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1997 ASSEMBLY BILL 197

March 20, 1997 – Introduced by Representatives Kreibich, Schafer, Gronemus, Musser, Duff, Jensen, Albers, Brandemuehl, Dobyns, Freese, Hahn, Kedzie, F. Lasee, Lorge, Ott and Owens, cosponsored by Senators Moen, Rude, Clausing, Buettner, A. Lasee and Schultz. Referred to Committee on Environment.

1 AN ACT to amend 289.55 (1) (b) and 289.55 (2) of the statutes; relating to:

abating nuisances caused by solid waste resulting from manufacturing tires.

Analysis by the Legislative Reference Bureau

Under current law, if the department of natural resources (DNR) determines that a location used to store or dispose of used tires is an unreasonable danger to public health, safety or welfare, DNR may order the person responsible for the tires to act to eliminate the danger. If the person fails to comply, DNR may take any action necessary to eliminate the danger. This bill expands DNR's authority so that it applies to locations used to store or dispose of solid waste resulting from manufacturing tires.

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.** 289.55 (1) (b) of the statutes is amended to read:
- 4 289.55 (1) (b) "Tire dump" means any location that is used for storing or
- 5 disposing of waste tires or solid waste resulting from manufacturing tires.
- **Section 2.** 289.55 (2) of the statutes is amended to read:

ASSEMBLY BILL 197

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289.55 (2) Department authority; abatement. If the department determines that a tire dump is a nuisance, it shall notify the person responsible for the nuisance and request that the <u>waste</u> tires <u>or the solid waste resulting from manufacturing tires</u> be processed or removed within a specified period. If the person fails to take the requested action within the specified period, the department shall order the person to abate the nuisance within a specified period. If the person responsible for the nuisance is not the owner of the property on which the tire dump is located, the department may order the property owner to permit abatement of the nuisance. If the person responsible for the nuisance fails to comply with the order, the department may take any action necessary to abate the nuisance, including entering the property where the tire dump is located and confiscating the waste tires or the solid waste resulting from manufacturing tires, or arranging to have the waste tires or the solid waste resulting from manufacturing tires processed or removed.

14 (END)