

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1290/P2dn  
ARG:eev:ph

January 31, 2013

ATTN: Alicia Schneider

Please review the attached draft carefully to ensure that it is consistent with your intent. As we discussed, the problem with requiring the markers to be placed on property that is not under the control of DOT is that the property owner may ultimately deny consent to placement of the markers or a subsequent fairgrounds president or board may revoke consent. Without consent, it is possible that the statutory directive in this draft would be unenforceable and, because the statute is so specific, markers could not be placed elsewhere. If the statute is silent on the location of the markers, DOT and the fairgrounds can still negotiate for placement of the markers on the fairgrounds and agree to their placement there. From my view, there is a risk to being so specific in the statute about the placement of the markers but nothing to be gained.

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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