

SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

MOTION ON ASSEMBLY BILL 292

Moved by **Senator Kedzie** that the Senate Committee on Environment and Natural Resources recommends concurrence of Assembly Bill 292,

Relating to: granting rule-making authority regarding the transportation, possession, control, storage, or disposal of the carcass of a deer or an elk from a chronic wasting disease eradication zone or a state with confirmed chronic wasting disease.

VOTE ON MOTION:

YES

NO

Signed: *Michael J. Kedzie*

Date: 2/16/04

SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

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VOTE ON MOTION:

YES

NO

Signed: 

Date: 2-18-04

SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

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VOTE ON MOTION:

YES

NO

Signed: Robert W. Which

Date: Feb 18, 2004

SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

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YES

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Date: 

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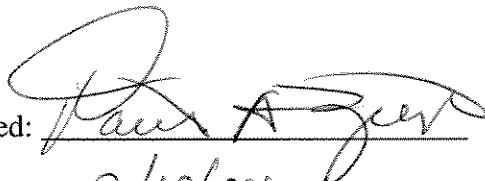
Relating to: granting rule-making authority regarding the transportation, possession, control, storage, or disposal of the carcass of a deer or an elk from a chronic wasting disease eradication zone or a state with confirmed chronic wasting disease.

VOTE ON MOTION:

YES

NO

Signed:



Date:

2/18/04



Wisconsin Wildlife Federation

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AFFILIATED WITH NATIONAL WILDLIFE FEDERATION

January 10, 2004

To: Senator Neal Kedzie, Chair Senate Environment and Natural Resources Committee; Senator Cathy Stepp, Senator Dave Zien, Senator Bob Wirsch and Senator Fred Risser

From: George Meyer, Executive Director, Wisconsin Wildlife Federation *George*

Subject: Support for Bills Coming Before the Senate Environment and Natural Resources Committee on March 12, 2004

The Wisconsin Wildlife Federation would like to indicate its position on the following bills that are scheduled to come before the Senate Environment and Natural Resources Committee on Thursday, February 12, 2004 and would like to be registered accordingly. The Wisconsin Wildlife Federation is the state's largest conservation organization and is comprised of eighty-two hunting, fishing and trapping organization located throughout the State of Wisconsin.

1. AB 292---Authored by Representative Seratti and Senator Stepp---Possession, transportation, etc of a carcass from a CWD area. The Wisconsin Wildlife Federation strongly supports this measure as a critical necessary step to prevent and/or slow the spread of CWD prions throughout the state's deer herd.
2. AB 345---Authored by Representative Miller and Senator Kedzie---Designation of the first weekend in March as Aldo Leopold weekend. Aldo Leopold is recognized nationally and internationally as a leading conservationist and natural resource philosopher. The Wisconsin Wildlife Federation was one of the initial supporters of this concept to spread the writings of Leopold throughout the state.
3. AB 530---Authored by the Joint Committee on Administrative Rules---Suspending a DNR rule protecting Wisconsin's wild and scenic rivers. Initially the Wisconsin Wildlife Federation opposed this bill. It was amended to address the concerns raised by conservation and environmental representatives and the WWF does not oppose the bill in its current version.
4. SB 407---Authored by senator Kedzie and Representative Johnsrud---Authorizing DNR to waive licensing and other deer hunting requirements in a CWD zone. The Wisconsin Wildlife Federation Board of Directors has not had an opportunity to meet and discuss this bill but will be doing so this weekend. However, this type of bill giving reasonable additional regulatory tools to DNR to combat CWD has traditionally been well supported by the Federation.

**AB 292 - Deer/Elk Carcass Movement Regulation and Landfill Indemnification
for CWD Control
Testimony – Wildlife Management
February 12, 2004**

**Kurt Thiede
Rules and Regulations Specialist
Bureau of Wildlife Management, WDNR**

Mr. Chairman, members of the committee, good morning and thank you for the opportunity to testify on AB 292. Additionally, we thank Rep. Seratti for her leadership in drafting and sponsoring this legislation. We believe the deer carcass management issues addressed by this bill are very important and worthy of quick action by the committee. Many of the benefits of this bill have already been discussed. So, I'll be brief in my testimony.

Assembly Bill 292 would allow our state to promulgate rules regulating the transportation, possession, control, storage, and disposal of the carcass of a deer or an elk that is killed in the state, in another state, or another country. The bill creates exceptions for certain low risk parts of great importance to hunters and processors.

Through research being conducted in other states and right here in Wisconsin we are learning more quickly about CWD. Unfortunately, much is still unknown. This legislation provides Wisconsin with tools to reduce a risk from one pathway by which CWD may spread to new areas of the state. When CWD was discovered, research and experts from abroad identified environmental contamination as one possible route by which the disease could be transferred. Although CWD positive carcasses are not currently believed to be the primary mode of disease spread or transmission, there is enough concern that many states are enacting similar carcass

movement guidelines. Fifteen states and one Canadian Province have already taken action to pass regulations that limit carcass movement and regulate disposal of carcasses.

Potentially, environmental contamination could occur through the transportation of infected carcasses from CWD-infected areas or western states and the dumping of those same carcasses on the landscape. This bill regulates both carcasses being transported within the state and carcasses being transported into the state as well. Proper carcass disposal will reduce the risk of infected carcasses as a possible transmission route.

Of primary importance is that carcasses are disposed of properly, especially those harvested in known infected areas, proper disposal of carcasses has been determined to be managed landfills, incineration, or the tissue digester.

Indemnification of landfills for carcass disposal is an important component of this legislation. We believe it would be advantageous from both a disease control and cost effectiveness perspective for the state to enter into agreements with parties who operate landfills, wastewater treatment plants and meat processing facilities to accept potentially diseased deer carcasses. Under such an agreement, the state would indemnify them, their employees, officers and agents against liability for damage to persons, property or the environment resulting from their processing or disposal of deer carcasses. Carcass disposal has been a major hurdle, of our CWD control efforts to date, both financially and operationally. The options available to the state have been limited and resulted in higher costs due to liability concerns by landfill and wastewater treatment operators.

Finally, the third important component of this bill is the collection of tissue samples from deer carcasses. Two years ago false positive CWD results from wild deer were reported to the media, but the state lacked the authority to obtain the tissue samples to verify the true status of the deer. This created panic for hunters in the affected parts of the state. Eventually these tissues were run through the gold-standard test and samples were found to have no evidence of CWD. This bill allows access to these tissues and allows collection of tissues to be mandatory in order to increase the accuracy and scope of our testing efforts for CWD and other disease such as Bovine TB.

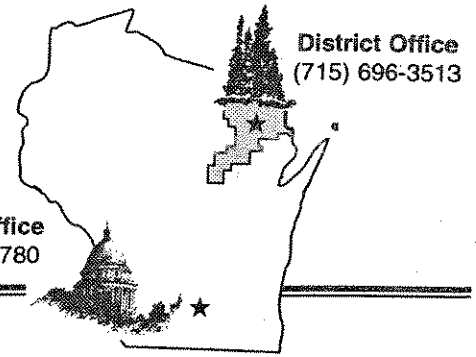
In closing, we thank you for the opportunity to comment on AB 292. We believe it addresses important disease control issues. Therefore, we support the amended bill and hope that your committee advances it.

**LORRAINE M.
SERATTI**

STATE REPRESENTATIVE
36TH ASSEMBLY DISTRICT

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**TESTIMONY ON AB 292
Regulating the Movement of Cervid Carcasses
2/12/04**

Representative Lorraine M. Seratti

Dear Chairman Kedzie and members of the Senate Committee on Environment and Natural Resources:

I am here today to testify in support of Assembly Bill 292.

I introduced this bill after listening to testimony from the Department of Natural Resources at a hearing of the Joint Committee for the Review of Administrative Rules. At the hearing, which was relating to the Department's CWD emergency rules, I noted that the DNR's rules did not regulate the movement of deer carcasses from the CWD zone. DNR staff members, who were present at the hearing, indicated that the Department did not have the statutory authority to promulgate such a rule.

We are all concerned with the possibility that CWD could spread from south-central Wisconsin to the rest of the state. While experts are not entirely sure how the disease spreads, it has been suggested that transmission can occur when a deer comes into contact with the carcass of an infected deer. Some evidence suggests that infectious prions can remain in an environment and continue to infect other deer. Prions can last in the environment long after an animal has died and they are very resilient. Proper disposal of deer carcasses will help to ensure that the environment is not contaminated with prions. It would be prudent for us to establish standards for the regulation of deer carcasses.

AB 292 grants the DNR the authority to promulgate rules regulating the transportation of cervid (deer and elk) carcasses from an area identified as a CWD zone. The bill also allows the Department to regulate the importation of cervid carcasses from states and Canadian provinces with known outbreaks of CWD. The bill does not apply to meat that is cut and wrapped, quarters or other portions of meat to which no part of the spinal column or head is attached, meat that has been boned, hides with no heads attached, finished taxidermy heads, antlers with no meat or tissue attached, skull plates with antlers attached and with no meat or tissue attached, and upper canine teeth. AB 292 also allows DNR to enter into agreements with persons who operate landfills, meat processing facilities, or wastewater treatment facilities to indemnify them for damages resulting from disposing of deer or elk with chronic wasting disease.

AB 292 should be viewed as a starting point. This bill will give the DNR the authority to promulgate rules to regulate the transportation of cervid carcasses. Any rule promulgated under this bill will still have to be reviewed by this committee, its Assembly counterpart and possibly by the JCRAR. Passing this bill is a first step towards further protecting Wisconsin's deer herd from CWD.

I thank you for this opportunity and welcome any questions you may have.



NEWS RELEASE

Wisconsin Department of Natural Resources
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DATE: February 12, 2004
CONTACT: Tom Hauge, Director, Bureau of Wildlife Management, 608-266-2193
Tami Ryan, Area Wildlife Supervisor, 262-574-2120
SUBJECT: Second CWD positive deer found in Walworth County

Madison, Wis. – A second wild white-tailed deer has tested positive for chronic wasting disease (CWD) in the Village of Fontana-On-Geneva Lake in southern Walworth County. This latest positive was collected about one mile north of the first CWD-positive wild deer reported from the area in August 2003.

“We are disappointed but we are not surprised to see another positive emerge from this area of the state,” said Tom Hauge, Director of Wildlife Management for the Department of Natural Resources. “We have continued collecting deer for CWD surveillance in Walworth and surrounding counties this year because we felt the area was at risk due to the CWD-positive deer discovered in Fontana in 2003 and the proximity of CWD-positive deer across the border in Illinois.

“We are grateful for the cooperation we’ve received from hunters and landowners of Walworth County in taking deer and bringing them to us for CWD testing. Without their help, we would not be able to learn more about the severity and geographic extent of CWD in this area. With their continued support we will gather critical information that will help us determine the best disease management strategy for the area.

“The DNR passes on a special ‘thank you’ for the leadership role that the Village of Fontana has played in CWD surveillance. They appointed the Village of Fontana Department of Public Works (DPW) to manage the collection of deer for testing and authorized the collection and sampling of deer on village property. They also allowed deer harvested by landowners on private land under a DNR-issued permit to be taken to their public works office for sample collection as well,” Hauge said.

This latest positive deer was killed in a collision with a car in December. The Village of Fontana DPW collected the deer, removed the head and sent it to the DNR for CWD sampling. This is part of an on-going CWD surveillance effort in Walworth County that will continue until the end of March. The DNR is using hunter harvest, scientific collector’s permits, agency shooters, box traps, and car-killed deer in hopes of sampling at least two deer per section of land within 10 miles from the original Fontana

positive. Since November 2003, the Village of Fontana has provided 13 deer for sampling. Five of the 13 were car-killed deer. The remaining eight deer were taken under the authority of scientific collector's permits.

To date, eight of the 13 sampled deer have tested negative for CWD, one has tested positive, and four results are still pending.

"We are about half way to reaching our surveillance goal of collecting two deer per section of land within 10 miles of the first Fontana CWD-positive. We need continued local support in order to reach this goal," said Tami Ryan, DNR Area Wildlife Supervisor.

Landowners within 10 miles of the original Fontana positive deer that are interested in applying for a scientific collector's permit are encouraged to call the Waukesha County Service Center at (262) 574-2100. Permits are valid until March 31 and allow landowners, or their agents, within 10 miles of the original Fontana CWD-positive deer to take deer outside of the normal hunting season and are required to have them tested for CWD.

An open house informational meeting has been scheduled for February 19 in Kenosha County to discuss the recent discovery of CWD in that county and the presence of CWD in Walworth County. Department staff will be on hand to answer questions about the disease and how to obtain a permit. The open house will run from 3:00 until 7:00 p.m. at Richard Bong State Recreational Area, 26313 Burlington Rd, Kansasville. A herd status meeting for deer management units 77B, 77C, and 77M will follow the open house.

For more information on CWD or to view testing results, please visit www.dnr.state.wi.us.

