

MEETING MINUTES  
DISABILITY ADVISORY COUNCIL MEETING  
FRIDAY, JUNE 8, 2018  
HARRINGTON BEACH STATE PARK  
ANSAY WELCOME CENTER

Members Present: John Martinson, Jim Rutledge, Kirsten Engel, Cathryn Scott, Steve Johnson, Keith Pamperin, and John Mitchell

Members Absent: Joe Greene and Calvin Richtig

Others Present: Nick Zouski and Julie Amakobe

Conferencing: Barry Gilbeck

Guest – Pat Nieuwenhuis

Chair Martinson called the meeting to order at 10:20 a.m.

First the Council reviewed the agenda.

**Keith made a motion to accept the agenda. John Mitchell seconded the motion and all were in favor.**

Next, the Council reviewed the meeting minutes from March 16, 2018.

**Jim made a motion to accept the minutes. John Mitchell seconded the motion and all were in favor.**

The next item on the agenda was the election of the DAC's Chair and Vice Chair. The elections normally are done at the first meeting of the year, but somehow this was forgotten at the last meeting.

Cathryn nominated Kirsten for Vice Chair. Chair Martinson asked for any other nominations three times. With no other nominations, the nominations were closed. All were in favor of Kirsten for Vice Chair.

Jim nominated John Martinson for Chair. Again, the current Chair asked for any other nominations three times. With no other nominations, the nominations were closed. All were in favor of John Martinson for Chair.

**Congratulations to John and Kirsten!**

Barry next updated the Council on Customer Service and Licensing issues. This also includes another agenda item which is ACT 41 - Baiting allowed after 2 years with no new CWD in the area.

## **Wildlife Housekeeping Rule**

- WM- 16-17, Wildlife's 2017 "housekeeping" rule - modifications to the Gun Deer Hunt for Hunters with Disabilities rules in Administrative Code (NR 10.40) to allow for use of FZ antlerless tags to be used **during this hunt** on both public or private land as follows:

### **WM-16-17, "housekeeping" rule:**

- **Antlerless tagging during October Gun Deer Hunt for Hunters with Disabilities**
  - Will continue to be able to use one antlerless FZ tag in any unit during the gun hunt for hunters with disabilities and if rule is promulgated, will also be able to use on any land type (public or private).
- The rule is still going through the process and is not in place yet. This may or may not be included in this year's regulations.

## **Elk**

- Have completed the application process (May 31) and Customer Service is preparing for the drawing process.

## **Legislation concerning Terminally Ill persons**

- 2017 Assembly Bill 461 allows a nonresident of this state who is terminally ill to be treated as a resident for purposes of eligibility for and cost of hunting approvals, if the person is participating in a hunting-related event sponsored by a tax-exempt charitable organization. For purposes of this provision, a person is considered to be terminally ill if he or she has been certified by a physician as having an illness or physical condition that can reasonably be expected to result in death no more than two years after the date of the certification. Assembly Amendment 2 to the bill removes the requirement that a physician certify that an individual's terminal illness is expected to result in the person's death within two years of certification, expands the bill to make it also applicable to fishing licenses and fishing-related events, provides that a person subject to the bill may receive the applicable Department of Natural Resources approvals at no cost, and clarifies that the bill applies to residents in addition to nonresidents.
- Signed by Gov. Walker on 3/28/18 as 2017 Wisconsin Act 182. Published 3/29/18. Effective date 3/30/18.
- Implementation requirements are being reviewed and may need Administrative Rule updates to implement.

## **Permit Transfer Legislation**

- AB 850 This bill eliminates the limitation that a person with a disability may be transferred an approval only if he or she has not previously been transferred that type of approval. (bear tags).
- Failed to concur in pursuant to Senate Joint Resolution 1

## **NRB Deer Quota and Permits**

- Deer Management Unit and Metro Unit boundary changes
- Currently posted on DNR Website
  - o Season Structure Map
  - o New Zone Map
  - o Bonus Authorization permit availability

## **Sponsor sign up for Gun Hunt for Hunters with Disabilities**

- June 1 deadline has passed
- Wildlife programs has honored those that have come in for a short time after the deadline.

## **Baiting and Feeding**

- 2017 Act 41: After any positive test for CWD or TB has been confirmed, the rule prohibiting feeding deer may not be in effect for longer than 36 months in the county where the tested animal was located or longer than 24 months in neighboring counties.
- Approved by Governor 8/2/17. 2017 Wisconsin Act 41. Published 8/3/17. Effective date 8/4/17.
  - o A 4/20/18 department news release announced a wild deer tested positive for chronic wasting disease in Oneida County, in Crescent Township.
  - o Link to news release: <https://dnr.wi.gov/news/releases/article/?id=4506> . The release states, "As required by law, this finding will renew Oneida County's existing baiting and feeding ban for another three years. Additionally, this positive will renew the two-year baiting and feeding ban in Langlade County."
  - o Wildlife maintains a list of baiting and feeding ban expiration dates. These expiration dates continue to be modified monthly as appropriate in response to additional wild or captive detections of CWD.
  - o Link to 2017 Act 41 that became effective 8/4/17 (PDF also attached): <http://docs.legis.wisconsin.gov/2017/related/acts/41> .
  - o No exceptions in legislation to allow disabled hunter to utilize bait in counties where baiting and feeding is banned.

## **Open the Outdoors Brochure**

- Information sent to all staff to order and have available at Service Centers
- Nick will work on updating the website to include the new version of this document

Nick let the Council know the brochures are at Darwin Road (warehouse). The DNR Regions can order them from there.

Next, the Council decided to jump to the Disabled Fishing License agenda item. Nick was contacted by disabled angler. He realized he didn't meet the low-income requirement to be eligible for the reduced fishing license, but he wants to use the urban ponds area fishing provision which is also attached to the reduced fishing license legislation. Currently only youth or those persons with a disabled fishing license can use the urban ponds provision. Nick asked

if a disabled person with a Class A or B permit can use the urban fishing ponds and Barry replied, “No, this would need a legislative (statutory) change to do this and it is unlikely”. It was suggested that may be redefining an urban pond opportunity in the state may help with this issue.

Pat Nieuwenhuis, a visitor and DAC applicant, introduced himself. He indicated his brother is visually impaired and is not in the low-income bracket, but can get a disabled fishing license and thought this was not equitable since the intent of establishing the disabled fishing license was based on income/economic need. Jim indicated the statute gets complicated with the railroad pension provision because that, too, is not based on income. Keith asked if this was a statutory or administrative code provision. Barry indicated urban fishing falls under State Statutes 29.053. Keith asked how many disabled licenses are sold each year. Barry will look up number and get back to the Council.

Nick indicated many disabled persons tend to live in urban areas. They need to be on a bus line to go fishing or they will never be able to do that. Someone inquired about Fishing Has No Boundaries (FHNB) and if they need a permit to fish. There is a non-profit group license waiver for this event. It was discussed that someone needs to check how many reduced fishing licenses are issued to those who are visually impaired versus those who have other disabilities. After further reading of the statutory language, Barry indicated there is a clause in the statute that states DNR may modify this provision. **“The department may modify any requirement of this chapter or rules promulgated under it, establish special seasons, authorize the use of special equipment or take any other action in order to provide additional hunting and fishing opportunities for persons who are physically disabled or visually handicapped.”** A change could possibly be done via a code change. Nick will check with DNR Legal.

Next on the agenda was the Wisconsin Council of the Blind and Visually Impaired legislative meetings’ updates. Steve led the discussion on this topic. Steve said this agenda item referred to the issue brought up from the last DAC meeting regarding the GO Wild System not accepting State ID numbers. Steve brought this problem up to his Council and decided to take this issue on and get it changed because the visually impaired/blind don’t drive and thus do not have a driver’s license. Steve will be meeting on this issue next Monday evening (6/11). Steve will let Nick know of the results. The WI Council of the Blind and Visually Impaired works closely with a lobbying firm which Steve believes will assist his Council on resolving this problem.

**Keith made a motion recommending the DAC endorse the Council of the Blind and Visually Impaired in their efforts to get a statutory change to allow the use of State IDs in the Go Wild System. Cathryn seconded the motion and all were in favor.**

Next on the agenda was the Accessibility Coordinator updates. Nick said the Open the Outdoors website updates includes no endorsement of a company or agency unless it is a non-profit.

Nick took the DAC curtain recommendations for the hunting blinds. Keith asked what the recommended heights are. Nick answered, “60 inches for the top and 30 inches from the bottom”. Dawn, the DNR engineer working on the blinds design, is no longer with DNR, so Nick is now working with Brandon Braithwaite.

Nick has been appointed to the DNR’s Diversity Team. The first meeting of the Team was yesterday (6/7). He will push the Team to provide for the opportunity to have a DVR Intern.

Nick participated in the Capital Development Program training and included the request for a DVR Intern as part of the slides he presents.

Nick needs to supply information for a reply to a Governor's letter. A disabled constituent who lives below the Hwy 64 cutoff (Northern and Southern Wisconsin cutoff zones) cannot leave a blind up overnight, yet someone in the northern zone can. Anyone in the northern zone can keep up blinds overnight, both able-bodied or disabled. The constituent lives just below the cutoff in the southern zone. He cannot put up the blind himself. The Bureaus of Wildlife Management and Law Enforcement are discussing this issue and are considering how to best change the rule. Possibly having the owner's name and contact information on a clearly visible disabled hunter sign would suffice. This change could open up disabled persons in the southern areas to keep their blinds up overnight.

Kirsten asked Nick if there were any updates on the Eagle Tower. He said he is out of the discussions now that it is proceeding with selected design, which is the skywalk. Kirsten indicated that now Potawatomi State Park must take down its tower. This one will likely not be rebuilt. She also said there is a tower in the Smokey Mountains that is similar to DNR's new design (skywalk).

Next the DAC discussed the DAC member opening due to Monica Kamal's resignation. The current process for selecting new council members is the following: applicants apply and then a committee scores all the applications. DNR currently has 5 DAC member application in house, plus the new one from today from Mr. Nieuwenhuis. Jim recommended we check with the applicants who have applications on file to see if they are still interested and then fill the spot from the 5 if interested. Then advertise to get applications for the next vacancy(ies). Kirsten asked, "Can we look at where we are recruiting?" She recommended we advertise in various places to get a new group of diverse applicants. Currently the DAC doesn't have a member representation from the Northwest or a minority.

It was decided that the 5 current applicants be notified and have them resubmit their applications; recruit statewide; and then score all the applications together. The time line for the new recruitment is by the next meeting (9/13) to have the recruitment information sent out. The deadline to apply will be late fall. All applications will be scored and the new nominations (top 3 scores plus the recommend applicant) be sent to the Secretary's office by December 31<sup>st</sup>.

Keith asked, "Can we write down formally the process for filling DAC member vacancies". He suggested if less than a term, the alternate bumps up and next person in line to be the alternate becomes the new alternate. If full term, then DNR recruits. The Council would like to know how the current scoring works. Julie will get back to the Council on this issue.

Nick next talked about purchasing new picnic tables at DNR properties. Nick indicated there are new development projects for regular picnic tables, not accessible ones, and the cost for one of these picnic tables is around \$258. Nick told the Council he suggested/proposed to the Bureau of Parks that anytime they replace a picnic table, they replace each with an accessible table. Nick found accessible tables for around \$264.

**Jim made motion to have all picnic tables that are being replaced or new placement of tables be accessible tables. Kirsten seconded the motion and all were in favor.**

The next agenda item was the point system for DAC attendance led by John Martinson. Attendance is very important for the Council. A point system was discussed. The main question is how many points are allowed before a DAC member is dismissed? A suggestion was if a member missed a meeting, he/she would get 1 point. If you call into the meeting, he/she would get .5 (1/2) of a point. For the December meeting, if a member does not call in, he/she would get .5 of a point. If a member accumulates a total of 2 points during a calendar year, he/she is off the Council.

***Julie's input here (not part of the minutes). FYI, if a person called into all 4 meetings, they would still be on the Council with the above scoring method.***

Cathryn asked why would a member get points for calling in, isn't this an accommodation? Why should we add points? Nick thinks that it is not just automatically an accommodation. It can be an accommodation, but that determination has to be made on a case by case basis. In general, people should be physically present at the DAC meetings. A lot of what is discussed on teleconference is lost.

It was discussed and suggested that if a member misses (not physically present) 2 meetings per year, the member's seat will be under review. Nick asked the Council Members to look at other councils they are currently serving on and what they do when a member is not present. This information should be brought to the next DAC meeting and the Council will review options. The Council will vote after understanding the circumstances.

Kirsten brought up the idea that one person should be responsible for making the call when someone is under review, or being removed from the Council. Nick said he was fine with being that person.

After lunch the Council was to take a tour of Harrington Beach State Park. The Property Manager was on vacation. The Council decided to do a self-guided tour and walk around on its own.

After the site walk around, Kirsten made a motion to adjourn the meeting. John Mitchell seconded the motion and all were in favor.

Members Updates were submitted via e-mail since the meeting ended without the updates.

Cathryn – No updates at this time.

Steve – NASA now has an Action Track Chair through AccessAbility Wisconsin, and it is being used heavily for a variety of different things. We also have access to two others track chairs through Wings Over Wisconsin, and we will most likely be moving toward acquiring our own in the near future. Adaptive Kayaking started on June 10, and interested individuals can sign-up one of the two nights; Thursdays or Sundays. The link should be on our NASA squirrel.org site. On June 21, NASA and the River City Water Skiers held an adaptive water skiing event. We recently purchased a device that allows skiers to ski upright. The annual disabled veterans' turkey hunt was held the 5<sup>th</sup> season, and there were veterans from all over the state who attended. 6 birds were taken. A disabled veterans' bass fishing tournament will be held in August and a disabled veterans' pheasant hunt in September. The coyote hunting will start up again in November and December before it gets too cold, and our Chair, Joe Freybler, likes to target veterans. Our adaptive biking program is going strong, and we will have the 28-foot

NASA trailer out at a number of events through the summer promoting NASA and cycling. We will be sending an individual on a black bear hunt in September in zone-C, and we are gearing up for another good deer hunting season. As always, check the NASA website at [www.nasasquirrel.org](http://www.nasasquirrel.org) for event information, or our Facebook page at [www.facebook.com/www.nasasquirrel.org](http://www.facebook.com/www.nasasquirrel.org).

John Mitchell – The following are the events of Adaptive Sportsman. On Friday, August 3<sup>rd</sup> through Sunday, August 5<sup>th</sup> there will be a Deer Fest in West Bend. Cal Popp is the contact. On Saturday, August 25<sup>th</sup> there will be a Family Picnic and Shoot in Muskego. Mary Mitchell is the contact. On Friday October 26<sup>th</sup> through Sunday, October 28<sup>th</sup> there will be a Deer Hunt in Clintonville. Joe Ehr is the contact.

Jim –The PVA-Wisconsin Chapter will be hosting a trap shooting outing for youth shooters at the Boxhorn Gun Club in Muskego at a date to be announced. The Chapter received a grant from Cabelas for the youth shooting competition we have at the Brown County Sportsmen's Club by Green Bay but being our Chapter did not receive authorization from National PVA for holding our trap shoot July 2018 and instead will be in May of 2019 the grant has to be used this year.

Kirsten – No updates at this time.

Keith – No updates at this time.

John Martinson - Will be attending Roll on Capitol Hill in Washington D.C. June 24-27, 2018. United Spinal's annual signature policy event that supports key advocacy priorities for its membership and the broader disability community to ensure that legislators include wheelchair users and all people with disabilities in policy debates on Capitol Hill. John will help give a presentation to Senator Tammy Baldwin for her support on the rights of air travelers with disabilities by advocating for the passage of the **Air Carrier Access Amendments Act**, (S. 1318 and H.R. 5004).

The next DAC meeting will be September 13 & 14 at Crex Meadows Wildlife Area.