DECEMBER 15

TENTATIVE AGENDA

LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Sunday, December 15, 2002

4 p.m. to 6 p.m.

Senate Finance Committee Room, M-451

1. **Approval of Minutes - November 17 and 19, 2002**

2. **Review of Legislative Rules:**

   a. **West Virginia Nursing Home Administrators Licensing Board**
   Nursing Home Administrators, 21CSR1

   b. **West Virginia Board of Veterinary Medicine**
   Standards of Practice, 26CSR4

   c. **West Virginia Board of Veterinary Medicine**
   Schedule of Fees, 26CSR6

   d. **State Fire Commission**
   State Building Code, 87CSR4

   e. **State Fire Commission**
   Fire Department Rescue Services, 87CSR6

   f. **Division of Motor Vehicles**
   Motor Vehicle Test and Lock Program, 91CSR9

   g. **Division of Natural Resources**
   Commercial Sale of Wildlife, 58CSR63

   h. **Oil and Gas Conservation Commission**
   Rules of the Commission, 39CSR1

   i. **Division of Health**
   Sewage Treatment and Collection System Design, 64CSR47

3. **Other Business**

Sunday, December 15, 2002

4 p.m. to 6 p.m.

Legislative Rule-Making
Review Committee
(Code §29A-3-10)

Earl Ray Tomblin
ex officio nonvoting member

Robert "Bob" Kiss
ex officio nonvoting member

Senate	**House**	
Ross, Chairman	Mahan, Chairman	
Anderson, Vice Chairman	Wills, Vice Chairman	
Minard	Cann	
Snyder	Kominar	
Boley	Faircloth	
Minear	Riggs	Absent

The meeting was called to order by Mr. Ross, Co-Chairman.

The minutes of the November 17 and 19, 2002, meetings were approved.

Debra Graham, Committee Counsel, explained that the rule proposed by the ***West Virginia Nursing Home Administrators Licensing Board-Nursing Home Administrators, 21CSR1,*** had been laid over from the Committee's November 17, 2002, meeting and that the Committee had requested that the Board provide the Committee with fiscal information. Alberta Slack, Executive Director of the Board, responded to questions from the Committee.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the ***West Virginia Board of Veterinary Medicine-Standards of Practice, 26CSR4,*** and stated that the Board has agreed to technical modifications. Wanda Goodwin, Executive Director of the Board, responded to questions from the Committee.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham explained the rule proposed by the ***West Virginia Board of Veterinary Medicine-Schedule of Fees, 26CSR6.***

Ms. Mahan moved that the proposed rule be approved. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the ***State Fire Commission-State Building Code, 87CSR4,*** and stated that the Commission has agreed to technical modifications. She and Francis Guffey, Fire Commissioner, responded to questions from the Committee.

Mr. Snyder moved that the proposed rule be laid over until the Committee's January meeting. The motion was adopted.

Ms. Graham explained the rule proposed by the ***State Fire Commission-Fire Department Rescue Services, 87CSR6,*** and stated that the Commission has agreed to technical modifications. She; Sterling Lewis, State Fire Marshal; and James Oldaker, Head of Volunteer Chiefs for the Fire Commission; responded to questions from the Committee.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the ***Division of Motor Vehicles-Motor Vehicle Test and Lock Program, 91CSR9.***

Ms. Boley moved that the proposed rule be approved. The motion was adopted.

Joseph Altizer, Associate Counsel, explained the rule proposed by the ***Oil and Gas Conservation Commission-Rules of the Commission, 39CSR1,*** and stated that the Commission has agreed to technical modifications. Barry Lay, Chairman of the Commission, responded to questions from the Committee.

Mr. Anderson moved that the proposed rule be laid over until the Committee's January meeting. The motion was adopted.

Mr. Altizer explained the rule proposed by the ***Division of Health-Sewage Treatment and Collection System Design, 64CSR47,*** and

stated that the Division has agreed to technical modifications. Mr. Altizer explained modifications proposed by the Division.

Ms. Mahan moved that the Division of Health's proposed modifications be approved. The motion was adopted.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the ***Division of Natural Resources-Commercial Sale of Wildlife, 58CSR63,*** and stated that the Division has agreed to technical modifications. She; Ed Hamrick, Director of Natural Resources; and Paul Johansen, Assistant Chief of Game Management; responded to questions from the Committee. Dr. Ron Grandia, a member of the cervid industry, addressed the Committee.

Mr. Snyder moved to accept modifications requested by the Division, which were filed as an amendment to the emergency rule on December 9, 2002. The motion was adopted.

Mr. Snyder moved to amend the proposed rule by allowing the intrastate transportation of cervids, but not allowing importation of cervids. The motion was adopted.

Mr. Anderson moved that the proposed rule be approved as modified and amended. The motion was adopted.

The meeting was adjourned.

DECEMBER INTERIM ATTENDANCE
Legislative Interim Meetings
December 15, 16 and 17, 2002

Sunday, December 15, 2002

4:00 - 6:00 p.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex officio nonvoting member

Robert S. Kiss, ex officio nonvoting member

Senate		House	
Ross, Chair	✓	Mahan, Chair	✓
Anderson, Vice Chair	✓	Wills, Vice Chair	✓
Minard	✓	Cann	✓
Snyder	✓	Kominar	✓
Boley	✓	Faircloth	✓
Minear		Riggs	

I certify that the attendance as noted above is correct.

Staff Person

Rule-Making Review Committee
Terri Anderson

****Please return to Brenda as soon as meeting is over, due to payroll purposes.**

REGISTRATION OF PUBLIC
AT
COMMITTEE MEETINGS
WEST VIRGINIA LEGISLATURE

Committee: Legislative Rule-Making Review Date 12/15/02

Please print or write plainly.

NAME	ADDRESS	REPRESENTING	Please check (X) if you desire to make a statement.
Alberta Slack	St. Albans	WV Nursing Home Adm. Lic. Bd.	✓
Daniel W. Farley	Princeton	" " " " " "	✓
FRANCIS GIFFEY	CROSS LANES	WV STATE FIRE COMM.	✓
JAMES OLDAKER	ALUM CREEK	WV STATE FIRE COMM.	
Leo Shoemaker Jr	Buckhannon	WV Farm Bureau	

LS-C-66-1a
Revised 1-10-97

Sunday, December 15, 2002

4:00 - 6:00 p.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex officio nonvoting member

Robert S. Kiss, ex officio nonvoting member

Senate		House	
Ross, Chair	✓	Mahan, Chair	✓
Anderson, Vice Chair	✓	Wills, Vice Chair	✓
Minard	✓	Cann	✓
Snyder	✓	Kominar	✓
Boley	✓	Faircloth	✓
Minear	✓	Riggs	—

minutes approved

Nursing Home Admin Licensing Bd

Alberta Slack ~~& Daniel Fatley~~

Mahan adopted — Approve as mod

WV. Bd of ~~Vet~~ - Stds of Practice

I explained

Wanda Goodwin, Exec Dir. responded to questions.

Mahan adopted — Approve as mod

Bd of Vet - Fees

Mahan adopted — Approve.

State Fire Commission - Bldg Code

~~Steve~~ Francis Guffey responded to questions.

Check on exceptions for historic buildings

Snyder — Lay over til January

State Fire Commission - Fire Dept Resource

Sterling Lewis responded to questions

James Oldeker " " "

Mahan Approx as mod

DMV - Test & Lock

Daley Approve

~~Approve~~ Adopted

Oil & Gas Conservation

Joe explained

Barry Lay - Chairman of Commission responded to q's

Anderson Lay over til January

DOT - Sewage

Joe explained

Mahan Mod req'd by DOT

" Approve as mod

Adopted

DNR - Commercial Sale of Wildlife

Ed Hamrick responded to questions

Mark Harmon

Snyder Amend - allow intrastate transp but not importation DNR refuses mod.

adopted

Anderson

TENTATIVE AGENDA

LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Sunday, December 15, 2002

4 p.m. to 6 p.m.

Senate Finance Committee Room, M-451

1. **Approval of Minutes - November 17 and 19, 2002**

Approved as mod. a. **West Virginia Nursing Home Administrators Licensing Board**
Nursing Home Administrators, 21CSR1

- Lay over from November 17, 2002, meeting
- Technical Modifications

Approve as mod b. **West Virginia Board of Veterinary Medicine**
Standards of Practice, 26CSR4

- Technical Modifications

Approved c. **West Virginia Board of Veterinary Medicine**
Schedule of Fees, 26CSR6

- **NO** Technical Modifications

Laid over d. to next meeting January **State Fire Commission**
State Building Code, 87CSR4

- Technical Modifications

Approved as mod. e. **State Fire Commission**
Fire Department Rescue Services, 87CSR6

- Technical Modifications

Approved f. **Division of Motor Vehicles**
Motor Vehicle Test and Lock Program, 91CSR9

- **NO** Technical Modifications

mod. as amended g. **Division of Natural Resources**
Commercial Sale of Wildlife, 58CSR63

- Technical Modifications

Laid over til January

Oil and Gas Conservation Commission
Rules of the Commission, 39CSR1

- Technical Modifications

Approved as modified

Division of Health
Sewage Treatment and Collection System Design, 64CSR47

- Technical Modifications

2. **Other Business**

WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES

DIVISION OF HEALTH

FIMS BUDGET DOCUMENT

Nursing Home Administrators Licensing Board
Bureau/Office

2003
State Fiscal Year

Is program mandated? (If yes, site Code reference.)

Budget Period: (From) July 1, 2002 (To) June 30, 2003

Federal Grant/Contract Number

Grant Name

Type of Action:

NEW	X
INCREASE	
DECREASE	
REVISION	
SCHEDULE ONLY	

FIMS ACCOUNTING INFORMATION

Fund	5118
Fiscal Year	2003
Org (Extended)	2836
Activity	099
* Grant Number (If Required)	
* Project (If Required)	

A separate FIMS COVER PAGE must be submitted for each Expenditure/Org/Activity and/or Revenue/Org/Activity

Bureau/Office:

Prepared By/Date Alberta Slack 4 17 02

Approved By/Date

Grants:

Approved By/Date

Budgets:

Approved By/Date

ENTERED ON FIMS ✓ D.S. 5-23-02 / ✓ D.S. 5-23-02

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USE FOR SPECIAL REVENUE FUNDS ONLY

Nursing Home Administrators Licensing Board — Bureau/Office

2003 — State Fiscal Year

FIMS ACCOUNTING INFORMATION

Fund	5118	Activity	000
Fiscal Year	2003	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

FULL NAME OF THE FUND:

PURPOSE OF FUND:

For Administration and enforcement of the Board's duties pursuant to the WV Code.

Tom:

Code Reference

Should Read:

9A-30-25

$ 40,000

1 - June 30)

Source of Revenue
(If more than one, list each individually)

Source Code	Revenue Source Name	
151	Applications, Permits, Renewals, Licenses, Etc.	$ 80,000
		$
		$
		$
		$
		$
		$
		$
		$
	TOTAL ESTIMATED CASH	$ 120,000

Revised: 03/31/01

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Nursing Home Administrators Licensing Board
Bureau/Office

2003
State Fiscal Year

FIMS ACCOUNTING INFORMATION

Fund 5118
Fiscal Year 2003
Org (Extended) 2836

Activity
* Grant Number
* Project

* If Required

PERSONAL SERVICES

Current Position Number	Object Code	FTE	NAME	New Amount	Current Amount	Increase (Decrease)
23	505	1.00	Alberta Slack	32,064	31,260	804
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	004		Annual Increment	450	400	50
99999	505		Reserve for Salary Adjustments	2,500	2,000	500
66666	506		Temporary Employees	6,600	4,250	2,350
66666	507		Overtime Expense			0
			TOTAL PERSONAL SERVICES	41,614	37,910	3,704

SPLIT POSITIONS

POS. #	FUND	ACTIVITY	PAYROLL TIME PERIOD	COMMENTS

Revised: 03/31/01
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Nursing Home Administrators Licensing Board
Bureau/Office

2003
State Fiscal Year

FIMS ACCOUNTING INFORMATION

Fund	5118	Activity	[illegible]
Fiscal Year	2003	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

CURRENT EXPENSE ITEMS

Object	Current Expense Title	New Amount	Current Amount	Increase (Decrease)
010	Personnel Division & PEIA Fees	250	250	0
011	Social Security Matching	3,200	2,960	240
012	Public Employees' Insurance Premium	6,000	5,800	200
014	Workers' Compensation	1,800	1,800	0
015	Unemployment Compensation			0
016	Pension & Retirement	3,100	3,100	0
020	Office Expenses	1,900	1,700	200
021	Printing & Binding			0
022	Rental Expense			0
231	Utilities - General			0
233	Electricity			0
234	Fuel Oil			0
235	Gas			0
236	Garbage/Refuse			0
237	Sewage			0
238	Water			0
024	Telecommunications	1,600	1,400	200
251	Contractual - General			0
252	Contractual - Non Federal Fund			0
253	Contractual - Professional			0
254	Burials/Body Transport			0
255	Consultants and Consulting Fees			0
256	Security Service			0
257	Court Costs			0
258	Pass Through - Local Entity			0
259	Medical Bills			0
261	Travel - In-State	5,000	3,800	1,200
262	Travel - Out-Of-State	3,500	2,500	1,000
263	Travel - Non Employee			0
271	Computer Services - General	400	400	0
272	Computer Services - WVFIMS			0
273	Computer Services - RAPIDS			0
274	Computer Services - OSCAR			0
275	Chief Technology Office			0
276	Auditor's Fees			0

CONTINUED

Nursing Home Administrators Licensing Board — 2003

Bureau/Office — State Fiscal Year

FIMS ACCOUNTING INFORMATION

Fund	5118	Activity	1000
Fiscal Year	2003	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

CURRENT EXPENSE ITEMS

Object	Current Expense Title	New Amount	Current Amount	Increase (Decrease)
029	Vehicle Rental			0
030	Rentals (Machine & Miscellaneous)	1,200	1200	0
031	Association Dues and Professional Memberships	750	750	0
032	Fire, Auto, Bond & Other Insurance	2,300	1851	449
331	Food Products			0
332	Food - Rebates			0
034	Clothing, Household & Recreational Supplies			0
035	Advertising and Promotional			0
036	Vehicle Operating Expense			0
371	Research, Educational & Medical Supplies - General			0
373	Drugs			0
375	Educational Materials			0
038	Routine Maintenance Contracts			0
042	Hospitality			0
043	Educational Training (Stipends)			0
045	Farm Expense			0
511	Miscellaneous	2,000	1,700	300
515	Employee Claims			0
521	Training and Development - In-state	200	0	200
522	Training and Development - Out-of-state			0
524	Training and Development - Supplies			0
525	Training and Development - Consulting Services			0
527	Training and Development - Computer Services			0
053	Postage and Freight	2,200	1800	400
054	Computer Supplies	300	300	0
056	Attorney Legal Service Payments			0
057	Attorney Reimbursable Expenses			0
058	Miscellaneous Equipment Purchases			0
	TOTAL CURRENT EXPENSE	35,700	31,311	4,389

Nursing Home Administrators Licensing Board
Bureau/Office

2003
State Fiscal Year

FIMS ACCOUNTING INFORMATION

Fund	5118	Activity	[illegible]
Fiscal Year	2003	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

REPAIRS AND ALTERATIONS

Object		New Amount	Current Amount	Increase (Decrease)
061	Office and Communication Equipment Repairs	700	500	200
062	Research, Ed. & Medical Equip. Repairs			0
063	Bldg. and Household Equip. Repairs			0
064	Routine Maintenance of Buildings			0
065	Vehicle Repairs			0
066	Routine Maintenance of Grounds			0
067	Farm & Construction Equipment Repairs			0
068	Other Repairs and Alterations			0
	TOTAL REPAIRS AND ALTERATIONS	700	500	200

ASSETS

Object		New Amount	Current Amount	Increase (Decrease)
070	Office & Communication Equipment			0
071	Medical Equipment			0
072	Research & Educational Equipment			0
073	Household Equipment & Furnishings			0
074	Building Equipment			0
075	Vehicles			0
076	Livestock, Farm & Construction Equipment			0
077	Books and Periodicals			0
078	Other Capital Equipment			0
120	Contractor Payments for Capital Assets Projects			0
121	Purchase of Materials and Supplies			0
122	Consultant Payments for Capital Asset Projects			0
143	Building Improvements			0
144	Reclamation of State Owned Property			0
148	Land Improvements			0
149	Land Purchases			0
150	Building Purchase or Construction			0
170	Computer Equipment			0
171	Computer Software			0
	TOTAL ASSETS	0	0	0

Nursing Home Administrators Licensing Board
Bureau/Office

2003
State Fiscal Year

FIMS ACCOUNTING INFORMATION

Fund	5118	Activity	[illegible]
Fiscal Year	2003	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

OTHER DISBURSEMENTS

Object		New Amount	Current Amount	Increase (Decrease)
080	Payment of Taxes			0
241	Cost Allocation - General			0
242	Cost Allocation - Personal Services			0
243	Cost Allocation - Fringe Benefits			0
244	Cost Allocation - Current Expense			0
245	Cost Allocation - Equipment			0
125	Indirect Costs Reimbursement			0
128	Federal Subrecipient Disbursement			0
151	Debt Service (Bonded - Principal)			0
152	Debt Service (Bonded - Interest)			0
153	Debt Service (Leases - Principal)			0
154	Debt Service (Leases - Interest)			0
100	Funds Transfer			0
110	Public Employees Insurance Reserve Transfer			0
	TOTAL OTHER DISBURSEMENTS	0	0	0

TOTAL BUDGET	78,014	69,721	8,293

QUARTERLY TOTALS

Nursing Home Administrators Licensing Board
Bureau/Office

2003
State Fiscal Year

FIMS REVENUE INFORMATION

Fund	5118	Activity	099
Fiscal Year	2003	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

(Revenue amounts estimated on Page 2, must match total of all quarters.)

SOURCE CLASS	1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER	TOTAL
640	10,000	5,000	5,000	60,000	80,000
					0
					0
					0
					0
					0
					0

FIMS EXPENDITURE INFORMATION

Fund	5118	Activity	099
Fiscal Year	2003	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

(Totals must match totals on pages 3, 4, 6, 7, and 8, if applicable.)

ACTIVITY CODE	1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER	TOTAL
001	18,000	18,000	20,000	22,014	78,014
004					0
010					0
099					0
					0
					0

The West Virginia Financial Information System (WVFIMS) accounting system requires the establishment of quarterly allotments for each extended organization (extended org). Allotments for all funds, except general revenue, may be entered in any amount.The only restriction on quarterly allotment amounts for all funds, except General Revenue, is related to cash collections. Obviously, you may not expend more funds in any quarter than cash that has been collected.

WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES

DIVISION OF HEALTH

FIMS BUDGET DOCUMENT

Nursing Home Administrators Licensing Board
Bureau/Office

2002
State Fiscal Year

Is program mandated? (If yes, site Code reference.) 9A - 30 - 25

Budget Period: (From) July 1, 2001 June 30, 2002

Federal Grant/Contract Number

Grant Name

Type of Action:

NEW	x
INCREASE	
DECREASE	
REVISION	
SCHEDULE ONLY	

FIMS ACCOUNTING INFORMATION

Fund	5118
Fiscal Year	2002
Org (Extended)	2836
Activity	099
* Grant Number (If Required)	
* Project (If Required)	

A separate FIMS COVER PAGE must be submitted for each Expenditure/Org/Activity and/or Revenue/Org/Activity

Bureau/Office:

Prepared By/Date Alberta Slack / 4/30/01

Approved By/Date

Grants:

Approved By/Date

Budgets:

Approved By/Date 7M. 5/25/01

ENTERED ON FIMS 7M. 5/25/01

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USE FOR SPECIAL REVENUE FUNDS ONLY

Nursing Home Administrators Licensing Board
Bureau/Office

2002
State Fiscal Year

FIMS ACCOUNTING INFORMATION

Fund	5118	Activity	999
Fiscal Year	2002	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

FULL NAME OF THE FUND:

Nursing Home Administrators Licensing Board

PURPOSE OF FUND:

For administration and enforcement of the Board's duties pursuant to the WV Code.

REVENUE:

Estimated Cash Balance July 1. $ 24,000

PLUS: Estimated Receipts (July 1 - June 30)
Source of Revenue
(If more than one, list each individually)

Source Code	Revenue Source Name		
151	Applications, Permits, Renewals, Licenses, Etc.	$	60,000
		$	
		$	
		$	
		$	
		$	
		$	
		$	
		$	
	TOTAL ESTIMATED CASH	$	84,000

Revised: 03/31/01

Nursing Home Administrators Licensing Board — Bureau/Office

2002 — State Fiscal Year

FIMS ACCOUNTING INFORMATION

Fund	5118	Activity	001
Fiscal Year	2002	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

PERSONAL SERVICES

Current Position Number	Object Code	FTE	NAME	New Amount	Current Amount	Increase (Decrease)
23	505	1.00	Alberta Slack	31,260~~32,016~~	31,260	756
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
	505					0
99998	505		Oct. 1 Salary Inc. Reserve	756		756 0
	004		Annual Increment	400	350	50
99999	505		Reserve for Salary Adjustments	2,000	2,000	0
66666	506		Temporary Employees	4,250	4,250	0
66666	507		Overtime Expense			0
TOTAL PERSONAL SERVICES				38,666	37,860	806

SPLIT POSITIONS

POS. #	FUND	ACTIVITY	PAYROLL TIME PERIOD	COMMENTS

Revised: 03/31/01

Nursing Home Administrators Licensing Board
Bureau/Office

2002
State Fiscal Year

FIMS ACCOUNTING INFORMATION

Fund	5118	Activity	010
Fiscal Year	2002	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

BENEFITS ONLY *

Object		New Amount	Current Amount	Increase (Decrease)
~~010~~	Personnel Division & PEIA Fees	250	~~250~~	0
011	Social Security Matching	2960 ~~3,150~~	2300	660 ~~50~~
012	Public Employees' Insurance Premium	5,800	5,500	300
013	Other Health Insurance			0
014	Workers' Compensation	1,800	2,000	(200)
015	Unemployment Compensation			0
016	Pension & Retirement	3,100	3,000	100
	TOTAL BENEFITS	13,910	13,050	860

*** To be used only when benefits are the only item paid from 010 activity.**

FIMS ACCOUNTING INFORMATION

Fund	5118	Activity	004
Fiscal Year	2002	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

INCREMENT ONLY **

Object		New Amount	Current Amount	Increase (Decrease)
004	Increment ~~Amount~~	400	~~350~~	50
	TOTAL INCREMENT AMOUNT	400	350	50

**** To be used only when increment is the only item paid from 004 activity.**

Nursing Home Administrators Licensing Board — Bureau/Office

2002 — State Fiscal Year

FIMS ACCOUNTING INFORMATION

Fund	5118	Activity	099
Fiscal Year	2002	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

CURRENT EXPENSE ITEMS

Object	Current Expense Title	New Amount	Current Amount	Increase (Decrease)
010	Personnel Division & PEIA Fees	250	250	0
011	Social Security Matching	2960	2,300	660
012	Public Employees' Insurance Premium	5,800	5,500	300
014	Workers' Compensation	1,800	2,000	(200)
015	Unemployment Compensation			0
016	Pension & Retirement	3,100	3,000	100
020	Office Expenses	1,700	1,700	0
021	Printing & Binding			0
022	Rental Expense	0	3,200	(3,200)
231	Utilities - General			0
233	Electricity			0
234	Fuel Oil			0
235	Gas			0
236	Garbage/Refuse			0
237	Sewage			0
238	Water			0
024	Telecommunications	1,400	1,200	200
251	Contractual - General			0
252	Contractual - Non Federal Fund			0
253	Contractual - Professional			0
254	Burials/Body Transport			0
255	Consultants and Consulting Fees			0
256	Security Service			0
257	Court Costs			0
258	Pass Through - Local Entity			0
259	Medical Bills			0
261	Travel - In-State	3,800	3,800	0
262	Travel - Out-Of-State	2,500	0	2,500
263	Travel - Non Employee			0
271	Computer Services - General	400	400	0
272	Computer Services - WVFIMS			0
273	Computer Services - RAPIDS			0
274	Computer Services - OSCAR			0
275	Chief Technology Office			0
276	Auditor's Fees			0

CONTINUED

Nursing Home Administrators Licensing Board — 2002

Bureau/Office — State Fiscal Year

FIMS ACCOUNTING INFORMATION

Fund	5118	Activity	099
Fiscal Year	2002	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

CURRENT EXPENSE ITEMS

Object	Current Expense Title	New Amount	Current Amount	Increase (Decrease)
029	Vehicle Rental			0
030	Rentals (Machine & Miscellaneous)	1,200	1200	0
031	Association Dues and Professional Memberships	750	750	0
032	Fire, Auto, Bond & Other Insurance	1,851	1200	651
331	Food Products			0
332	Food - Rebates			0
034	Clothing, Household & Recreational Supplies			0
035	Advertising and Promotional			0
036	Vehicle Operating Expense			0
371	Research, Educational & Medical Supplies - General			0
373	Drugs			0
375	Educational Materials			0
038	Routine Maintenance Contracts			0
042	Hospitality			0
043	Educational Training (Stipends)			0
045	Farm Expense			0
511	Miscellaneous	1,700	1,500	200
515	Employee Claims			0
521	Training and Development - In-state			0
522	Training and Development - Out-of-state			0
524	Training and Development - Supplies			0
525	Training and Development - Consulting Services			0
527	Training and Development - Computer Services			0
053	Postage and Freight	1,800	1700	100
054	Computer Supplies	300	300	0
056	Attorney Legal Service Payments			0
057	Attorney Reimbursable Expenses			0
058	Miscellaneous Equipment Purchases			0
	TOTAL CURRENT EXPENSE	31,311	30,000	1311

Revised: 03/31/01

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Nursing Home Administrators Licensing Board — 2002

Bureau/Office — State Fiscal Year

FIMS ACCOUNTING INFORMATION

Fund	5118	Activity	099
Fiscal Year	2002	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

Object	REPAIRS AND ALTERATIONS	New Amount	Current Amount	Increase (Decrease)
061	Office and Communication Equipment Repairs	500	500	0
062	Research, Ed. & Medical Equip. Repairs			0
063	Bldg. and Household Equip. Repairs			0
064	Routine Maintenance of Buildings			0
065	Vehicle Repairs			0
066	Routine Maintenance of Grounds			0
067	Farm & Construction Equipment Repairs			0
068	Other Repairs and Alterations			0
	TOTAL REPAIRS AND ALTERATIONS	500	500	0

Object	ASSETS	New Amount	Current Amount	Increase (Decrease)
070	Office & Communication Equipment			0
071	Medical Equipment			0
072	Research & Educational Equipment			0
073	Household Equipment & Furnishings			0
074	Building Equipment			0
075	Vehicles			0
076	Livestock, Farm & Construction Equipment			0
077	Books and Periodicals			0
078	Other Capital Equipment			0
120	Contractor Payments for Capital Assets Projects			0
121	Purchase of Materials and Supplies			0
122	Consultant Payments for Capital Asset Projects			0
143	Building Improvements			0
144	Reclamation of State Owned Property			0
148	Land Improvements			0
149	Land Purchases			0
150	Building Purchase or Construction			0
170	Computer Equipment			0
171	Computer Software			0
	TOTAL ASSETS	0	0	0

Nursing Home Administrators Licensing Board
Bureau/Office

2002
State Fiscal Year

FIMS ACCOUNTING INFORMATION

Fund	5118	Activity	099
Fiscal Year	2002	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

OTHER DISBURSEMENTS

Object		New Amount	Current Amount	Increase (Decrease)
080	Payment of Taxes			0
241	Cost Allocation - General			0
242	Cost Allocation - Personal Services			0
243	Cost Allocation - Fringe Benefits			0
244	Cost Allocation - Current Expense			0
245	Cost Allocation - Equipment			0
125	Indirect Costs Reimbursement			0
128	Federal Subrecipient Disbursement			0
151	Debt Service (Bonded - Principal)			0
152	Debt Service (Bonded - Interest)			0
153	Debt Service (Leases - Principal)			0
154	Debt Service (Leases - Interest)			0
100	Funds Transfer			0
110	Public Employees Insurance Reserve Transfer			0
	TOTAL OTHER DISBURSEMENTS	0	0	0

TOTAL BUDGET	70,477	68,360	2117.

QUARTERLY TOTALS

Nursing Home Administrators Licensing Board
Bureau/Office

2002
State Fiscal Year

FIMS REVENUE INFORMATION

Fund	5118	Activity	999
Fiscal Year	2002	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

(Revenue amounts estimated on Page 2, must match total of all quarters.)

SOURCE CLASS	1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER	TOTAL
640	15,000	8,000	8,000	29,000	60,000
					0
					0
					0
					0
					0
					0

FIMS EXPENDITURE INFORMATION

Fund	5118	Activity	099
Fiscal Year	2002	* Grant Number	
Org (Extended)	2836	* Project	

* If Required

(Totals must match totals on pages 3, 4, 6, 7, and 8, if applicable.)

ACTIVITY CODE	1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER	TOTAL
~~099~~ 001	17,619 ~~17,491~~	17,619 ~~17,492~~	17,619 ~~17,492~~	17,620 ~~17,492~~	70,477
004					0
010					0
099					0
					0
					0

The West Virginia Financial Information System (WVFIMS) accounting system requires the establishment of quarterly allotments for each extended organization (extended org). Allotments for all funds, except general revenue, may be entered in any amount. The only restriction on quarterly allotment amounts for all funds, except General Revenue, is related to cash collections. Obviously, you may not expend more funds in any quarter than cash that has been collected.

WVDFA

West Virginia Deer Farmers Association

Executive Director	President	Vice- President	Secretary	Treasurer
Ronn Grandia, MD	Cord Hayes	Ron Myers	Tami Grandia	Jarron Wilson
Skyline Farms	High Class Whitetails	Countryside Whitetails	Skyline Farms	Wilson's Whitetails
Fraziers Bottom WV	Bruceton Mills, WV	Falling Waters WV	Fraziers Bottom , WV	Keyser, WV

December 15, 2002

Dear Sir or Madam:

West Virginia Deer Farmers Association has enclosed in this information packet four articles related to Chronic Wasting Disease (CWD). The first article entitled CWD Facts, is a brief summary of CWD including a timeline of events, commonly asked questions, and other interesting facts. On the first page of the article it states only **KNOWN** facts will be given, no opinions will be stated.

The second article is an implementation document for a plan to assist states in managing CWD should it be found. A national committee consisting of the United States Department of Interior, and the United States Department of Agriculture with input from a myriad of wildlife management and animal health professionals across the nation developed it. One page three the article states the most important pressing need is surveillance to identify the occurrence and the extent of CWD in **free-ranging** cervid populations. Two additional pressing needs are response to newly identified foci of disease in **free-ranging** cervids and the implementation of a herd certification program for farmed, privately owned cervids. Their main concern is CWD in **free-ranging** cervids. On page 12, " Disease Prevention," is discussed. The article states, "agriculture and wildlife agencies should provide **scientifically** based recommendations for limiting animal movement to prevent the spread of CWD.

The third paper is actually two articles written by Dr. James Kroll, who is considered one of the leading national authorities on health and conservation issues of whitetail deer. The first article is in response to an article written by outdoor columnist, Andy Hansroth and printed in the Charleston Gazette, Sunday Gazette Mail on March 31, 2002. It pertains how the media is fueling the hysteria about CWD. The second article is titled, " Chronic Wasting Disease: What you should know." It is an excellent summary of the facts on CWD. It also however discusses the controversy between state game agencies and farmers of privately owned cervids. I strongly urge you to read the article.

PO Box 39, Fraziers Bottom, WV 25082 wvdfa@citynet.net

The forth article discusses how CWD is being eradicated in Colorado Elk Farms and how the Department of Wildlife in Colorado is trying to point the finger at the elk ranchers for spreading the disease.

WVDFA would like to work with the West Virginia Department of Agriculture and the Department of Natural Resources to develop a realistic monitoring program and guidelines based on scientific evidence to help prevent and control the spread of CWD in West Virginia. We do not wish to be locked into a law, which will not allow us, in the future, to import, and export cervids from an accredited herds based on either a realistic monitoring program or a live animal test. Our other concern is that CWD will enter West Virginia either through harvested free-ranging deer from endemic states such as Colorado, Wyoming, etc., or from the 300 elk brought in from New Mexico and relocated near the West Virginia border in Kentucky. These elk have already migrated into West Virginia. **One important fact to note is CWD was found this year in one free-ranging Mule Deer in New Mexico !** We feel these are potential methods of bringing CWD into West Virginia for which the private deer farmers of West Virginia will likely be blamed.

Sincerely,

Ronn Grandia

Ronn A. Grandia, MD
Executive Director, West Virginia Deer Farmers Association

CWD FACTS

This Site is dedicated to informing and educating the general public on the facts regarding Chronic Wasting Disease. There will be NO opinions stated here with NO debate or recommendations for actions or treatment. Only KNOWN facts will be given. Any unknowns will be stated as such.

[What Is It?] [Diagnosis] [How is it transmitted?] [Geographic Distribution] [History] [Timeline][Control] [Questions] [Other Facts] [References and Links]

What Is It?

Chronic wasting disease (CWD) is a progressive, fatal disease of the nervous system of cervids such as elk, mule deer and white-tailed deer. It is a type of transmissible spongiform encephalopathy (TSE). Although several scientists disagree, the leading theory is that the infectious agent is a prion.

Prions have been defined as "small proteinaceous infectious particles which resist inactivation by procedures that modify nucleic acids." Prions (pronounced pree-ahns) enter cells and apparently convert normal proteins found within the cells into prions just like themselves. The normal cell proteins have all the same "parts" as the prions—specifically the same amino acid building blocks—but they fold differently. They are like the toy "Transformers" that intrigued children in the 1980s. A car could become a robot; a bug could become a warrior. Nothing was added; nothing was subtracted.

Prion diseases are called spongiform encephalopathies because of the postmortem appearance of the brain, which exhibits large cavities in the cortex and cerebellum (like a sponge). Most mammalian species, including humans, develop prion diseases. Examples include:

Scrapie: Sheep
Transmissible mink encephalopathy (TSE): mink
Bovine spongiform encephalopathy (BSE): cows
Creutzfeld-Jacob disease (CJD and CJDv): humans
Gerstmann-Straussler-Scheinker syndrome (GSS): humans
Fatal familial insomnia (FFI): humans
Kuru: humans

Diagnosis:

The clinical signs of CWD include emaciation, excessive salivation, behavioral changes (i.e., loss of fear of humans), ataxia, drooping of head and ears, weakness, bugged-out eyes, and increased thirst and urination. Clinical signs may last for weeks to months before the animal dies, with most elk succumbing in less than 12 months. At death, other signs noted will be generalized absence of subcutaneous and visceral fat, serious atrophy of the bone marrow, and a dry, rough hair coat.

Can these symptoms indicate a disease other than CWD? Whenever nervous signs and excessive salivation are seen, rabies must be suspected; however, clinical signs of CWD are less rapid in onset

than those of rabies. Bacterial diseases that affect the central nervous system, such as Listeriosis, also cannot be excluded. Johne's disease causes weight loss, debilitation, and eventual death in farmed cervids; but it is also accompanied by progressive diarrhea, which is not a symptom of CWD. Meningeal worm may cause loss of fear of humans and loss of coordination.

Although an Agricultural Research Service scientist in Ames, Iowa has developed a laboratory assay that might lead to the development of a live-animal diagnostic test for TSEs, there is currently no definitive way to diagnose CWD before death. The diagnosis is based on clinical signs and can only be positively diagnosed by post-mortem examination of the brain tissue of the affected animal. Pathologists look for protease-resistant protein plaques in the brain.

How Is It Transmitted?

The mode of transmission of CWD is currently unknown. It is known that other TSEs can be inherited, sporadic, or transmitted between individuals.

In a CWD outbreak occurring in captive Rocky Mountain elk, it was found that lateral transmission (from animal to animal) seemed the most plausible explanation for the pattern observed. Maternal transmission did not appear necessary to sustain the outbreak. It is thought that the CWD agent is passed in saliva, feces or urine. Once ingested, the disease has an incubation period of 1.5 to 3 years before the onset of clinical signs.

About 10 percent of human prion diseases are familial, or inherited, and kill half of the members of the affected families. The textbook incidence of CJD, which **can** be familial, is about 1 per million per year. The incidence of GSS, which is familial, is about 1 per 15 million per year.

It is suspected that genotype may be a susceptibility factor in other TSEs. It has long been known that some genotypes are almost always identified in scrapie infected sheep. In contrast, only one sheep with a particular genotype has been identified with scrapie. These animals are apparently resistant to both a scrapie and BSE challenge. Surprisingly, the same scrapie-susceptible genotypes are common in Australia and New Zealand, but are thought to be free of scrapie. When these sheep are brought to the United Kingdom and maintained in quarantine conditions, they do not develop scrapie. In other words, the genotype does not confer scrapie on the animal but susceptibility to scrapie infection.

In a 1995 article in "Scientific American," Dr. Stanley Prusiner wrote, "Prions are indeed responsible for transmissible and inherited disorders of protein conformation. They can also cause **sporadic** disease, in which neither transmission between individuals nor inheritance is evident."

Before a strain of BSE prion apparently infected humans in Europe, researchers believed that a phenomenon known as the "species barrier" would make it virtually impossible for prions made by one species to cause disease in another species. Researchers who intentionally attempted to transmit scrapie to other species found it very difficult. Although scrapie in sheep has been recognized for hundreds of years, it has never crossed the species barrier to humans.

Prion diseases do not move easily between species. Scientists at NIAID's Rocky Mountain Laboratories (RML) in Montana and their colleagues, for example, demonstrated that abnormal protein from a mouse cannot convert normally folded protein from a hamster. The "molecular dance" that converts normal proteins to prions is most effective when the protein and infecting prion have the same amino acid sequence and are from a single species. (The known prions all have about 250 amino acids. Cow and sheep prions differ by only seven amino acids. Human and cow prions differ by 30.) If the two proteins

are not exactly the same, if the prion is from a cow or sheep, for example, and the normal protein is from a person, the transformation takes more time.

A different type of CJD has been linked to BSE in Europe recently. Some call the disease "Human BSE" because the strain is very much like the BSE agent and is very different from "classical" CJD. Scientists have concluded that the most likely cause is ingestion or handling of infected beef. The meat found to be infected was from the brain, spinal cord, eye, and parts of the gut.

BSE in cattle was identified in Great Britain in 1986. It is estimated that a total of 1 million cattle were affected. The source is believed to be a food supplement that included meat and bone meal from dead sheep. (The method for processing sheep carcasses had been changed in the late 1970s, and the method apparently did not kill the infectious agent.) Scientists speculate that years of exposure to scrapie in cattle feed caused the disease to cross over the barrier to cause BSE. One scientist reasons that the fact that the TSE jumped species from sheep to cattle and from cattle to humans is a result of intensified cycles of evolution due to the recycling of carcasses.

The British government banned the use of animal-derived feed supplements in 1988. To date, there have been 84 CJD deaths in the United Kingdom.

Because of the species barrier, interspecies transmission is less efficient than within the species. Based on its recent research, the USDA suggests that the probability of transmission of CWD from cervids to cattle is low. Since the differences in the proteins of cervids and the proteins of humans are much greater, the probability of transmission to humans would be much lower. John Pape, an epidemiologist with the Colorado Department of Health, stated, "There is no indication that chronic wasting disease is a threat to human health."

Although no cases of variant CJD have been identified in North America and there is no scientific evidence that CWD affects humans, caution should be exercised. Eyes, brain, and spinal cord tissue, as well as all meat from affected animals, should not be used as food or as a protein source in animal food.

Geographic Distribution:

Chronic wasting disease is relatively rare. CWD occurs in wild deer and elk in northeastern Colorado and southeastern Wyoming (around the areas where CWD first appeared in **State Owned** wildlife research facilities). Since 1981, fewer than 200 cases have been documented in the wild, mostly in mule deer. It is estimated that the incidence in the affected counties of Wyoming and Colorado ranges from 1 percent of elk to 5-15 percent of mule deer.

Incidence in domestic herds is even more rare. So far, 13 herds of domestic elk with incidences of CWD have been found in the United States. Seven have been depopulated or released from quarantine; six remain under quarantine. Canada has found eight herds with cases of CWD, including the index herd, which has probably been infected for ten years. Currently, over 170,000 domestic elk are being raised in North America with less than .5% to have been reported to test positive for CWD.

History:

CWD (Chronic Wasting Disease) was first recognized as a clinical disease entity of captively held **WILD** mule deer in a Fort Collins, **State Owned** Colorado research facility in **1967**. This facility

regularly exchanged animals with another research facility in Sybill Wyoming. It should also be noted that although these facilities recognized that there was a disease problem within their facilities **they regularly released animals from their facilities back into the free ranging environment.**

Introduction of CWD to the captive environment is thought to have resulted from the Fort Collins research facility, giving animals to the Denver Zoo. The Denver Zoo then gave some animals to the Toronto Zoo and also sold some animals to an Elk Farmer in South Dakota. To date all trace backs of CWD come from this interaction. Also it is interesting to note that Zoo's are exempt from the present interstate standards for animals that are implemented by the USDA.

Timeline:

1967 – First recognized.

1977 – First recognized as a spongiform encephalopathy

1978 – Recognized in deer at a State Owned research facility near Wheatland, Wyoming

1979 – Recognized in elk at the State Owned Colorado research facility

1981 – Diagnosed in free-ranging elk in north central Colorado

1981 – Start of targeted surveillance for CWD in Colorado and Wyoming

1990 – Start of hunter harvest surveillance for CWD in Colorado

1991 – Detection of the partially protease-resistant form of the prion protein detected in brains of affected deer and elk

Early 1990s – Expanded hunter harvest surveys start in Colorado and Wyoming; surveys confirm endemic focus of CWD in free-ranging deer and elk residing in northeastern Colorado and southeastern Wyoming, it should be noted that **Wyoming does not allow alternative livestock agriculture game farming.**

1996 – First case diagnosed in a Canadian game farm elk; animal had been imported from United States to Saskatchewan

1996 – United Kingdom Spongiform Encephalopathy Advisory Committee (SEAC) announces potential link between BSE and new human disease, variant CJD

1996 – Start of hunter harvest CWD surveillance by state game and fish agencies outside Colorado and Wyoming (Montana, Kansas, Washington and Idaho)

1996-1997 – CWD research expanded to include studies on genetics, pathogenesis, diagnostics and additional transmissions

1997 – Proposals submitted by various APHIS units for CWD surveillance to further define where the disease exists or is not present

Fall of 1997 through winter 1998 – Projects conducted as a joint effort by APHIS, states and fish and game personnel (Nebraska, South Dakota and New Jersey; approximately 100 samples); no CWD diagnosed outside of endemic areas in Colorado and Wyoming

December 1997 – The first U.S. game farm cases of CWD in two captive elk herds in South Dakota

1998 – CWD diagnosed in captive elk herds in Nebraska and Oklahoma Bull elk, native to Saskatchewan, dies of CWD; born in 1996 from a cow imported in 1989 from the United States to a different ranch from first case

1998 – NAEBA promotes herd surveillance and monitoring program in attempt to identify infected herds and prevent the spread of CWD

1998 – USAHA passes resolutions which request that USDA, APHIS, ARS, and CSREES provide support in program

Fall of 1998 through winter 1999 – Hunter harvest surveys in Arizona, Colorado, Georgia, Kansas, Michigan, Montana, Nebraska, Nevada, South Dakota, Utah and Wyoming (no CWD detected outside endemic areas) **In South Dakota special emphasis was place on testing adjacent to CWD positive elk ranches with no positive CWD tests in 996 animals tested.**

1999 – CWD detected in captive elk herds in Colorado and Montana. Additional infected herds found in South Dakota and Nebraska. Herds in Montana and Colorado depopulated. Hunter harvest surveys in Oklahoma, Utah and Maine. USAHA requests more resources from APHIS to support further CWD surveys, testing and epidemiological support. CWD covered by various media

Fall of 1999 through winter 2000 – Hunter harvest surveys conducted in Arizona, Colorado, Idaho, Kansas, Maine, Montana, Nebraska, Nevada, Oklahoma, Pennsylvania, South Dakota, Utah, Wisconsin, and Wyoming.

2000 – CWD detected in a herd in Colorado and in several herds in Saskatchewan

USDA begins the process of developing a federal CWD program based on NAEBA's model, with input from the elk industry

2002 -CWD found in the Richards Edwards ranch in Harrison Neb. **This captive environment had a negative trace back history for CWD for all elk, this is an endemic area for CWD and in 1991 when this property was fenced it was legal to enclose wild deer and these are most likely the source for the CWD infection.**

2002 - Wisconsin reports a positive CWD test in hunter harvested animals, **to date there have been no positive tests for CWD in the Wisconsin captive cervidae environment.**

2002 - Whitesands NM reports a positive CWD Mule Deer, **there are no captive cervidae facilities within 250 miles of the positive tested deer. State biologist regularly report of the potential of disease transmission through a high fence, but when you consider that Michigan has a positive Tb problem in the wild but the captive environment continues to maintain a Tb free status the previous presumption does not seem reasonable.**

To date there are no regulations on the interstate transport of hunter harvested transport of animal

carcuses from the western states that were harvested in endemic areas. These animals pose a very great potential threat to the introduction of CWD to non-endemic areas.

Presently there have been more animals killed looking for CWD than the disease has killed. Also considering that animals typically have the disease for 16-36 months before presenting with clinical symptoms and that of the hunter harvested free ranging animals 70% are less than 17 months of age it really makes you question all of this.

To date there has never been a captive whitetail or mule deer with CWD. The only whitetail or mule deer that have tested positive for CWD were either wild free ranging animals or free ranging animals that were captured when a captive facility was built.

Control of CWD:

With input from the elk farming industry, both the United States Department of Agriculture (USDA) and the Canadian Food Inspection Agency (CFIA) have developed similar programs for the control and eventual eradication of chronic wasting disease. The programs include surveillance, monitoring, and indemnification. The elk industry is also funding research to develop a live-animal test for CWD.

Commonly Asked Questions (Some of these questions were asked by the Missouri Big Game Farmers and Breeders to the Missouri Department of Agriculture):

Here are some commonly asked questions regarding chronic wasting disease and other diseases related to whitetail deer:

1.How long has CWD been known to exist? Most likely over 200 years

2. How long has CWD been known to exist in a captive Cervidae environment? First introduced in 1967 by the Colorado DNR by Wild Mule Deer that were being held for research purposes.

3. Is CWD currently considered an epidemic in either a captive or free ranging environment? No, it is considered **endemic** not epidemic.

4. Has Missouri ever had a reported case of CWD? **No, but it should be kept in mind that 2002 represented the first year that hunter harvested animals were ever tested in Missouri with a total of 72 animals tested of the 250,000+ animals harvested. Currently the Missouri Department of Conversation states that Missouri is CWD free based on these findings.**

5. In developing a CWD plan is Missouri planning on following the guidelines as established by APHIS/USDA? Yes this plan was adopted by the Department of Agriculture on 02-09-02.

6. What are the possible ways that CWD could be introduced into Missouri?

a. Developing naturally in the wild.

b. Natural movements of animals from an endemic area.

c. Interstate transport of captive elk from an endemic area.

d. Transport of carcass by hunter harvested animals from an endemic area.

7. What can we do to protect Missouri from the introduction of CWD? If it occurs naturally or is introduced by natural movements of free ranging animals nothing can be done. The only way that we can protect Missouri is by strict guidelines on interstate transport of captive elk from endemic areas and States (These rules were implemented by the Department of Agriculture on 02-09-02) and also control movement of hunter harvested animals from endemic areas.

8. What is the incidence of CWD in the wild? From 1-15%.

9. What is the incidence of CWD in a captive environment? From all indications much less than 1% and this is the only population where the spread of CWD can be monitored and controlled.

10. Is CWD increasing in the wild animal populations in the western states? The incidence has remained stable and many of the western states are discontuing their monitoring programs due to the unchanged incidence.

11. Is CWD increasing in the Captive environment? No, Due to current elk herd monitoring, federal eradication programs and federal indemnity programs the incidence is decreasing.

12. How many captive whitetail deer have been found to have CWD? **None, the only whitetail deer that have tested positive for CWD were either free ranging animals or free ranging animals that were accidentally captured when a captive facility was built.**

13. What has been the impact been on hunter participation in western states with a positive history of CWD? None, the number of hunting permit sales in the western states has remained stable with slight increases.

14. What captive Cervidae has the most significant history of CWD? **Elk**

15. Is there any documented cases of transmission of any disease from a captive cervidae environment to the wild? No

16. How many diseases from domestic ungulates can be transmitted to whitetail deer? Over 30

17. **What state has the highest incidence of CWD? Wyoming.**

18. **What state allows no game farming or high fenced operations? Wyoming.**

Other Interesting CWD facts:

CWD appears to be an endemic and NOT an epidemic disease. In every place that it has been found it has caused NO significant impact on the population. In Colorado where it was first discovered, they recently reported that their elk populations are at an all time high.

CWD is NOT know to spread to other species The following statement was taken from the USDA web site "Other ruminant species, including wild ruminants and domestic cattle, sheep, and goats, have been housed in wildlife facilities in direct or indirect contact with CWD-affected deer and elk with no evidence of disease transmission. There is ongoing research to further explore the possibility of transmission of CWD to other species."

The origin and mode of transmission of CWD is unknown. This statement is taken from the USDA web site

It has been stated that CWD is ALWAYS fatal. In fact, that CANNOT be proven if there has been no live test. How would they know if an animal had it and survived if there is no live test?

In Whitetail Deer, the only known cases of CWD in a captive environment have come from the Nebraska herd that contained deer captured from the wild.

In Whitetail Deer there has not been a documented case of an animal that died from natural causes and was later found to be CWD positive. There is NO proof that CWD is fatal in Whitetails.

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[What Is It?] [Diagnosis] [How is it transmitted?] [Geographic Distribution] [History] [Timeline] [Control] [Questions] [Other Facts] [References and Links]

This page is maintained by Sam James. Please send me an e-mail with additional content or comments.
This page was last modified on 07/17/02

IMPLEMENTATION DOCUMENT
FOR
PLAN FOR ASSISTING STATES, FEDERAL AGENCIES AND TRIBES IN MANAGING CHRONIC WASTING DISEASE IN WILD AND CAPTIVE CERVIDS

DEVELOPED BY THE
NATIONAL CWD PLAN IMPLEMENTATION COMMITTEE

Mr. Bruce Morrison, Nebraska Game and Parks Commission, Chairman
Dr. John Fischer, Southeastern Cooperative Wildlife Disease Study
Dr. Steve Schmitt, Michigan Department of Natural Resources
Dr. Margaret Wild, National Park Service
Dr. Scott Wright, United States Geological Survey
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On June 26, 2002 a plan for assisting States, Federal Agencies, and Tribes in managing Chronic Wasting Disease in Wild and Captive Cervids was released to the public. The plan proposes goals and actions and serves as a blueprint for future activities. The plan was developed by a team of professionals in the fields of wildlife health, wildlife management, wildlife biology and livestock health. It represents the most current scientific knowledge on Chronic Wasting Disease (CWD) and delineates actions needed to address the ongoing effort to identify the extent of the disease and management actions needed to limit its spread.

To continue forward progress, this Implementation Document has been developed. This plan was developed by an 11 member team representing the States, United States Department of the Interior (DOI), and United States Department of Agriculture (USDA) with input from a myriad of wildlife management and animal health professionals across the nation. It provides information that conveys who is responsible for individual projects, what projects will accomplish to help address CWD, the cost, and project time frames.

To ensure success, a "National CWD Implementation Plan Oversight Team" will be formed to guide the implementation of the action items in this plan. This oversight team will consist of six members, two each from the states, DOI and USDA. This team will be co-chaired by the Administrator of USDA-APHIS and the Director of the USFWS.

The implementation plan is composed of six sections, describing actions needed to address communications, information dissemination, diagnostics, disease management, research and surveillance. Although the sections are not in priority order, it is acknowledged that the most pressing need at this time is surveillance to identify the occurrence and extent of CWD in free-ranging cervid populations. Two additional pressing needs are response to newly identified foci of the disease in free-ranging cervids and the implementation of a herd certification program for farmed cervids.

FUNDING

The budget needs identified in this plan are those dollars predicted to be required to fully implement all action items. Not all funding will be federal, nor will it be all State. The preparers of this implementation plan believe that all entities involved should strive to utilize all funding sources available, including federal, State, Tribal and private funds. Congressionally appropriated funds made available though the United States Department of Agriculture shall be made available to the various States and Tribes through cooperative agreement grants which will consist of the cooperative agreement itself, a work plan and a financial plan. Congressionally appropriated funds made available though the United States Department of the Interior may be distributed though cooperative agreements, memorandum of understanding, multi-State grant applications, Federal Aid in Fish and Wildlife restoration program grants and the cooperative wildlife research program. Although this plan addresses both captive and free-ringing cervids,

Who: Assigned public affairs staff from State and federal agencies. These staff members will be assigned as needed fact sheets are identified and prioritized. State, Tribal and Federal agencies will print and distribute the fact sheets as their budgets permit. Michigan DNR has volunteered to develop a fact sheet covering current Federal, State and Tribal activities and State programs and responses since they have developed the regulations table and have the contact information for this.

Budget Needs: Year 1: $50,000 (States)
Year 2: $25,000 (States)
Year 3: $25,000 (States)

Action Item 2: Events, Training and Distribution of information.

A. Working in concert with State, Federal agency and Tribal efforts, produce radio and public service announcements, distribute information to all affected States, Federal agencies and Tribes with copies to all cooperators.

B. Provide program management, training videos and disease identification field guides.

C. Provide information packets to all agriculture extension agents and State and Tribal Departments of Agriculture and Natural Resource Agencies and federal land management agencies.

What: Development of the fact sheets in action item one will provide information for parts of this action item. Professional training will be provided by the National Conservation Training Center (NCTC) through development of a training module on of CWD and its management.

When: All fact sheets will be distributed by March 15, 2003. The training module at NCTC will be available by March 31, 2003.

Who: The fact sheets will be distributed by the appropriate agency to the appropriate natural resource agencies, federal agencies and Tribes as they become available. Distribution to Agriculture Extension Agents will be through Cooperative State Research Education and Extension Service of the USDA. All documents will also be posted on appropriate web sites. The NCTC Training Module will be developed by NCTC Staff with assistance from States, Universities, USDA and DOI.

Budget Needs: Year 1: $30,000 ($5,000 States & $25,000 DOI - NCTC).
Year 2: $30,000 ($5,000 States & $25,000 DOI - NCTC).
Year 3: $30,000 ($5,000 States & $25,000 DOI - NCTC).

Another What: Establish a schedule for conducting a biennial CWD symposium modeled after the national CWD symposium held in Denver, Colorado in 2002. Future symposia will have a proceedings published as soon as possible after the event.

When: The data base is expected to become available to users by June 30, 2003.

Who: State and Tribal agencies working with DOI and USDA. The National Biological Information Infrastructure (NBII), which is managed by the U. S. Geological Survey, will be used to provide access to internet-based CWD information, as pertains to free-ranging cervids. The National CWD Wildlife Disease Information Node (WDIN) housed at the USGS NWHC will be utilized for the wild cervid data base and the Agriculture Department's Farmed Animal Disease Database for CWD, housed at the center for Epidemiology and Animals Health will be house the captive cervid data. The data base for wild cervids will be developed by a joint USDA/USDI/State/Tribal team of data base managers assigned to the task.

Budget Needs: Year 1: $250,000 (DOI - USGS)
Year 2: $150,000 (DOI - USGS)
Year 3: $150,000 (DOI - USGS)

B. Develop a data import system to allow State, Tribal and Federal agencies to enter their current and archival data.

What: Development of standard data collection protocols for import into the NBII WDIN data base and a software system that permits easy importation into the data base. This system will also provide for the download of information through the internet from States, federal agencies and Tribes.

When: By December 31, 2003

Who: State and Tribal agencies working with staff of USGS at the National Wildlife Health Center working on NBII with data base team from item 1 above.

Budget Needs: Year 1: $200,000 (DOI - USGS)
Year 2: $200,000 (DOI - USGS)
Year 3: $300,000 (DOI - USGS)

C. Develop data collection and management standards in cooperation with State, Tribal and Federal Agencies.

What: Develop standardized information collection protocol compatible with NBII WDIN data base, including method of recording locations (lat-long; township, range, section; GPS, etc.).

When: By December 31, 2002

Who: USGS to assist States, federal agencies and Tribes.

Budget Needs: Included in number 2 above

D. Develop a certification and quality control system to assure that only verifiable data is included in the WDIN data base.

Who: Lead taken by USGS and CWD Alliance.
Budget Needs: Year 1: $25,000 (DOI - USGS)
Year 2: $25,000 (DOI - USGS)
Year 3: $25,000 (DOI - USGS)

DIAGNOSTICS

CWD assays currently in use and development are, and will be, validated only for epidemiological or disease control purposes. Immunohistochemistry (IHC) is the current gold standard test and will be used to evaluate alternative tests. High-throughput assays may be available for use in laboratories (not animal-side) in the fall 2002 hunting/control season on an experimental basis, but will not be validated prior to the season. The assays may be validated for use by early 2003. Current laboratory capacity to test surveillance and research samples should be sufficient using IHC testing at approved State/University laboratories as part of a network. However, as the volume and rate of sample submission is uncertain, reporting of results may be delayed. Laboratories should be approved first to use the standardized IHC, which will allow them to assist in validating, and then use high throughput assays. To ensure the integrity of the U. S. surveillance effort, and to ensure that testing is performed for the proper purpose, official testing will be performed only by NVSL and accredited State/University laboratories.

Specific goals are:

Goal 1: Develop an adequate laboratory system and capacity for testing and a timely turnaround time for distribution of results.
Goal 2: Evaluate existing diagnostic tests for CWD, both postmortem and live-animal, understanding that the tests must be accurate, reasonably fast, and inexpensive;
Goal 3: Establish a consensus standard on how to accredit laboratories to conduct CWD testing.
Goal 4: Describe the time requirements for obtaining results from the various tests so that CWD programs can incorporate accurate assumptions about the "turnaround time" needed.
Goal 5: Facilitate evaluation and validation of high throughput screening tests.

Action items to address these goals are:

Action Item 1: Establish sufficient testing capacity. Surveillance testing needed in the next 12 months and beyond will be accomplished by establishing and supporting (including direct funding of laboratory testing and equipment) a network of the well-established State/University veterinary diagnostic laboratories. This includes those already selected or currently being selected by USDA-APHIS for standardized IHC testing. A total of fifteen contract laboratories will be certified by January 2003; additional laboratories will be added during 2003 if needed.

(CVB). The evaluation of high-throughput TSE tests already used for bovine spongiform encephalopathy in European cattle should be completed rapidly. A tissue repository will be established from diagnostic samples to evaluate proposed tests and provide research tissue. Some IHC laboratories will run pre-license high-throughput assays in parallel, providing validation data, and may use the new assays as their primary screening assay post-license.

What: Development of a high throughput test for CWD testing will be encouraged by all entities. All entities will work with private producers of high throughput tests to evaluate and validate their tests. Development of high throughput tests is secondary to completing the IHC testing for the fall of 2002.
When: By December 31, 2003 and ongoing.
Who: Tests will be developed by private firms. USDA, Center for Veterinary Biologics will evaluate and validate these tests. Universities and State, Federal and Tribal agencies will assist in evaluation and validation.

Budget Needs: Funding for evaluation and validation should be provided by the private producers of high throughput tests for evaluation and validation. Funding needs for establishment and maintenance of tissue banks:
Year 1: $100,000 (USDA - NVSL)
Year 2: $25,000 (USDA - NVSL)
Year 3: $25,000 (USDA - NVSL)

DISEASE MANAGEMENT

The goals for the management of Chronic Wasting Disease in cervids are to prevent the introduction of disease into free-ranging populations and captive herds, to eradicate the disease when it is detected in new areas or herds, to eliminate the disease from all captive herds and to reduce prevalence of disease in endemic areas to minimize affects of the disease on wild populations. States and Tribes will choose one or more of the CWD management goals based on the CWD status of their State or tribal land. Other items related to CWD disease management including limiting contact between free-ranging and captive animals, safe carcass disposal, restocking, culling versus large scale depopulation, and other issues are also addressed.

Specific goals are:

Goal 1: Prevention: To maintain a population or area free from CWD.
Goal 2: Elimination: To remove CWD and prevent its reintroduction from a specific area.
Goal 3: Maintenance: To keep CWD below a specified level of prevalence.
Goal 4: Containment: To keep CWD from spreading outside of an area where it is confirmed.

A. Outbreak Surveillance: Surveillance establishes the prevalence, incidence, and distribution of the disease, and allows the evaluation of management actions.
B. Population Management: Depopulation can be used for free-ranging cervids in limited geographical areas. Reduction in population density can be used where CWD is already present. Targeted removal can reduce a specific subset of an affected population (such as yearling males that are naturally dispersing from a CWD area).
C. Testing and Removal: Testing and removal can be used to remove CWD affected animals from a population. This approach may be appropriate only in limited situations.
D. Therapeutics and Vaccines: These tools are not currently available. Much more research is required to develop these tools for use. (See research section)
E. Human Behavior: Prohibition of feeding or baiting, changes in hunting rules, carcass disposal recommendations and changes in the regulation of the captive cervid industry are all examples of management tools that may change human behavior and control CWD.
F. Habitat Modification: The manipulation of environmental factors could limit animal use of areas and potential exposure. Such tools may be useful in dealing with environmental contamination.
G. Movement Restrictions: Agricultural and wildlife agencies should provide scientifically based recommendations for limiting animals movements to prevent the spread of CWD. Restrictions are already in place in several States.

What: States, Federal land management agencies and Tribal agencies should develop and implement contingency plans for areas without confirmed CWD. In areas where CWD has been detected, State, Federal and Tribal agencies should develop and implement management plans to meet CWD management goals. Model plans that address all parts of this action item, including adaptive management and environmental decontamination issues, should be developed and distributed. These plans will be utilized to determine the amount of federal funding provided to States, Federal land management agencies and Tribes for CWD control and management.
When: Plans developed by December 31, 2003. Implementation of plans will be ongoing.
Who: States working through the International Association of Fish and Wildlife Agencies, DOI and USDA.
Budget Needs: Year 1: $10,000,000 ($2,000,000 USDA - APHIS; $3,000,000 **DOI;** $5,000,000 States)
Year 2: $14,000,000 ($2,000,000 USDA - APHIS; $3,000,000 DOI; $9,000,000 States)
Year 3: $14,500,000 ($2,000,0000 USDA - APHIS; $3,000,000 DOI; $9,500,000 States)

Contained in action item 2 and elsewhere.

C. Adaptive management approaches may prove to be effective in these activities.

Contained in action item 2 and elsewhere.

Action Item 6: Environmental Decontamination: A major concern with CWD is the potential for indirect transmission through contamination of the environment through excretions, secretions, or the decomposition of infected animal carcasses. Management plans need to provide for decontamination as research provides tools and approaches effective in these activities.

Contained in research section.

Action Item 7: Restoration: A final phase of CWD management in wild cervid populations involves restoration of species and environments. Restoration is a critical part of gaining public approval for actions taken in controlling and/or eliminating the disease. Any restoration effort must take into consideration the possible affects of environmental contamination by the infectious agent.

What: Restoration of populations impacted by CWD must be a major consideration of all entities working on the issue. Restoration plans will differ from location to location and will be developed by the agency having regulatory authority over the affected resources. Restoration plans will include funding to the entity responsible for management of the resource.

When: Ongoing, restoration plans will be included as part of the overall CWD management plans developed by State or tribal agencies.

Who: Responsible State or Tribal agency and Federal agencies where appropriate with assistance from DOI and/or USDA as requested.

Budget Needs: Contained in action item 2 above.

RESEARCH

The goal of this section is to identify and prioritize critical research needs in areas such as live-animal tests, genotyping, transmissibility, and bioassays. The identification of methods to detect the presence and persistence of the CWD agent in the environment and development of methods for decontamination are also included. Also addressed are epidemiology, disease management, and human dimensions of CWD. The highest priority for dispersal of research dollars should be to those scientists with well established CWD and TSE research experience.

Specific goals are:

Goal 1: Rapid diagnostics.
Goal 2: Biology and pathogenesis.
Goal 3: Management and ecology of the disease and the host.
Goal 4: Human dimensions.

research will identify additional diagnostic techniques for disease detection in animals, describe pathways and rates of direct (animal-to-animal) and indirect transmission, produce a catalog of biochemical signatures of PrP-CWD from wild cervids, identify and catalogue PrP alleles of cervids, expand our understanding of genetic resistance in cervids and determine the risk of infection presented by contaminated environments.

When: Current research will continue and new research needs to be initiated.

Who: USDA-ARS, DOI-USGS, State, Tribal, other Federal agencies, and universities.

Budget Needs: Year 1: $2,000,000 ($500,000 USDA-ARS; $700,000 DOI-USGS; $800,000 States)
Year 2: $2,000,000 ($500,000 USDA-ARS; $700,000 DOI-USGS; $800,000 States)
Year 3: $2,000,000 ($500,000 USDA-ARS; $700,000 DOI-USGS; $800,000 States)

Action item 3: Conduct research into disease management and host ecology. Prioritized needs include: 1) developing and enhancing models of CWD dynamics; 2) evaluating host populations dynamics and dispersal and social behavior in relation to transmission; 3) developing a GIS that can elucidate patterns of disease-host population characteristics; 4) evaluating the effectiveness of CWD control or eradication strategies; 5) studying the ecological effects of reducing deer and elk populations in CWD affected areas; 6) determining persistence of the CWD agent in the environment; 7) developing methods to inactivate the CWD agent in the laboratory and field; 8) correlating disease prevalence to cervid density; and 9) conducting research on methods of carcass disposal.

What: Research is critically needed to quantify the risk of exposure and transmission in populations of wild, free-ranging cervids with regard to such factors as movement, dispersal and social interactions; to describe how differences in dispersal patterns and social behavior affect these risks; to quantify the effects of CWD on demographic parameters (e.g., reproduction and survival rates); to quantify the association between CWD and other landscape attributes; to measure the effects of management actions on disease prevalence; to assess the persistence of the CWD agent in the environment and identify factors influencing its persistence and transmission; and enhance and develop models to predict CWD outbreaks and evaluate management strategies. Field epidemiological studies in areas where CWD is present are the primary means of accomplishing this research. Laboratory studies will be conducted on methods to inactivate the CWD agent and will be evaluated under natural conditions. Results and outcome of this research will include expansion of management options for application in areas where CWD occurs now or is found in the future, spatially explicit models

SURVEILLANCE

The overall goal of this section is to develop standards for adequate surveillance in both captive and free-ranging cervids. To find and monitor CWD in free-ranging populations, three types of surveillance are undertaken. Targeted surveillance is the collection of any cervid that exhibits clinical signs of CWD. This may be an important method on certain lands where harvest cannot easily be conducted. Hunter harvest surveillance is the collection of the heads of hunter-harvested cervids to test for CWD. Outbreak surveillance is the collection of specified numbers of animals to determine the rate of infection and the extent of an infected area which has been identified through either targeted or hunter-harvest surveillance.

The national surveillance plan for farmed cervid herds includes mandatory death reporting and CWD testing of all animals, except calves, that are slaughtered or die on the premises. Surveillance is a crucial element of the USDA National CWD Program for farmed cervids; herds are certified after five years of surveillance with no evidence of disease. The proposed farmed cervid surveillance program and the proposed surveillance program for free-ranging cervids are interdependent. Particular combinations of services will depend upon circumstances in each State, Tribal or Federal area. Although this plan addresses both captive and free-ringing cervids, the majority of the funding for the captive cervid monitoring program administered by USDA-APHIS-VS is covered in that agencies' annual budget requests. The funding in this plan for captive cervids addresses primarily research and outreach.

Specific goals are:

Goal 1: Sampling Plans: Develop sampling designs that specify numbers of animals to be sampled by area and year, and assist agencies with surveillance strategies.

Goal 2: Early Detection: For cervid populations and herds in which no infection has been detected, the primary surveillance objective is early detection of new CWD foci.

Goal 3: Determination of Distribution and Prevalence Rates: For cervid populations in which infection has been detected, estimate CWD prevalence over time and space.

Goal 4: Epidemiological Investigations: Conduct surveillance to support management and research investigations on free-ranging and trace-back (tracing movement into the herd) and trace-forward (tracing movement out of the herd) efforts for the purpose of identifying transmission mechanisms.

Action items to address these goals:

Action Item 1: Determine best alternatives for sample collection and management and collection of samples.

Tribes and Federal agencies.
When: By July 31, 2003
Who: State, Tribal and Federal agencies with assistance from USDA and DOI.

Budget Needs: Year 1: $50,000 (States)
Year 2: $50,000 (States)
Year 3: $50,000 (States)

APPENDIX ONE

United States Department of Agriculture
Animal and Plant Health Inspection Service

Environmental Considerations

GENERAL GUIDANCE

A. Introduction

The National Environmental Policy Act (42 U.S.C. 4371 et seq.) requires that Federal agencies prepare environmental impact statements (EIS) to address alternatives to their proposal and conduct a detailed analysis of the impacts of their proposal and alternatives for proposals significantly affecting the quality of the human environment. The purposes of NEPA include the goal of making better environmental decisions. The Council on Environmental Quality, established by the Act, promulgated regulations in 40 CFR 1500-1508 that include provisions for scoping the actions, impacts, and alternatives; public involvement in the decision making process; preparing environmental assessments (EA); categorically excluding actions or groups of actions from the NEPA documentation requirements; and the development of cooperating agency agreements between agencies. The CEQ NEPA Regulations also require the integration of NEPA with other planning and environmental review procedures (40 CFR 1500.2(c).

If the proposed action may affect a listed endangered or threatened species or its designated critical habitat, the bureaus will initiate internal consultation under section 7a of the Endangered Species Act to ensure that any action authorized, funded, or carried out by the bureaus is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. When an EIS or EA is prepared, the results of section 7 consultation are incorporated into the document.

II. Department of the Interior NEPA Procedures and Affected Bureau Programs

Department of Interior personnel must integrate the requirements of NEPA with the implementation of Chronic Wasting Disease planning and individual actions. The requirements for complying with NEPA are found in:

B. Council on Environmental Quality NEPA Regulations in 40 CFR 1500-1508.

C. Department of Interior NEPA Procedures in DOI 516 DM 1-6 and Instructional Memoranda.

C. Fish and Wildlife Service

The FWS NEPA procedures are found in 516 DM 6, Appendix 1. Additionally, FWS has NEPA guidance in the Fish and Wildlife Service Manual in 30 AM 2-3 and 550 FW 1, and in other

of the Department and Bureau, the action may be covered by an existing categorical exclusion, or an EA or EIS will be prepared prior to the implementation of that action.

A. What Proposed CWD Actions Can Be Categorically Excluded?

A wide range of activities can be categorically excluded. These activities include surveillance activities such as (1) testing of sick animals that are discovered in the wild and reported to wildlife agencies, (2) randomized acquisition and testing of samples from deer and elk harvested by hunters, (3) testing of deer and elk taken by the public or agency personnel in management actions, and (4) testing of deer and elk harvested by hunters when the test results are also used by the State in its assessment and/ or management of the CWD problem. The NEPA categorical exclusions can provide coverage provided animal mortality resulting from the activity is "negligible". Research on captive or wild animals that addresses information needs relative to CWD is also eligible. Examples include studies of pathogenesis, transmission, and susceptibility, as well as development of techniques for diagnosis. Activities that involve informing the public about the disease are eligible (e.g., presentations, videos, fact sheets). These information activities provide results of Federal Aid-funded surveillance, research, and other management activities to the public and contribute to the management of the CWD problem. This list of eligible activities is not exhaustive; other types of work would be considered on a "case by case" basis.

Use of FWS Federal Aid funds or actions proposed on national wildlife refuges triggers a "Federal nexus" requiring compliance with several Federal laws including the National Environmental Policy Act. NEPA compliance could require preparation of an Environmental Assessment or Impact Statement for activities such as (1) take of animals for the purpose of examining for CWD regardless of visible symptoms, and (2) management actions such as thinning or depopulating herds to reduce transmission of the disease. Regarding the use of Federal Aid funds, at this time, we recommend that State funds be used for these activities to allow this work to proceed in a timely manner. Such expenditures would not be reimbursable to the States from the Federal Aid program. Actions that generally are not categorically excluded include large-scale herd reductions, depopulation, and disposal of large qualities of possible CWD-infected carcasses.

If a DOI bureau and another agency are proposing to conduct similar CWD management actions, and the other agency has categorically excluded the action under their NEPA procedures, the DOI bureau can also categorically exclude the proposed action if:

(a) the Bureau has made an independent evaluation to determine if categorically excluding the proposal is consistent with Bureau NEPA guidelines and Department NEPA procedures, including the exceptions to categorical exclusions in 516 DM 2, Appendix 2; and

APPENDIX THREE
NEPA COMPLIANCE OPTIONS

Option 1: Prepare Joint USDA/DOI Guidance Document and Programmatic EA

One example of this approach was the preparation of FWS Guidance/EA for the control of purple loosestrife, involving management actions on NWRs and management actions funded through Federal Aid grants to the States (60 Federal Register 40852, August 10, 1995). The FWS Guidance/EA provided standardized techniques and coordination procedures and provided an evaluation of the cumulative impacts of nationwide implementation. However, it would not

Similar to Option 2, except that USDA and DOI would issue their own separate Programmatic EISs. There would be duplication in parts of the EIS (e.g., affected environment). However, the agency proposal and alternatives and impacts of those alternatives would be different. This approach would require considerable coordination between DOI and USDA to address impacts, particularly cumulative impacts, where each agency would have a contribution to the analysis.

Assignment Lead:	APHIS and BLM/FWS/NPS separately
Cooperating Agencies:	ARS, BIA, USGS, APHIS, BLM, FWS, NPS, as appropriate
Estimated Time Frame:	2 years (hopefully concurrently)
Cost:	$300k to $400k for each Department
Coordination:	Internal USDA/DOI review. Public review.

Option 3: Prepare Joint USDA/DOI Guidance Document/Categorically Excluded Under NEPA

FWS commonly uses this approach when issuing guidance, whereby NEPA documentation requirements, if required, would occur at the time the specific management actions are proposed. DOI has a general categorical exclusion in 516 DM 2, Appendix 1.10 that applies to guidance documents prepared by the bureaus. The Guidance should be made available for public review to strengthen the use of the categorical exclusion. Examples of FWS guidance issued under this approach includes: Section 7 Consultation Guidance, Federal Aid NEPA Guidance to States Participating in the Federal Aid Program, Section 10 Incidental Take Permit Guidance, Refuge Planning Guidance (602 FW), and the Fish and Wildlife Manual. At the time specific management actions are proposed, the actions could be categorically excluded or an EA or EIS could be prepared.

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Assignment Lead:	APHIS/BLM/FWS/NPS (joint lead)
Estimated Time Frame:	3-6 months
Cost:	$250k to 500k. Costs could be allocated between agencies.
Coordination:	Internal USDA/DOI review. Public review of Guidance document only.

Option 3A. Prepare Separate USDA and DOI Guidance Document/Categorically Excluded

Similar to Option 3, except that USDA and DOI issue their own Guidance document/categorically excluded. FWS could issue separate guidance and categorically exclude it from NEPA documentation -- a common practice in FWS. NEPA documentation would be required, if appropriate, at the implementation of actions stage.

APPENDIX FOUR

BUDGET TABLE FOR PLAN FOR ASSISTING STATES, FEDERAL AGENCIES AND TRIBES IN MANAGING CHRONIC WASTING DISEASE IN WILD AND CAPTIVE CERVIDS.* #

DEPARTMENT	YEAR ONE	YEAR TWO	YEAR THREE	TOTALS
INTERIOR	$7,750,000	$8,950,000	$9,200,000	$25,900,000
AGRICULTURE	$13,600,000	$5,525,000	$6,325,000	$25,450,000
STATES & TRIBES	$20,465,000	$20,355,000	$16,190,000	$57,010,000
TOTALS	$41,815,000	$34,830,000	$31,715,000	$108,360,000

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THIS IS A RESPONSE TO AN ARTICLE CONCERNING CWD PROVIDED BY DR.KROLL, = COMMONLY KNOWN TO THE INDUSTRY AS "DR. DEER"=20

DR. KROLL IS A WELL RESPECTED WRITER AND RESEARCHER ON WHITETAIL DEER = HEALTH AND CONSERVATION ISSUES TO INCLUDE GROWING HUGE WHITETAIL = ANTLERS.

DR. KROLL HAS SPOKEN AROUND THE COUNTRY ON DEER TOPICS AND IS QUOTED = OFTEN IN ARTICLES ABOUT DEER AND DEER MANAGEMENT.

(he may be available to speak at your association meeting)

THE ARTICLE SAYS IT ALL.....

Memorandum

To: Andy Hansroth, Outdoor Writer: Sunday Gazette-Mail

Fr: Dr. James C. Kroll, Director,=20

Institute for White-tailed Deer Management & Research

Date: 16 April, 02

Re: Article on Chronic Wasting Disease

I was forwarded a copy of your article on CWD published 31 March, 2002 = and read it with interest. Apparently, you have - as many outdoor = columnists have done - written an article based on press releases and = comments from state DNR experts. There were, however, some important = points left out of your article; and, I would like to make them clear.

First of all, CWD is indeed a serious and mysterious disease among deer. = It's origin is not totally clear, but we do know it was first observed = in the Colorado State Research Pens in 1967. Little action was taken for = some time, and animals were allowed to leave the area during this time. = Some argue the disease was present in the wild all along, but no one = knows for sure. We "think" the disease is caused by a aberrant protein = called a prion, yet that is not totally confirmed at this time. It does = have the same symptoms as some of the other prion diseases such as "mad = cow" (BSE) and human forms (K-J and Kuru).=20

Recently, research in England appears to show a link between mad cow = disease and use of organophosphate pesticides by English farmers; and, = may even go back to testing of these compounds for chemical warfare by = the Germans. This has not been proven, but illustrates how little we = know about these diseases.

A battle has been raging around the country for some time now concerning = intensive management of white-tailed deer. Many in the wildlife = management profession view the increased interest in managing deer on = private lands as a threat to the old order and to their power. =

Activities such as supplemental feeding, food plots and protecting young = bucks have come increasingly under fire from irate biologists. It is a = philosophical battle, with combatants using whatever means they can to = support their positions. As a scientist, I view one unfortunate side = effect of this "war" as very unfortunate. I am deeply concerned about = ethical issues coming to the forefront.=20

Scientists are supposed to be unbiased and ethical people. Yet, most of = us are "children of the '70's" who have a distinct environmentalism bias = and believe in the old adage: "The end justifies the means." We are = seeing too many scientists and state biologists reporting half-truths = and even fabricated results to support a particular philosophical = position. For example, are you aware of the case in which government = scientists planted lynx hairs in an area they wanted to protect from = development? Even though they were discredited, they still are on the = job.

Now, we are seeing the same thing with CWD. The philosophical = difference, as I noted earlier, is whether or not private citizens = should be able to own and manage deer on their property. State agencies = and the establishment in the wildlife profession logically are opposed = to this. Recently, the Wildlife Management Institute published a cartoon = booklet (Supplemental Feeding, Just Say No!) ridiculing private = landowners who supplementally feed deer. Landowners who feed their deer = are shown in cartoons as drug dealers and felons. That's pretty serious = stuff from an organization of scientists!=20

This is not the first disease issue we have faced with deer. = Tuberculosis (Tb) appeared in the '70's in Michigan, but news of the = disease was suppressed until the early '90's when the infection rate = became so high it could not be ignored any longer. The cry went out = around the wildlife community that fenced deer had brought Tb into = Michigan. State DNR's pointed to the Michigan problem as evidence that = fencing deer was evil. I live by a law developed by a colleague many = years ago: "Many a beautiful theory has been murdered by a ruthless gang = of facts!" After the smoke cleared, it turns out virtually every fenced = deer in Michigan was tested (more than 20,000), with not a single deer = having the disease. The one herd reported in the late 1990's was shown = to have contracted Tb from wild deer, either fenced in the ranch or by = nose to nose contact through the fence. Today, the only place in = Michigan where you can be assured of killing a deer without Tb is inside = a fence: a sad state of affairs in my book. Where had the Michigan deer = contracted Tb? From untested cattle brought into the state many years = ago from Mexico. It's not called bovine tuberculosis for nothing!

Now we are dealing with CWD, an even more deadly disease; the source for = which is unclear. If we take Colorado authorities at their word, it may = have been in the wild all along. As with Tb and CWD, we never tested = this thoroughly for a disease in the wild. Have they been there all = along and are we just now finding them due to intensive testing? Are = there other diseases such Johne's disease out there?=20

One thing is for sure. Each time a disease shows up, the finger gets = pointed at fenced operations. Coincidentally, testing usually is intense =

only around existing fenced properties and seldom takes place according = to a random sampling scheme - something any scientist worth his salt = would do. Another law I live by is: "If I hadn't believed it, I wouldn't = have seen it with my own eyes!" How you sample for a disease can impact = your conclusions about its origin.

As the facts come in, we are learning more about the situations = involved. In the celebrated case of fenced elk in Nebraska, it turns out = wild deer fenced in with the elk may have been the source for the = disease. Elk are notorious magnets for diseases and they easily could = have picked it up from the trapped deer. In Wisconsin, the now five = cases reported there may have come from contaminated animal feed = products; but, this remains conjecture at this time. So, you see these = are complex issues that require cooler heads.=20

They take away from the real issues of deer and wildlife management. = Several years back, Dr. Harry Jacobson and I presented a paper in = Scotland at the World Deer Congress that criticized the way deer are = managed. The "hunter opportunity" model for deer management, in which = the goal is to maximize harvest of antlered males obviously has failed. = Agency biologists really get mad when we say this! Most states still are = managing their deer on a restoration basis, not a management basis. Deer = already are fully restored in this country! We are picking them out of = the grills of Chevrolets! There are more deer here than when Columbus = arrived! Over-population leads to disease and we predicted in our = presentation diseases soon would appear. Now, several years later, = bingo! We are not doing a good job of managing our deer herds. Fencing = and privatization provide great "strawmen" to draw attention away from = the real issues. The 64-thousand dollar question is: "How do we assure = there always will be places for us to hunt deer?" We are losing at least = 2 million acres of deer habitat a year to development. Anything that = gets landowners to protect and manage deer on their properties is a = "win-win" in my book.=20

State agencies fear anything new, because it has the potential to = threaten their financial support and power base. Most agencies operate = (thank goodness) on license sales, fees and fines. Pittman-Robertson and = Dingle-Johnson funds help. Loss of hunters means loss of funds and = power. Credible studies show we are losing hunters, not to loss of = hunter opportunity, but to changing lifestyles. When I was a kid, I = could walk out my backdoor and go hunting. I could hunt as long as I = wanted and no one stopped me. Today, our kids grow up in cities and even = so-called rural kids are urban in lifestyle. Leisure time in America is = at an all time low, especially mid-term discretionary time (weekends) = when most hunting takes place. In Texas, where we practice the evil and = much dreaded hunting lease program, only about 17% of the deer habitat = is leased. There is a lot of land to hunt, but no one has time anymore = and landowners don't want anyone on their land. Non-consumptive use is = much worse. In the last five years, the Fish & Wildlife Service reports = an 18% decline in non-consumptive uses such as backpacking, camping, = bird watching, etc. So, intensive deer management and private ownership = are not the problem.

What I fear in regard to the future of hunting is that, in their zeal to =

combat private deer management, some outdoor writers and state agency =
biologists will unwittingly kill our sport. The "baby will be thrown out =
with the bath water." The hysteria and panic being stirred up by =
articles such as your 31 March piece are causing hunters to question =
whether or not they even will be in the field next year. Already, here =
at the Institute we are getting dozens of phone calls from frightened =
hunters who want to know if it is safe to hunt in Colorado or Wyoming =
this year! Last year's hunters are getting letters warning them not to =
eat the venison in their freezers. What message does that send, in spite =
of the fact no cross-species transmission can be demonstrated? One of =
the more prominent outdoor magazines published articles last year =
claiming that three men have died from CWD; a total lie! I hereby =
predict a significant decline in deer hunters next fall as a =
consequence.

Are disease issues real? You bet they are! I do not want to minimize =
their importance, but we need to adopt a more reasonable approach. I =
support your state's decision to halt importation of deer for a while so =
that things can be sorted out. But, I cannot support any effort to use =
wildlife-vectored diseases as a weapon against private landowners who =
want to manage deer on their properties. I also think you should look at =
all deer importation, including carcasses. Stop and think about that =
little tid bit of information!=20

Each state should institute two policies, in my opinion. First, they =
should begin managing deer on an ecological rather than a hunter =
opportunity basis. Second, they should develop a science-based disease =
monitoring program for their state. I would add that states need to =
begin working with landowners who want to manage deer, not against them. =

CHRONIC WASTING DISEASE: What you should know

By Dr. James C. Kroll

In Part I of this series, I pointed the field of wildlife diseases is relatively new. We know so little about the diseases affecting wild animals. As human populations continue to grow - and wildlife are crowded into less and less space - opportunities for cross-species infection significantly increase. Also, as we learn more and we monitor more extensively for diseases, we are discovering a host of "organisms" affecting and endangering game animals. In this installment, I will try to bring you up to date on the "new kid on the block," chronic wasting disease (CWD). As noted last issue where I discussed Tb in deer, the facts bare out wildlife diseases originate from one of two sources. They either arise by trans-species infection (one species to another), or they exist naturally at some low level until the right conditions occur. Tuberculosis developed in the wild Michigan deer herd as a result of mixing of infected cattle with deer. Recent outbreaks of anthrax in western Texas illustrated the sporadic eruption of a disease occurring naturally. In the case of CWD, as you will learn in this article, is not so clear.

I want to warn you ahead of time, this discussion may become a bit "technical" at times, but I ask you to hang in there and read every word; its important to the future of deer and deer hunting. There are a lot of rumors floating around about CWD and the more you learn about this and other diseases, the better equipped you are to judge fact from fiction, genuine concern from irrational panic.

What is it?

No doubt you are aware of the panic that spread across Europe, especially the UK, about a decade ago when a new and mysterious disease showed up in cattle. Although called by various names, most commonly "mad cow" disease, it was given the official name: Bovine Spongiform Encephalopathy or BSE. It is one of a group of diseases called Transmissible Spongiform Encephalopathies or TSEs. The name is long and technical, but it simply means a disease than can be transmitted which turns the brain into a "Swiss cheese" of spongy holes.

Cattle infected by the disease show a host of symptoms, including emaciation, staggering, drooling, and erratic behavior. Safe to say, it's appearance in the UK virtually destroyed the cattle industry there. Normally big beef eaters, Englishmen looked longingly toward the vegetarian way of life. Farmers committed suicide by the droves as their farms failed and panic set in. Spurred on by the media, the entire European community closed borders to importation and instituted plans to keep the disease out of their countries. Sales of beef plummeted in Europe and sales of alternative red meat sources such as horse meat and venison increased. English farmers were effectively cut off from the world beef market. Consumer confidence throughout Europe declined as media coverage intensified.

Actually this disease, or at least the presumed causative agent is not new to man-kind. The first known form of these diseases appeared about 250 years ago in sheep and was given the name scrapie. It always is fatal and is a long, degenerating disease, apparently spreading by moving flocks from one farm to the next. Scrapie first appeared in the U.S. at the end of World War II in Michigan. A flock of sheep had been imported from England through Canada. To date, more than a 1,000 flocks have been reported with the disease, according to the USDA. The disease appears to concentrate within one variety, the Suffolk breed and a host of cross-bred animals. [This point will be important later when I discuss possible genetic relationships in deer.] Only Australia and New Zealand now are considered "free" of this disease.

Sheep and cattle are not the only victims of TSEs. Similar diseases have been reported in mink, cats, monkeys and man. Man seems first to have contracted a variant of TSE in New Guinea. It was called Kuru. First reports of Kuru came in the early 1900's among aborigines known as South Fore. These folks inhabited the Okapa Subdistrict of New Guinea, numbering about 8,000. The disease peaked in the 1960's when over 1,000 South Fore died from the disease. But, what had caused it? These primitive peoples practiced a unique form of cannibalism! When someone died, the women of the group would meticulously strip the body of all meat and even clean out the skull cavity for the brains. These "morsels" then were shared with the family in a bizarre ritual. Apparently, it served two purposes. First, protein was scarce so it provided critical nourishment; and second, it must have been part of a religious ritual.

Subsequently, additional human variants of these diseases were identified in other portions of the world. They include Creutzfeldt-Jakob disease (CJD) (pronounced Kroytzfelt-Yaakabs), Gerstmann-Straussler-Scheinker Syndrome (GSS), familial insomnia (FFI) and nvCJD a "new variant" possibly derived from BSE. In 1969, Kuru's apparent causative agent was shown to be one of the most unique disease agents currently known: the prion (pronounced pree-on). Prions are unique since they are not a bacteria, not a virus or not even a retrovirus. They seem to be simple molecules of proteins (assemblages of amino acids) and may be part of a virus. What's interesting is prions normally are found in the brains and nervous systems of all mammals. Their function is not certain, but some believe them to be important in protecting the sensitive neural tissue from harmful agents. They may even be involved in preventing dementia and Alzheimer's disease. This protective system can go seriously awry when these little molecules turn into "rogue" proteins, which explains what may be happening in the TSE diseases. Rogue prions can be likened to the little toys kids bought by the thousands a few years back. They might look like a car now, but a child can rearrange the pieces to "morph" them into a doll or a train. The number of pieces never changed, just the way the pieces were arranged. So it is with the bad prions. They simply are rearrangements of the same 250 or so amino acids that make them up.

There are cells in the brain called Purkinje cells which require healthy prions to survive. Purkinje cells are very important to our brains, aiding in memory. In TSE cases, Purkinje cells are conspicuously

absent or reduced. There may be a genetic predisposition to TSEs, since some research in mice have documented a genetic relationship; hence, the prevalence of scrapie in Suffolk sheep. Some cases of CJD in humans also have been shown to be hereditary.

How did we find it?

With such a weird and exotic disease, how ever did we find it? Scientists always have followed a process taught long ago by a medical scientist named Koch (pronounced "coke'), who came of with a series of rules to be followed when identifying a disease: Koch's Postulates. Essentially, he suggested the following questions:

Is the causative agent present in every case of the disease?

Can the agent be cultured?

Is the agent unique to this disease condition?

Can it be reproduced experimentally?

Can it be cultured from diseased animals?

Koch's Postulates served medicine for many years, but recently we have learned some diseases cannot be proven using them. TSEs are such a group. They just don't fit Koch's Postulates. In fact, we still are not sure prions even are the causative agent. Some scientists think there still may be viruses or retroviruses involved.

To further complicate the issue, recent research indicated, not only a genetic predisposition to TSEs, but also possible involvement of environmental pollutants. At first discredited, now taken more and more seriously, a British amateur scientist (Mark Purdey) came up with a very interesting, yet plausible, theory on how at least BSE may have developed. It seems the UK mandated applications of massive amounts of organophosphate pesticides in cattle to control the warble fly. A concentrated mixture of a pesticide Maneb (or Mancozeb) was poured along the backs of cattle to control the parasite. These pesticides are derivatives of the nerve gas poisons developed by the Germans for use in World War I. In peace time, organophosphates became commonly used after pesticides such as DDT were made illegal in many countries.

The current thought is, organophosphates can alter the relationship between two important minerals: copper and manganese. Prions have a tendency to bind with manganese (Mn) to form rogue prions. This theory is gaining momentum. There also appears to be a link between some cases of CJD and lotions used to treat lice in humans. A paper published recently by Dr. Larry Barger of the University of Illinois concludes: "The final chapter in the BSE story has not been written. The author acknowledges that some of the information included here is controversial. .However, the role of copper and manganese in the development of prion diseases is gaining increasing credibility."

So, how did we find it? We don't even know what "it" is! Certainly,

Koch's Postulates fail us in this mysterious disease. Is it caused by several factors, some of which are environmental? We honestly don't know. Since scrapie has been around for two and one-half centuries (that we know), that disease could not have been caused by organophosphates. We do, however, find a link in some of these TSEs to local soil conditions, notably those either deficient in copper or high in manganese. Is it always transmissible? Again, we really don't know. Is there a genetic link? There may be in some species. The only thing I can state here without doubt is we have a mysterious, deadly disease that has been around for many years and we now are finding it in other species; which brings us probably to the most important thing in your mind, how about deer?

Where did it show up in deer?

The time line on the discovery of CWD in deer is somewhat short! Not all the facts are in and there are many rumors and undocumented facts. Yet, we do know that a mysterious disease showed up in the Colorado Department of Natural Resources Research Facility near Fort Collins in 1967. Sadly, it took 10 years to identify the causative agent, a type of spongiform encephalopathy. How it got into the state's facility is not known; and, never may be known. There are rumors sheep also were maintained there. Others say animal product feed was the source; while, still others say the disease always had been in the wild. It was just the bad luck of the draw! At any rate, in spite of the presence of an obviously virulent disease, little action was taken for 10 years.

During this time, animals from the facility unwittingly were moved to zoological parks in Colorado and South Dakota. Others reportedly were used to mitigate losses of animals due to Tb testing. The zoos sold or gave deer to private landowners. Animals from the original herd ended up in other research facilities of western states. A pattern of potential transmission, just as we saw with the Michigan scrapie sheep, emerged. Later generation animals also were sold to ranches in Texas, Utah, Idaho, Nebraska and Pennsylvania. Fortunately, there have been no signs of the disease in Texas.

The "genie was out of the bottle!" The disease showed up in 1977 at a state deer research facility at Wheatland, Wyoming; in 1979 in elk at a Colorado research station; in free-ranging deer in north-central Colorado in 1981; the first game (elk) farm in 1996; in game farms in South Dakota in 1997; captive elk in Nebraska and Oklahoma in 1998; captive elk in Montana, Colorado and Nebraska in 1999; Saskatchewan in 00; and, in a Nebraska elk herd in 02. Do you see a pattern?

The last example in Nebraska is interesting particularly in that the elk involved came from captive herds with no history of the disease. Subsequent follow-ups on the sources for these animals also have shown no disease. Then, where did it originate? We only recently discovered that mule deer trapped within the fence have the disease at a very high rate. Many now think the elk got CWD from these animals. That means either, 1) the disease has spread into the wild, or 2) it has been present all along as some claim.

At the time of this writing, CWD has been reported in five wild white-tailed deer in Wisconsin. How these animals - some 900 miles away - came down with CWD is uncertain. Recent investigations suggest homemade mineral supplements high in manganese or food supplements made from chicken by-products may be implicated. Birds are notorious for passing high amounts of manganese through their systems into their feces. Others suggest the wild deer caught the disease from fenced ranches or deer farms nearby. Hopefully, we soon will find out.

Ok, where do we go from here?

Almost every state now has at least temporarily closed its border to importation of deer, and it is my opinion this is a good idea. The Texas Deer Association has worked with TP&WD and the Texas Animal Health Commission in closing Texas' border. It just makes good sense to everyone concerned. Arkansas Wildlife Director, Hugh Durham, put it best: "At least for now, we feel it is prudent to take a wait and see position, that's why we temporarily closed the Arkansas border to importation. That gives us time to catch our breath and put together a sound plan for dealing with the situation." Solid reasoning in my book! But what about the state where the disease originated?

Colorado, in spite of taking a very long time to react to the disease, has produced a "plan" for management. They actually tailored three plans: Big Thompson Plan, Red Feather-Poudre Canyon Plan and the South Platte River Plan. Although supposedly tailored to each situation, each plan is the same. In essence, these plans are aimed at ".reducing the prevalence of chronic wasting disease (CWD) and keep it from spreading to disease free areas." The operative phrase here, folks is "reducing the prevalence." The standard procedure for controlling CWD, TB or any other disease in fenced deer has been total eradication, not reducing prevalence. The targeted goal in Colorado is to reduce prevalence to less than 1%. That means the disease will remain out there for the remainder of time! Is it then a "ticking time bomb?" This was the approach tried by Michigan for Tb in wild deer and officials now are willing to admit it will always be an issue in wild deer. What about fenced deer?

As I reported in Part I, the convenient thing about fenced herds is disease can be eradicated from them. The horrible situation involving Tb in Michigan deer has turned out to be a "win-win" for Michigan deer breeders. After six years of testing, the industry has been shown to be free of this disease. Only one herd ever contracted the disease and it was proved they caught Tb from the wild deer. Unfortunately, the picture is not so rosy for the wild deer. Wild deer and cattle continue to interact and the disease persists at a "manageable" rate.

Both the North American Elk Breeders (NAEBA) and the North American Deer Farmers (NAdeFA) Associations have taken a proactive stance on CWD, as has the Texas Deer Association (TDA). NAEBA worked closely with the USDA and their Canadian equivalent on eradication plans. Numbers of cases in farmed elk have been reduced significantly, as a consequence. The plan focuses on eradication, not management. Likewise, Canadian farmers have pushed for eradication, not control of the disease when or

if found. The bottom line is CWD, as with Tb, is a controllable disease in fenced situations. Herds can be monitored, animals tracked and actions taken to eliminate the disease. Already, there are positive signs of a significant turn around. What happens in the wild is quite another issue.

State game agencies depend heavily on sales of licenses and fees to support their operations. Anything that threatens income raises a "red flag" for DNRs. Many state biologists within the Rocky Mountain CWD core area will not support total eradication of deer and elk within the infected regions. That would bankrupt their agency. License sales have declined in many of western states, especially Colorado. I receive dozens of calls each month from frightened hunters saying they will not return to the west next season. So, there is not a whole lot of support for eradication, only in privately-owned herds.

How big a problem?

It would irresponsible to understate the seriousness of the CWD situation. But, as Director Durham suggested, we must take a reasoned and prudent approach to the situation. We need a national, as well as state plan to eradicate the disease; and, that's going to be a formidable task. Some say wild animals always have had these and other diseases and we are tampering with nature to control them. One of the best (and few) texts on the subject of wildlife diseases was written by Dr. Gary Wobeser of the University of Saskatchewan. He notes:

"The reasons for undertaking any type of disease manipulation in wild animals are essentially anthropomorphic, i.e., management is usually done to benefit humans in some way. Since this is the case, a hands-off approach may be entirely appropriate where the consequences of disease are perceived to be of little or no consequence. This approach would be even more appropriate if the animals were unaffected by human activities and lived in a pristine environment where disease was truly a natural event."

Aldo Leopold, the father of wildlife management in this country, left little doubt about his opinion on this subject in his landmark book, Game Management. "In its more advanced stages, game management is in effect the art of maintaining a population which is vigorous and healthy in spite of its density." Managing game for man's benefit, as well as the various associated species is the cornerstone of modern game management. Since we don't know if man or nature created this situation, I for one think it prudent to follow Leopold's guidance on this issue.

Can CWD, as may be the case now with BSE, spread to other non-deer species? The "official" position of everyone involved -- agencies, organizations, private owners and scientists - is that the disease cannot jump species. Again, I think it irresponsible and unethical to suggest otherwise at this time. There is no credible scientific evidence eating venison from an infected animal will give you CWD or a related TSE disease. But, again we must be vigilant and prudent. We closed the borders to movement of live deer for the immediate future. But, what about carcasses of animals harvested from infected regions. A fellow can

shoot a mule deer in Colorado that is emaciated in appearance but has a fine rack, and take it home to Texas. Later, the taxidermist can cut the skull cap off and, because no processor will now take the remains for rendering, throw the remains into a trash pit. The hunter decides the venison is not all that good and it also ends up in the trash. Could animals scavenge on the remains? Deer are notorious for eating bones and antlers for the calcium and phosphorus. Again, there is no evidence this could lead to transmission, and the probability is low, but we should at least consider the possibility.

Media and other agendas

As I noted earlier, BSE caused a veritable panic in Europe. Fear of getting the disease from eating red meat literally bankrupt an entire agricultural industry. Yet, today the problem is much less than originally thought. It appears to be on the decline and consumer confidence is increasing. Scrapie, in spite of being around for more than two centuries has not stopped folks from enjoying lamb. But, the power of the media to influence public opinion continues to be frightening. Outdoor writers have jumped on the CWD issue like the proverbial "duck on a june bug!" One of the most prominent outdoor magazines published at least two pieces stating without a doubt three hunters had contracted and died from CWD. How irresponsible! As I noted in Part I, many a beautiful theory has been murdered by a ruthless gang of facts. There are no cases documented in which humans either have contracted or died from CWD.

There is a great debate raging among wildlife professionals concerning private management of game animals, especially deer. It is a philosophical debate that will, in my opinion, play out shortly. But, there are some who have used disease issues to bolster their positions against intensive deer management. It is interesting to note most of the monitoring efforts for CWD have occurred only around privately fenced properties. The standard protocol for investigating wildlife diseases, however, requires a systematic search for the disease over the entire landscape in order to assess distribution.

The Facts

What I hope you have learned from this two-part series is that wildlife, like any other group of animals, have diseases. The source9s) for these diseases are many and complex. They may come, as with Tb, from domestic livestock. Or, as with anthrax they always have been out there waiting for an opportunity. As may be the case with CWD, they even can develop from or be encouraged by a weird mix of environmental factors acting on natural body processes.

There also is another important point. There is no evidence fencing deer causes diseases. If a disease shows up its because it was there in the first place or contracted through contact with other species. It does, however, provide higher probabilities of detecting the presence of the disease. That also leads to easier control or eradication. Tuberculosis came about through livestock co-mingling with wild deer. Chronic wasting disease either was present in the wild and expressed

itself as above, or created like a modern day Frankenstein monster in as state-owned research facility. Whatever the cause, it does no good to fight among ourselves over who is to blame. Unfortunately, much of the motivation for this anti-management mentality is a genuine concern for the future of hunting; albeit misguided in my opinion. That we all share. Ironically, though, in their zeal to support their position with the latest "evidence" opponents to intensive management may have inadvertently "thrown the baby out with the bath water!" The hunting public, as with the English consumer, seemed to have panicked to the point long-term economic impact may destroy what we all love: deer hunting. I learned recently that several of the national movements to distribute venison to the hungry now are thinking about closing down or discontinuing their efforts until this "blows over," a tragic consequence of the panic unnecessarily generated. In my opinion, we all need to take a deep breath and pull together. CWD is still a relatively rare disease condition and should be treated as such.

The Future

CWD appears to be localized at this point primarily in some western states. The Wisconsin outbreak has yet to be investigated thoroughly. It may turn out unique environmental conditions favor the disease. CWD is indeed a manageable disease, provided appropriate plans are put into place. In 1923, hoof-and-mouth disease broke out in California deer. A plan was organized and the disease eradicated. We can do the same with CWD. These plans should involve solid, scientific research into the causal agent and underlying factors behind TSE type diseases. Fenced deer will be the easiest to free from CWD, as was the case with Tb. Wild deer will be much more difficult. In spite of the furor, CWD remains a rare disease which could have been present all along. We do know that, at least in elk, there are genetically resistant animals. There are herds which have been exposed to the disease without contracting it. So, I think there is a bright future for dealing with this disease.

We have come to this point, however, not because people intensively managed deer. Rather, by allowing wild deer herds to reach un-natural population levels and un-natural age and sex structure, we have set the stage for disease. When you combine these facts with ever-increasing interactions between man, his livestock and wild animals, it seems logical to me there will be disease challenges.

Tb and CWD certainly are not the last diseases we will encounter with game animals. There currently over 100 reportable diseases in livestock; and, only a handful in wildlife. Why would not expect this to change? The paradox is that humans, in particular wildlife professionals, tend to think of wild animals as "perfect." They never have an accident, they never contract diseases. Yet, my prediction many years ago about the eventual appearance of new and old diseases among wildlife populations are coming true. What's next? Well, Johne's disease or paratuberculosis is hiding out there somewhere. So is pseudorapies in wild hogs; and, brucellosis both in cattle and deer. Then there are many more that have not even been described yet. But, we will deal with each as they appear. The animals will do their part, and I firmly believe so should we.

YOU MAY FIND THIS ARTICLE VERY VERY INTERESTING.

Colorado Elk Ranches Conquering CWD
By Linda Lindsey
Eradication Program Successful in Colorado

The Colorado Elk Breeders Association is happy to be able to report that the trace out process has been completed and elk put down at all ranches that had suspect animals. Out of over 3,000 elk killed only 40 have tested positive for CWD, or 1.3%. Of the total 16,000 domestic elk in Colorado that is 0.25%. More than 200 animals were shipped to 15 states from affected Colorado elk ranches. These animals were also quickly identified, depopulated, and tested for CWD. Only one of 200 elk tested positive for the disease. The lone positive case was in a Kansas herd of 16 elk. The remaining elk in the herd were tested and found to be negative. Colorado elk ranchers have voluntarily placed themselves under a surveillance program developed by the State Vet which will insure that CWD does not reappear in ranched elk, or if it does, it will be swiftly eliminated. Since May 1998, every elk that dies in Colorado, whether by accident or slaughter for meat, must be tested by having a brain stem sample sent to a lab. Therefore, it may soon be the case that only ranched elk are free of CWD and wildlife agencies will have to come to elk ranchers to replenish the wild herds that they have allowed to be decimated by this disease.

ROCKY MOUNTAIN NEWS Reveals DOW Ineptitude
The Rocky Mountain News published on June 1 a special section on CWD, the gist of which was to expose government ineptitude. According to Rocky Mountain News publisher, John Temple, RMN reporters had a difficult time getting any information about CWD from government officials:
Colorado is at the epicenter of the story. Yet, even today, aside from the governor's office, state institutions -- such as the Division of Wildlife, the Department of Agriculture and the research laboratories at Colorado State University -- put up barriers when asked to share their work with the public. They're concerned that exposure of what they're really doing would cause a public outcry.

Reporter Gary Gearhardt was one of the three lead writers on CWD for the News who was stonewalled. "There's a lot of fear that things will be said that will reflect poorly on the state," he said. "They didn't want people seeing the real dirty part of their business."

Elk ranchers have been trying for years to get the media to print the true story about the responsibility for the creation of CWD and its spread, but it has been covered up by the scientists and agencies involved. According to the Rocky Mountain News, June 1, 2002, the disease was first identified in the DOW research facility at Fort Collins long before elk ranches existed in Colorado. Gene Schoonveld admits that the nutrition and comparative anatomy studies he did for his Master's Degree at CSU in the late '60s using deer and scrapie-infected sheep and DOW deer may have been responsible for the spread of the disease to deer:

"They were in close proximity of the sheep for long periods of time and it was among those animals that the symptoms of CWD first showed up," said Schoonveld, now a Division of Wildlife biologist.

"Soon after they were together, adult deer started showing signs of CWD" he added. "There were a number of deer projects going on at the time and deer were coming in from the wild that may have been infected, and were trading deer with Sybille (the Wyoming Game and Fish Department's Sybille Research Unit, Near Wheatland, Wyoming), and so it's impossible to say for sure how it got started," Schoonveld said. "But my guess as a biologist is those sheep had scrapie (the sheep version of TSE) and in close confinement – something that they wouldn't do out in the wild – it jumped to deer and infected them. The deer then spread it among themselves." This is because the deer were released back into the wild instead of being destroyed, because, despite what now seems like obvious evidence, "no one at the time understood that what was affecting the deer in the pens was a contagious disease." (Mike Miller, RMN, June 1, 2002, p. 4K.)

By 2001 the disease, spreading unchecked, had infected up to 14% of wild deer in the area surrounding the DOW research facility, and up to 1% of the wild elk. It is important to note that CWD has been spreading farther where there is no elk ranching. Wyoming does not allow game ranching, but it has more square miles of CWD endemic area than any other state. Wyoming's wildlife agency reckons CWD is spreading at the rate of 50 miles a year. However, CWD is an exceedingly rare disease outside of this endemic area. So far only 98 domestic elk out of a total of approximately 135,000 domestic elk in the United States have tested positive for the disease. This is less than 0.1%!

Wildlife Managers Fail To Take Action

It was not until 1977 that Beth Williams, now a professor of veterinary science, then a graduate student at CSU, realized that the mysterious deaths of the animals in the DOW pens were caused by a communicable disease that was indeed a TSE, or spongiform encephalopathy. Since then the Colorado DOW and Wyoming Game and Fish agencies have been monitoring the disease but, despite the fact that it has been slowly spreading and killing more of the state's wildlife each year, have done nothing to prevent its spread. In fact they have been releasing CWD infected deer back into the wild some of that time as well as shipping them to zoos and to other states. In the past few months, however, the DOW has found the disease in a few deer on the Western Slope of the Rockies, where hunting is the basis of the local economy, and this has caused a public outcry forcing them to address the problem.

Studies Show CWD Does Not Jump Species Barrier

Of course, the wildlife agencies felt there was no need for great concern because CWD has never been shown to affect humans or other livestock, such as cattle. There is a species barrier that prevents the disease from jumping from one species to another except under very unusual circumstances. The advent of Mad Cow Disease in England is generally believed to have been brought on by the practice of feeding sheep remains to cattle. This practice has never existed in the U.S. In this country federal law now specifically prohibits the feeding of animal remains to mammals. The elk industry has made it clear to the makers of elk feeds that we must have uncontaminated

feeds, and manufacturers have gone to great lengths to insure that no animal by-products are included in elk feed.

Whereas CWD apparently came to cervids from scrapie-infected sheep, attempts to get CWD to transfer to other species have all been unsuccessful. There has even been a recent study, conducted by Dr. Beth Williams at the Wyoming State Veterinary Lab, where 12 cows were orally fed CWD-infected feed, and all the cattle are CWD free after three years. And in research by Dr. Gould at CSU on the possibility of transmissibility of the disease from wild deer in the endemic area to cattle, all the tests were negative. Importantly, Dr. Richard Rubenstein at the Institute for Basic Research in Developmental Disabilities in New York tested antlers from CWD-positive and negative elk, and none of them had any detectable signs of CWD.

Wildlife managers in Colorado and Wyoming have thus been aware of this disease and have been studying it since the late 1960s but have consistently refused to take any positive steps to halt the spread of the disease, let alone to attempt to eradicate it, until public opinion forced them to. Not coincidentally, hunting license sales are the main source of income for these agencies and the policy of the Colorado DOW has been that "If it doesn't affect hunting license sales, it's not a problem." This policy has been stated many times in Wildlife Commission meetings and elsewhere by DOW personnel. Hunters have, in the past couple of years, become aware of the existence of the disease and it is now affecting license sales. Hunters have become outraged and are petitioning the DOW to "do something." Unfortunately, this has caused the DOW to try to point the finger at elk ranchers. It should be clear by now that this disease did not originate in elk ranches and is not being spread by elk ranches. In fact, elk ranches have swiftly eliminated diseased animals behind their fences. But it is a much more difficult problem to try to eliminate a disease in the wild than on a ranch with a confined perimeter and handling facilities, especially without a live animal test. DOW veterinarian Mike Miller has admitted that the DOW really doesn't know how to eliminate the disease in the wild but the agency is hiring sharp shooters to kill as many cervids in the "hot spots" as possible.

Wisconsin Fish and Game officials have recently found CWD in wild deer in that state and it is anticipated that when wildlife agencies in other states finally begin testing for the disease more of it will be found. In fact, since scrapie is present in approximately 75% of sheep in the U.S., CWD may be found wherever sheep and deer are in close proximity.
It is only in the last year that the USDA has begun to institute a mandatory program to get rid of scrapie in sheep. It has become clear that if we want to get rid of TSEs in animals we have to deal with all mammalian species.
Elk Ranchers Act Swiftly To Eradicate CWD

Elk ranchers, however, have a history of stepping up to the plate and confronting disease issues swiftly and decisively. When TB first appeared in farmed elk the industry immediately developed a program for eradicating the disease. The TB certification program was instituted with the help of the U.S. Animal Health Association and has been a great success. Similarly, the industry has developed a surveillance program for CWD which is mandatory in Colorado and may soon become mandatory across the country. This program will insure the freedom of ranched elk from this terrible disease.

It is, of course, essential that every elk rancher participate in the program and follow the legal requirements. A person who tries to get around the rules is hurting not only himself but the entire industry. The Colorado elk industry has had almost 100% cooperation in the CWD eradication program, but the failure of one rancher to follow the rules has given us all a black eye that is proving hard to recover from.

Putting an indemnity program in place was essential to insure the cooperation of ranchers, and we can thank all of you who spoke to your legislators about this. Ranchers whose animals are put down as part of the CWD eradication program are indemnified at fair market value, up to a maximum of $3000 per animal by the USDA. This does not mean that ranchers are getting $3000 per animal, because market values are down. but it does mean that a rancher will be able to cut his losses.

Elk Research Council Supports Research on Live Animal Test
In addition, the Elk Research Council, an offspring of the North American Elk Breeders Association, has put a great deal of money to research into finding a live animal test for CWD, and it is getting closer. Such a test would be a great aid in more swiftly eliminating this disease, both from ranched and wild elk, without having to kill thousands of animals. The elk industry urges the government to give more financial support to this research, which is vital to the health of hunting and livestock industries in this country. We encourage you to send this article to your legislators along with a letter asking them to support research on a live animal test for CWD in order to avoid having to kill so many live animals in the effort to eradicate this disease.

DECEMBER 16

TENTATIVE AGENDA

LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Monday, December 16, 2002

6 p.m. to 8 p.m.

Senate Finance Committee Room, M-451

1. **Review of Legislative Rules:**

   a. **Board of Funeral Service Examiners**
   General Provisions, 6CSR1

   b. **Board of Funeral Service Examiners**
   Crematory Requirements, 6CSR2

   c. **Insurance Commissioner**
   Credit Personal Property Insurance, 114CSR61

   d. **Department of Administration**
   Parking, 148CSR6

   e. **Department of Administration**
   Rule for Technology Access for Visually Impaired, 148CSR15

   f. **Department of Administration**
   Rule and Regulations for Qualifications for Participation, 186CSR4

   g. **Governor's Committee on Crime, Delinquency and Correction**
   Law Enforcement Training Standards, 149CSR2

   h. **Governor's Committee on Crime, Delinquency and Correction**
   Community Corrections Standards, 149CSR4

   i. **Family Protection Services Board**
   Operation of the Family Protection Services Board, 191CSR1

   j. **Family Protection Services Board**
   Licensure of Domestic Violence and Perpetrator Intervention Programs, 191CSR2

   k. **Family Protection Services Board**
   Perpetrator Intervention Program Licensure, 191CSR3

1. **Family Protection Services Board**
   Monitored Visitation and Exchange Program Certification, 191CSR4

2. **Other Business**

Monday, December 16, 2002

6 p.m. to 8 p.m.

Legislative Rule-Making
Review Committee
(Code §29A-3-10)

Earl Ray Tomblin
ex officio nonvoting member

Robert "Bob" Kiss
ex officio nonvoting member

Senate	**House**	
Ross, Chairman	Mahan, Chairman	
Anderson, Vice Chairman	Wills, Vice Chairman	Absent
Minard	Cann	
Snyder	Kominar	
Boley	Faircloth	
Minear	Riggs	Absent

The meeting was called to order by Mr. Ross, Co-Chairman.

Mr. Ross stated that the rules proposed by the ***Board of Funeral Service Examiners-General Provisions, 6CSR1,*** and ***Crematory Requirements, 6CSR2,*** had been moved to the foot of the agenda.

Connie Bowling, Associate Counsel, explained that the rule proposed by the ***Insurance Commissioner-Credit Personal Property Insurance, 114CSR61,*** had been laid over from the Committee's November 17, 2002, meeting and that the Commissioner has agreed to technical modifications.

Mr. Snyder moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Bowling stated that the rule proposed by the ***Department of Administration-Parking, 148CSR6,*** had been laid over from the Committee's November 19, 2002, meeting and that the Department has agreed to technical modifications.

Mr. Kominar moved that the proposed rule be approved as modified. The motion was adopted.

Debra Graham, Committee Counsel, reviewed her abstract on the rule proposed by the ***Department of Administration-Rule for Technology Access for Visually Impaired, 148CSR15,*** and stated that the Department has agreed to technical modifications.

Mr. Snyder moved that the proposed rule be approved as modified. The motion was adopted.

Daniel Kimble, Associate Counsel, explained the rule proposed by the ***Department of Administration-Rule and Regulation for Qualifications for Participation, 186CSR4,*** and stated that the Department has agreed to technical modifications.

Mr. Snyder moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Graham reviewed her abstract on the rule proposed by the ***Governor's Committee on Crime, Delinquency and Correction-Law Enforcement Training Standards, 149CSR2,*** and stated that the Committee has agreed to technical modifications.

Ms. Mahan moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Bowling explained the rule proposed by the ***Governor's Committee on Crime, Delinquency and Correction-Community Correction Standards, 149CSR4.***

Mr. Kominar moved that the proposed rule be approved. The motion was adopted.

Ms. Bowling reviewed her abstract on the rule proposed by the ***Family Protection Services Board-Operation of the Family Protection Services Board, 191CSR1,*** and stated that the Board has agreed to technical modifications.

Mr. Cann moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Bowling explained the rule proposed by the ***Family Protection Services Board-Licensure of Domestic Violence and Perpetrator Intervention Programs, 191CSR2,*** and stated that the Board has agreed to technical modifications.

Ms. Boley moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Bowling reviewed her abstract on the rule proposed by the ***Family Protection Services Board-Perpetrator Intervention Program Licensure, 191CSR3,*** and stated that the Board has agreed to technical modifications.

Ms. Boley moved that the proposed rule be approved as modified. The motion was adopted.

Ms. Bowling explained the rule proposed by the ***Family Protection Services Board-Monitored Visitation and Exchange Program Certification, 191CSR4,*** and stated that the Board has agreed to technical modifications.

Mr. Anderson moved that the proposed rule be approved as modified. The motion was adopted.

The meeting was adjourned.

DECEMBER INTERIM ATTENDANCE
Legislative Interim Meetings
December 15, 16 and 17, 2002

Monday, December 16, 2002

6:00 - 8:00 p.m.

Legislative Rule-Making Review Committee

Earl Ray Tomblin, ex officio nonvoting member

Robert S. Kiss, ex officio nonvoting member

Senate		House	
Ross, Chair	✓	Mahan, Chair	✓
Anderson, Vice Chair	✓	Wills, Vice Chair	
Minard	✓	Cann	✓
Snyder	✓	Kominar	✓
Boley	✓	Faircloth	✓
Minear	✓	Riggs	

I certify that the attendance as noted above is correct.

Staff Person

Rule-Making Review Committee
Terri Anderson

****Please return to Brenda as soon as meeting is over, due to payroll purposes.**

REGISTRATION OF PUBLIC
AT
COMMITTEE MEETINGS
WEST VIRGINIA LEGISLATURE

Committee: Legislative Rule-Making Review Date 12/16/02

Please print or write plainly.

NAME	ADDRESS	REPRESENTING	Please check (X) if you desire to make a statement.
Cindy Frich	1248 Baker's Ridge Rd	Monongalia County	
MaryJane Pickens	WV Insurance Commission		

LS-C-66-1a
Revised 1-10-97

© 114CSR61

___ DAG
___ JAA Explained the rule.
___ RAP
___ CAB
___ DEK

___ Yes Responded to questions.
___ No

___ Yes Modifications? ___ Yes Agency agrees?
___ No ___ No

Name	Agency/Company	Title	Address Committee	Responded to Questions

_____ Moved that the rule be (amended/modified) by:

___ Adopted The motion was:
___ Disapproved

Snyder _____ Moved that the rule be:
___ approved as filed
___ approved as modified
___ approved as amended
___ recommended for withdrawal
___ laid over
___ moved to the foot of the agenda

@ 148 CSR4

___ DAG
___ JAA — Explained the rule.
___ RAP
✓ CAB
___ DEK

___ Yes — Responded to questions.
___ No

✓ Yes — Modifications? — ✓ Yes — Agency agrees?
___ No — ___ No

Name	Agency/Company	Title	Address Committee	Responded to Questions

_____ Moved that the rule be (amended/modified) by:

___ Adopted — The motion was:
___ Disapproved

Kominar _____ Moved that the rule be:
___ approved as filed
✓ approved as modified
___ approved as amended
___ recommended for withdrawal
___ laid over
___ moved to the foot of the agenda

@ 148 CSR 15

✓ DAG
____ JAA
____ RAP
____ CAB
____ DEK

Explained the rule.

____ Yes
____ No

Responded to questions.

✓ Yes
____ No

Modifications?

✓ Yes
____ No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions

_____ Moved that the rule be (amended/modified) by:

____ Adopted
____ Disapproved

The motion was:

Snyder Moved that the rule be:
____ approved as filed
✓ approved as modified
____ approved as amended
____ recommended for withdrawal
____ laid over
____ moved to the foot of the agenda

(A) 186CSR4

_____ DAG
_____ JAA
_____ RAP
_____ CAB
✓ DEK

Explained the rule.

_____ Yes
_____ No

Responded to questions.

✓ Yes
_____ No

Modifications?

✓ Yes
_____ No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions

_____ Moved that the rule be (amended/modified) by:

_____ Adopted
_____ Disapproved

The motion was:

Snyder Moved that the rule be:

_____ approved as filed
✓ approved as modified
_____ approved as amended
_____ recommended for withdrawal
_____ laid over
_____ moved to the foot of the agenda

(6) 149C5R2

___✓___ DAG
_____ JAA
_____ RAP
_____ CAB
_____ DEK

Explained the rule.

_____ Yes
_____ No

Responded to questions.

___✓___ Yes
_____ No

Modifications?

___✓___ Yes
_____ No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions

_____ Moved that the rule be (amended/modified) by:

_____ Adopted
_____ Disapproved

The motion was:

___Mahan___ Moved that the rule be:
_____ approved as filed
___✓___ approved as modified
_____ approved as amended
_____ recommended for withdrawal
_____ laid over
_____ moved to the foot of the agenda

(A) 149 CSR 4

_____ DAG
_____ JAA
_____ RAP
__✓__ CAB
_____ DEK

Explained the rule.

_____ Yes
_____ No

Responded to questions.

_____ Yes
_____ No

Modifications?

_____ Yes
_____ No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions

_____ Moved that the rule be (amended/modified) by:

_____ Adopted
_____ Disapproved

The motion was:

__Komisar__ Moved that the rule be:
__✓__ approved as filed
_____ approved as modified
_____ approved as amended
_____ recommended for withdrawal
_____ laid over
_____ moved to the foot of the agenda

① 191CSR1

___ DAG
___ JAA
___ RAP
✓ CAB
___ DEK

Explained the rule.

___ Yes
___ No

Responded to questions.

✓ Yes
___ No

Modifications?

✓ Yes
___ No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions

_____ Moved that the rule be (amended/modified) by:

___ Adopted
___ Disapproved

The motion was:

Cann Moved that the rule be:

___ approved as filed
✓ approved as modified
___ approved as amended
___ recommended for withdrawal
___ laid over
___ moved to the foot of the agenda

(j)

_____ DAG
_____ JAA
_____ RAP
_____ CAB
_____ DEK

Explained the rule.

_____ Yes
_____ No

Responded to questions.

_____ Yes
_____ No

Modifications?

_____ Yes
_____ No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions

_____ Moved that the rule be (amended/modified) by:

_____ Adopted
_____ Disapproved

The motion was:

_____ Boley _____ Moved that the rule be:
_____ approved as filed
_____ approved as modified
_____ approved as amended
_____ recommended for withdrawal
_____ laid over
_____ moved to the foot of the agenda

K

_____ DAG
_____ JAA Explained the rule.
_____ RAP
__✓__ CAB
_____ DEK

_____ Yes Responded to questions.
_____ No

__✓__ Yes Modifications? __✓__ Yes Agency agrees?
_____ No _____ No

Name	Agency/Company	Title	Address Committee	Responded to Questions

_____ Moved that the rule be (amended/modified) by:

_____ Adopted The motion was:
_____ Disapproved

__Boley__ Moved that the rule be:
_____ approved as filed
__✓__ approved as modified
_____ approved as amended
_____ recommended for withdrawal
_____ laid over
_____ moved to the foot of the agenda

(4) 191C8R4

____ DAG
____ JAA
____ RAP
✓ CAB
____ DEK

Explained the rule.

____ Yes
✓ No

Responded to questions.

✓ Yes
____ No

Modifications?

✓ Yes
____ No

Agency agrees?

Name	Agency/Company	Title	Address Committee	Responded to Questions

_____ Moved that the rule be (amended/modified) by:

____ Adopted
____ Disapproved

The motion was:

Anderson _____ Moved that the rule be:
____ approved as filed
✓ approved as modified
____ approved as amended
____ recommended for withdrawal
____ laid over
____ moved to the foot of the agenda

_____ DAG
_____ JAA Explained the rule.
_____ RAP
_____ CAB
_____ DEK

_____ Yes Responded to questions.
_____ No

_____ Yes Modifications? _____ Yes Agency agrees?
_____ No _____ No

Name	Agency/Company	Title	Address Committee	Responded to Questions

_____ Moved that the rule be (amended/modified) by:

_____ Adopted The motion was:
_____ Disapproved

_____ Moved that the rule be:
_____ approved as filed
_____ approved as modified
_____ approved as amended
_____ recommended for withdrawal
_____ laid over
_____ moved to the foot of the agenda

_____ DAG
_____ JAA Explained the rule.
_____ RAP
_____ CAB
_____ DEK

_____ Yes Responded to questions.
_____ No

_____ Yes Modifications? _____ Yes Agency agrees?
_____ No _____ No

Name	Agency/Company	Title	Address Committee	Responded to Questions

_____ Moved that the rule be (amended/modified) by:

_____ Adopted The motion was:
_____ Disapproved

_____ Moved that the rule be:
_____ approved as filed
_____ approved as modified
_____ approved as amended
_____ recommended for withdrawal
_____ laid over
_____ moved to the foot of the agenda

_____ DAG
_____ JAA Explained the rule.
_____ RAP
_____ CAB
_____ DEK

_____ Yes Responded to questions.
_____ No

_____ Yes Modifications? _____ Yes Agency agrees?
_____ No _____ No

Name	Agency/Company	Title	Address Committee	Responded to Questions

_____ Moved that the rule be (amended/modified) by:

_____ Adopted The motion was:
_____ Disapproved

_____ Moved that the rule be:
_____ approved as filed
_____ approved as modified
_____ approved as amended
_____ recommended for withdrawal
_____ laid over
_____ moved to the foot of the agenda

TENTATIVE AGENDA

LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

Monday, December 16, 2002

6 p.m. to 8 p.m.

Senate Finance Committee Room, M-451

1. **Review of Legislative Rules:**

Foot of Agenda

a. **Board of Funeral Service Examiners**
General Provisions, 6CSR1

- Lay over from November 17, 2002, meeting
- Removed from agenda October 22, 2002
- Technical Modifications

Foot of Agenda

b. **Board of Funeral Service Examiners**
Crematory Requirements, 6CSR2

- Lay over from November 17, 2002, meeting
- Removed from agenda October 22, 2002
- Technical Modifications

modified

c. **Insurance Commissioner**
Credit Personal Property Insurance, 114CSR61

- Lay over from November 17, 2002, meeting
- **NO** Technical Modifications

modified

d. **Department of Administration**
Parking, 148CSR6

- Lay over from November 19, 2002, meeting
- Technical Modifications

modified

e. **Department of Administration**
Rule for Technology Access for Visually Impaired, 148CSR15

- Technical Modifications

modified

f. **Department of Administration**
Rule and Regulations for Qualifications for Participation, 186CSR4

- Technical Modifications

modified g. **Governor's Committee on Crime, Delinquency and Correction** Correct ABSTRACT
Law Enforcement Training Standards, 149CSR2

- Technical Modifications
- Agrees to Technical Modifications

as filed h. **Governor's Committee on Crime, Delinquency and Correction**
Community Corrections Standards, 149CSR4

- **NO** Technical Modifications

modified i. **Family Protection Services Board**
Operation of the Family Protection Services Board, 191CSR1

- Technical Modifications

modified j. **Family Protection Services Board**
Licensure of Domestic Violence and Perpetrator Intervention Programs, 191CSR2

- Technical Modifications

modified k. **Family Protection Services Board**
Perpetrator Intervention Program Licensure, 191CSR3

- Technical Modifications

modified l. **Family Protection Services Board**
Monitored Visitation and Exchange Program Certification, 191CSR4

- Technical Modifications

2. **Other Business**