

DISABILITY ADVISORY COUNCIL  
MEETING MINUTES  
JULY 23, 2015  
FITCHBURG SERVICE CENTER

Chair John Martinson called the meeting to order at 9:34 a.m.

Members in attendance: John Martinson, John Mitchell, Kirsten Engel, Werner Burkat, Jim Rutledge, and Joe Greene, and Steve Johnson

Members absent: John Kocourek

Others in attendance: Dan Olson, Barry Gilbeck, Anthonette Gilpatrick, Julie Amakobe, and Bennett (Steve's service dog)

First the Council reviewed the agenda. John Mitchell wanted to add two agenda items which it was decided that the Council would address after lunch.

**Jim made a motion to accept the agenda with modifications. Werner seconded the motion and all were in favor.**

Werner made comments to the minutes on page 1, last paragraph, "Also Werner had written a letter to Secretary Darrell Bazzell...", Werner wanted to insert "when he was the Chair of the DAC". Next sentence, "Dave" Petkovsek should read "Dale" Petkovsek. Page 2, 3<sup>rd</sup> paragraph, it was "decided" should be changed to it was "determined". Page 2, 5<sup>th</sup> paragraph Mike Bruhn who is the Executive Assistant to the Secretary, it should be noted that after the meeting was held, Mike Bruhn became the Assistant Deputy Secretary.

**Jim made a motion to accept the minutes with corrections. Joe seconded the motion and all were in favor.**

Anthonette started discussion on the first agenda item which is regarding the use of electronic calls for people who are deaf to use in turkey hunting. Currently it is illegal to use or possess any electronic or electronically-amplified calls while hunting migratory game birds or wild turkey. Exceptions are a person with a Class A or B Disabled Hunting Permit issued for more than one year and which authorizes hunting from a stationery vehicle may use electronic calls for hunting wild turkeys. A constituent who is deaf called Anthonette and wanted to fill out the Disability Permit application (Form 9400- 604) and drive it to Madison for approval. He had an individual that he used to hunt with who did calling for him. This is no longer an option. Anthonette explained that there are currently no permits that would allow this type of use by a person who is deaf. She made a suggestion to call the Wild Turkey Federation and see if they would have a person who could provide the same type of assistance that his other "mentor" provided. In the meantime she said that she would follow up with staff in Wildlife Management to see what could be done to allow this type of use. Anthonette spoke with several Customer Service staff (Linda Olver, Preston at South Central Region (SCR) and Chris Thielman) and they said that the individual did come into the SCR office with a permit filled out saying he was deaf and needed to use an electronic call. No permit could be issued and Anthonette followed up with

Wildlife Management staff. Scott Loomans the Administrative Rule Coordinator said he could add this to the "housekeeping rule package" that he was currently working on and potentially have something in the rule package that would permit this use by next spring's turkey hunt. He requested that Anthonette get him a definition of deaf and he would write it up. Anthonette consulted with Bette Mentz Powell of the Department of Health Services, Office of Deaf and Hard of Hearing. She gave her several definitions which Anthonette forwarded to Scott Loomans.

Jim said he would not have any problems with making this rule change. Others commented and were in favor of making the changes to the rules by incorporating the definition of deafness. John Mitchell said that only people who use hearing aids should not be the criteria. Deaf versus hearing impaired was discussed in depth. Joe asked if the DAC needed to go on record. .

**Joe made a motion to have the DAC support the internal housekeeping rules to allow persons who are deaf to use electronic calls during turkey hunting. John Mitchel seconded the motion and all were in favor.**

Next on the agenda was the draft bill on trolling for persons who are visually impaired or blind. Barry clarified the difference between trolling with lines versus the use of a trolling motor. Currently use of a trolling motor allowed with the following permits: Class A, Long Term Class B, and Trolling. The motor trolling law now allows trolling on all lakes and specifies the number of lines one can use; the motor assists the fishing. There is still the need of a trolling permit, on a no motor lake. This law was always there for persons with disabilities. The Trolling permit has qualifications similar to the crossbow qualifications. A disabled person can use an electric motor. This motor trolling law is good for two years and then DNR will evaluate after this period. If the revised law is not continued, then this draft legislation could be in place for the visually impaired.

Anthonette handed out the draft legislation adding those persons who are visually impaired/blind to be able to obtain a trolling permit in case after the two year trial period, this motor trolling legislation is not approved to continue. The issue at hand is that there are several definitions of visually impaired and/or blind. There are four different areas in our permitting system with four different definitions. Kirsten wanted to know why the visually impaired needed the trolling permit. John Mitchell suggested that the law should be clear in that the visually impaired should have an assistant operating the boat.

**Jim made a motion the DAC recommends to accept the draft legislation and if the legislation goes forward, that the bill shall include language requiring the visually impaired to have an assistant or assistants and that these assistants be allowed to troll as well. John Mitchell seconded the motion and all were in favor.**

Next, Anthonette led the discussion on the DAC selection process. She first identified those persons on the Selection Committee. Those on the Committee include Joe Greene, Helen Hartman, Keith Warnke, Sara Bolser, Anthonette Gilpatrick and Julie Amakobe. Anthonette handed out the top three applicants' applications and attachments. Due to confidentiality, she had the members return all applications and attachments. She went over in detail for Steve the criteria used and the scores for each criterion for the selection process. She went over the top three applicants' applications and any attachments. First, top scorer Cathryn Scott's application

was read and reviewed. Next, Monica Kamal's application was read. Third ranked applicant Robert LeHew's application was read. Steve asked for the names of the other applicants and Anthonette read them off. Joe thought we could improve the application form by being more specific on the questions. For example, the question regarding ADA should include depth and knowledge of ADA. The next steps in the selection process are the following. If the Council feels comfortable with the Committee's recommendations, Anthonette will recommend these top three candidates to the DNR Secretary for approval. John Martinson said the Selection Committee did a great job, particularly Anthonette, in making the selections equitable and fair.

**Werner made a motion for the DAC to accept the recommendations (top three nominations) made by the Selection Committee. Jim seconded the motion and all were in favor except John Mitchell abstained.**

There was also discussion of the DAC's bylaws. Anthonette indicated that the bylaws were never approved by the Council nor were they approved by the Secretary of the Department. She thought that the DAC should have this as an agenda item for another meeting. Joe thinks we need to look at the term limits again too, possibly at the next DAC meeting.

After lunch, John Mitchell discussed his two agenda items at this time. Two complaints have come across his ears. One comes from a person who does a lot of camping and uses a manual wheelchair. This person says the benches are too narrow (width) at several DNR Park's shower buildings. Anthonette indicated that the smaller benches were removed a long time ago. John said there are some benches installed that are still too small. Perrot was the example given. Anthonette indicated Perrot is an older state park and has not done a lot of recent renovations, so there are some features, such as the shower benches, that have not been upgraded. Anthonette will talk to the Property Manager and see if the bench(es) can be replaced.

The special gun deer hunt is the other issue raised by John Mitchell. For the October special gun deer hunt, a Class A permit hunter filled out an application for one of the well liked hunts. His application was not selected, but rather a long term Class B permit holder's application was selected. Persons with Class B permits are seen as less severely disabled. It was pointed out that the selection is at the discretion of the landowner. Steve said the landowner he knows prioritizes based on if the applicant has participated before or not on his land.

Next on the agenda was the PDMD's all-terrain (Action) Trackchair constituent letters and meeting. Anthonette handed out 3 constituent letters (from the same source) regarding the Action Track Chair and the use of this chair without having to get a PDMD permit.

One of the three letters was from Jim Rutledge. He was contacted by a person from Access Ability Wisconsin who wanted him to contact Paralyzed Vets America (PVA), Wisconsin Chapter. A person from PVA actually authored the letter, but Jim signed since he is the Sports Director.

Anthonette discussed the first meeting she had regarding the PDMDs. Those in attendance included DNR lawyer Mike Kowalkowski, Anthonette, Julie, Monica Kamal, Ray Anderson and Mike Mohr. Anthonette talked about the PDMDs she has received in the past which consisted of mainly trucks during hunting season. Jim indicated the he has a power wheelchair and he can do more damage outside (on land) than the Track Chair. Werner talked about scooters going down

the trails. John Mitchell said the Action Track Chair could be used on an established trail, but off trail, these areas could sustain damage from the Action Track Chair. Scooters cannot go on many of these off trail areas. A user could spread invasive species which can get caught in the treads. John recommended that if the Action Track Chair travels on an established trail, the user does not need a PDMD permit, but off trail, the user will need to get permission via the property manager for a PDMD permit. There was lots of discussion on this topic. Anthonette said she wants to form a committee with DNR Property Managers to discuss this topic. Kirsten said she doesn't see the difference between a power wheelchair and the Action Track Chair. The Feds definition of a wheelchair is that it has an inside and outside use. Wisconsin DNR uses the federal law definition. Monica Kamal, Ray Anderson and Mike Mohr want a modification to DNR policy or a reasonable accommodation. Barry said that he was once a DNR property manager. People believe everyone will be good stewards, but this is not true. Some users will create their own trail and try to limit others to it.

**Jim made a motion to separate PDMDs from battery operated single occupant outdoor wheelchair. Steve seconded the motion and all were in favor except John Mitchell abstained.**

**Kirsten made a motion to allow battery operated single occupant outdoor wheelchair access to designated public trails without a PDMD permit, and deviation from designated trails would require permit. Jim seconded the motion and all were in favor.**

Next, the Council discussed Tom Zimmer's memorial and ideas for projects that the Northeast (NE) Safari Clubs could implement on behalf of Tom. The question is what should be done? Should the Club give a scholarship in Tom's name for someone going to school at Tom's Alma matter UWSP? John Martinson will follow up with Mark Schnieder.

The next agenda item was the Harrington Beach Accessible Cabin Project. Anthonette led the discussion on this item. The cabin is completed and the construction was very well done. The Friends group provided funds for the cabin. The cabin is located in the campground area. There is still a need to improve the park's accessibility. This is the 8<sup>th</sup> cabin completed.

Anthonette discussed the ADA 25 years Celebration in Madison and Milwaukee. She indicated John Martinson volunteered to assist in the Madison event. Anthonette also volunteered in Madison. She wrote a story for the event as well. Werner mentioned Green Bay had a celebration the day before. There was a short discussion on accessible kayak dock on the Fox River in downtown Green Bay. The coming weekend commemorates the signing of ADA legislation.

Next on the agenda was the deer tagging rules for persons with disability permits. Barry provided an update that the antlerless tags can be used anywhere statewide for Class A and C permit holders; however they will need to be used on the proper land type – public or private. Disabled permit holders can obtain a tag for a different zone or unit if the tags are gone in their unit as they are valid statewide for permit holders.

The Council then discussed the transferring tags to chronically ill or persons with disabilities, similar to minors. There was a brief discussion and then a motion.

**John made a motion to propose transfer of tags to those with terminal illness, Jim seconded the motion and all were in favor.**

CAES updates were the next agenda item. Barry provided several updates as follows:

1) Bills in the Legislature

❖ AB 187

- This bill allows an exemption for disabled veterans with a disability rating of 50% or greater and recipients of the Purple Heart medal from the cumulative preference system for issuing wild turkey licenses and tags.
  - There was an executive session on Wednesday
  - Appears to be support for the bill
  - Still needs to be voted on in both houses of the legislature
  - Turkey Biologist testified that it would not have a detrimental effect on the turkey population

❖ AB 112

- This bill allows authority of physician assistants and advanced practice nurse prescribers regarding testing and information required for making disability determinations under certain hunting and fishing approvals issued by the Department of Natural Resources
  - Referred to Senate Committee
  - Passed out of the Assembly Committee

❖ SB 20

- This bill allows transfer of certain fish and game approvals to persons with disabilities and the transfer of Class A bear licenses to persons awarded the purple heart or serving on active duty in the U.S. armed forces
  - Approvals that can be transferred:
    - Bonus Deer
    - Bobcat
    - Wild Turkey
    - Class A Bear
    - Sturgeon Spearing
    - Passed out of Committee
    - In the full Senate
  - Passed out of Committee
  - In the full Senate

2) New License System

- Moving forward – Implementation in 2016

### 3) Trolling

- Disabled Trolling Permit vs. New Trolling Law
  - Disabled Trolling permit still needed to allow use of a trolling motor on lake that are no motor
  - New trolling laws concerns fishing with line propelled by the motor.

### 4) UTV

- Cargo Box has been removed from the definition of an UTV
  - This was not something pursued by the Department of Natural Resources

### 5) Number of Disabled Licenses issued

- Barry provided a handout per request for disabled permits issued in the last five years

### 6) Deer tagging for Disabled Hunters

- Can use their Farmland Zone tag anywhere statewide with one exception
  - They must abide by the public or private land type
- Disabled hunters can select a unit anywhere if their unit is sold out
- They can make a change up until the season starts

### 7) Trail passes for snowmobile

- All snowmobiles now must display a trail pass
- Club members can get a pass for \$10 through the AWSA
- Non-club members can get a pass for \$30 from the DNR
  - All are mailed
- Antiques Snowmobile registration is now 3 years

### 8) Bear Hunting

- Class B bear hunting license requirement has been removed

## Members' Updates:

Werner: Informed the Council that the Jumbotron at Lambeau Field is now closed caption.

Steve: Indicated most recently, NASA has become heavily invested in the Wounded Warrior project, and is coordinating a number of events. This past winter, NASA worked with the Wounded Warriors, and hosted a pheasant hunt at Woods and Meadows in Milston Wisconsin. NAS has been working with the V.A. out of Tomah, with various County Veteran Service Officers, and River Valley Clinic as well as marketing by word of mouth. This spring, NASA held a 1st time Turkey hunt during the 5th season. This was in collaboration with Wings Over Wisconsin, the Melrose Rod and Gun Club, and Badger State Sportsman's Club. On August 8, NASA, in collaboration with the La Crosse BASS Masters, is holding a Wounded Warriors bass fishing tournament at Shafer's Boats and Baits which is next door to the NASA public boat landing. Construction on the NASA Memorial Park is about to begin, and is focused solely on accessibility. The park will be dedicated to the different branches of the armed forces, and have all things accessible. This will be located just east of the NASA public boat landing on Brice Prairie in the Town of Onalaska.

Jim: Informed the Council that the National PVA Trap Shoot will be held in Green Bay on August 21<sup>st</sup> through August 23<sup>rd</sup>. PVA-WI Chapter will sponsor up to 15 youth shooters. PVA will cover the registration and lodging for the youth shooters and their families.

John Mitchell: Let the Council know of the following upcoming events:

Saturday August 22<sup>nd</sup> Family Picnic & Shoot in Muskego; Mary Mitchell is the contact and can be reached at 414-916-2298.

Saturday August 29<sup>th</sup> Sporting Clay Shoot in Montello; John Martinson is the contact and can be reached at 608-628-2633.

Friday October 16<sup>th</sup> to Sunday October 18<sup>th</sup> Bow Deer Hunt in Clintonville; Dan Jacoby is the contact and can be reached at 715-356-7803.

**Joe made a motion to adjourn the meeting. Jim seconded the motion and all were in favor.**

**On July 24, 2015, the Council met at the Fitchburg Service Center and departed for Lake Kegonsa State Park. After arriving at Lake Kegonsa, Sarah Bolser the Park Manager, gave the Council a wonderful tour and highlighted the park's accessible features.**