



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1655/P2
MCP:skw

DOA:.....Potts, BB0542 - PFAS appropriations

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

PFAS appropriations

The bill creates two new appropriations related to PFAS (perfluoroalkyl and polyfluoroalkyl substances) for sampling and testing public water supplies for PFAS and for the collection and disposal of PFAS-containing fire fighting foam.

PFAS rules

The bill also allows DNR to promulgate emergency rules relating to the collection and disposal of PFAS-containing fire fighting foam.

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

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

SECTION 1. 20.370 (4) (pr) of the statutes is created to read:

20.370 (4) (pr) *PFAS in public water supplies*. From the environmental fund, as a continuing appropriation, the amounts in the schedule for sampling and testing public water supplies for PFAS contamination.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 2. 20.370 (4) (ps) of the statutes is created to read:

20.370 (4) (ps) *PFAS in fire fighting foam*. From the environmental fund, as a continuing appropriation, the amounts in the schedule for the collection and disposal of PFAS-containing fire fighting foam.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 9132. Nonstatutory provisions; Natural Resources

(1) **EMERGENCY RULES FOR FIRE FIGHTING FOAM.** The department of natural resources may use the procedure under s. 227.24 to promulgate emergency rules relating to the collection and disposal of fire fighting foams that contain perfluoroalkyl and polyfluoroalkyl substances. Notwithstanding s. 227.24 (1) (a) and (3), when promulgating emergency rules under this subsection, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (e) 1d. and 1g., for emergency rules promulgated under this subsection, the department is not required to prepare a statement of scope of the rules or to submit the proposed rules in final draft form to the governor for approval.

(END)