

WISCONSIN CONSERVATION CONGRESS LEGISLATIVE COMMITTEE MINUTES

AUG. 27, 2011

MEETING AT SCHMEECKIE RESERVE CENTER- STEVENS POINT, WI

ROLL CALL:

Members were present: Lee Fahrney, chair; Harold Drake, secretary; John Jones, Michael Reese, William Howe, Roger Wilson, Bob Chojnowski, Larry Meyer, Kathleen Tober & Allan Haase

Members Absent & Excused: Jayne Meyer & Dustin Grant

DNR Staff Members Present: Tom Van Haren, Warden & Mike Bruhn, DNR Legislative Liaison; Scott Loomans, DNR Wildlife Manager

Other Participants: Guy McFarren, Resolution Writer; William Netzer, Resolution Writer; Ben Loma, Resolution Writer

MISSION STATEMENT:

The meeting was opened with Chairman Fahrney reading the mission statement of the legislative committee. Following the reading there was discussion on clarification of specific parts of the statement by committee members. At the end of the discussion there were no motions to change or amend the wording. Motion to approve the mission statement as read by Allen Haase, seconded by Roger Wilson. Motion approved on a voice vote.

LEGISLATIVE UPDATE:

Mike Bruhn introduced himself as the new legislative liaison replacing Paul Heinen. He gave the committee members information on his background, having worked for Representative Gunderson for 15 years. He outlined what his duties are with the department & what his role on the committee will be. He reported that the legislature will be back in session September 13th and that no bills were scheduled or pending at this time.

As part of his introduction it was commented that the Rainbow Springs Golf Course issue may not be completely dead. There is talk that there is support to keep it open for use by area schools. Some legislation regarding this issue is still possible but nothing has been introduced as of this time.

Chairman Fahrney asked committee member Kathleen Tober, who resides in this area, to share any information she receives concerning rainbow springs, with this committee, which may become available in the future.

ACTION ITEMS

Resolution 520411 -Allow Use of Cross Bows During Bear Season

The resolution was read by Chairman Fahrney.

Discussion- comments were taken from committee members which included concerns about more crippling – wounding of animals over compound bows or firearms, the public interest in expanding cross bow use & other states accepting of its' use in hunting.

The wording in the resolution (paragraph 2) describing the cross bow as an inferior weapon was questioned.

Following discussion a motion was made by William Howe, 2nd by Allen Haase to forward the resolution. Motion was carried on a voice vote.

Resolution 520311-Use of Cross Bows During Fall & Spring Turkey Season

The resolution was read by Chairman Fahrney.

The floor was opened for discussion on the resolution. There was none.

Motion by Bill Howe, 2nd by John Jones, to forward the resolution.

Motion was carried on a voice vote.

Resolution 560111 – Ban Deer Farms in Wisconsin

The resolution was read by Chairman Fahrney.

Discussion / Comments-

Discussion Items:

1. Definition of a *Deer Farm*
2. Are Deer & Elk farms or farms with other deer species all considered a *Deer Farm*
3. Would this resolution apply to all farms including Elk
4. What is the WI State DNR role in *Deer Farm* license & management
5. *Deer Farms* & their role in the introduction & spread of CWD
6. Would this ban apply to Petting Zoos
7. Question of the number of *Deer Farms* in Wisconsin
8. Would the state be required to buy out existing *Deer Farms*

The roll of the Wisconsin DNR in *Deer Farm* management was explained by Warden Tom Van Haren. The legislature requires the DNR to monitor *Deer Farm* fences. All new *Deer Farms* have to be inspected & fences approved before any deer are allowed on the property. Current law requires double fences around any captive deer. The Wisconsin DNR does not license *Deer Farms*. They are licensed by the Department of Agriculture. Currently the Department of Agriculture could / can license new farms. Any ban would apply to all farms including Elk Farms & Petting Zoos. He further explained the current testing requirements for *Deer Farms*.

He also commented that there is legislation being proposed to charge *Deer Farmowners* for locating & destroying escaped deer. Also that legislation to completely ban all *Deer Farms* would probably be difficult to get passed.

Following discussion a motion was made by Roger Wilson, 2nd by Allan Haase to amend the wording in the last paragraph of the resolution from: “Ban all *Deer Farms* in Wisconsin” ; to “Ban all farm raised deer in Wisconsin”

Motion to approve the resolution as amended passed on a voice vote.

Resolution 370211 – Classification & Use of Cross Bows

The question was read by Chairman Fahrney & opened to discussion.

Roger Wilson commented that he felt that this resolution should not be forwarded because it lacks the proper format; no telephone or address information of the writer. The handicap wording in the last line was also question.

A motion was made by Mike Reese; 2nd by William Howe to amend the wording of the last sentence of the resolution by striking “*The Handicapped*” & replacing it with “*Persons with an A-B-C Disabled Hunters Permit*”.

Motion to amend approve on a voice vote.

Further discussion on format lead to a motion by Roger Wilson; 2nd by William Howe not to advance the resolution. A roll call vote was taken & the motion failed with 3 Yes & 7 No Votes.

Motion by Allen Haase; 2nd by Larry Meyer to accept the resolution as amended.

Motion carried on a voice vote.

Resolution 180311 – Create a Maximum of 25 MPH on Frozen Water

The motion was read by Chairman Fahrney followed by discussion.

Discussion Items:

1. Intent of the Author
2. Possible Enforcement Issues
3. Jurisdiction Conflicts Between City-Township-County- State Enforcement Agencies

It was established that the intent of the author was to create a uniform standard to be applied throughout the state in the interest of safety.

Following discussion a motion to amend the wording on the 3rd line of paragraph 1 (one) and 10th (tenth) line of paragraph 2 (two) to change “*frozen lakes*” to read “*frozen waters of the state*” was made by William Howe; 2nd by Allen Haase.

Motion to amend was approved on a voice vote.

Motion to accept the resolution as amended was made by Bob Chojnowski; 2nd by Roger Wilson.

Motion carried on a voice vote.

Resolution 320211-Extra Fishing Line Stamp

The motion was read by Chairman Fahrney. The floor was given to the resolution writer William Netzer who was in attendance.

He explained that his resolution was intended to generate more revenue for the state without overharvest of fish since current bag limits would apply. An individual could buy a permit to use an extra line at the time of their license purchase. Possibly in the form of a stamp; same as trout or turkey.

Warden Tom Van Haren was concerned about enforcement issues. People with more than 3 lines would have to be checked for proper permits. He didn't feel that issuing permits / stamps would be an issue and that the current system could handle it. He further explained that the current statute defines the limits on fishing as no more than 3 (three) separate hooks/baits/ lures and went on to explain that.

It was also felt that since fees are set by state statute that this resolution needs an exact dollar amount to be forwarded on.

Motion by Roger Wilson; 2nd by Allen Haase to delay action on this resolution until the end of the resolutions to allow the writer to amend the verbiage.

Motion carried on a voice vote.

Resolution 48011- Free Fishing License for Disables Veterans (Resident / Non-Resident)

Motion was read by Chairman Fahrney. The floor opened for discussion.

Discussion issues & comments;

Roger Wilson; Concerns were raised about the format of this resolution not having any contact information, address or phone number.

Bob Chojnowski; Concerns about revenue loss from federal Pittman Robertson Funds.

William Howe; Commented that reduced fees are already available for resident disabled veterans.

Allen Haase; Expressed concerns also about lost funds and proof of disability or percentage of disability required to qualify, difficulty of applying this to non-residents.

Following discussion a motion was made by Allen Haase; 2nd by Michael Reese to reject this resolution as submitted.

Motion to reject carried on a voice vote.

Chairman Fahrney will contact the writer about submitting a revised resolution.

Resolution 200611- Increase Fines for Hounds Running at Large While Bear Hunting

The author of this resolution, Guy Mc Farren, was in attendance to explain his resolution before the committee. He commented on the problem that his resolution is trying to address. He owns land in northern Wisconsin & has had issues with “Hound Hunters” who allow their dogs to go onto private lands and do not make an effort to control them. He is concerned that the current penalties are not high enough to deter hunters from allowing their dogs to run at large.

It was explained by Warden Tom Van Haren that enforcement is a trespass issue and is handled by the county sheriff and not the DNR. The current fine for an owner of a dog(s) running at large range from \$25.00 to \$100.00 for 1st (first) offense to \$50.00 to \$200.00 for 2nd (second) offense; plus court costs. To get the actual cost of the fine to increase it would be necessary to increase the minimum fine as opposed to the maximum.

Following discussion a motion was made by Bob Chojnowski; 2nd by Roger Wilson to amend the wording in the last paragraph of the resolution (line 3) removing the word “fine” & replacing it with the wording “*minimum fine to \$250.00 maximum to \$500.00*”.

Motion to amend passed on a voice vote.

Motion to forward the resolution as amended by Bob Chojnowski; 2nd by Roger Wilson passed on a voice vote.

Resolution 520711 – Lesser Weapon Option for Deer, Bear, Turkey

The resolution was read by Chairman Fahrney and opened up for discussion.

Discussion: Since each license has specific firearms – bow or cross bow requirements, this resolution would add the crossbow as an allowed weapon under the deer gun license, class A bear license & turkey license. Cross Bow is allowed if 65 years old or with the proper disabled hunter permit.

Motion by Allen Haase to advance the resolution; 2nd by Larry Meyer.

Motion passed on a voice vote.

Resolution 650611- Make Land Owner Preference Tags Property Specific

The resolution was read by Chairman Fahrney & the floor was opened for discussion.

The intent of the author of this resolution was questioned by committee members. They were given background information on the current land owner preference tag system that is in place. Turkey hunting has the only preference tag system for land owners. It was understood that the author intended the resolution as a turkey hunting issue.

Motion was made to amend the wording of the resolution, line 1 (one) of the 1st (first) paragraph to add the word "turkey" between "obtain" & "tags" and also line 4 (four) of the 2nd (second) paragraph to add "turkey" between "owner" & "preference" and further to strike all verbiage after the word "property" in line 5 (five).

Motion to amend by Kathleen Tober; 2nd by Mike Reese.

Motion to amend carried on a voice vote.

Motion to forward the resolution as amended by Roger Wilson; 2nd by Michael Reese.

Motion carried by a voice vote.

Resolution 560211- Raise Hunting fees for Non-Residents

The motion was read by Chairman Fahrney. The floor was opened for discussion.

Comments:

A large amount of Wisconsin properties are owned by out of state residents. The state is reluctant to raise fees too high which may result in lower hunter numbers and declining revenue. Currently non residents pay \$140.00 to deer hunt. Comparisons were made to other Midwestern states that cost more. Iowa was given as an example when the cost to deer hunt is more than twice what Wisconsin charges. Comparisons were also made for turkey hunting. The question of how many out of state hunters Wisconsin has was also raised & how much of a problem it presents as a state wide issue.

Following discussion a motion was made by William Howe not to forward the resolution; 2nd by Allan Haase.

Motion to reject passed by a voice vote.

Resolution 230311- Reduce Cross Bow Draw Weight to 50 lbs or Greater

The resolution was read by Chairman Fahrney and the floor opened for discussion.

Concern was expressed about the lower draw weight being enough & the comparisons of draw weights between compound bows and cross bows being comparable. Also questioned was the draw weight – speed of the arrow comparisons between them. It was further noted that the committee lacked the knowledge to approve the resolution.

Motion by William Howe; 2nd by Allan Haase to reject this resolution.

Motion to reject was carried on a voice vote.

Resolution 130211 – Sturgeon Spearing Preference Point

The resolution was read by Chairman Fahrney and the floor opened for discussion.

There was a direct correlation seen between this resolution and the existing preference point systems such as bear and otter. With a few minor changes / additions the license issuing system can easily handle the addition of this resolution.

Motion by Kathleen Tober; 2nd by Allan Haase to forward this resolution as submitted.

Motion was carried by a voice vote.

Resolution 44011 – Transfer License / Permit to Senior or Disabled

The floor was given to the resolution writer, Ben Loma. He explained the intent of the resolution was to enable the transfer of a license / permit to a disabled or senior person. In his case he was personally motivated by a friend with a terminal illness. Under the current point system in can take several years to have enough points to secure a license / tag and the extended time period could prevent individuals, especially those with terminal illness from enjoying these hunting opportunities. The state already has stature SS29.179 (Transfer of approvals to minors) which he felt could be used / modified to create a new rule. The transfer of license / permit would allow a one (1) time per species transfer for people who have never been issued a license /permit previously.

Discussion – There was discussion on the current bear permit system and the length of time required to secure a permit. Also concerns expressed about defining terminal illness so that it could be addressed in any rules changes.

A motion was made by William Howe; 2nd by Allan Haase to amend the wording in paragraph 2(two) line 6 (six) to read *“allow a senior 65 years of age or older or disabled resident sportsperson to receive an approved license transferred from another sportsperson.”*

Motion to amend passed on a voice vote.

Motion to forward the resolution as amended by William Howe; 2nd by Allan Haase.

Motion approved on a voice vote.

Resolution 20011- Use of Cross Bows for Rough Fish with Fishing License

The resolution was read by Chairman Fahrney and the floor opened for discussion.

Discussion – The question was asked if any enforcement issues with this resolution. The committee was advised by Tom Van Haren that there were no apparent enforcement issues. This resolution, if passed, would require a DNR rule change.

Motion carried on a voice vote.

Resolution 320211 – Extra Fishing Line Stamp

This resolution was moved to the end of the resolutions earlier in the meeting to allow the author to review & amend the language to be consistent with current regulation as described by Warden Tom Van Haren earlier in the meeting. The resolution was revised by the author as follows:

Amended to read: Extra Fishing Hook / Bait / Lure

Second (2nd) sentence revised to read: *“Extra fishing hook, bait or lure stamp”*

Third (3rd) sentence revised to read: *“Fishing hook, bait or lure”*

Fourth (4th) sentence revised to read: *“Fishing hook, bait or lure”*

Ninth (9th) sentence revised to read: *“Extra fishing hook, bait or lure stamp”*

The word *“easily”* was removed and all verbiage after enforcement officers was removed. The last line of the resolution was also changed to read *“Fourth hook, bait or lure while fishing on the ice”*. The verbiage after *“fourth”* in the last line was removed.

The resolution as amended was read by the secretary, Harold Drake.

It was suggested by the secretary that the committee should consider not forwarding this resolution due to the extensive language changes and the content not being what the spring hearing participants originally voted on.

Motion to advance by William Howe; 2nd by Allan Haase to advance as amended by the author.

Motion carried on a voice vote.

PRIORITIES FOR 2012 LEGISLATIVE SESSION

As reported by Mike Bruhn the following 8 proposals are being forwarded to the assembly majority leader for legislative action:

1. Establish free winter fishing weekend the second (2nd) weekend in January.
2. Lowering the sturgeon spearing age from 14 to 12.
3. Allow driver of a vehicle that hits a bear or turkey to keep the animal / bird.
4. Allow the texting or faxing by anonymous persons for reporting game violations.
5. Allow cross bow for harvest of rough fish.
6. Charge deer farm owners for costs to track down and remove escaped deer.
7. Change in managed forest laws to allow persons to take small parcels out for building purposes.
8. Change terms of DNR MFL Law to read "*Area of Organized Fire Protection*"

MEMBER MATTERS:

Bob Chojnoski:

Expressed concerns about a large number of DNR personal retiring and the loss of knowledge with their leaving.

John Jones:

Expressed concerns about large factory farms in his area and their impact on water quality. He reported that a 4500 cow farm is being built and another large farm has been permitted with land for a 3rd having been purchased.

William Howe:

Reported on an upcoming event September 29th in Dubuque celebrating 100 years of river management on the Mississippi River.

Concerns about silica sand mining and environmental issues. Mining companies' not returning land to original state after mining also concerns about lack regulations on mining sand.

Concerns about hydro projects in the state and their affect on local water tables.

Lee Fahrney:

Advised the committee that the congress executive council will be meeting on Friday September 2nd at the Ramada Inn, Stevens Point to discuss the recently signed ACT 21 and its implications & effects on the Conservation Congress and its role in the future.

GOVERNOR'S CHARGE TO THE CONGRESS FOR REGULATION SIMPLIFICATION

The letter from the Governor was read by Chairman Fahrney prior to the official start of the meeting. Concerns expressed about what it means and what actions the Congress can put in place to comply.

There being no further business a motion to adjourn was made by William Howe; 2nd by Kathleen Tober.

Motion carried on a voice vote.

Respectfully Submitted

Harold Drake,

Secretary