



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2015 Senate Bill 390**

**Senate Amendment 1**

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### **2015 SENATE BILL 390**

Senate Bill 390 specifies a process for authorizing pipelines or hoses transmitting liquid manure within or across a highway right-of-way. Very generally, the bill provides that a utility permit, issued by the authority maintaining the highway, is required to construct a subterranean pipeline within or across a highway right-of-way. If the pipeline is not subterranean but crosses or lies within the right-of-way of a state-trunk highway, a utility permit issued by the Department of Transportation is required.

Under the bill, a utility permit may be obtained, but is not required, for a pipe or pipeline transmitting liquid manure that is not subterranean and does not cross or lie within the right-of-way of a state trunk highway. If a utility permit is not obtained under these circumstances, a driveway permit from the local highway authority is required. The bill specifies that a driveway permit authorizing the permittee to lay out or install any manure hose within or across a highway right-of-way may also authorize the permittee to temporarily affix to a bridge under the jurisdiction of the highway authority hooks, flanges, fasteners, or other devices to or by which a manure hose may be attached or supported.

### **SENATE AMENDMENT 1**

Under Senate Amendment 1, a driveway permit may authorize a manure hose to be temporarily affixed to "a support structure," rather than a bridge. The amendment defines support structure to mean "a bridge, a box culvert, or any other structure that is less than 20 feet in length and capable of supporting a manure hose." The amendment also clarifies that a local highway authority may only issue a driveway permit for a manure hose that is not subterranean and does not lie within or cross the right-of-way of a state trunk highway.

**BILL HISTORY**

Senator Petrowski offered Senate Amendment 1 on December 3, 2015. On January 14, 2016, the Senate Committee on Transportation and Veterans Affairs voted unanimously to recommend adoption of Senate Amendment 1 and passage of Senate Bill 390, as amended.

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