



2001 ASSEMBLY BILL 836

February 20, 2002 - Introduced by Representatives KAUFERT, ALBERS, AINSWORTH, BIES, DUFF, GUNDERSON, HAHN, M. LEHMAN, MILLER, MUSSER, PLOUFF, SYKORA and TOWNSEND, cosponsored by Senator HANSEN. Referred to Committee on Environment.

1 **AN ACT to amend** 86.16 (1) of the statutes; **relating to:** pipelines within the
2 limits of a highway.

Analysis by the Legislative Reference Bureau

Under current law, a person (including a municipality) may construct and operate pipes or pipelines for the purpose of transmitting water within the limits of a highway if the authority with jurisdiction over the highway provides written consent. If such consent is not given, the person may appeal to the department of administration's division of hearings and appeals for an order allowing construction and operation of the pipes or pipelines.

This bill specifies that the same procedure and appeal rights apply to pipes or pipelines transmitting sewage within the limits of a highway.

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:

3 **SECTION 1.** 86.16 (1) of the statutes is amended to read:
4 86.16 (1) Any person, firm, or corporation, including any foreign corporation
5 authorized to transact business in this state may, subject to ss. 30.44 (3m), 30.45, and

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1 196.491 (3) (d) 3m., with the written consent of the department with respect to state
2 trunk highways, and with the written consent of local authorities with respect to
3 highways under their jurisdiction, including connecting highways, construct and
4 operate telegraph, telephone or electric lines, or pipes or pipelines for the purpose of
5 transmitting messages, water, sewage, heat, light, or power along, across or within
6 the limits of the highway.

7 (END)