

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0278/P1dn
ARG:cjs:jm

January 19, 2012

ATTN: Tim Fiocchi and Derek Punches

Please review the attached draft carefully to ensure that it is consistent with your intent.

Following our discussions, I have added an amendment to s. 84.305 (1) (e) changing the definition of “sign” and I have also included a provision in renumbered s. 84.305 (2m) (a) relating to signs on buildings. I had thought that the definition of “sign” in s. 84.30 (2) (j), which is adopted in s. 84.305 (1) (e), also includes signs on buildings that are meant to be visible from the highway. But I could be mistaken. I would defer to DOT’s expertise on whether the amendment to s. 84.305 (1) (e) makes sense or whether it is redundant of the existing meaning of “sign.”

The instructions use the phrase “mapped habitat of endangered or threatened species.” I am uncertain what this phrase means, and I note that nothing similar is used in the statutes or the administrative code. If it is a habitat identified on a map, one might ask whose map? The language I have instead used in created s. 84.305 (2m) (b) 2. is not necessarily good and may not reflect your intent, but it does tie into the pertinent statute. You may wish to consult with DNR as to how best to describe these “mapped habitats.” I’m also not certain what an “Indian site” (“site of [an] ... Indian tribe or band,” in the draft) means. Is this intended to cover a burial site or some other state or federally protected site? Please let me know if you would like the language in these provisions changed.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible “/1” draft.

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