

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

LRB-4000/1dn  
RNK:kjf:wnw

February 5, 2008

This draft is based upon a draft you provided to me from Mark Patronsky. After some discussions with Mark, I have made some changes to the draft. Please note that the draft creates an exemption to floodplain zoning ordinances and to floodplain zoning orders and determinations of the Department of Natural Resources (DNR) for construction related to the veterans memorial building in Echo Park. I did not include the language in Mark's version of the draft relating to rules, ordinances, or orders that may subsequently be promulgated, adopted, or issued because by creating the exemption under s. 87.30 (1), the exemption would apply to all subsequent rules, ordinances, and orders under s. 87.30 (1). Also, because it is not entirely clear to me who owns the property on which the veterans memorial building is located or any of the related property, I have drafted this proposal so that the exemption applies regardless of ownership of the property.

Please note that if this proposal becomes law, it may adversely affect the city of Burlington's ability to obtain flood insurance under the National Flood Insurance Program. Without discussing this issue with DNR, I am unable to determine that risk.

Finally, as you know, this is a very complicated area of the law, and without discussing this draft with DNR, I cannot know whether the draft fully accomplishes the underlying intent. For example, there may be other building permit requirements or ordinance requirements of which I am unaware that need to be exempted in order for the proposed construction to take place. Consequently, I recommend that you share this draft with appropriate county and city officials and with DNR for their review.

Please feel free to contact me if you have any questions with regard to this draft.

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