

WISCONSIN LEGISLATIVE COUNCIL STAFF

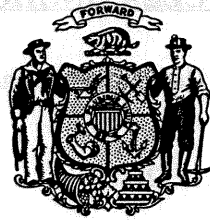
LCRC
FORM 2

OCT 04 1999

RULES CLEARINGHOUSE

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 99-124

AN ORDER to create chapter KB 1, relating to the use of land, water and facilities in the Kickapoo Valley Reserve.

Submitted by **DEPARTMENT OF TOURISM**

- 08-24-99 RECEIVED BY LEGISLATIVE COUNCIL.
- 09-21-99 REPORT SENT TO AGENCY.

RNS:DLL:jal;ksm

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached

YES

NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached

YES

NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached

YES

NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]

Comment Attached

YES

NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached

YES

NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]

Comment Attached

YES

NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached

YES

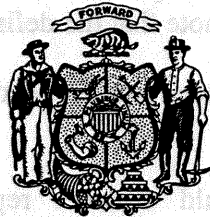
NO

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CLEARINGHOUSE RULE 99-124

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

a. The rule is inconsistent in its use of terms relating to groups of campers and unclear in its policy. It defines the terms "adult group," "non-family group" and "group campsite." It appears that "adult group" is used only in the definition of "group campsite," along with the undefined term, "juvenile group." In s. KB 1.09, relating to camping, instead of using the defined terms, the rule refers generically to "camping party" and "camping unit" without defining either. Although the rule does include substantive provisions regarding the size of camping parties, they are incomplete and improperly placed in the definition of "campsite." The board should more fully specify its policies regarding the size of camping groups allowed in group and nongroup campsites, and whether different treatment will be given to parties consisting of adults, juveniles or unrelated individuals, in s. KB 1.09. Definitions should then be included only for those terms that are used, and only as necessary to clarify the meanings of terms.

b. In general, nouns are not capitalized in rules unless the word in question would be capitalized when appearing alone. [s. 1.01 (4), Manual.] The only word that will be capitalized in midsentence in this rule is "Kickapoo." Examples of the correct capitalization of terms used in the rule are: Kickapoo river; Kickapoo reserve management board; and department of natural resources. The rule should be reviewed for correct capitalization of these and similar terms.

c. The definitions in s. KB 1.02 (5) and (6) should be reversed so that they will be in alphabetical order.

d. The last clause of the definition of "reserve," beginning with "plus any other land acquired," is unnecessary, since s. 41.41 (2), Stats. (the basis of the first clause of the definition), states that the reserve consists of land acquired from the federal government or acquired by the board under s. 41.41 (7), Stats. Also note that the definition is out of alphabetical order.

e. The words "for this chapter" should be omitted from the definition of "primitive camping," in s. KB 1.02 (16).

f. In s. KB 1.03 (3) (b), should "conduct" replace "behavior" for consistency with par. (a)?

g. Permissive authority is expressed by the word "may." [s. 1.01 (2), Manual.] Accordingly, the phrase "reserves the right to" in ss. KB 1.03 (1) (c) and 1.09 (6) should be replaced by the word "may."

h. In s. KB 1.03 (3) (j), the words "regulated by" should be replaced by the words "as defined in."

i. The numbering of the subunits of s. KB 1.04 (1) does not follow proper drafting conventions. [See, in particular, s. 1.03 (8), Manual.] The errors in this subsection could be corrected if the model in s. NR 45.05, on which this is based, were more closely followed. However, that model notwithstanding, s. KB 1.04 (1) (e) (intro.) should end with a phrase such as "in any of the following situations:" and s. KB 1.04 (1) (e) 1. and 2. should end in periods, omitting the word "or."

j. The rule should make better use of the active voice. For example, s. KB 1.04 (1) (f) and (2) state that vehicles "may be towed"; the rule should use the active voice, indicating who may tow the vehicles or cause them to be towed. Also, s. KB 1.09 (3) and (9) should clearly state that a *camper* must obtain a permit and must pack out all refuse and s. KB 1.10 should clearly state that an applicant must apply for a permit at least 30 days before an event.

k. The title of s. KB 1.04 (2) should be "ABANDONED VEHICLES."

4. Adequacy of References to Related Statutes, Rules and Forms

a. The references in the rule analysis and the introductory clause to ss. 44.40 and 44.41, Stats., should be corrected, to refer to ss. 41.40 and 41.41, Stats.

b. Section KB 1.02 (11) defines "firearm" as "any of the weapons listed in s. NR 10.001." This is not appropriate for a number of reasons. First, there are weapons listed in s. NR 10.001 that are not firearms--see s. NR 10.001 (4), which defines "bow." Second, the cited section does not list weapons; rather, it defines a number of terms. Third, since weapons are scattered throughout the defined terms, it is difficult for a reader to find them. It would be preferable for the board to develop a definition of "firearm." For example, see s. 167.31 (1) (c), Stats.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. It might be helpful to the public if the amount of fees charged for the use of the Kickapoo Valley Reserve were set forth in the rule. The Department of Natural Resources includes very detailed fee schedules in ch. NR 45, which the analysis to this rule identifies as the model for much of ch. KB 1.

b. In s. KB 1.03 (1) (a) (intro.), the word "and" should be omitted and "a" should be inserted before the second "natural."

c. Section KB 1.03 (1) (a) 3. should be written as a full sentence, as are the other subdivisions of that paragraph. Also, while a lease agreement may provide more specifics, it may be advisable to include some basic limits in the rule, e.g., that the lessee is subject to the general provisions protecting natural and archaeological features.

d. In s. KB 1.03 (1) (b), a comma should be inserted after the word "building."

e. What is the purpose of s. KB 1.03 (1) (d)? For what purposes are the listed activities approved? Are all other activities prohibited in the reserve?

f. The title of s. KB 1.03 (2), should be changed to "**Hours of operation**" to reflect the contents of that subsection.

g. It appears that s. KB 1.03 (3) (g) should refer to "property manager," rather than "property superintendent." Also, par. (d) refers to "written permit from the board," par. (e) refers to "authorized in writing by contractual agreement with the board" and par. (g) refers to "written permit issued by the property superintendent." Are different protocols intended for each of these?

h. Section KB 1.04 (3) (a) addresses the use of vehicles on waters of the reserve; however, as defined, "vehicle" does not include watercraft. Some clarification appears to be needed. Also in that paragraph, the phrase "Except as provided" appears superfluous and should be omitted.

i. Section KB 1.04 (3) (d) appears to be redundant with s. KB 1.04 (1) (a) to (c), considering that bicycles appear to fall within the definition of "vehicle."

j. In s. KB 1.05 (2), it appears that the comma after the word "area" should be placed after the second occurrence of the word "hunting."

k. Section KB 1.03 (3) (h) refers to the time of year when ski trails are covered with snow, while s. KB 1.05 (3) refers to the time of year when ski trails are used for cross-country skiing. Should these provisions be made uniform? The standard of being snow covered appears to best achieve the purpose of the provisions.

l. In s. KB 1.06 (1), the word "to" should be deleted.

m. As written, s. KB 1.08 (1) prohibits the construction of tree stands or blinds for any purpose. The fact that it is in a section titled, "Firearms and hunting" does not limit it to hunting. Is this the board's intent?

n. In s. KB 1.08 (2) (c), it appears that "rites" should replace "rights."

o. In s. KB 1.10 (1), the word "fisherman" should be pluralized. Also, in order to be gender-neutral, the final phrase of that subsection should be "persons who fish, hunt or trap."

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that pursuant to s 41.41 (7) (k), Stats., the Kickapoo Reserve Management Board will hold a hearing at the time and place shown below to consider a proposed order to create Chapter KB 1 relating to the use of the land, water and facilities in the Kickapoo Valley Reserve.

HEARING INFORMATION

The hearing will be held in the LaFarge Community Building, 202 North State Street, LaFarge, Wisconsin on Thursday, November 18, 1999 from 4:00 p.m. to 8:00 p.m.

WRITTEN COMMENTS

Written comments on the proposed rules may be sent to the contact person by Thursday, December 2, 1999. Written comments will receive the same consideration as written or oral testimony presented at the hearing.

Analysis Prepared by the Kickapoo Reserve Management Board

Statutory authority: ss. ^{41.41}~~44.41~~(7)(k) and 227.11 (2) (a), Stats.

Statutes interpreted: ss. ^{41.41}~~44.40~~ and ^{41.41}~~44.41~~, Stats.

power of dep't. *41.41*
The Kickapoo Reserve Management Board was created in 1994 to manage the Kickapoo Valley Reserve, which encompasses approximately 7,400 acres along 14 miles of the Kickapoo River in Vernon County. The 11 member board, which is appointed by the Governor, is required by statute to manage the land for low impact recreation. It currently does so under a management lease agreement with the U.S. Corps of Engineers, which purchased the land in the early 1970's as part of a large flood control and dam-building effort that was discontinued in 1975 because of environmental and cost concerns.

In 1996 federal legislation deauthorized the dam project and provided for ownership of approximately 7,400 acres to be transferred to the state when federal requirements are met. An additional 1,200 acres of tribally significant land is to be held in trust for the Ho-Chunk Nation by the Federal Bureau of Indian Affairs. The federal legislation that provides for the transfer of ownership does not specify a date by which title must be transferred but, it is anticipated that transfer of title to the 7,400 acres to the State will be completed in April of 2000.

The proposed rules contain the detail related to the Board management of the property, public use of the property and fees for public use of the property. The rules are very similar to Department of Natural Resources rules related to the use and management of state parks. (See Chapter NR 45.) In addition to general rules related to the management and use of the Reserve, the proposed rule regulates vehicle operation, animals, fires, use of firearms and hunting and

camping on the Reserve. The proposed rule also provides for the charging of fees for camping and other recreational uses of the Reserve.

Initial Regulatory Flexibility Analysis

NOTICE IS HEREBY GIVEN that pursuant to 227.14 Stats., the proposed rule will have minimal impact on small businesses. The initial regulatory flexibility analysis as required by 227.17 (3)(f), Stats., is as follows:

- (1) Type of small business affected by the rule: None.
- (2) The proposed reporting, bookkeeping and other procedures required for compliance with the rule: None.
- (3) The types of professional skills necessary for compliance with the rule: None.

Fiscal Estimate

The proposed rule provides for the charging of fees for camping and other recreational uses of the reserve. The fees will generate revenue for the Kickapoo Valley Reserve Management Board that will be used for management of the Reserve. Since fee rates and the amount of recreational uses are unknown, it is not possible to determine the amount of revenue that will be generated.

Contact Person

For additional information about or copies of the proposed rules contact:

Marcy West, Executive Director, 608/625-2960
 Kickapoo Reserve Management Board
 505 North Mill Street
 LaFarge, WI 54639

correct cited

44.41



Pursuant to the authority vested in the Kickapoo Management Reserve Board, by ss. 44.41 (7)(k), Stats., and interpreting s. 44.40 and 44.41, Stats., the Board hereby creates rules as follows:

SECTION 1: Chapter KB 1 is created to read:

CHAPTER KB 1

KICKAPOO VALLEY RESERVE MANAGEMENT

- KB 1.01 Purpose and applicability
- KB 1.02 Definitions
- KB 1.03 General rules
- KB 1.04 Vehicles
- KB 1.05 Animals
- KB 1.06 Fires
- KB 1.07 Waters-river
- KB 1.08 Firearms and hunting
- KB 1.09 Camping
- KB 1.10 Fees

KB 1.01 Purpose and applicability. The purpose of this chapter is to govern the conduct of visitors to the reserve and to provide for the protection of natural and cultural resources in the reserve. This chapter applies to all lands, structures and property owned, under easement, leased or administered by the state of Wisconsin and under the management of the board.

KB 1.02 Definitions. Except where the context clearly requires otherwise, in this chapter :

- (1) "Adult group" means a group made up of members 18 years of age and older of an established organization or of a family. *group size?*
- (2) "Backpack camping" means camping with no vehicle access to or near the designated campsites or area and with all supplies carried to the campsite by foot.
- (3) "Bicycle" means a device propelled by the feet acting upon pedals and having one or more wheels.

need to bring...

not needed



(4) "Board" means the Kickapoo Reserve Management Board created by s.15.445 (2) (a), Stats. (5)

(5) "Camping" means the use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, bedroll or sleeping bag for temporary residence or sleeping purposes.

(6) "Camper day" means a period beginning at 3:00 p.m. and ending at 3:00 p.m. the following day.

(7) "Campsite" means an area designated for camping with a limit of two vehicles and six people per site unless designated as a group campsite.

(8) "Dog or field trial" means any organized competitive field event involving sporting dog breeds which is sanctioned, licensed or recognized by a local, state, regional or national dog organization.

(9) "Dog training" means the activity of teaching a dog to retrieve, point, flush, or track game for the purpose of hunting or dog trial competition.

(10) "Education group" means any group visiting the reserve for educational purposes that is sponsored by a school, college, university or other educational institution or organization.

(11) "Firearm" means any of the weapons listed in s. NR 10.001. *check*

(12) "Firearm season" means an open season for hunting with any of the following firearms loaded with a single slug or ball: rifle, muzzle-loader, shotgun or handgun for deer or bear hunting described in s. NR 10.09 (1) (c) 1.c.

(13) "Group campsite" means any tract of land designated for camping by juvenile or adult groups. (5)

(14) "Reserve" means the Kickapoo valley reserve created pursuant to s. 41.41 (2), Stats, plus any other land acquired by the board pursuant to s. 41.41 (7) (c), (e) or (i), Stats. need to distinguish

(15) "Non-family group" means any six or fewer individuals who do not meet the definition of the family. necessary when at

(16) "Primitive camping" (for this chapter) means camping with no services provided, including drinking water, electricity, or manmade structures of any kind. minus (b) + (d) (5)

(17) "Property Manager" Means the executive director of the board or the director's designee.

(18) "River access site" means any tract of land designated for access to the Kickapoo river or its tributaries within the reserve. (5)

(19) "Snowmobile" has the meaning specified in s. 340.01(58a), Stats.

(20) "State trail" means a recreational trail designated by the Department of Natural Resources under s. NR 51.73. (5)

app order

Substance

need to distinguish necessary when at minus (b) + (d)

(21) "Vehicle" has the meaning provided in s.340.01(74), Stats., and any snowmobile.

KB 1.03 General rules. (1) RESERVE PROPERTY. (a) No person may destroy, molest, deface, remove or attempt to remove any natural growth, rocks, minerals, and fossils or a natural or archaeological feature except as follows:

(51)

1. Edible fruits, nuts, wild mushrooms, dogwood and willow limbs, and wild asparagus may be removed without a permit for non-commercial use.
2. Dead downed wood may be collected and used for campfires at designated campsites unless prohibited by posted notice.
3. For those lands covered by agriculture lease agreements as provided under the terms of the applicable lease.
4. Members of the Ho-Chunk Nation may obtain special permits to harvest plants for ceremonial, medicinal, or religious purposes if approved by the traditional court or clan elders and the Department of Natural Resources.

full sentence
2

from...

(b) The Board may close, by posted notice, any land, structure or property on the reserve. No person may enter or be in any building, installation or area on the reserve that may be locked or closed to public use or contrary posted notice without a written permit from the property manager.

(53)

(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 reserves the right to deny permits to groups hosting activities that do not meet the objective of the reserve identified in s. 41.41, Stats., or this chapter.

may (2)

(d) Approved recreational uses include archery events, bicycling on designated trails, bird watching, non motorized boating, camping, canoeing, cross-country skiing, dog sledding, dog training, dog trials, falconry, fishing, foot racing, hiking, horseback riding on designated trails, hunting, in line skating on paved trails, inner tubing, kayaking, nature study, photography, arts and crafts, sleigh riding on designated trails, snowmobiling on designated trails, trapping and other recreation activities as approved by the board.

what's the point?
(54)

(2) ~~CLOSING HOURS.~~ ^{of open.} The board may designate and post hours of operation for buildings and areas within the reserve.

(3) **PERSONAL CONDUCT.** (a) *Disorderly conduct.* No person may engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct, or conduct which tends to cause or provoke a disturbance or create a breach of the peace.

(b) *Evictions.* The board may expel any person or persons from the reserve for violations of any state law, administrative rule or posted rules or regulations. The period of time for which a person may be expelled is 48 hours, or for the period of his or her camping permit, whichever is longer. No expelled person may return to the property before the eviction period has elapsed. Persons expelled are not eligible for unused camping or user fees. People charged with violent, assaultive or disorderly behavior may be expelled until after the case is adjudicated in court.

conduct

(c) *Refuse and recyclable materials.* 1. No person may dispose of any debris, waste or recyclable material except by placing the material in receptacles provided for those purposes.

2. No person may dispose of any waste or recyclable materials in any waste or recyclable receptacles or at any location if the waste or recyclable material is generated from a permanent or seasonal residence or a business or other commercial operation.

(d) *Noise.* No person may operate any sound track, loud speaker, generator, chainsaw, air-conditioner or other device that produces excessive, loud or unusual noises without first obtaining a written permit from the board.

(e) *Soliciting.* No person may peddle, solicit business of any nature, distribute handbills or other advertising matter, or post unauthorized signs on any lands, structures or property on the reserve, or use such lands, structures or property for commercial operations, for soliciting or conducting business, peddling or providing services within or without such lands, structures or property unless first authorized in writing by contractual agreement with the board.

(f) *Destruction of property.* No person may destroy, molest, attempt to remove or remove the property of others.

(g) *Metal detectors.* The use of metal detectors is prohibited except by written permit issued by the property superintendent. *prop mgr. ?*

(h) *Ski trails.* No person may hike or snowshoe on designated cross-country ski trails when the trails are snow covered.

(i) *Quiet zones.* The board may establish quiet zones by posted notice. Within a quiet zone no person may operate a generator, radio, boombox, musical instrument, tape player or similar noise producing device, unless the noise is confined to the person through the use of a headset.

(j) *Fireworks.* No person may possess or discharge any fireworks, *as defined in* regulated by s. 167.10(1), Stats.

KB1.04 Vehicles. (1) **TRAFFIC AND PARKING.** No person may operate or park any vehicle as defined in s. 340.01 (74) Stats., which is required to be registered by law on the reserve except:

(a) On highways as defined in s.340.01 (22), Stats.

(b) In posted areas and designated river access areas.

(c) By permit at designated trail parking areas.

(d) As otherwise specifically authorized by law or administrative rule.

(e) No person may park, stop or leave standing, whether attended or unattended, any vehicle or watercraft. *in any of the following*

1. In any manner as to block, obstruct or limit the use of any road, trail, waterway or winter sport facility, ~~or~~,

of P. 11245 05

*PARKING
(2)(a)*

(2)

(2)

2. Outside of any area provided for such purposes when it is practical to use such areas.

3. Contrary to posted notice.

(b) (f) Any vehicle or watercraft in violation of paragraph (e) may be towed off the property and stored at the owner's expense.

use active voice who may tow or cause to be towed

(5)

(e) (g) No person may operate a motor vehicle as defined in s. 340.01 (35), Stats., off highways and parking lots, while under the influence of an intoxicant or a controlled substance or without a valid driver's license issued by this or another state or province.

(3)

(2) ABANDON VEHICLES. No person may leave any vehicle unattended without prior board approval for more than 48 hours under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance and be towed at owners' expense.

how?

(5)

(3) VEHICLE OPERATION. (a) Except as provided, no vehicle may be operated on lands and waters under the supervision, management or control of the board unless its use is specifically authorized by posted notice.

"vehicle" does not include watercraft

(b) No person may conduct or engage in snowmobile races on any lands under the supervision, management or control of the board.

(c) The board may authorize by permit persons with physical disabilities to use a motorized vehicle on the reserve as a mode of personal conveyance.

(d) Except where provided in this chapter, bicycles are prohibited on all reserve lands except on public highways and areas or trails posted for their use.

- redundant w/ (1) (a) to (c) (2)

KB 1.05 Animals. (1) No person may allow a dog, cat or other pet in any building under management of the board. No person may allow his or her dog, cat or other pet to interfere in any manner with the enjoyment of the area by others.

(2) Nothing in this section shall prohibit or restrict the use of dogs for hunting purposes in any area, which is open to hunting except during the bird-nesting season, April 15 through July 31. The use of dogs for dog trials and dog training may be restricted to areas designated by the property manager through the event permit procedure.

what are are open for hunt

(3) No person may allow his or her dog, cat or other animal on any cross-country ski trail during that period of the year when those trails are used for cross-country skiing.

KB 1.03 (3) (f)

(4) Dogs, cats and other pets shall be under control by leash during the bird nesting season, April 15 through July 31, and at all other times by leash, voice command, including whistles, or other physical control such as kennel or mechanical collar

(5) Persons bringing or allowing pets in high use areas such as trails and campsites shall be responsible for proper removal and disposal of any waste produced by their animals.

(6) No person shall abandon pets or previously captive animals on the reserve except approved pheasant and trout stocking by the department of natural resources.

(7) Horses are prohibited on reserve lands except public highways and areas or trails posted for their use or by permit in field trial areas.

(8) No person may ride a horse in a careless, negligent or reckless manner so as to endanger the life, property or persons of others on the reserve.

(9) Notwithstanding the provisions of this chapter, service animals as defined in s.174.056, Stats., may accompany persons with disabilities.

KB 1.06 Fires. (1) No person may start, tend or maintain any fire on the ground or to burn any refuse except in fire rings at campsites in the reserve.

(2) No person may leave any fire unattended, or throw away any matches, cigarettes, cigars or pipe ashes or any embers without first extinguishing them, or start, tend or use in any manner any fire contrary to posted notice on the reserve.

(3) In the event of threat to natural resources by the presence of forest fire hazards, the board may establish emergency use and burning regulations by posted notice.

KB 1.07 Waters - River. (1) The board may prohibit swimming in areas adjacent to water access sites by posted notice. No person may swim in the area delineated by the posted notice.

(2) No person may possess any glass beverage container or other glass product while on the river or the adjacent stream bank.

(3) Canoes and kayaks may only be launched or removed in those areas posted as designated river access sites.

(4) No person or business shall leave a canoe or kayak overnight except at a campsite.

KB 1.08 Firearms and Hunting. (1) Except as provided in s. 29.327 (2), Stats., no person may construct, occupy or use any elevated or ground blind or other elevated device, except that portable tree stands and blinds may be used provided they are removed from the property each day at the close of hunting hours. No person may cause damage to trees by the placement or erection of portable tree stands or by any other manner while climbing or hunting from a tree.

(2) No person may possess any loaded or uncased firearm or air gun while within the reserve except as follows:

(a) While engaged in hunting in accordance with the open seasons established in s. NR 10.01 and 10.02 or in accordance with (c).

(b) While engaged in dog trials or training under board permit and NR 17.01 and 17.02.

(c) Members of the Ho-Chunk Nation may be granted permission to harvest deer out of the state calendar season for religious feasts, funeral rights and warrior feasts as provide in s. 29.079, Stats.

nitta

5

for hunting
5

use active voice! ✓

KB 1.09 Camping. (1) Primitive camping is allowed on the reserve at designated sites and in backpack campsite areas by permit.

(2) Campsites are available on a first-come first-served basis unless an area is reserved with an event permit.

X (3) A camping permit shall be obtained prior to setting up camp, unless otherwise posted.

(4) All camping permits expire at 3:00 p.m. on the last day of the permit period.

(5) Violation of any state law or any rule of the board by a member or guest of a member of a camping party is cause for revocation of the camping permit and eviction from the property.

(6) The board reserves the right to ^{may} reject or cancel camping permits when necessary to protect either campers or the natural resources. (2)

(7) No person may camp and no camping unit shall remain for a period greater than 21 days in any 4-week period. After 21 days the camping unit and camping party shall be removed from the property for at least 7 days before being eligible to return. (2)

(8) No more than one camping party is permitted at a backpack camping site in the Reserve. No camping party consisting of a non-family group may exceed 6 persons unless applying for a group campsite.

X (9) All refuse shall be packed out.

KB 1.10 Fees. (1) All users of the reserve are required to pay either annual, camping, day use or event fees except snowmobilers using that portion of the state snowmobile trail within the reserve, canoeists who are neither camping nor parking within the Reserve, fisherman, hunters and trappers. (5)

(2) Educational ^{fishermen or fishers} groups or nonprofit organizations recognized by the internal revenue service under 26 USC 501 (c) (1) or 3 may apply for a fee waiver through forms provided by the board. The forms for a fee waiver must be received by the property manager along with proof of nonprofit status at least 7 days prior to arrival.

(3) Camping, annual, day use and event fees are approved and published by the board no later than December 30th the year prior to which they will be in effect.

(4) The board may enforce a penalty fee to users failing to register. — ^{should be in rule} (1)

X (5) Event permit requests must be made thirty days prior to the event.

(6) The board may charge participants of board sponsored events or programs a fee sufficient to cover the cost of providing the program.

EFFECTIVE DATE. The regulations set forth in this order shall be effective on the first day of the month following publication in the Wisconsin administrative register as provided in s.227.22 (2) (intro.), Stats.

KICKAPOO RESERVE MANAGEMENT BOARD

Dated this _____ day of _____, 1999.

By

Marcy West, Executive Director

Kickapoo Reserve Management Board