



NR 65

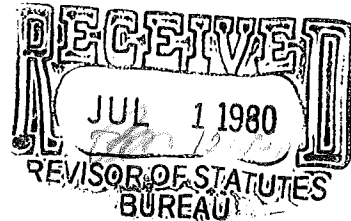
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES) SS



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Anthony S. Earl, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. FA-49-79 was duly approved and adopted by this Department on January 23, 1980. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 1st day of July, 1980.

(SEAL)

Anthony S. Earl

Anthony S. Earl, Secretary

Earl. S. Earl. 7-1-80

CREATING RULES

.....
 IN THE MATTER of creating sections NR 65.07(2), .
 NR 65.08(4) and NR 65.09 of the Wisconsin .
 Administrative Code pertaining to the motor- . FA-49-79
 cycle recreation program .

Analysis Prepared by Department of Natural Resources

NR 65, Wis. Adm. Code, describes the administration of the motorcycle recreation program. This program is directed at providing financial aids to local units of government for the acquisition, development, maintenance and operation of off-road motorcycle facilities and trails. Cost share percentages are set at up to 100% for the costs of acquisition, 75% for development, and 50% for operation and maintenance up to 10% of annual program revenue received. Current rules do not specifically identify liability insurance as a distinct cost share category or address the charging of a user fee or the extent of development on leased property. Amendments to the existing rules specify liability insurance as a distinct cost share category and set the cost share rate of up to 100%, clarify the ability of the sponsor to charge user fees, and clarify the extent of development on leased property.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by sections 23.09, 23.11 and 227.014, Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby creates rules interpreting section 23.09(25), Wisconsin Statutes, as follows:

SECTION 1 - Section NR 65.07 (2) is created to read:

(2) Assistance may be given to develop leased real property provided control and tenure of such property is commensurate with the proposed development.

Note: The interest in the property is of such a duration that no undue benefits will accrue to the lessor rather than the public as a result of development. Example: Capital improvements with a life of 10 years (straight line depreciation) will require a 10-year lease OR provisions will be contained in the lease to recapture the salvage value of capital improvements from the sponsor if the life of the capital improvements is greater than the term of the lease or remaining portion thereof.

SECTION 2 - Section NR 65.08 (4) is created to read:

(4) Reasonable entrance of user fees may be charged to offset operation and maintenance costs. Such costs are subject to department review.

SECTION 3 - Section NR 65.09 is created to read:

NR 65.09 Liability insurance. Funds will be available at the rate of 100 percent for the purchase of liability insurance up to a maximum of \$7,000 annually. Such funding shall not extend to insurance premiums for competitive events.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on January 23, 1980.

The rules contained herein shall take effect upon publication as provided in section 227.026, Wisconsin Statutes.

Dated at Madison, Wisconsin July 1, 1980

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

(SEAL)

By 
Anthony S. Earl, Secretary



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

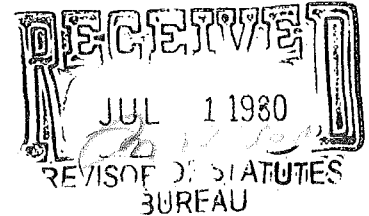
Anthony S. Earl
Secretary

BOX 7921
MADISON, WISCONSIN 53707

June 27, 1980

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L




Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FA-49-79. These rules were reviewed by the Assembly Tourism, Recreation and Economic Development Committee and the Senate Natural Resources and Tourism Committee pursuant to section 227.018, Wisconsin Statutes. There were no objections.

You will note that this order takes effect upon publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,


Anthony S. Earl
Secretary

Enc.