

Disability Advisory Council Meeting
Meeting Minutes
AmericInn – Ashland, Wisconsin
September 23, 2011

Members Present: Chairman Tom Zimmer, Kirsten Engel, Jim Rutledge, W. Joe Greene, Vice Chair John Martinson, John Kocourek.

Members Absent: Werner Burkat, John Mitchell, Dale Petkovsek and Steve Johnson

Others Present: Carl Mesman, Tyler Strelow, Andy Janicki, and Kelly Frawley

Chair Tom Zimmer called the Disability Advisory Council (DAC) meeting to order at approximately 9:10 a.m. **Motion by Greene, second by Kocourek, to approve the agenda. Motion carried.**

Motion by Rutledge, second by Greene, to approve the minutes of the June 2011 meeting. Carried.

Disabled Waterfowl Hunter Cover in Conservation Congress

Rutledge asked Mesman if there is a change in rules.

Mesman allow someone with a Class A permit to be exempt from three foot cover requirement. Mesman commented that ACT 21 has changed the process on how rules can change. The fast track was 8 months. Now any administrative rule must be drafted by Department, sent to Governor and legislative committees and sent back to Department for an economic impact statement. Some issues will be statutory.

Statutory changes will remain essentially the same. This change applies to administrative rule changes.

Big Bay State Park and White River Fishery Area- Bayfield Accessibility Projects

Motion by Zimmer, second by Greene, to recommend White River Fishery Area as an accessibility project within the capital development program. Carried.

Motion by Rutledge, second by Greene, to recommend Big Bay State Park extension as an accessibility project within the capital development program. Carried.

Open the Outdoors Website Logo

Janicki discussed the Open the Outdoors website logo.

DAC is on record that the original logo should remain.

Changes to Disabled Hunt

DNR Big Game Specialist Linda Olver has come up with language to simplify and clarify language. Wishes to eliminate the application process and eliminate signatures. Wide range of simplifications to amendment of forms to changing the season. What scenarios would the DAC like to see for the disabled deer hunt. Wardens have initial concerns about when and where the hunts will be held. Need to understand where they are for clarity in enforcement. Don't want to follow up

Rutledge asked if it is a possibility for a simple form to allow hunt for themselves or on parcels less than 40 acres.

Olver indicated that is the intent to increase participation. Goal to streamline process to reduce staff time implementing the program. Also intent to increase participation, opening additional lands and increase opportunities for hunt.

Mesman commented that another law enforcement concern is the eligibility of the hunters. LE has been aware of hunts that had participants that may not have met the intent of the hunt. Is it possible to have the ability to capture information electronically and placed in a database for law enforcement.

Olver commented deadlines are a concern for some property owners request participation after the deadline. Mesman commented the change would be elimination of the deadline through administrative code.

Janicki stated current language requires 80 acres and minimum of three hunters. Janicki recommends elimination of the participation limits. An example is allowing one hunter on a property that may have 9 acres. Janicki commented the initial limitations were set up on a pilot basis to determine there were enough disabled hunters to make program effective. Modifications have been made throughout the program based on historical experience.

Rutledge asked if it is possible to have the 9-day hunt in October but require the hunter to inform law enforcement. Olver responded that one idea was to have a separate hunt with the appropriate permits.

Mesman's biggest concern with that alternative is the likely mix of gun hunters with bow hunters in the woods. Bow hunters, for instance, must wear blaze orange during the youth hunt. They may be concerned having to wear blaze orange for an entire 9-day hunt.

Zimmer asked if someone could sponsor a hunter on public land. Olver commented that would have to be worked out with the public property manager.

Mesman commented that an opportunity may be available at the time of license issuance through the permitting process. Also concerned about an individual receiving a license after the deadline. Would the hunt be considered legal and would the Department be liable for allowing the hunt to occur?

Olver commented that she can take any suggestions to the October 4th rules-making meeting.

Martinson expressed concerns regarding someone that may become eligible for the hunt after the deadline. He has personal knowledge of this occurring.

Mesman asked if additional tags for disabled hunters can be permitted through the agriculture deer damage program.

Zimmer asked the DAC for their direction. Is everyone in agreement for expansion and deadline eliminated?

Rutledge would like to see the hunting minimum lifted. From his experience and seeing the changes, he is now in support of streamlining the process.

Engel asked what the deadline is for a landowner. Rutledge commented the property owner must be identified in June. By September it is required to identify the participants (i.e. participants list).

Mesman says he understands the good intentions. But good-intentioned people get sued. Mesman suggests eliminating deadlines if deadlines pose a problem. But keep the hunt consistent with the intent of law.

Rutledge stated he would like to see a 9-day season similar to the youth hunt. Stated that Chapter 29 has language that allows creation of unique hunts ... but cannot site the reference. Rutledge commented that any limitations of restrictions should be considered.

Transfer of Bear Tags for the Disabled

Zimmer wants to broaden the opportunity to transfer a bear tag. Should it be a proposal that they can transfer to anyone.

Mesman commented that a hunter would have all his friends or relatives apply annually to garner points.

John Haydock volunteers for the United Special Sportsman Alliance and works in Pass Program and in supervised care. Haydock has 46 tags donated to the organization and it gets passed on to a disabled child and it is a one time thing. Also believes passing one on to disabled vets could also be a good program.

Mesman commented there is an initiative to get youth involved. Concerned that making disability special allows them a benefit more than other hunters. Dependent upon disability, the person may be just as able to wait as long as others. The result in this case would be a benefit. The perception is it may be a benefit that raises the playing field.

Rutledge commented that he understands the situation. Outside of terminal illness, we may be creating something that can get out of control. Agrees there is a potential for abuse.

Zimmer states it appears the concensus is to limit our focus on the terminally ill.

Disabled Hunt/Youth Hunt Conflict

Janicki reviewed the response received by Wildlife representatives. Janicki commented that nothing changes for the Class A or C permit holders who are hunting during and under the authority of a Disabled gun deer hunt. Even though the hunting regulations state that a Class A and C permit do not authorize the permit holders to hunt deer with a firearm the weekend of the special youth deer hunt, this does not affect a disabled hunter who is authorized to hunt during the 9-day disabled gun deer hunt when the 2 seasons happen to overlap. The 2-day youth hunt is only for 10-15 year olds. But if a person older than age 15 has some other authorization to hunt deer with a firearm that same weekend, such as an Ag damage permit or a Disabled gun deer hunt authorization, they can hunt deer under those separate authorities.

Disabled Turkey Hunt

Putting on 25-person hunt for disabled youth and disabled veterans. Stated there are drawbacks because this is a one-time deal for the individuals. If they miss their change, they have no opportunity to attempt to hunt again in a group setting. This is a spring hunt. Is looking for a weekend program. Haydock looking to incorporate with hunter's education programming.

Rutledge asked if this could fall under statute that may give flexibility to offer such a program. Example is the special fishing day. Mesman commented that program is within a season. The license is just exempted for the day.

Haydock indicated that having the kids in the program under regular seasons can cause a reduction in available land. Under learn to hunt the Sportsman Alliance has available 35,000 acres of public land and 15,000 acres of private land under contract.

StreLOW commented the Department has the same problem with their program.

Greene indicated he is not adverse to such a program.

Haydock indicated he is not opposed to a season or a program created by rule.

Zimmer suggested making the program as part of the learn to hunt program.

StreLOW commented such a program can be subject to abuse.

Haydock asked if the special group hunt opportunities fall during regular seasons. If so, he loses volunteers that are participating in their own hunts. It would mean doing the hunts later in the season. Haydock prefers earlier than the regular season.

Zimmer commented that his request will be taken under consideration.

Eyesight Proposal/Crossbow Use for Upper Extremity Disabilities Update

Mesman wrote up the eyesight law proposal. Optometrists and ophthalmologists were consulted. The final result was 20/60 and in the 45-degree field reduction. Being a statutory change you are looking at the next legislative session.

Mesman reviewed the crossbow use for upper extremity disabilities. Mesman commented just adding to Class A would address. He has received documentation from a member of the Conservation Congress requesting Class A be related to mobility.

Janicki commented you would have to get very specific with the definitions.

Mesman commented that he is working with physical therapists that are discussing alternatives on their blog. Looking to define a program for individuals that cannot hold a gun. What the standard came down to the point that you use leverage to hold something even with an apparatus. Language proposed is amputation above the elbow.

Zimmer commented that he would prefer to keep Class A focused on mobility. Prefers a separate category for the upper extremity. Changes can be made without impacting mobility or upper extremity language.

Rutledge commented if we add to Class A, what keeps long-term Class B from commenting on why they do not have such a category.

Mesman commented their disability, even though long-term, is not permanent. Nothing is available to define the shouldering of a firearm.

Member Updates

Kocourek: No comment.

Martinson: November 5th there is a pheasant hunt for the physically challenged. October 8th and 9th the Adaptive Sportsmen will have a disabled deer hunt at Badger Ammunition.

Rutledge: Wisconsin Chapter of Paralyzed Veterans hosted national wheelchair trap shoot. 125 participants with 25 youth. After three-day shoot there was a pistol shoot competition. Approximately 25 attended.. Having another group disabled hunt. Land availability has been reduced.

Engel: No comment.

Greene: No comment.

Mesman: Applicant with leukemia has been denied a Class B permit. Wanted shoot from vehicle because doctor concerned about individual walking in woods with spores. Mesman commented that immune system was not a condition under statute. Noted the individual can drive to a location and sit outside his vehicle to hunt. A number of denials come from individuals that are in need of an accommodation. Mesman asked the Council if the crossbow criteria be reviewed. The consensus of the council is to allow.

StreLOW: No comment.

Janicki: No comment.

Zimmer: No comment.

Motion by Greene, second by Kocourek, to adjourn at 2:14 p.m. Carried.