



1995 ASSEMBLY BILL 503

August 7, 1995 - Introduced by Representatives BALDUS, LEHMAN, GRONEMUS, AINSWORTH, GROBSCHMIDT, HAHN, FREESE, BOYLE, ZUKOWSKI, HANDRICK, TURNER and RYBA, cosponsored by Senator BRESKE. Referred to Committee on Natural Resources.

1 **AN ACT** *to amend* 95.50 (3); and *to create* 23.0935 of the statutes; **relating to:**
2 removal of dead animals from state trunk highways.

Analysis by the Legislative Reference Bureau

Under current law, the local health department is required to remove for burial or disposal any dead animal found upon a public highway if the owner of that animal cannot be found. A county or town may remove for burial or disposal any dead animal found on public property located within the county. A county or town may recover the costs of removal, burial or disposal from the owner of the dead animal.

This bill directs the department of natural resources (DNR) to remove for burial or disposal any dead animal weighing 50 pounds or more that is found upon a state trunk highway. DNR must complete the removal within 18 hours after receiving notice of the location of the dead animal. The bill authorizes DNR to recover the cost of removal and burial or disposal from the owner of the dead animal.

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:

3 **SECTION 1.** 23.0935 of the statutes is created to read:
4 **23.0935 Removal of animals from state trunk highways.** The department
5 shall remove for burial or disposition any dead animal that weighs 50 pounds or more
6 that is found upon a state trunk highway, as defined in s. 340.01 (60). Removal of
7 a dead animal under this section shall be completed within 18 hours after receiving

1 notice of the location of that dead animal. The department may recover the cost of
2 removing and burying or disposing of a dead animal under this section from the
3 owner of the carcass, if the owner is known.

4 **SECTION 2.** 95.50 (3) of the statutes is amended to read:

5 95.50 (3) Any Except as provided in s. 23.0935, any dead animal found upon a
6 public highway or other public place shall, in case the owner of the animal cannot be
7 found, be buried or otherwise disposed of at public expense by the local health
8 department, as defined in s. 250.01 (4) (a) 1. or 3. or (b), in whose jurisdiction the
9 animal is found. This subsection applies if a county does not exercise its authority
10 under s. 59.07 (84).

11 (END)