



STATE SENATOR

**Eric Wimberger**

DISTRICT 30

April 9, 2024  
FOR IMMEDIATE RELEASE

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## **Wimberger Statement on Governor's Veto of PFAS Relief**

*Despite Support from Frontline Communities, Governor Vetoes Bill to Unlock Millions  
Insists on Holding Victims Financially Responsible for Pollution They Didn't Cause*

**MARINETTE, WI** — Senator Eric Wimberger (R-Green Bay) issued the following statement on Governor Evers' veto of a bill to unlock millions in PFAS relief for affected communities, including the creation of critical new programs to address the needs of PFAS-affected communities and new legal protections for victims of PFAS pollution:

*“Instead of listening to the communities impacted by PFAS, Governor Evers tries to hide his shameful veto of comprehensive PFAS relief behind yet another call to turn millions set aside to help PFAS victims, into a DNR slush fund. The Governor doesn't understand that without the protections for victims included in Senate Bill 312, we cannot get to the bottom of our PFAS crisis as victims fear being held responsible for pollution they didn't cause.”*

*“If you own a farm or property that used to be a farm, or live near an airport, Governor Evers vetoed comprehensive PFAS relief for the sole purpose of keeping the authority to hold you financially liable as if you had put the pollution in the ground yourself. DNR admits that current law allows them to punish innocent landowners, but that they promise never to use it – so why would Governor Evers veto comprehensive PFAS relief over this power if they don't plan to use it?”*

*“Evers callously ignores the secondary effects innocent landowners face as they are declared emitters, forced to notify their bank that their equity was destroyed and that they're now responsible for remediation costs by law. I remain extremely concerned for the hundreds of thousands of Wisconsinites who have to choose between financial ruin and their health caused solely by the Governor's desire for regulatory domination.”*

*“Over the past year, the governor has been spending his time and energy trying to get a \$125 million slush fund for his DNR, meanwhile the Legislature was working to pass a comprehensive plan that will actually make a difference for affected communities. Senate Bill 312 was vetted extensively through the legislative process and includes detailed policy that quickly gets this money into the hands of those who desperately need it.”*

*“While the media has allowed Governor Evers to either lie or be woefully uninformed about the provisions included in Senate Bill 312, I will not. The governor claims that this bill does not release the \$125 million in PFAS funds, however this bill is the only vehicle for these funds to be released without creating a massive slush fund for the DNR; The governor claims that this bill contains protections for polluters, but the non-partisan Legislative Council has shown otherwise, explaining that the provisions only apply to innocent landowners who agree to testing and remediation.”*

*“This legislation was the result of conversations with dozens of stakeholder groups, affected communities, and the DNR. We came to the Governor in good faith and made dozens of concessions at DNR request. Every*

*person in Wisconsin deserves to have clean, safe drinking water, and the Governor denied them that. While Governor Evers claims to care about clean water in Wisconsin, this veto shows that he cares more about maintaining the power of bureaucrats.”*

### **Widespread Community Support**

As municipalities across the state struggle with PFAS contamination in drinking water, Senate Bill 312 went to the Governor’s desk with strong and growing support from affected communities. The Town of Peshtigo, widely seen as ground zero for PFAS contamination in Wisconsin, unanimously [adopted a resolution](#) last month calling on Governor Evers to sign the bill into law. The City of Wausau approved a resolution of support last summer, and all three statewide associations representing the different levels of local government, the Wisconsin Towns Association, the League of Wisconsin Municipalities, and the Wisconsin Counties Association, [all support this bill](#).

*“If Governor Evers wanted relief for victims then he would have listened to affected communities and victims and signed this bill into law. Instead, his veto guarantees more waiting and inaction for people and communities who can’t afford to wait anymore.”* Said Wimberger.

### **False Claims of “Polluter Loopholes”**

Governor Evers has claimed that victim protections for innocent landowners will benefit polluters. However, critics of the bill have failed to identify how the narrowly tailored protections for victims would benefit polluters. Legal memos from the non-partisan Legislative Council, sent to the Governor by the author, dispute this, saying that PFAS manufacturers and other polluters would not qualify for protections. [See the memos here](#) and [here](#).

In [a letter to Governor Evers](#) last week, Senator Wimberger again explained the legal and financial nightmare facing victims of PFAS pollution:

*Under current law, it does not matter how a property became polluted, only that it emits the substance to another property. **This means innocent landowners in the path of a pollution plume are treated just like polluters and can be obligated by DNR to potentially pay millions of dollars for well testing and remediation, while also facing \$5000 fines per day for noncompliance.***

*Even just the threat of enforcement orders by the DNR destroys land value upon detection, causing banks to refuse to refinance and call in their loans. Pollution victims are forced to choose between losing their largest asset and risking their health by refusing to test for potentially high levels of contamination. **It is unconscionable that the DNR’s “solution” is for neighbors to sue each other, and then join forces in court against international corporations to be made whole. It does not have to be that way.***

### **Governor’s Calls to Turn PFAS Trust Fund into a Slush Fund**

Despite not having a plan himself, the Governor has spent months demanding the PFAS relief funds be released and turned into an unaccountable slush fund for the DNR. Withdrawing his first request after taking heat for having no plan at all, the Governor introduced a new request months later. This new request, which he falsely claims is "functionally identical" to the Legislature’s PFAS relief plan, borrows fragments of just two of the 19 provisions contained in Senate Bill 312. Further, funding requests like the one used by Governor Evers, don’t have the power to alter state law, and therefore cannot give affected communities the full flexibilities and programs they support in Senate Bill 312.

*“Without the framework for new relief programs and guardrails for the millions the legislature set aside for victims, money meant to help victims of pollution would be used by DNR to fund enforcement action against the very people the money was meant to help.”* Said Wimberger. *“Changes in the law are necessary to standup the programs affected communities are asking for. Whether it’s protections for victims or grants for testing, if the Governor vetoes this bill, communities will be forced to wait another year for the legal and financial relief they desperately need.”* Said Wimberger.

### **JFC Co-Chairs Urge Governor to Sign the Actual Plan**

In a recent letter the [Co-chairs of the Joint Committee on Finance](#) urged Governor Evers to sign SB 312 into law, citing an ongoing lawsuit and stating that they will not betray the trust of affected communities by turning the PFAS Trust Fund into a slush fund for enforcement action against victims: *“Vetoing the critical protections and programs supported by victims and affected communities will turn funds the legislature intended to help victims into an unaccountable slush fund that your administration has said it would use to bring enforcement action against farmers and other innocent landowners who didn't cause the pollution in the first place”*

Dozens of provisions benefitting affected communities and pollution victims in Senate Bill 312 are absent from the Governor's 13.10 funding request. Provisions cut include:

- **Protections for innocent landowners** from unwarranted actions. Protections will induce more testing, identification of problems statewide and ensure contamination is addressed;
- **Prioritizing state loan funding** for the extension of water and sewer service to areas impacted by PFAS contamination;
- Starting **remediation at sites that lack a responsible party** or where the responsible party is an innocent landowner;
- **Extending eligibility under the Well Compensation Program** to ensure PFAS-impacted residents can properly utilize the program;
- Stopping the spread of PFAS by **expanding the review of test well drilling** in contaminated areas;
- **Protecting municipalities** from enforcement above and beyond identified standards;
- **Reduce testing costs** by increasing the number of private laboratories in the state that test for PFAS;
- Consideration of a **state-sponsored surface water treatment pilot program** to improve water quality in a contaminated river, stream, or lake;
- **Limitations on grant programs** to protect funds and ensure grants are used on known substances harmful to human health.

*“While PFAS contamination was first identified in Marinette and Peshtigo, it’s become clear that PFAS affects Wisconsinites in all corners of our state,”* said Sen. Wimberger. *“Every person in Wisconsin deserves to have clean, safe drinking water yet this veto denies pollution victims the programs and protections they need to move forward with testing and remediation.”*

*“While Governor Evers claims to have the same goal, he has yet to explain why he insists on holding this relief hostage so he can keep pollution victims on the hook for pollution they didn’t cause.”*

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*Senator Eric Wimberger represents the 30<sup>th</sup> Senate District, which includes parts of Brown, Oconto, and Marinette Counties.*