



JERRY PETROWSKI

WISCONSIN STATE SENATOR

Senate Bill 541

January 14, 2016

Mr. Chairman and members of the committee, thank you for the opportunity to speak today on Senate Bill 541, which deals with the planting of trees and shrubs on the side of certain highways.

This bill addresses a very narrow and specific situation. Under current law, any person who owns land adjoining a state highway may, with the approval of the public authority maintaining the highway, plant trees along and 10 feet into the right of way of the highway. However, there is currently no process for an individual to plant trees if in between their property and the highway there is property owned by a town.

For example, a person owns property close enough to a state highway that they are affected by the noise from the highway. But, in between the highway and the individual's property, there is an access road owned by the town. In this case, the land adjoining the state highway belongs to the town, not to the individual, even though the individual is still impacted by noise from the highway. Under current law, the town cannot seek approval, on the individual's behalf, from the authority maintaining the highway to plant trees into the right of way of a highway adjoining that town's property.

Under this bill, a town would now be able to go to the public authority maintaining the highway in order to seek approval for the individual property owner to plant trees, at their own expense, in the right of way adjoining town-owned land. This process would be much the same as the current process that exists for an individual who has adjoining property to seek approval to plant trees and shrubs.

Under this bill, even though they may not directly adjoin the highway right of way, property owners will have the ability to construct a barrier between their property and the noise of the highway. This simple step will allow individuals to maintain the serenity and value of their property.

Again, thank you for allowing me the opportunity to speak today on this topic. I would be happy to answer any questions the committee may have at this time.

29TH SENATE DISTRICT