminant level for that substance
12 has been attained or exceeded.

13 **SECTION 111.** 281.61 (8) (b) of the statutes is created to read:

14 281.61 (8) (b) The department of administration shall allocate the amount
15 appropriated under s. 20.320 (2) (a) to projects involving forgivable loans to private
16 users of public water systems to replace lead service lines.

17 **SECTION 112.** 281.73 of the statutes is created to read:

18 **281.73 Winter road safety improvement grants.** (1) The department
19 shall develop and administer a program to provide financial assistance to
20 municipalities for eligible expenditures for equipment critical to winter road safety.

21 (2) An individual grant awarded under this section may not exceed \$75,000.

22 (3) The department shall promulgate rules necessary to administer this
23 section, including rules that specify criteria for determining eligible recipients and
24 expenditures, which shall include expenditures for live-edge blades, salt spreader

1 control systems, brine mixers, and structural upgrades to salt storage facilities to
2 prevent ground water contamination.

3 (4) From the appropriation under s. 20.370 (6) (aa), the department may
4 award grants to eligible recipients for eligible expenditures under this section.

5 **SECTION 113.** 281.75 (1) (b) (intro.), 1., 2. and 3. of the statutes are amended
6 to read:

7 281.75 (1) (b) (intro.) “Contaminated well” or “contaminated private water
8 supply” means a well or private water supply ~~which~~ that does any of the following:

9 1. Produces water containing one or more substances of public health concern
10 in excess of a primary maximum contaminant level promulgated in the national
11 drinking water standards in 40 CFR 141 and 143;

12 2. Produces water containing one or more substances of public health concern
13 in excess of an enforcement standard under ch. 160; ~~or~~.

14 3. Is subject to a written advisory opinion, issued by the department or the
15 department of health services, containing a specific descriptive reference to the well
16 or private water supply and recommending that the well or private water supply not
17 be used because of potential human health risks.

18 **SECTION 114.** 281.75 (1) (b) 4. of the statutes is created to read:

19 281.75 (1) (b) 4. Produces water containing at least 10 parts per billion of
20 arsenic or at least 10 parts per million of nitrate nitrogen.

21 **SECTION 115.** 281.75 (1) (b) 5. of the statutes is created to read:

22 281.75 (1) (b) 5. Produces water containing levels of a perfluoroalkyl or
23 polyfluoroalkyl substance in excess of the maximum level set out in any applicable

1 federal or state health advisory for that substance, if no primary maximum
2 contaminant level under 40 CFR 141 and 143 or enforcement standard under ch.
3 160 for that substance has been promulgated.

4 **SECTION 116.** 281.75 (1) (f) of the statutes is amended to read:

5 281.75 (1) (f) “Private water supply” means a residential water supply or a
6 livestock water supply, or a transient noncommunity water supply.

7 **SECTION 117.** 281.75 (1) (gm) of the statutes is created to read:

8 281.75 (1) (gm) “Transient noncommunity water supply” means a water
9 system that serves at least 25 persons at least 60 days of the year but does not
10 regularly serve at least 25 of the same persons over 6 months per year. “Transient
11 noncommunity water supply” does not include a public water system that serves at
12 least 15 service connections used by year-round residents or regularly serves at
13 least 25 year-round residents.

14 **SECTION 118.** 281.75 (4m) (a) of the statutes is amended to read:

15 281.75 (4m) (a) In order to be eligible for an award under this section, the
16 annual family income of the landowner or lessee of property on which is located a
17 contaminated water supply or a well subject to abandonment may not exceed
18 ~~\$65,000~~ \$100,000.

19 **SECTION 119.** 281.75 (5) (f) of the statutes is amended to read:

20 281.75 (5) (f) The Except as provided in par. (g), the department shall allocate
21 money for the payment of claims according to the order in which completed claims
22 are received. The department may conditionally approve a completed claim even if
23 the appropriation under s. 20.370 (6) (cr) is insufficient to pay the claim. The

1 department shall allocate money for the payment of a claim which is conditionally
2 approved as soon as funds become available.

3 **SECTION 120.** 281.75 (5) (g) of the statutes is created to read:

4 281.75 **(5)** (g) If the appropriations under s. 20.370 (6) (cf) or (cr) are
5 insufficient to pay claims, the department may, for claims based on nitrate levels,
6 allocate money for the payment of those claims in the following order of priority:

7 1. Claims based on water containing more than 40 parts per million of nitrate
8 nitrogen.

9 2. Claims based on water containing more than 30 but not more than 40 parts
10 per million of nitrate nitrogen.

11 3. Claims based on water containing more than 25 but not more than 30 parts
12 per million of nitrate nitrogen.

13 4. Claims based on water containing more than 20 but not more than 25 parts
14 per million of nitrate nitrogen.

15 5. Claims based on water containing more than 10 but not more than 20 parts
16 per million of nitrate nitrogen.

17 **SECTION 121.** 281.75 (6) (a) of the statutes is amended to read:

18 281.75 **(6)** (a) Contamination of a private water supply, as defined under sub.
19 (1) (b) 1. ~~or~~ 2., 4., or 5. is required to be established by analysis of at least 2 samples
20 of water, taken at least 2 weeks apart, in a manner which assures the validity of the
21 test results. The samples shall be tested by a laboratory certified under s. 299.11.

22 **SECTION 122.** 281.75 (7) (a) of the statutes is amended to read:

23 281.75 **(7)** (a) If the department finds that the claimant meets all the

1 requirements of this section and rules promulgated under this section and that the
2 private water supply is contaminated or that the well is a well subject to
3 abandonment, the department shall issue an award. The Except as provided under
4 par. (am), the award may not pay more than 75 percent of the eligible costs. The
5 award may not pay any portion of eligible costs in excess of \$16,000.

6 **SECTION 123.** 281.75 (7) (am) of the statutes is created to read:

7 281.75 (7) (am) An award under this subsection may pay up to 100 percent of
8 the eligible costs if the annual family income of the claimant is below the median
9 family income for the state, as determined by U.S. bureau of the census.

10 **SECTION 124.** 281.75 (7) (b) of the statutes is repealed.

11 **SECTION 125.** 281.75 (9) of the statutes is repealed.

12 **SECTION 126.** 281.79 of the statutes is created to read:

13 **281.79 Negotiations for alternate source of water due to PFAS**
14 **contamination. (1) DEFINITIONS.** In this section:

15 (a) "Municipality" means a city, village, town, county, utility district, lake
16 protection district, sewerage district, or municipal airport.

17 (b) "Private water supply" has the meaning given in s. 281.77 (1) (a).

18 **(2) MEDIATION.** A municipality that contains private water supplies that have
19 been contaminated by a perfluoroalkyl or polyfluoroalkyl substance in excess of a
20 state or federal drinking water standard, a state groundwater standard, or a public
21 health recommendation from the department of health services under s. 160.07
22 may request that the department appoint a mediator to assist in negotiations for
23 the supply of an alternate source of water provided by or connected to a water

1 supply located within another municipality. The department may not appoint a
2 mediator under this section unless the department receives written consent from
3 both municipalities. A person responsible under s. 292.11 (3), if any, may
4 participate in negotiations. The department shall promulgate rules to implement
5 this section, including rules for the allocation of the cost of the mediator.

6 **SECTION 127.** 283.31 (4) (g) of the statutes is created to read:

7 283.31 (4) (g) That, if the permit allows for the land application of sewage
8 sludge, the permittee shall, before first applying sludge and at least once per year
9 thereafter, sample and test the sludge for all perfluoroalkyl or polyfluoroalkyl
10 substances for which there is a state or federal standard, a public health
11 recommendation from the department of health services under s. 160.07, or a
12 health advisory issued by the federal environmental protection agency. The
13 permittee shall, before applying sludge to land in any year, report the sampling and
14 testing results to the department and to the property owner of each tax parcel upon
15 which sludge will be applied. The sampling and testing required under this
16 paragraph shall be in addition to any sampling and testing otherwise required
17 under the permit.

18 **SECTION 128.** 283.31 (4) (h) of the statutes is created to read:

19 283.31 (4) (h) That, if the permittee is a treatment work, the permittee will
20 test all sewage sludge for the presence of perfluoroalkyl or polyfluoroalkyl
21 substances and report the testing results to the department.

22 **SECTION 129.** 283.31 (8) of the statutes is amended to read:

23 283.31 (8) The holder of a permit under this section for a concentrated animal

1 feeding operation shall annually pay to the department a fee of ~~\$345~~ \$545, which
2 shall be credited to the appropriation account under s. 20.370 (9) (ag). The
3 department shall annually submit a report to the joint committee on finance and,
4 under s. 13.172 (3), to the standing committees of the legislature with jurisdiction
5 over agricultural and environmental matters describing the use of the moneys
6 credited to the appropriation account under s. 20.370 (9) (ag) under this subsection
7 and the use of the moneys appropriated under s. 20.370 (9) (ap).

8 **SECTION 130.** 283.33 (8m) of the statutes is created to read:

9 283.33 **(8m)** RULES FOR STORM WATER POND SAFETY. The department shall
10 promulgate rules under sub. (8) establishing that any pond located in an area with
11 a population density of not less than 1,000 people per square mile that is
12 constructed as part of an activity for which a permit is required under sub. (1) or s.
13 283.31 must include one or more of the following features for safety:

14 (a) A shallow ledge around the periphery of the pond.

15 (b) Vegetation that is not less than 24 inches high between the pond and any
16 easy point of access.

17 (c) Any other alternative safety feature authorized by the department by rule.

18 **SECTION 131.** 283.35 (1) of the statutes is amended to read:

19 283.35 **(1)** AUTHORIZATION. Instead of issuing a separate permit to an
20 individual point source, the department may issue a general permit applicable to a
21 designated area of the state authorizing discharges from specified categories or
22 classes of point sources located within that area. The department shall charge a
23 processing fee of \$425 for each permit issued under this subsection.

24 **SECTION 132.** 283.35 (1m) of the statutes is repealed.

1 **SECTION 133.** 285.69 (2) (a) 12. of the statutes is amended to read:

2 285.69 (2) (a) 12. That the fee billed in 2013 ~~and each year thereafter~~ to 2024
3 equals \$35.71 per ton of emissions specified under subd. 8. and that the fee billed in
4 2025 and each year thereafter equals \$63.69 per ton of emissions specified under
5 subd. 8.

6 **SECTION 134.** 292.11 (8m) of the statutes is created to read:

7 292.11 (8m) SITE-SPECIFIC STANDARDS. If no standard exists for a hazardous
8 substance, the person responsible under sub. (3) shall propose site-specific
9 environmental standards for department approval for the actions required under
10 this chapter and rules promulgated under this chapter.

11 **SECTION 135.** 292.11 (9) (g) of the statutes is created to read:

12 292.11 (9) (g) 1. In this paragraph, "PFAS" means a perfluoroalkyl or
13 polyfluoroalkyl substances for which there is a state or federal standard, a public
14 health recommendation from the department of health services under s. 160.07, or
15 a health advisory issued by the federal environmental protection agency.

16 2. Except as provided in subd. 3, a person who possesses or controls property
17 where a PFAS discharge occurred is exempt from subs. (3), (4), and (7) (b) and (c) for
18 the PFAS discharge if all of the following apply:

19 a. The property is exclusively used for agricultural use or residential use.

20 b. The discharge was caused by land application of sludge permitted under ch.
21 283.

22 c. The person who possesses or controls the property where the PFAS
23 discharge occurred agrees to allow the department, any authorized representatives
24 of the department, any party that possessed or controlled the PFAS or caused the

1 discharge of the PFAS, and any consultant or contractor of such a party to enter the
2 property to take action to respond to the discharge.

3 d. The person who possesses or controls the property where the PFAS
4 discharge occurred does not interfere with any action taken in response to the
5 discharge and does not take any action that worsens or contributes to the PFAS
6 discharge.

7 e. The person who possesses or controls the property where the PFAS
8 discharge occurred follows any other condition that the department determines is
9 reasonable and necessary to ensure that the department or other person described
10 in subd. 2. c. is able to adequately respond to the discharge, including taking action
11 necessary to protect human health, safety, or welfare or the environment, taking
12 into consideration the current or intended use of the property.

13 f. The person who possesses or controls the property where the PFAS
14 discharge occurred allows the department to limit public access to the property if
15 the department determines such limitation of access is necessary to prevent an
16 imminent threat to human health, safety, or welfare or to the environment.

17 3. a. The exemption under subd. 2. does not apply to any substances other
18 than PFAS.

19 b. The exemption under subd. 2. does not apply if the person that possesses or
20 controls the property where the PFAS discharge occurred takes action that worsens
21 or contributes to the PFAS discharge.

22 4. A person who is exempt from subs. (3), (4), and (7) (b) and (c) pursuant to
23 subd. 2. shall provide written disclosure to any prospective purchaser of the
24 property, either through sale or land contract, before entering into a contract and to

1 prospective tenants of the property, including agricultural and residential tenants
2 before entering into a lease agreement. Written disclosure shall be provided to any
3 current tenants as soon as reasonably practicable and upon any reissuance or
4 renewal of a lease. Written disclosure shall include, at a minimum, a description of
5 the type of contamination, the location and description of any action taken to
6 control or treat the contamination, PFAS sample dates and results, and a
7 description of compliance with reporting required under sub. (2). A copy of the
8 disclosure shall be provided to the department upon request.

9 5. The exemption under subd. 2 may not be transferred to a subsequent owner
10 of the property on which the PFAS discharge occurred. Each person that possesses
11 or controls the property where the PFAS discharge occurred must establish
12 eligibility for the exemption under subd. 2.

13 6. A person may submit to the department information supporting that the
14 person satisfies the requirements of subd. 2. The department shall issue a written
15 determination that a person who possesses or controls property where the PFAS
16 discharge occurred is exempt from subs. (3), (4), and (7) (b) and (c) if the person
17 satisfies the requirements in subd. 2. The department may request additional
18 information before issuing a determination. The department may revoke its
19 determination if it determines that any of the requirements of subd. 2 cease to be
20 met. The department may, in accordance with rules that it promulgates, assess and
21 collect fees to offset the costs of issuing determinations under this subdivision.

22 7. The exemption under subd. 2. does not apply after December 31, 2035.

23 **SECTION 136.** 292.11 (14) of the statutes is created to read:

24 292.11 (14) DETERMINATION OF RESPONSIBLE PARTY. Applications for

1 compensation or grants under the well compensation program under s. 281.75, the
2 county well testing grant program under s. 281.54, or any state financial assistance
3 program funded by the federal American Rescue Plan Act of 2021, P.L. 117-2, may
4 not be used by the department to determine responsibility under sub. (3).

5 **SECTION 137.** 292.31 (1) (d) (intro.) of the statutes is amended to read:

6 292.31 (1) (d) *Access to information.* (intro.) Upon the request of any officer,
7 employee, or authorized representative of the department, any person who
8 generated, transported, treated, stored, or disposed of solid or hazardous waste
9 ~~which~~ that may have been disposed of at a site or facility under investigation by the
10 department and any person who generated solid or hazardous waste at a site or
11 facility under investigation by the department that was transported to, treated at,
12 stored at, or disposed of at another site, facility, or location shall provide the officer,
13 employee, or authorized representative access to any records or documents in that
14 person's custody, possession, or control which relate to:

15 **SECTION 138.** 292.31 (1) (d) 1m. of the statutes is created to read:

16 292.31 (1) (d) 1m. The type and quantity of waste generated at the site or
17 facility that was transported to, treated at, stored at, or disposed of at another site,
18 facility, or location, and the dates and locations of these activities.

19 **SECTION 139.** 292.66 of the statutes is created to read:

20 **292.66 Revitalize Wisconsin program. (1) DEFINITIONS.** In this section:

21 (a) "Brownfield" means a property that is abandoned, idle, or underused, the
22 expansion or redevelopment of which is adversely affected by actual or perceived
23 discharge or environmental pollution.

1 (b) “Discharge” has the meaning given in s. 292.01 (3).

2 (c) “Innocent landowner” means any of the following:

3 1. A property owner that acquired the property prior to November 1, 2006, has
4 continuously owned the property since the date of acquisition, and can
5 demonstrate, through documentation, that the discharge or environmental
6 pollution on the property was caused by another person and that the property
7 owner did not know and had no reason to know of the discharge or environmental
8 pollution when the owner acquired the property.

9 2. A property owner that acquired the property on or after November 1, 2006,
10 has continuously owned the property since the date of acquisition, and can
11 demonstrate, through documentation, that the property owner conducted all
12 appropriate inquiries in compliance with 40 CFR part 312 prior to acquisition, that
13 the discharge or environmental pollution on the property was caused by another
14 person, and that the property owner did not know and had no reason to know of the
15 discharge or environmental pollution when the owner acquired the property.

16 (d) “Interim action” means a response action that is taken to contain or
17 stabilize a discharge or environmental pollution at a site or facility, in order to
18 minimize any threats to public health, safety, or welfare or to the environment,
19 while other response actions are being taken or planned for the site or facility.

20 (e) “Local governmental unit” has the meaning given in s. 292.11 (9) (e) 1.

21 (f) “Private party” means any of the following:

22 1. A bank, trust company, savings bank, or credit union.

23 2. A developer, as defined in s. 66.0617 (1) (b).

1 3. An organization or enterprise, other than a sole proprietorship, that is
2 operated for profit or that is nonprofit and nongovernmental, including an
3 association, business trust, corporation, joint venture, limited liability company,
4 limited liability partnership, partnership, or syndicate.

5 4. An innocent landowner.

6 (g) "Remedial action" has the meaning given in s. 292.12 (1) (d).

7 **(2) POWERS AND DUTIES OF THE DEPARTMENT.** (a) The department shall
8 administer a program to award aids from the appropriation under s. 20.370 (6) (et)
9 to eligible entities under sub. (5).

10 (b) The department may not award aid to an entity under this section if that
11 entity caused the discharge or environmental pollution at the site or facility for
12 which aid is awarded, except to eligible entities under sub. (5) for sites or facilities
13 under sub. (4) (a).

14 (c) The department may award aid to eligible entities under sub. (5) in the
15 form of grants or direct services or, for sites or facilities under sub. (4) (a), in the
16 form of reimbursements.

17 (d) The department may require a match from an eligible entity under sub.
18 (5), in the form of cash or in-kind services, for aid awarded under this section,
19 except the department may not require a match from an eligible entity for a site or
20 facility for which funds are designated under sub. (3) (a).

21 **(3) ALLOCATION OF FUNDS.** (a) In any fiscal year, if there remain any sites or
22 facilities under sub. (4) (a) for which a claim for reimbursement was submitted
23 before the effective date of this paragraph [LRB inserts date], but for which the

1 claim has not been paid, the department shall designate \$1,000,000 of the funds
2 appropriated under s. 20.370 (6) (et), or the total amount of such unpaid claims,
3 whichever is less, to the payment of those claims.

4 (b) In any fiscal year, if there remain any sites or facilities under sub. (4) (a)
5 for which an application for eligibility was submitted before the effective date of this
6 paragraph [LRB inserts date], but for which a claim has not been made to the
7 department, the department shall designate \$450,000 of the funds appropriated
8 under s. 20.370 (6) (et) to the payment of claims for such sites or facilities, until all
9 such sites or facilities have received a case closure letter under s. 292.12.

10 (c) The department shall designate 15 percent of the funds appropriated
11 under s. 20.370 (6) (et) to provide aid under this section in small or disadvantaged
12 communities.

13 (d) The department may not provide more than one award of aid under this
14 section for a site or facility in a single fiscal year, except for sites or facilities under
15 sub. (4) (a).

16 (4) ELIGIBLE SITES AND FACILITIES. An eligible entity under sub. (5) may
17 receive aid under this section for any of the following sites or facilities:

18 (a) Sites or facilities for which an application for eligibility was submitted
19 under the dry cleaner environmental response program under s. 292.65 and that
20 were deemed eligible for that program before the effective date of this paragraph
21 [LRB inserts date].

22 (b) Brownfields.

23 (c) Sites or facilities regulated under s. 292.11 that are owned by entities that

1 are exempt from s. 292.11 (3), (4), and (7) (b) and (c) as provided under s. 292.11 (9)
2 (e), 292.13, or 292.21.

3 (d) Sites or facilities regulated under s. 292.11 that are owned by private
4 parties.

5 **(5) ELIGIBLE ENTITIES.** The following entities are eligible for an award under
6 this section.

7 (a) Local governmental units that did not cause the discharge or
8 environmental pollution.

9 (b) Owners or operators of dry cleaning facilities that own or operate an
10 eligible site or facility under sub. (4) (a).

11 (c) A private party, other than a dry cleaning facility under par. (b), that did
12 not cause the discharge or environmental pollution and can demonstrate that the
13 private party's property was fairly acquired through an arm's-length transaction.

14 **(6) ELIGIBLE ACTIVITIES; INELIGIBLE COSTS.** (a) An entity that receives aid
15 under this section shall comply with all state and federal laws and rules
16 promulgated by the department, unless otherwise provided under this section or
17 rules promulgated under this section.

18 (b) The department may award aid under this section to cover the costs of any
19 of the following activities:

- 20 1. Assessment and investigation of a discharge or environmental pollution.
- 21 2. Interim actions and remedial actions to remove hazardous substances from
22 contaminated media.
- 23 3. Treatment and disposal of contaminated media.

1 4. Vapor intrusion assessment and mitigation.

2 5. Removal of abandoned containers, as defined in s. 292.41 (1).

3 6. Asbestos abatement activities, as defined in s. 254.11 (2), conducted as part
4 of redevelopment activities.

5 7. Environmental monitoring.

6 8. Restoration or replacement of a private potable water supply, if eligible for
7 temporary emergency water supplies under rules promulgated by the department.

8 9. The removal of underground hazardous substance or petroleum product
9 storage tanks.

10 10. Preparation of documentation to apply for case closure under this chapter.

11 11. Other activities identified by the department as reasonable and necessary
12 for proper investigation, analysis of remedial action options, remedial action
13 planning, and remedial action to meet the requirements of s. 292.11.

14 (c) The department may not award aid under this section to cover any of the
15 following costs:

16 1. The cost of activities conducted prior to the award of aid under this section,
17 except for activities conducted at a site or facility under sub. (4) (a).

18 2. The cost of activities that the department determines are not integral to the
19 investigation and remediation of a discharge or environmental pollution.

20 3. Legal fees.

21 4. The cost of investigations or remedial action conducted outside this state.

22 5. Costs for financing eligible activities under par. (b).

23 **(7) APPLICATION FOR AID.** An applicant for aid under this section shall submit

1 an application on a form prescribed by the department and shall include any
2 information the department finds necessary to evaluate the eligibility of the project
3 and amount of aid to be awarded.

4 (8) RULES; RECORDS. The department shall promulgate rules to administer
5 the program under this section, including rules prescribing the criteria for
6 determining the amount of aid to be awarded, the records that must be maintained
7 by an applicant, and the periods for which those records must be retained. The
8 department may inspect any document in the possession of an applicant or any
9 other person if the document is relevant to an application for aid under this section.

10 **SECTION 140.** 292.67 of the statutes is created to read:

11 **292.67 PFAS community grant program.** (1) DEFINITIONS. In this
12 section:

13 (a) "Class B firefighting foam" has the meaning given in s. 299.48 (1) (a).

14 (b) "Municipality" means a city, village, town, county, tribal governing body,
15 utility district, lake protection district, sewerage district, or municipal airport.

16 (c) "PFAS" means a perfluoroalkyl or polyfluoroalkyl substance.

17 (2) FINANCIAL ASSISTANCE. The department shall administer a program to
18 provide grants from the appropriation under s. 20.370 (4) (mw) to municipalities
19 that meet the requirements under sub. (3) for the purpose of conducting any of the
20 eligible activities under sub. (4).

21 (3) ELIGIBILITY PREREQUISITES. A grant may be awarded under sub. (2) only
22 if one of the following has occurred:

23 (a) The municipality tested or trained with a class B firefighting foam that

1 contained intentionally added PFAS in accordance with applicable state and federal
2 law, or a 3rd party tested or trained with a class B firefighting foam that contained
3 intentionally added PFAS within the area controlled by the municipality.

4 (b) The municipality applied biosolids to land under a permit issued by DNR
5 under s. 283.31.

6 (c) PFAS are impacting the municipality's drinking water supply or surface
7 water or groundwater within the area controlled by the municipality and the
8 responsible party is unknown or is unwilling or unable to take the necessary
9 response actions.

10 (d) PFAS contamination in groundwater is impacting private wells within the
11 area controlled by the municipality.

12 (4) ELIGIBLE ACTIVITIES. The department may award a grant under sub. (2)
13 for any of the following activities:

14 (a) Investigating potential PFAS impacts to the air, land, or water at a site or
15 facility for the purpose of reducing or eliminating environmental contamination.

16 (b) Treating or disposing of PFAS-containing firefighting foam containers
17 from a municipal site or facility.

18 (c) Sampling a private water supply within 3 miles of a site or facility known
19 to contain PFAS or to have caused a PFAS discharge.

20 (d) Assisting owners of private wells with the cost of installation of filters,
21 treatment, or well replacement.

22 (e) Providing a temporary emergency water supply, a water treatment system,
23 or bulk water to replace water contaminated with PFAS.

1 (f) Conducting emergency, interim, or remedial actions to mitigate, treat,
2 dispose of, or remove PFAS contamination to the air, land, or waters of the state.

3 (g) Removing or treating PFAS in a public water system using the most cost-
4 effective method to provide safe drinking water in areas where PFAS levels exceed
5 the maximum contaminant level for PFAS under ch. 281 or an enforcement
6 standard for PFAS under ch. 160 or where the state has issued a health advisory for
7 PFAS.

8 (h) Creating a new public water system or connecting private well owners to
9 an existing public water system in an area in which there is widespread PFAS
10 contamination in private water supplies.

11 (i) Sampling and testing water for PFAS contamination in a public, private, or
12 tribal elementary or secondary school, a child care center that is licensed under s.
13 48.65, a child care program that is established or contracted for under s. 120.13
14 (14), or a child care provider that is certified under s. 48.651.

15 **(5) APPLICATION.** A municipality shall apply for a grant on a form prescribed
16 by the department and shall include any information that the department finds
17 necessary to determine the eligibility of the project, identify the funding requested,
18 determine the priority of the project, and calculate the amount of a grant.

19 **(6) EVALUATION CRITERIA.** The department, in awarding grants under this
20 section, shall consider all of the following criteria:

21 (a) The municipality's demonstrated commitment to performing and
22 completing eligible activities, including the municipality's financial commitment
23 and ability to successfully administer grants.

1 (b) The degree to which the project will have a positive impact on public
2 health and the environment.

3 (c) Other criteria that the department finds necessary to prioritize the funds
4 available for awarding grants.

5 (7) MATCHING FUNDS. The department may not distribute a grant under this
6 section unless the applicant contributes matching funds equal to at least 20 percent
7 of the amount of the grant. Matching funds may be in the form of cash, in-kind
8 contributions, or both.

9 (8) RULEMAKING. The department shall promulgate rules necessary to
10 administer this section, including procedures for submission, review, and
11 determination of applications for assistance under this section. The rules
12 promulgated under this subsection shall give priority to providing assistance to
13 owners of private wells contaminated with PFAS.

14 **SECTION 141.** 292.74 of the statutes is created to read:

15 **292.74 Financial responsibility for PFAS.** The department may, if it
16 determines doing so is necessary to protect human health or the environment,
17 require a person who possesses or controls or who causes the discharge of a
18 perfluoroalkyl or polyfluoroalkyl substance, and any person who manufactures any
19 product that contains intentionally added perfluoroalkyl or polyfluoroalkyl
20 substances, to provide proof of financial responsibility for conducting emergency
21 response actions, remedial actions, environmental repair, and long-term care to
22 address contamination by a potential discharge of a perfluoroalkyl or
23 polyfluoroalkyl substance or environmental pollution that may be caused by a

1 discharge of such substances. The department shall establish, by rule, the
2 procedure for determining whether requiring a proof of financial responsibility is
3 necessary to protect human health or the environment, and may establish
4 requirements for types of financial responsibility, methods for calculating amounts
5 of financial responsibility, access and default, bankruptcy notifications, and any
6 other requirements the department determines is necessary under this section.
7 The proof of financial responsibility required under this section shall be in addition
8 to any other proof of financial responsibility or financial assurance required under
9 this chapter. This section does not apply to a person exempt under s. 292.11 (9).

10 **SECTION 142.** 299.487 of the statutes is created to read:

11 **299.487 Transportation and disposal of PFAS. (1)** In this section:

12 (a) “Environmental justice” means the fair treatment and meaningful
13 involvement of all individuals, regardless of race, color, national origin, educational
14 level, or income, with respect to the development, implementation, and enforcement
15 of environmental laws, regulations, and policies to ensure that no population of
16 color or community of color, indigenous community, or low-income community shall
17 be exposed to a disproportionate burden of the negative human health and
18 environmental impacts of pollution or other environmental hazards.

19 (b) “PFAS” means a perfluoroalkyl or polyfluoroalkyl substance.

20 (2) A person disposing of PFAS, or transporting PFAS for the purpose of
21 disposal, shall attempt to the greatest extent possible to avoid disposing of PFAS in,
22 or transporting PFAS to, any location where such disposal or transportation will
23 contribute to environmental justice concerns and shall consider all reasonable

1 alternatives for transport and disposal of PFAS. The department shall assist any
2 person, upon request, in evaluating the environmental justice impacts of the
3 person's disposal or transportation of PFAS.

4 **SECTION 143.** 299.65 of the statutes is created to read:

5 **299.65 Commercial vessels subject to federal Vessel Incidental**
6 **Discharge Act.** (1) (a) Subject to pars. (b) and (c), the owner or operator of any
7 commercial vessel subject to the requirements of the federal Vessel Incidental
8 Discharge Act under 33 USC 1322 (p) that has operated outside this state shall pay
9 to the department, no later than 5 days prior to arriving in a port of this state, \$650
10 per arrival to a port of this state.

11 (b) The owner or operator of a commercial vessel engaged in coastwise trade
12 that is subject to the requirements of 46 USC 55101 to 55103 may not be required to
13 pay more than \$3,250 in fees per calendar year under this subsection.

14 (c) The owner or operator of a commercial vessel that is subject to the
15 requirements of the federal Vessel Incidental Discharge Act under 33 USC 1322 (p)
16 may not be required to pay more than \$3,250 in fees per calendar year under this
17 subsection.

18 (2) The department may adjust the amount of the fee under sub. (1) (a) once
19 every 5 years to account for any changes in the U.S. consumer price index for all
20 urban consumers, U.S. city average, as determined by the U.S. department of labor
21 for the month of October immediately preceding the date of adjustment, as provided
22 under 33 USC 1322 (p) (9) (A) (iv) (III) (aa).

1 (3) The department shall credit all fees collected under sub. (1) (a) to the
2 appropriation account under s. 20.370 (4) (aj).

3 **SECTION 144.** 299.66 of the statutes is renumbered 299.66 (1).

4 **SECTION 145.** 299.66 (2) of the statutes is created to read:

5 299.66 (2) (a) The department may enter into a memorandum of agreement
6 with the U.S. Coast Guard concerning implementation and enforcement of the
7 provisions of 33 USC 1322 and any regulations promulgated by the secretary of the
8 U.S. department of homeland security under 33 USC 1322 (p) (5).

9 (b) If the department enters into a memorandum of agreement with the U.S.
10 Coast Guard under par. (a), an employee or agent of the department may board and
11 inspect any vessel that is subject to s. 299.65 to determine the state of compliance
12 with the federal Vessel Incidental Discharge Act under 33 USC 1322 (p) and any
13 regulations promulgated thereunder.

14 **SECTION 9132. Nonstatutory provisions; Natural Resources.**

15 (1) NONPROFIT CONSERVATION ORGANIZATION GRANTS. In the 2025-26 fiscal
16 year, from the appropriation under s. 20.370 (5) (aa), the department of natural
17 resources shall provide grants to Gathering Waters, as authorized under s. 23.0955;
18 to the Natural Resources Foundation of Wisconsin, as authorized under s. 23.0956;
19 to River Alliance of Wisconsin, as authorized under s. 281.72; and to Wisconsin
20 Lakes, as authorized under s. 281.69 (1r).

21 (2) EMERGENCY RULES FOR PFAS COMMUNITY GRANT PROGRAM. The
22 department of natural resources may use the procedure under s. 227.24 to
23 promulgate emergency rules relating to the community grant program under s.
24 292.67. Notwithstanding s. 227.24 (1) (a) and (3), the department is not required to

1 provide evidence that promulgating a rule under this subsection as an emergency
2 rule is necessary for the preservation of the public peace, health, safety, or welfare
3 and is not required to provide a finding of emergency for a rule promulgated under
4 this subsection. Notwithstanding s. 227.24 (1) (e) 1d. and 1g., for emergency rules
5 promulgated under this subsection, the department is not required to prepare a
6 statement of scope of the rules or to submit the proposed rules in final draft form to
7 the governor for approval.

8 (3) STATEWIDE BIOMONITORING STUDIES. The department of health services
9 shall conduct biomonitoring studies across the state to assess perfluoroalkyl and
10 polyfluoroalkyl substance exposure levels and better understand the factors that
11 affect perfluoroalkyl and polyfluoroalkyl substance exposure levels in different
12 communities. The department may, as part of these studies, survey volunteer
13 participants, test blood samples for the presence and levels of perfluoroalkyl and
14 polyfluoroalkyl substances, and analyze the results.

15 (4) FORESTRY-INDUSTRY-WIDE STRATEGIC PLAN. From the appropriation under
16 s. 20.370 (2) (jq), the department of natural resources shall develop a forestry-
17 industry-wide strategic plan and road map. The department shall submit the final
18 report on this plan and road map to the council on forestry no later than September
19 16, 2026.

20 (5) EMERGENCY RULE-MAKING AUTHORITY; GREAT LAKES EROSION CONTROL
21 REVOLVING LOAN PROGRAM. The department of natural resources may use the
22 procedure under s. 227.24 to promulgate emergency rules under s. 23.1991 for the
23 period before the date on which permanent rules under s. 23.1991 take effect.

1 Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this
2 subsection remain in effect until the first day of the 25th month beginning after the
3 effective date of the emergency rules, the date on which the permanent rules take
4 effect, or the effective date of the repeal of the emergency rules, whichever is
5 earliest. Notwithstanding s. 227.24 (1) (a) and (3), the department of natural
6 resources is not required to provide evidence that promulgating a rule under this
7 subsection as emergency rules is necessary for the preservation of public peace,
8 health, safety, or welfare and is not required to provide a finding of emergency for a
9 rule promulgated under this subsection.

10 (6) EMERGENCY RULE-MAKING AUTHORITY; MISSISSIPPI RIVER EROSION
11 CONTROL REVOLVING LOAN PROGRAM. The department of natural resources may use
12 the procedure under s. 227.24 to promulgate emergency rules under s. 23.1993 for
13 the period before the date on which permanent rules under s. 23.1993 take effect.
14 Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this
15 subsection remain in effect until the first day of the 25th month beginning after the
16 effective date of the emergency rules, the date on which the permanent rules take
17 effect, or the effective date of the repeal of the emergency rules, whichever is
18 earliest. Notwithstanding s. 227.24 (1) (a) and (3), the department of natural
19 resources is not required to provide evidence that promulgating a rule under this
20 subsection as emergency rules is necessary for the preservation of public peace,
21 health, safety, or welfare and is not required to provide a finding of emergency for a
22 rule promulgated under this subsection.

23 (7) NOTIFICATION OF U.S. COAST GUARD RULES FOR VESSEL DISCHARGE. When

1 the department of natural resources determines that the secretary of the U.S.
2 department of homeland security has promulgated final, effective, and enforceable
3 rules under 33 USC 1322 (p) (5), the department shall notify the legislative
4 reference bureau. The legislative reference bureau shall publish a notice in the
5 Wisconsin Administrative Register that specifies that date.

6 (8) WELL COMPENSATION EARMARK FOR THE TOWN OF BLOOM.
7 Notwithstanding s. 281.75 (4) (b) 4., the town of Bloom in Richland County is
8 eligible for a claim under s. 281.75, not to exceed \$16,000.

9 **SECTION 9232. Fiscal changes; Natural Resources.**

10 (1) TRANSFER FROM CAPITAL IMPROVEMENT FUND TO THE CONSERVATION FUND.
11 In fiscal year 2026-27, there is transferred from the capital improvement fund to
12 the forestry account of the conservation fund an amount equal to the difference
13 between the following:

14 (a) The total amount transferred to the capital improvement fund under s.
15 20.370 (5) (hq) and (hr), 2023 stats., in fiscal years 2022-23, 2023-24, 2024-25, and
16 2025-26.

17 (b) The total amount obligated under s. 23.0917 (3) (bt) 3. and (bw) 2. in fiscal
18 years 2022-23, 2023-24, 2024-25, and 2025-26 minus \$4,000,000.

19 (2) WATER RESOURCES ACCOUNT LAPSES. Notwithstanding s. 20.001 (3) (c), in
20 fiscal year 2025-26, there is lapsed to the conservation fund \$386,500 from the
21 account under s. 20.370 (7) (fr); \$436,600 from the account under s. 20.370 (7) (ft);
22 and \$176,900 from the account under s. 20.370 (7) (fw).

23 (3) 5R PROCESSORS CLEANUP FUNDING LAPSE. Notwithstanding s. 20.001 (3)

(c), the unencumbered balance of s. 20.370 (4) (hs) on the effective date of this subsection is lapsed to the environmental fund.

(4) GENERAL FUND TRANSFER TO THE CONSERVATION FUND. There is transferred from the general fund to the conservation fund, and credited to the fish and wildlife account within the conservation fund, \$17,000,000 in fiscal year 2025-26 and \$34,000,000 in fiscal year 2026-27.

(5) DRY CLEANER ENVIRONMENTAL RESPONSE FUND TRANSFER. The unencumbered balance in the dry cleaner environmental response fund under s. 25.48, 2021 stats., is transferred to the environmental fund under s. 25.46 and credited to the appropriation account under s. 20.370 (6) (et).

SECTION 9432. Effective dates; Natural Resources.

(1) TRANSFERS TO THE CAPITAL IMPROVEMENT FUND. The treatment of s. 20.370 (5) (hq) and (hr) takes effect on July 1, 2026.

(2) ANNUAL 4TH GRADE PASS. The treatment of s. 27.01 (9) (bg) takes effect on January 1, 2026.

(3) COMMERCIAL VESSELS SUBJECT TO FEDERAL VESSEL INCIDENTAL DISCHARGE ACT. The treatment of ss. 20.370 (4) (aj), 283.35 (1m), and 299.65, the renumbering of s. 299.66, and the creation of s. 299.66 (2) take effect on the date specified in the notice published in the Wisconsin Administrative Register under SECTION 9132 (7) of this act.

(4) ENVIRONMENTAL IMPACTS TO COVERED COMMUNITIES.

(a) Except as provided in par. (b), the treatment of s. 23.405 takes effect on the first day of the 6th month beginning after publication.

1 (b) The treatment of s. 23.405 (1) (a) and (2) takes effect on first day of the 4th
2 month beginning after publication.”.

3 (END)