

Clearinghouse Rule _____

STATE OF WISCONSIN
Kickapoo Reserve Management Board

IN THE MATTER OF RULEMAKING PROCEEDINGS BEFORE THE
KICKAPOO RESERVE MANAGEMENT BOARD

PROPOSED ORDER OF THE KICKAPOO RESERVE MANAGEMENT BOARD
ADOPTING RULES
(CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Kickapoo Reserve Management Board to amend KB 1.02 (5), KB1.09 (8) relating to limits on campsite occupancy and KB1.08 (2) conforming to State Concealed Carry Law.

Analysis prepared by the Kickapoo Valley Reserve staff.

ANALYSIS

Statutes interpreted:

None.

Statutory Authority: Sections 41.41 (7) (k)

Explanation of agency authority:

Section 41.41 (7) (k), Stats., provides that the Kickapoo Reserve Management Board “Promulgate rules that are applicable only to land in the Kickapoo valley reserve and other land acquired by the board, facilities on that land and waters adjacent to that land establishing restrictions on use of the land, waters and facilities.”

Related Statute or rule:

Section 175.60, Stats, relating to firearms as permitted.

Plain language analysis:

Original rule defining campsite occupancy limit to 6 persons or fewer are inconsistent with current management of campsites. Change in rule would set occupancy limits by posted notice.

Also, existing rule prohibiting firearms on the Kickapoo Valley Reserve is inconsistent with States' Concealed Carry Law.

Summary of, and comparison with existing or proposed federal regulation:

None.

Comparison with rules in adjacent states:

None. Unique management structure of the Kickapoo Valley Reserve.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

Public hearing scheduled for April 21, 2016

Fiscal Estimate and Economic Impact Analysis:

Document attached.

Effect on small business:

NA

Agency contact person:

Marcy West, Executive Director
Kickapoo Valley Reserve
S.3661 State Highway 131
La Farge, Wi. 54639
608-625-2960
Marcy.west@wisconsin.gov

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Marcy West, Kickapoo Valley Reserve, S.3661 State Highway 131, La Farge Wi. 54639 or by email to marcy.west@wisconsin.gov. Comments must be received on or before April 21, 2016

TEXT OF RULE

Section 1. KB 1.02 (10 is amended to read:

KB 1.02 (1) "Backpack campsite" means an area designated for camping that has no vehicle access to or near the area, to which all supplies are carried by foot, and that may be occupied by one camping party ~~consisting of an immediate family or a group of 6 or fewer persons who are not all from the same immediate family.~~

Section 2. KB 1.02 (5) is amended to read:

KB 1.02 (5) "Camping party" means the occupant of a backpack campsite, a campsite or a group campsite ~~consisting of members of an immediate family, a group of 6 or fewer persons who are not all from the same immediate family, or a group of 7 or more persons who either belong to an organization or an extended family.~~

Section 3. KB 1.02 (6) is amended to read:

(6) "Campsite" means an area, other than a backpack campsite, designated for camping with a posted group size limit ~~of two vehicles and one camping party consisting of an immediate family or a group of 6 or fewer persons who are not all from the same immediate family unless designated as a group campsite.~~

Section 4. KB 1.02 (12) is amended to read:

KB 1.02 (12) "Group campsite" means any tract of land designated for camping by a group ~~of 7 or more persons who belong to an organization or extended family~~ that has obtained an event permit approved by the property manager of the reserve.

KB 1.03 (1) (c) is amended to read:

KB 1.03 (1) (c) A group may reserve an area for a special event through application to the board. ~~Reservations are restricted to groups of 25 or more individuals.~~ The board may deny permits to groups hosting activities that do not meet the objective of the reserve identified in s. 41.41, Stats., or this chapter.

KB 1.08 (2) is amended to read:

KB 1.08 (2) ~~No person may possess any loaded or uncased firearm or air gun while within the reserve except as follows:~~ Firearms are permitted as provided under s. 175.60, Stats., or if any of the following circumstances apply:

KB 1.09 (8)

KB 1.09 (8) ~~No more than one camping party is permitted at any camping site in the reserve. A camping party that includes persons other than immediate family members may not exceed the posted occupancy limit.~~ 6 persons except a camping party that receives a permit to camp at a group campsite exceed the posted occupancy limit.

(END OF TEXT OF RULE)