



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBa1395/1
MCP:ahe/amn/wlj

**ASSEMBLY AMENDMENT 1,
TO SENATE BILL 559**

February 20, 2020 - Offered by Representative SWEARINGEN.

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

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

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

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

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

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

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

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

6 (1) TESTING LABORATORIES; EMERGENCY RULES.

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

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

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

