

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 Acts 35 and 51.

Analysis prepared by the Kickapoo Valley Reserve staff.

ANALYSIS

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 held April 21, 2016 – no testimony received.

Fiscal Estimate and Economic Impact Analysis:

NA.

Effect on small business:

NA

Final Text

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.~~

KB 1.02 (5) is amended to read:

KB 1.02 (5) "Camping party" means the occupants of a backpack campsite, a campsite or a group campsite ~~consisting of members of an immediate family or 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.~~

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 10 or fewer persons. ~~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.~~

Create KB 1.02 (9m) "Family" means a parent or parents with their unemancipated children and not more than 2 guests.

KB 1.02 (12) "Group campsite" means ~~any tract of land~~ an area designated for camping by more than one camping party. ~~a group of 7 or more persons who belong to an organization or extended family.~~

Section 2

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

KB 1.03 (1) (c) A group may reserve an area for an ~~special~~ event through application to the ~~board~~ property manager. Reservations are restricted to groups of 25 11 or more individuals. ~~The board property manager~~ 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.

Section 3

KB 1.08 (2) is amended to read:

KB 1.08 (2) No person may ~~possess~~ discharge any ~~loaded or uncased~~ firearm or air gun while within the reserve except as follows:

KB 1.08 (2)(b) While engaged in dog trials or training under ~~board~~ event permit and ss NR 17.01 and 17.02.

Section 4

KB 1.09 (8) is amended to read:

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