



1995 SENATE BILL 192

May 16, 1995 - Introduced by Senators LEEAN, ELLIS and RUDE, by request of Governor Tommy G. Thompson. Referred to Committee on Judiciary.

1 **AN ACT to create** 895.48 (2) (e) and 895.48 (2) (f) of the statutes; **relating to:**
2 granting civil immunity for damages resulting from containing or stabilizing
3 an oil discharge.

Analysis by the Legislative Reference Bureau

This bill creates an immunity from civil liability for property damage by a person acting in good faith in containing and stabilizing a discharge of oil into any navigable water if the person is responding to the direction of a state or federal hazardous substance contingency plan, a federal on-scene coordinator or the secretary of natural resources. The immunity created in this bill does not apply to a person who possesses or controls the oil which is discharged, who causes the discharge of the oil or whose act or omission involves reckless, wanton or intentional misconduct.

For further information see the *state and local* 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:

4 **SECTION 1.** 895.48 (2) (e) of the statutes is created to read:
5 895.48 (2) (e) A person is immune from civil liability for property damages
6 resulting from his or her good faith act or omission in containing and stabilizing a
7 discharge of oil into any navigable water if the act or omission was taken at the
8 direction of one of the following:

