

MINUTES OF THE MEETING OF THE FISH AND GAME COMMITTEE
January 20, 1981

The meeting was called to order at 12:30 p.m. by Chairman Ellison. All committee members were present except Representative Feda who was excused.

HOUSE BILL 199 (Copy of bill attached)

Representative Earl Lory, sponsor of HB 199, gave some background information on HB 199. He said this bill redefines the term "construction." He added this bill allows repair and maintenance to state-owned buildings, facilities, or structures without the supervision of an architect.

Chairman Ellison told the committee the reason why this bill was scheduled to be heard in the Fish and Game Committee was because the committee that would have heard the bill was overcrowded with bills and it was felt the Fish and Game Committee could give the bill a fair hearing.

There were four proponents of the bill present. There were no opponents of the bill present.

Phil Hauck, state architect for the Department of Administration, spoke in favor of the bill (EXHIBIT 1).

H. S. Hanson, representing the Montana Technical Council, spoke in favor of the bill (EXHIBIT 2).

Mike Young, attorney for the Department of Administration, drafted HB 199. He said there had been rumor that this bill would somehow affect prevailing wage rates. He told the committee that the rumor was false.

A. D. van Teylingen, representing the Montana University System, supported the bill and read a letter to the committee from the Commissioner of Higher Education (EXHIBIT 3).

There were no opponents present at this hearing.

The hearing on HB 199 was closed.

HOUSE BILL 152 (Copy of bill attached)

There were eight proponents of HB 152 present at this hearing. There were two opponents of HB 152 present at this hearing.

Representative Donaldson, sponsor of HB 152, told the committee

this bill was drafted with the idea of trying to remove the danger posed to people in Montana by rabid skunks and similar animals.

He told the committee a rabid dog will live for only a few days. However, skunks, raccoons, bats, and foxes may be rabid for several months and never show signs of having rabies. He said a person doesn't necessarily have to be bitten by a rabid animal to contract rabies. If the saliva of a rabid animal gets into an open wound it would have the same effect.

Dr. John Anderson, Administrator of the Health Services Division, Department of Health, said one of the concerns of his division is disease control. He went over a few elements of the bill. He said only skunks, foxes, raccoons, and bats have endemic rabies. Those animals do not have to be bitten by another rabid animal. The disease keeps within that particular breed of animal. He said there is the grandfather clause in the bill so that anyone possessing one of those animals for at least six months prior to January 1, 1981, could keep the animal. He added this bill does not prohibit exhibits of the four species mentioned in the bill as long as the animals are caged and kept away from the public.

Dr. Jim Glosser, the state veterinarian for the Department of Livestock, said he concurred with Dr. Anderson's testimony. He then read a prepared statement to the committee (EXHIBIT 4).

Judy Gedrose, acting state epidemiologist, spoke in support of HB 152. She read a prepared statement to the committee (EXHIBIT 5).

Robert Van Der Vere, a concerned citizen lobbyist, spoke in support of HB 152.

Dr. Robert Painter, a Helena veterinarian, told the committee he has deodorized many skunks over the years until Dr. Glosser told him he was taking a chance. Dr. Painter said he realized he was and quit deodorizing skunks. He told the committee that he supports the bill despite the fact that people will say this bill takes away their private rights.

David Lackman, lobbyist for the Montana Public Health Association, spoke in favor of HB 152. He read a statement to the committee (EXHIBIT 6).

At this time, Chairman Ellison asked any opponents of the bill to testify.

David Majors, owner of the Burnt Fork Game Farm, told the committee that he agrees with the spirit of the bill but cannot support the bill the way it is written. He asked to have some amendments made in the bill. Those amendments were: In Section 1, Subsection 4, he would like the word "caught" entered between the words wild and animal in the phrase "Wild animal" and anywhere else in the bill where "wild animal" appears. He would also like to see Section 2 (- exception.) amended to say that the offspring of any of the four species be excluded from any prohibition. In Section 3, Subsection 2, he would like the subsection to consider just those animals which are unlawfully in the possession of a person. In Section 4 and some of the succeeding sections, he personally believes the penalty of up to \$100 per day is rather excessive (EXHIBIT 7).

Dr. Fredrick Bell, formerly from the Rocky Mountain Lab, said his acquaintance with rabies goes back many years when he was the pathologist for the Minnesota Fish and Game. He said he does not oppose regulation of these species that can produce rabies but supports the amendments offered by Mr. Majors.

Representative Donaldson closed by offering a few questions for the committee to consider. If the word "caught" was put in the bill, as recommended by Mr. Majors, how would one identify a "caught animal"? How can one distinguish between "lawful" and "unlawful"? Representative Donaldson, too, felt the \$100 penalty was high and suggested that amount be lowered.

Representative Jacobsen asked Dr. Anderson what the terminology "non-domesticated animal" meant. Dr. Anderson told him that phrase is the equivalent to "wild animal".

Representative Roush asked Mr. Majors if he vaccinated his animals before they were sold. Mr. Majors said no, that was up to the buyer. Mr. Majors did not feel it is necessary to vaccinate an animal who was bred from another animal that has been in captivity for three years like his animals have been.

Representative Burnett asked if it would be possible to come up with an amendment to deal with indexing of animals who are bought from a game farm. Dr. Glosser told him that would be possible and is a good idea. Indexing was discussed by the committee.

Representative Ellison gave a letter to committee members that he had received concerning HB 152 (EXHIBIT 8).

Representative Donaldson said HB 152 only identified four

species but he said if more species needed to be added to the list he would like to see it done by rule making rather than legislation.

The hearing on HB 152 was closed.

The committee went into Executive Session.

HOUSE BILL 199

Representative Mueller moved HB 199 DO PASS. Representative Devlin seconded the motion. The motion was voted on and PASSED unanimously.

Representative Roush moved HB 199 be put on the consent calendar.

Representative Burnett opposed that motion. Representative Robbins said there may be some questions asked on this bill and felt there should be time for those questions to be answered.

Representative Roush withdrew his motion.

HOUSE BILL 152

Representative Burnett told the committee he would like to work with Dr. Glosser on an amendment to HB 152 concerning indexing. He made a motion to PASS CONSIDERATION on HB 152. The motion was voted on and PASSED with all committee members voting "aye" except Representative Ryan who voted "no".

HOUSE BILL 102

The hearing on HB 102 was reopened.

Chairman Ellison reminded the committee that at the last meeting, a motion was made by Representative Phillips that HB 102 DO NOT PASS AS AMENDED.

Representative Phillips told the committee he had four concerns with HB 102. Those concerns were:

1. Locking up money in a trust fund.
2. There is no idea of the amount of money being talked about.
3. Shifting monies from another source to a trust and legacy account.

4. It would be a lot easier for the Department of Fish, Wildlife, and Parks to get this money appropriated back to them than it would be if it was general fund money.

Representative Phillips added he is in total support of developing parks.

Representative Manuel told the committee he feels it has been hard to get a fiscal rein on the Department of Fish, Wildlife, and Parks and feels this bill as amended would put control of the funds in the legislature's hands and would put better fiscal responsibility on the Department of Fish, Wildlife, and Parks. He, therefore, made a substitute motion that HB 102 DO PASS AS AMENDED.

Representative Nilson seconded the motion.

Representative Robbins said he was in favor of the bill as amended.

The motion was voted on and a roll call vote was taken. Those voting "no" were Representatives Ellison, Bennett and Phillips. All other committee members present voted "aye." The motion PASSED.

Chairman Ellison told the committee they would have a hearing on HB 323 on Tuesday, January 27, in the Department of Fish, Wildlife, and Parks conference room.

The meeting was adjourned at 2:15 p.m.


ORVAL ELLISON, Chairman

vml

1 HOUSE BILL NO. 100
2 INTRODUCED BY *Ray*
3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
6 18-2-101, MCA, TO CLARIFY THE DEFINITION OF CONSTRUCTION FOR
7 STATE BUILDING PROJECTS."
8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 18-2-101, MCA, is amended to read:
11 "18-2-101. Definitions of building and construction.
12 In part 1 of this chapter, with the exception of 18-2-104,
13 18-2-107, 18-2-113, and 18-2-114:

14 (1) "building" includes:

15 (a) a building, facility, or structure constructed or
16 purchased wholly or in part with state moneys;

17 (b) a building, facility, or structure at a state
18 institution;

19 (c) a building, facility, or structure owned or to be
20 owned by a state agency, including the department of
21 highways;

22 (2) "building" does not include:

23 (a) a building, facility, or structure owned or to be
24 owned by a county, city, town, school district, or special
25 improvement district;

1 (b) a facility or structure used as a component part
2 of a highway or water conservation project;
3 (3) "construction" includes the construction, repair,
4 alteration, and remodeling of a building, and the equipping
5 and furnishing of a building during construction, repair, or
6 alterations, and remodeling, but does not include the repair
7 or maintenance of an existing building."

-End-

-2- INTRODUCED BILL

HB 199

PRESENTED BY
PHIL HAUCK
STATE ARCHITECT

Exhibit 1
1/20/81

FACT SHEET

DEPT. OF ADMIN.

1-20-81

HOUSE BILL 199

The proposed legislation will delete the terms "repair or maintenance" of an existing building from the definition of "construction" as defined by Section 18-2-010, MCA.

The present statute requires the employment of architects and/or engineers for "repair and maintenance" type projects. Generally, these type of projects do not require A/E services and can be handled by state personnel. However, this bill does not preclude employing architects or engineers should a project warrant these services.

The reasons for this proposal are twofold: a savings to the state in both time and money.

It has been estimated that savings of from \$135,000 to \$150,000 in design fees would have been realized last ~~year~~ if this bill had been in effect.

BIENNIAL

State procedures for employment of architects/engineers are long and cumbersome and combined with procedures for statewide advertising and contract awards through the Board of Examiners who meet only once a month, can delay these projects up to four to five months. In the case of a leaking roof or boiler repair, this is unacceptable.

This is a simple, housekeeping bill designed to simplify procedures for accomplishing maintenance work with the added benefit of saving the state some money.

WITNESS STATEMENT

Name HS HANSON Date 1/20/81
Address HANSON Support ? ☒
Representing MT TECHNICAL COUNCIL Oppose ? ☐
Which Bill ? HB-199 Amend ? ☐

Comments:

1. It will REDUCE SOME EXPENSES - IT IS
ALSO NOT REQUIRED TO HAVE A/E ON
REPAIR PROJECTS

Please leave prepared statement with the committee secretary.

THE MONTANA UNIVERSITY SYSTEM

33 SOUTH LAST CHANCE GULCH

HELENA, MONTANA 59620

(406) 449-3024

COMMISSIONER OF HIGHER EDUCATION

January 20, 1981

The Honorable Orval Ellison
Chairman
House Committee on Fish and Game
State Capitol
Helena, MT 59620

Subject: House Bill 199

Dear Representative Ellison:

The Montana University System supports House Bill 199 as introduced.

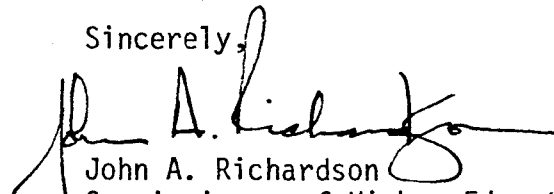
Under present status, the University System must engage the professional services of architects or engineers for a number of projects involving the repair and maintenance of existing buildings. We are of the view, and the State Architect concurs, that these projects oftentimes do not require such professional services. The proposed change in language in Section 18-2-100 MCA as suggested in HB 199 would, in our view, result in a savings of time and money to the state of Montana.

I have discussed HB 199 with the Chairman of the Board of Regents' Capital Construction Committee, Mr. Lewy Evans, a practicing architect in Billings, and he too supports the bill in its present form.

Please be assured that it will continue to be the practice of the Montana University System to engage the services of architects and engineers during the construction, alteration, and remodeling of buildings and during the furnishing and equipping of buildings during such activities.

Further, if in the judgment of the State Architect, a specific repair or maintenance project should involve the professional services of an architect or an engineer we would, in cooperation with the State Architect, secure the appropriate professional services.

Sincerely,


John A. Richardson
Commissioner of Higher Education

JAR:jw

xc: Committee members

1 INTRODUCED BY HOUSE BILL NO. 152
Anderson

3 BY REQUEST OF THE DEPARTMENT

4 OF HEALTH AND ENVIRONMENTAL SCIENCES

5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO MINIMIZE
 7 TRANSMISSION OF RABIES BY PROHIBITING THE POSSESSION OF
 8 BATS, SKUNKS, FOXES, OR RACCOONS AND PROVIDING FOR
 9 PROHIBITION OF POSSESSION OF CERTAIN OTHER ANIMAL SPECIES
 10 KNOWN TO BE CAPABLE OF TRANSMITTING RABIES TO HUMAN BEINGS;
 11 AND PROVIDING AN EXEMPTION FOR SUCH ANIMALS THAT ARE
 12 POSSESSED FOR SIX MONTHS PRIOR TO JANUARY 1, 1982."

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 Section 1. Definitions. Unless the context requires
 16 otherwise, in [this act] the following definitions apply:

17 (1) "Department of health and environmental sciences"
 18 means the department of health and environmental sciences
 19 provided for in Title 2, chapter 15, part 21.

20 (2) "Department of livestock" means the department of
 21 livestock provided for in Title 2, chapter 15, part 31.

22 (3) "Person" means an individual, group of
 23 individuals, partnership, corporation, firm, or association.

24 (4) "Wild animal" means a skunk, fox, raccoon, or bat.
 25 Other species of normally nondomesticated animals known to

1 be capable of transmitting rabies may be added to this list
 2 through the adoption of rules by the department of health
 3 and environmental sciences with the approval of the
 4 department of livestock.

5 Section 2. Prohibition of possession of wild animals
 6 -- exceptions. No person may possess a wild animal unless he
 7 possessed it for at least 6 months prior to January 1, 1982,
 8 or it is used in a fur-bearing enterprise, contained in a
 9 zoological exhibition in such a manner that it may not come
 10 in physical contact with members of the public, or acquired
 11 by an educational institution for scientific research.

12 Section 3. Quarantine -- destruction -- testing. (1)
 13 Whenever a person unlawfully possesses a wild animal, the
 14 department of health and environmental sciences or the
 15 department of livestock may impound the animal and take any
 16 other action considered reasonable to protect public health.

17 (2) If a wild animal, whether unlawfully or lawfully
 18 in the possession of a person, has bitten or otherwise
 19 exposed a person to the potentiality of contracting rabies,
 20 the animal may be impounded by the department of health and
 21 environmental sciences, the department of livestock, or a
 22 local health officer and either quarantined or destroyed and
 23 the animal's brain may be tested for rabies.

24 (3) Any lawfully possessed wild animal that is
 25 quarantined pursuant to subsection (2) and found not to be

1 rabid shall be returned to its owner.
 2 Section 4. Payment of expenses. Expenses incurred by
 3 the state under [section 3] must be paid by the person from
 4 whom possession of the wild animal was taken.
 5 Section 5. Authority to adopt rules. The department of
 6 health and environmental sciences, with the approval of the
 7 department of livestock, may adopt rules necessary for the
 8 implementation and administration of [this act].

9 Section 6. Civil penalty -- injunction -- recovery of
 10 costs. (1) A person who violates any provision of [this act]
 11 is subject to a civil penalty not to exceed \$100 per day.
 12 Each day of violation constitutes a separate violation. The
 13 department of health and environmental sciences or, upon
 14 request of the department of health and environmental
 15 sciences, the county attorney of the county in which the
 16 violation occurs may petition the district court to impose
 17 the civil penalty.

18 (2) In addition to any other remedies provided by law,
 19 the department of health and environmental sciences or, upon
 20 the request of the department of health and environmental
 21 sciences, an appropriate county attorney may file an action
 22 to enjoin a violation of [this act] or rule adopted pursuant
 23 to it.

24 (3) The department of health and environmental
 25 sciences or the county attorney, if either prevails in any

1 action brought pursuant to (1) or (2) above, is entitled to
 2 recover from the other party the costs, expenses, and
 3 reasonable attorney's fees incurred.

4 (4) Money collected as a civil penalty pursuant to
 5 [this act] must be deposited in the state general fund
 6 whenever the department of health and environmental sciences
 7 institutes the action or in the appropriate county fund
 8 whenever the county attorney institutes the action.

9 Section 7. Severability. If a part of this act is
 10 invalid, all valid parts that are severable from the invalid
 11 part remain in effect. If a part of this act is invalid in
 12 one or more of its applications, the part remains in effect
 13 in all valid applications that are severable from the
 14 invalid applications.

-End-

Statement Presented Before the House Fish & Game Committee

in Support of House Bill 152

by James W. Glosser, D.V.M.

My name is Jim Glosser. I am State Veterinarian with the Department of Livestock; I also serve as State Public Health Veterinarian in a consultative basis with Dr. Anderson, other state and local health officials, doctors, veterinarians, and other involved persons on the zoonoses-- animal diseases which may be transmissible to man. I concur with the testimony offered by Mrs. Gedrose concerning the rationale and need for the passage of House Bill 152. In addition, I offer the following reasons for its adoption.

As previously stated, 39 states have laws regulating the control and sale of pet animals and wildlife. Much of the support for this type of legislation stems from the following national organizations: (1) Center For Disease Control, U.S. Public Health Service, Atlanta, Georgia; (2) National Academy of Sciences; (3) The Association of State and Territorial Epidemiologists; (4) The Association of State and Territorial Public Health Veterinarians; (5) The U.S. Animal Health Association; (6) The American Veterinary Medical Association (AVMA).

The American Veterinary Medical Association in a special council report entitled "Inadvisability Of Descending Skunks" was published in 1972.

The report summarized its recommendations as follows: "In view of the growing threat skunks pose to public health, veterinarians should assume the responsibility for giving advice and direction; (1) Veterinarians should refrain from performing descending operations; (2) when asked to descend skunks, or to treat them as patients, or to provide advice or medical care, veterinarians should apprise owners of the dangers of maintaining skunks as pets; (3)

Veterinarians through their local and state associations should initiate action to prohibit skunks as pets."

In 1973, the General Assembly of the AVMA adopted a resolution opposing the keeping of wild animals as pets. The major problems relating to veterinary medicine are: (1) lack of proper care by owners of these species in providing adequate diet, exercise, kennel space, etc; (2) once the owner tires of the pet, finding a proper home for the animal becomes a problem and in many cases the animal is abandoned; (3) but of utmost importance is that none of the currently licensed veterinary rabies vaccines are authorized or licensed for use in wild life. The safety and more important, the efficacy data for the use of these products in wild life are not available. The problem compounds itself with the unauthorized use of rabies vaccines by: (a) one type, the modified live products can and have induced rabies in wild animals. There are numerous reports of such events occurring in skunks; recently vaccine induced rabies in a fox in California was reported and in July of 1978 a raccoon in Utah also occurred; (b) the inactivated product can prolong the incubation period of rabies into months particularly in skunks. Therefore, when a health official or doctor is confronted with a patient in which a bite exposure resulted from a wild animal which had been vaccinated with rabies; it is truly a dilemma to know whether the animal may be rabid either from the vaccine strain virus or the field strain virus.

The epidemiology of human exposures to rabid animals maintained as pets usually results in several to many human patients being treated. This is in contrast to human exposures with rabid feral dogs or wild animals where usually only one person is exposed & treated.

For example, a rabid pet dog exposed 20 children in an Illinois school yard in 1980, all 20 students received postexposure rabies prophylaxis. In 1969, another rabid pet dog exposed 139 school children at a school in El Paso, Texas. These were also treated. The problem in wild animals maintained as pets is no different. An increasing number of cases of rabies in wild pets, especially skunks, are being reported to CDC. In 1977, Oklahoma reported that 3 pet skunks from different areas of the state were found to be rabid in a 5-week period; 50 persons were exposed to the infected animals. 29 persons were exposed to another rabid pet skunk in Oklahoma in June 1978. Montana reported that in late summer 1977 a rabid pet skunk exposed 10 persons. An incident in Indiana during July 1978 in which 26 persons were exposed to a rabid pet skunk and another similar incident in which 23 persons in Arizona were exposed in August 1978 illustrate the problem of keeping wild animals as pets. The latest episodes were in 1980, where a pet raccoon exposed at least 5 people which cost the State of South Carolina approximately \$10,000 in biologics and administration of the vaccine. In Oregon, 2 pet skunks from the same litter became rabid exposing 4 persons in one episode and 1 person in the other case.

All of this information and much more have been disseminated by various governmental agencies, groups, and associations to the public, yet the public information programs have not been successful in preventing undue hazards to the public. Specifically, the active public information program that has been carried out in North Dakota has had the same general experience. Dr. Anderson's and my experience confirms this statement.

In summary, the maintenance of wild animals is truly the physicians and veterinarians dilemma in dealing with their clients. I thank you for the opportunity of presenting the information before this committee.

Dated: January 20, 1981

Centers for Disease Control
Atlanta, Georgia 30333
(404) 329-3727

January 15, 1981

James W. Glosser, D.V.M.
State Public Health Veterinarian
Montana State Department of Health
Cogswell Building
Helena, Montana 59601

Dear Jim:

This is further to our discussions of the rabies hazards associated with the ownership of pet wild animals such as foxes, skunks, raccoons, etc. As I indicated to you on the telephone, we feel that ownership of such animals should be strongly discouraged and preferably legislated against. There are at least 2 reasons why this is so. First, wild animals are commonly acquired as juveniles when they are cuddly, friendly, and most attractive. As the animals mature, they lose those traits and become unmanageable, intractable, and undesirable pets. Owners then often release the animal in the wild. The animals having been raised in captivity are unable to fend for themselves and probably die of starvation. This is primarily a humanitarian objection. I cannot document it and will not pursue it. Second, there is a well-documented, specific public health risk associated with wild animal ownership; that is, rabies threat. Many wild animals sold as pets are captured from the wild and sometimes are infected with rabies. As you know, an animal can be infected early in life but not develop clinical disease until weeks or months later. When these wild animal pets do develop rabies, it has been our experience, that the number of persons exposed are many times higher than the numbers exposed to the average rabid dog or cat. Presumably this is because of the exotic nature of the animal, it has been seen, handled, and fondled by friends and neighbors, and quite often taken to school where it is exhibited and played with by schoolmates. When such an animal develops rabies, a great many people are usually exposed and must undergo antirabies treatment. In addition to a larger number of people who have usually handled the wild animal pets (as compared with dogs), there is the other complicating factor that we do not know how long a wild animal might shed virus prior to onset of clinical illness. The 10-day maximum for dogs and cats limits the number of exposures that may have occurred; the unknown shedding period for wildlife means that people who handled the animals earlier in the preclinical stage must also be treated.

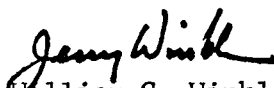
I am enclosing write-ups of several randomly selected episodes of wild animal pets which developed rabies and resulted in multiple treatments. Others could be cited.

Pet dealers often argue that their skunks or raccoons are raised in captivity and, therefore, not exposed to rabies. We have found this not to be the case. The number of skunks purportedly raised in captivity and never exposed have indeed developed rabies and exposed persons after being marketed through the pet channels. Were it possible to positively identify a pet-raised animal versus a wild-caught animal, there might be some means of restricting pet wildlife to those born and raised in captivity. This is impossible. In dogs and cats, vaccination is an effective preventive measure. As you know there is no vaccine approved for use in wildlife. While it is probable that an effective vaccine could be produced, the biologics industry has not felt the market justifies the expense and therefore no vaccine exists. In addition, even if a vaccine were developed, it would not guarantee prevention of rabies in animals which have been exposed and infected and were incubating the disease prior to vaccination.

I might mention that the U.S. Animal Health Association has passed a resolution at its most recent meeting urging federal legislation to restrict sale and ownership of pet wildlife. I believe that the National Association of State Public Veterinarians and the AVMA have both taken a similar stance. You might wish to contact those organizations about that.

As I mentioned on the phone, we are planning to develop proposed legislation at the federal level to restrict ownership and interstate sale of such animals. If past history is any indication, it will take months or years for this to be approved if it is in fact approved. I would certainly encourage the State of Montana to enact legislation severely restricting or prohibiting the ownership of pet wildlife. There should, of course, be exemptions to permit the importation and keeping of such animals in zoological parks and research institutions. I hope this answers your questions.

Sincerely yours,



William G. Winkler, D.V.M.
Chief, Respiratory & Special
Pathogens Branch
Viral Diseases Division
Bureau of Epidemiology

Enclosures



U.S. DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE
CENTER FOR DISEASE CONTROL
ATLANTA, GEORGIA 30333

WILLIAM G. WINKLER

Veterinary Public Health Notes p122

Prepared by the Bureau of Epidemiology, CDC, primarily for persons interested in problems of animal diseases in human health. Some reports are preliminary in nature and should be so identified if quoted. Any reproduction of extracts of articles from the literature should indicate the original published source.

February 1980

VIRAL DISEASES

The Ten Thousand Dollar Raccoon

A rabid raccoon recently cost the State of South Carolina approximately \$10,000 by coming in contact with at least 25 people.

Last spring (1979) a Beaufort County family picked up several raccoon kits along the side of the road. Since the raccoons were found close to the roadway, no one knows how they got there or what happened to the mother. She may have been killed by a vehicle or died of any one of a number of diseases, but in all probability she died of rabies infection and passed it on to at least 1 of her kits.

The family kept 1 of the young raccoons and it grew and was playful—a very lovable pet. Some of the litter mates were given to friends in the community and also became lovable pets, but like many young animals they were prone to nip or scratch when sufficiently provoked.

The raccoon kept by the family that found the animals went everywhere with the family and was shared and enjoyed by not only the immediate family, but also by friends and occasionally by chance contacts. For example, 1 day the raccoon was taken to the beach by the family for a picnic and had contact with a number of individuals who could not be identified.

The young raccoon had barely attained adult size when it began to show signs of illness, including sudden aggressiveness that resulted in bites and scratches of family members and ultimately in its submission to the South Carolina Department of Health and Environmental Control laboratories on July 9, 1979, for rabies examination. A diagnosis of rabies in the raccoon set in motion a chain of events that had quite an impact on the community.

Many family members and friends were known to have been exposed to the raccoon, and on consulting their private physicians they were told that anyone who had been bitten or had had infectious saliva introduced into an open wound should receive rabies immune globulin

(Hyperab*) and 23 doses of vaccine. Since Hyperab is given on a weight basis, it became necessary to determine the "size" of the family and friends, and it was indeed a large group. Several people weighed over 200 pounds, and 1 weighed over 300 pounds. The 10 judged to have been potentially exposed had a total body weight of 1,825 pounds and collectively received a total of 69 ml of rabies immune globulin.

Two other persons came forward and said they had been exposed to the rabid raccoon; they received antirabies treatment.

Another raccoon, although not from the same litter, was known to have bitten members of another family. Since the animal had escaped, 6 persons underwent antirabies treatment. They received 138 doses of vaccine and 69 ml of immune globulin.

The total cost to the state of the biologics used in these episodes was \$5,538, and a conservative estimate of the cost of administration was \$2,070. There was also the cost of \$966 for an ambulance kept on standby while patients were undergoing treatment. To the total cost of \$8,574 actually documented must be added certain costs that can only be estimated, such as laboratory time and effort, time of the district medical director as well as time of staff members in environmental sanitation, time of the state epidemiologist and his staff, time and effort of involved families, friends, and those receiving the vaccine.

Rabies continues to be a problem in South Carolina. In fiscal year (FY) 1969, no cases were reported. In 1979, 177 cases were reported, 138 of which were in raccoons. In the period July 1-November 30, 1979, a total of 47 cases in raccoons were reported. In FY 1979, 307 raccoons had been examined for rabies, and of these, 138 were positive. The number of specimens submitted for rabies examination doubled last year and is increasing at an even faster rate this year.

Not only is the number of rabies cases increasing, the area of the state involved has expanded as well. Spreading from a small focus along the Savannah River several years ago, rabies in raccoons is found now throughout the state. Raccoon rabies seems to be centered in the Orangeburg County area but has also spread into Edgefield, Calhoun, and Dorchester counties. The appearance of dog and cat cases in Chesterfield, Greenville, Pickens, and Saluda counties strongly suggests that rabies in wild species is more widespread than had been suspected.

Although bat rabies has been recorded in all 48 contiguous states and is widely distributed in South Carolina, bats are not thought to be the source of the widespread cases that are occurring in the state.

Source: Parker RL, McCaleb FC: The ten thousand dollar raccoon. Preventive Medicine Quarterly 1980;3:5-7.

*Use of trade names is for identification only and does not constitute endorsement by the Public Health Service or the U.S. Department of Health, Education, and Welfare.



Veterinary Public Health Notes 01-3

Prepared by the Bureau of Epidemiology, CDC, primarily for persons interested in problems of animal diseases in human health. Some reports are preliminary in nature and should be so identified if quoted. Any reproduction of extracts of articles from the literature should indicate the original published source.

October 1979

VIRAL DISEASES

✓ Rabies in Pet Skunks - Oregon

Two pet skunks among approximately 161 shipped to Oregon from a Minnesota animal dealer in June and July 1979 were recently reported as having laboratory-confirmed rabies by the Oregon Department of Human Resources. The dealer's operation was licensed and inspected by the U.S. Department of Agriculture (USDA), and all distributed skunks were reported as being pen-bred.

The 2 skunks were part of a shipment of 30 received at a North Portland, Oregon, pet store on June 28. The first infected animal was purchased by a Washington State resident on July 21. It had onset of illness on July 28. Four persons were exposed and underwent antirabies prophylaxis.

The second skunk had been purchased from the same pet store on July 24; onset of illness occurred on September 20. After exposure to this animal, 1 person underwent antirabies treatment.

Both animals exhibited irritability and aggressive behavior. Neither skunk had been vaccinated against rabies nor had either been in direct contact with other domestic or wild animals.

The Oregon Department of Human Resources found that skunks from the same dealer had been sent to 3 pet shops in the Portland area and 6 additional locations throughout the state of Oregon. A list of persons who had purchased skunks was obtained from the involved pet shops, and local and state health officials contacted and apprised all identified owners of the risk. Several skunks had been bought by Washington residents, although ownership of pet skunks has been illegal in that state since 1971.

Since the first skunk was reported positive, state laboratories have examined approximately 100 other pet skunks--approximately 75 from the Minnesota animal dealer and the rest from various other sources. None of these have been positive for rabies.

Eight persons who were exposed to skunks that escaped or had died but were not examined for rabies elected to undergo antirabies treatment.

The Oregon State Department of Agriculture has banned temporarily the importation of skunks as pets. On July 1, 1980, a state statute banning the sale, distribution, and keeping of skunks will become effective.

Investigations of the distributor's facilities were undertaken by the USDA and University of Minnesota personnel. Records indicated that approximately 3,000 young skunks had been distributed to 30 states so far this year. Although the skunk-breeding operation was considered satisfactory, approximately 40 recently trapped skunks were noted in a separate area of the operation. These animals were to be introduced into the breeding colonies next year as a fresh "bloodline."

Editorial Note: An increasing number of cases of rabies in wild pets, especially skunks, are being reported to CDC. In 1977, Oklahoma reported that 3 pet skunks from different areas of the state were found to be rabid in a 5-week period; 50 persons were exposed to the infected animals. Twenty-nine persons were exposed to another rabid pet skunk in Oklahoma in June 1978. Montana reported that in late summer 1977 a rabid pet skunk exposed 10 persons. An incident in Indiana during July 1978 in which 26 persons were exposed to a rabid pet skunk and another similar incident in which 23 persons in Arizona were exposed in August 1978 illustrate the problem of keeping wild animals as pets.

CDC strongly urges that wild animals not be kept as pets and encourages states to make it unlawful to retain as pets wild animals such as skunks and raccoons, especially those captured from the wild, because they are potential sources of rabies.

Source: Center for Disease Control: Rabies in Pet Skunks. Morbidity Mortality Weekly Rep 28:481-482, 1979

Vaccine-Induced Rabies in a Pet Skunk

In mid-July 1978 a striped skunk (*Mephitis mephitis*) less than 4 months of age was found beside a New Jersey highway and was taken home by a local family. The family took the skunk to a veterinarian on August 25 for descenting, and immediately afterwards it was vaccinated with modified live-virus rabies vaccine (1 ml of canine cell line origin high egg passage [HEP], Flury strain).

On September 22, the skunk showed signs of ataxia, which progressed over the next 4 days to a state of total collapse. On September 26, 32 days after rabies vaccination, the skunk was killed and subsequently sent to the Rabies Laboratory, New York State Department of Health, where rabies was diagnosed by the fluorescent antibody test.

After rabies was diagnosed, 5 exposed persons were treated with rabies vaccine and immune globulin.

Mouse inoculation test results pointed to the vaccine as the source of infection because of differing effects on weanling and suckling mice. When tenfold dilutions of a 10% suspension of skunk brain tissue in physiologic saline solution were injected intracerebrally into 10- to 12-g weanling white mice (Nya:NYLAR--5 mice per dilution), rabies virus could not be demonstrated. However, when suckling white mice (Nya:NYLAR) were inoculated by the same protocol, they all contracted rabies. The presence of rabies virus was verified by the fluorescent antibody test at all dilutions to 10^5 , and the tests were duplicated at the Center for Disease Control.

The only rabies virus known to have a biologic marker is the HEP-Flury strain. It has been shown that intracerebral inoculation of a 20% suspension of rabies-infected chicken embryo, representing the 182nd and subsequent egg passages, failed to kill 28- to 35-day-old mice but did kill suckling mice. The investigators stated, therefore, that their results indicated the skunk had been infected by a HEP virus strain. The authors emphasized 2 points in connection with this incident.

1. No vaccine is licensed for use in wild animals.
2. It is not advisable to vaccinate any animal with live-virus rabies vaccine while the animal is under stress of trauma or surgery or undergoing corticosteroid therapy.

Source: Debbie JG: Vaccine-induced rabies in a pet skunk. J Am Vet Med Assoc 175:376-377, 1979

Bracken Fern--a Natural Carcinogen for Cattle in Scotland

Dr. Robert W. Miller, Chief of the Clinical Epidemiology, National Cancer Institute, has called to our attention a recent article in Nature (July 20, 1978) on the exposure of beef cattle in Scotland to a natural carcinogen, the bracken fern.

The fern apparently interacts with a papilloma-producing virus to cause a spectrum of alimentary-tract neoplasia, affecting sites from the tongue to the large bowel. Of 80 cattle with squamous carcinomas, 96% had warts of the upper alimentary tract, 30% had urinary bladder tumors, and 56% had neoplasia of the large bowel.

Other cattle in Britain exposed to bracken fern but not to virus have not shown an excess of tumors. In the 1960s bracken fern was related to an epidemic of bladder cancer in cattle in Turkey.

The Scottish researchers believe that bracken fern is a co-carcinogen that interacts with virus particles that are morphologically indistinguishable from bovine cutaneous papilloma virus. Although humans eat bracken fern, especially in Japan, no excess cancer has been linked to this food.

No mention was made of the incidence of tumors in dairy cattle or of the significance for infants and children who consume large amounts of milk.

Source: Childhood Cancer Etiology Newsletter No. 52, September 15, 1978

Rabies in Pet Skunk in Arizona has Implications for Colorado

Persons who bring skunks into Colorado are in violation of the Colorado pet-shop and boarding-kennel statute, which prohibits keeping skunks as pets because of their susceptibility to rabies.

On September 8, 1978, a man en route to Hamilton, Illinois, stopped in Phoenix, Arizona, and purchased a skunk from a pet shop. Three days later he was intercepted at Colorado Springs, Colorado, and advised that at least 1 skunk from the same pet shop had been found rabid. Because the man had been bitten by his new pet skunk, it was killed and tested for rabies. Fortunately for him, the Colorado Department of Health laboratory found the skunk negative for rabies.

This was 1 of approximately 50 skunks from the same group that the Arizona State Department of Health Services traced to determine if they also might be rabid.

Source: Colorado Department of Health

Editorial Note: We reemphasize our recommendation (VPH Notes, September 1978) that wild animals not be kept as pets.



RACCOON RABIES

It has long been known that wild animals are a hazard to the health of the public when removed from their natural environment. Children as well as adults are drawn to handle and to nurture cuddly little wild animals as pets, such as, baby raccoons and skunks since such animals are friendly and amenable to human handling. However, baby wild animals can and do carry diseases which are transmissible to man. Adult animals in the wild usually avoid humans and if they appear friendly and unafraid, they may very likely be ill.

Recently, in Florida, two incidents involving rabid raccoons (April and December 1980) resulted in 227 persons being considered by their physicians as sufficiently exposed to the rabies virus to need preventive immunization (74 persons in April and 153 in December). In both instances, a single young raccoon which was gentle, playful, and cuddly was adopted; each later became aggressive and finally died—one 34 days following adoption and the other, 221 days later. Likewise, in each instance, children played with, kissed and cuddled, and were scratched by the two animals. In the April incident, 1,883 doses of Duck Embryo Vaccine (DEV) and 74 doses of Human Rabies Immune Globulin (HRIG) were administered to the exposed persons. In the December episode, 153 doses of HRIG were administered and it is anticipated that 765 doses of the newer Human Diploid Cell Vaccine (HDCV) will be given. The HDCV produces fewer side effects in contrast to the DEV; however, some reactions do occur and, in addition, any medical condition that develops after the immunization may be interpreted by some as a vaccine reaction.

Reliable estimates by the HRS Epidemiology/Communicable Disease Program place the monetary cost to the State of Florida at more than \$89,000 for biologics and syringes alone for these two incidents. This figure does not include the cost of the time of physicians, nurses, epidemiologists, and other county health unit staff members nor can we measure anxiety and anguish experienced by affected children and family members as well as the communities-at-large.

PDHEC suggests strongly that wild animals not be adopted as pets—for the benefit of the animals themselves as well as for the possible human health hazard they present. Chances are, when such young wild animals are no longer cuddly, they will be released. At that time, the ultimate cruelty to the animal occurs because it can no longer exist in the wild and will die soon. Schools, pet fairs, etc. are areas in which known-origin domesticated animals can be exhibited; however, wild "pet" animals are most inappropriate in such environments. PDHEC feels that legislation should be initiated to prohibit the sale or trade of raccoons and we urge readers to express their opinions to us and to other appropriate individuals.

HUMAN RABIES POST-EXPOSURE PROPHYLAXIS

Beginning in July of this year, 13 county health units (CHUs) previously designated by HRS as "repository counties" for human rabies immune globulin (HRIG) (and presently human diploid cell vaccine [HDCV]) were requested to maintain a human rabies post-exposure prophylaxis epidemiologic log. The following is an analysis of the data for the first quarter (July-September 1980).

During this time period, 88 persons were reported as having received rabies post-exposure prophylaxis. Sixty-one (69.3%) were males and 27 (30.7%) were females. The mean age was 25.6 years (range: 2 to 71 years). The median number of days from date of exposure to the first day of treatment was 3 with a range of <1-22 days. Of those receiving treatment, 2 (2.3%) were reported as having had a reaction. One reaction was described as a "fainting seizure with right-hand numbness"; the other reaction was not described. Of the remaining 86 persons who received such treatment, 49 (55.7%) reported no reaction and no information relative to adverse reaction was reported for 37 (42.3%) recipients.

The animals reported as the source of exposure included: dogs, 37 (42.5%); raccoons, 22 (22.3%); cats, 13 (14.9%); bats, 6 (7.0%); skunks, 5 (5.7%), and others, 4 (4.6%). The "other" category consists of one each of fox, otter, opossum, and ferret. Of the exposing animals, 74 (84.1%) were not examined for rabies by a laboratory; 14 (15.9%) were examined with 5 (35.7%) being positive by the fluorescent rabies antibody (FRA) test (3 raccoons, 1 fox, and 1 bat) and 9 (64.3%) being negative. Nine persons were reported as having been exposed to the animals which were determined to be negative; six of these continued their treatment to completion while three discontinued it after the negative finding was established. The nature of exposure was: bites, 75 (85.2%); non-bites (scratches, abrasions, etc.), 10 (11.4%), and unknown, 3 (3.4%).

During this period, HRS Laboratory Services examined 1,116 specimens for rabies and identified 26 positives. Since only five positive animal exposures were reported, apparently 21 of the 26 positive animals identified did not involve a human exposure or treatment was not reported.

Editorial Note: A negative result of an FRA on brain tissue can be interpreted confidently as demonstrating that the examined animal was not infected with rabies virus and, thus, the need for prophylactic immunization is eliminated. Unless there were very extenuating circumstances, the fact that six persons were continued on prophylaxis after it was known that the brain specimen was negative is disturbing since they were most likely receiving unnecessary medical treatment.

MEASLES ENCEPHALITIS DEATH

On July 4, 1980, a 33-year old California woman died of apparent viral encephalitis (MMWR 1980; 29:567). A review of the case showed the cause of death almost certainly to be measles encephalitis. Overall, the risk of this complication of measles is approximately 1/1000 cases; however, the risk increases greatly for adolescents and adults. Nearly 14% of all persons reported to have measles encephalitis will die from this complication.

So far this year, 61 cases of measles have been reported in Florida in the 15-19 year-old age group. An additional 59 cases have been reported in persons 20 years of age or older, with 3 of these cases being in persons over 60 years of age.

Most people still consider measles to be only a childhood disease. However, changes in the epidemiology of measles over the last several years clearly indicate it to be a disease of all ages. Therefore, no matter what the age of the patient, measles should be a prime suspect in any occurrence of a febrile rash illness.

HOLIDAY GREETINGS FROM THE PDHEC/EPIDEMIOLOGY/COMMUNICABLE DISEASE PROGRAM STAFF

And, while we are expressing holiday greetings, we would be amiss if we did not acknowledge the splendid services rendered each month by members of our Editorial Board, namely, Carolyn Hall, Tom Lacher, Tom Jarvis, and Frank Youngblood. The articles submitted by the V.D., T.B., and immunization programs have been helpful in our efforts to cover the entire spectrum of communicable disease activities. Additionally, the layout and graphic services provided by the HRS Public Information Office have added substantially to the quality and general appearance of EPI-GRAM. The printing, addressographing, and mailing services furnished by Earl Holley and staff of Central General Services, Jacksonville, make rapid delivery possible to each of you. And none of this would be possible without the staff assistance of Editor Al Foster and Typist Susan Blair. My special thanks to each of you. RAG

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REPORT OF THE COMMITTEE ON RABIES

Chairman: W. G. Winkler, Atlanta Ga.

Co-Chairman: L. N. Butler, Phoenix, Ariz.

John Brown, D. C.; Victor Cabasso, Calif.; R. C. Dillman, N. C.; D. A. Espeseth, Md.; Harvey R. Fischman, Md.; Homer S. Forney, Pa.; James R. Glosser, Mont.; J. A. Gourlay, Iowa; John Helwig, Ohio; Fred S. Honsinger, Alaska; Bruce Kaplan, Ky.; Oren Kelsey, Ark.; John Kimsey, Ga.; A. L. Strating, Iowa; R. L. Parker, S. C.

The Rabies Committee met on October 29 with a total of 16 members and guests present.

The Committee reviewed recommendations made at the 1978 meeting and noted the following action during the intervening year:

1. The Compendium of Animal Rabies Vaccines has continued to gain acceptance among states as the basis for rabies vaccination requirements. Progress is being made on acceptance of the standardized vaccination certificate. A definition of "high risk" areas has been promulgated which agrees closely with that proposed by this Committee.
2. The experimental human diploid cell strain vaccine is approaching licensure and is expected to become commercially available early in 1980.
3. No specific improvements in control of bat or cat rabies have been made in the past year.

The Committee then addressed those topics which it felt might call for specific action:

1. The problem of vaccine-induced animal rabies was discussed at length; 25-35 cases have been identified depending on the definition accepted for vaccine-induced cases. Most cases of vaccine-induced rabies have been associated with low egg passage FLURY strain vaccines which have now been withdrawn from the market; however, several cases have been associated with other modified live virus vaccine. The Committee recommended that the U.S.D.A., the Center for Disease Control, and the National Association of State Public Health Veterinarians collaborate to develop improved surveillance and diagnosis of vaccine-induced rabies.
2. The Committee reviewed the problem of accidental exposure of humans to modified live virus animal rabies vaccines. While recognizing the technical difficulties in establishing the risk of rabies following accidental exposure, the Committee felt a concise statement of risk was needed and requested the Center for Disease Control develop such a statement. The Committee also recommended that CDC and Veterinary Biologics, USDA, jointly review the criteria established for licensure of new biologics to determine if

human safety could be more heavily weighed in vaccine licensure evaluation.

3. Following a presentation on intravital diagnosis of rabies using fluorescent microscopic examination of corneal impressions and skin biopsies by Mr. Dennis Howard, the committee discussed the desirability of recommending this technique for routine use in rabies diagnostic laboratories; it was decided to defer any recommendations pending additional data to support the sensitivity and practicality of this diagnostic procedure.
4. The Committee reviewed the 1980 Compendium of Animal Rabies Vaccines developed by the National Association of State Public Health Veterinarians and endorsed the document, commending the NASPHV for their work in this area.
5. The Committee reviewed the status of rabies in the United States and expressed concern over the general increase in rabies especially along the U.S.-Mexico border. They discussed possible means to increase awareness of the problem by the public and the veterinary and medical professions but made no specific recommendations.
6. The threat of rabies spread by pet wildlife, especially skunks, foxes, and raccoons was discussed. Major James Valey and Dr. Ashley Robinson presented data on the pet skunk industry in Minnesota noting that several thousand skunks are marketed to the pet trade each year from Minnesota and that some of these animals have developed rabies and exposed persons. The difficulty in differentiating between pen-raised animals might be incubating rabies when marketed. Preliminary rabies serologic testing of skunks in one major breeding facility has suggested that both wild caught and pen-raised animals had been exposed to rabies. The Committee felt that the only satisfactory way to control this threat to human health would be to severely restrict sales of such animals through the pet trade. Accordingly, the Committee proposes the following resolution: "Whereas the problem of wild animal pet associated rabies is recognized as an increasing hazard by public health authorities, and "Whereas no feasible means exists for assuring that wild animal pets, especially foxes, skunks, and raccoons, are immune to rabies, then "be it resolved that the Rabies Committee of the U.S. Animal Health Association requests that the USDA and Public Health Service together develop rules to prohibit the interstate traffic in skunks, foxes, and raccoons for sale in the pet trade."

"Further, the committee urges that the respective states promulgate legislation to prohibit interstate sale and possession of pet skunks, foxes, and raccoons."

7. There being no further business, the committee adjourned.

Respectfully submitted,
W. G. Winkler, Chairman

TESTIMONY TO THE FISH & GAME
LEGISLATIVE COMMITTEE OF THE 47th LEGISLATURE

RE: House Bill No. 152 "---prohibiting the possession of bats,
foxes, racoons"

TESTIFIER: Judith Gedrose, R.N., Public Health Nurse Consultant
Preventive Health Services Bureau
Montana State Department of
Health and Environmental Sciences

I am a proponent of HB 152. As of December 1979, 39 states have laws relating to the control and sale of pet animals and wildlife. The major reason for this legislation is human rabies prevention and elimination of unnecessary post-exposure vaccination.

The pain and expense of post-exposure rabies vaccination have been often discussed and publicized. For communicable disease control professionals there is an additional concern. Patients receiving post-exposure vaccination can have adverse reactions. No medical treatment regime is completely free of side effects. Post-exposure rabies vaccine has several potentially fatal side-effects. There is also the possibility that a person exposed to rabies will develop the disease even if they receive post-exposure vaccination. We have recently begun supplying a new rabies vaccine to local health departments and physicians who deem it necessary for a person bitten by a rabid or potentially rabid animal. The statistics for adverse reactions are limited because the vaccine has only been in wide-spread use since June 1980. However, reactions at a rate of one per 625 persons treated has warranted further study by the Center for Disease Control.¹

During 1980, State Health Department personnel were formally requested to evaluate 28 instances of possible rabies exposure of humans. A decision to treat the patient with post-exposure rabies vaccination was made in 13 of these consultations. Although these numbers appear to be small, each such consultation requires a great deal of expertise and resources. In even the most clearcut situations the health care responder can not without a doubt know if his recommendation will prevent a human rabies case. The potential for adverse reactions from treatment is ever present.

A bill such as the one proposed will lessen contact between humans and the most common "wildlife pets" that are likely to have rabies. Therefore, it will lessen the chance of possible human exposure to rabies and/or post-exposure vaccination.

1. Center for Disease Control

"Adverse Reaction to Human Diploid Cell Rabies Vaccine", Morbidity & Mortality Weekly Report, December 19, 1980/ Vol. 29/ No. 50, p. 609

House Bill 152 (Donaldson) "An Act to minimize transmission of rabies by prohibiting the possession of Bats, Skunks, Foxes, or Raccoons and providing for prohibition of possession of certain other animal species known to be capable of transmitting rabies to human beings; and providing an exemption for such animals that are possessed for six months prior to January 1, 1982. "

Hearing (Fish & Game) Tuesday Jan. 20 , 1981 12:30 Room 433

I am David Lackman , lobbyist for the Montana Public Health Association and I am testifying in support of House Bill 152 .

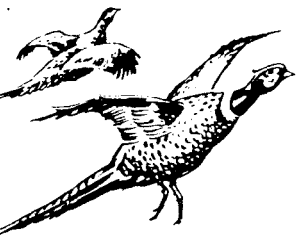
During the fifties I had several visitors from other countries visiting my section of the Rocky Mountain Laboratory in Hamilton who were amazed that we didn't have a rabies problem among wildlife in Western Montana. Especially vivid in my memory are their descriptions of the bad situations in Mexico and the wolves in Iran. Such epidemiological catastrophies we want to prevent in Montana.

Wildlife , especially the species mentioned in the bill , constitute a major reservoir of the virus. Many bats and skunks in Montana have been found to be infected. They , in turn, infect domestic animals ; and in some cases , man. In Mexico it is a particular hazard to cattle. Wildlife , domesticated as pets, are a special hazard because those infected with rabies virus are easily captured ; and may in fact attack man. My father made the headlines in the early twenties when his horse-drawn mail wagon was attacked by a rabid fox ; and he killed it with a shovel he kept to dig the wagon out of the mud. Then a rabid fox wandered into our yard and my father shot it before we could make a pet of it. There was a major outbreak of rabies among foxes in Conn. then.

Although the vaccine and immune-serum treatment of rabies has been improved, it is not completely effective. A great deal depends on site of the bite, and interval before treatment is started. Prevention is much more effective. The provisions in this bill constitute one means of minimizing spread of the virus to man and domestic animals. Before coming to Montana , my experience included seeing a human case of rabies (at Phila. General Hosp.) during the terminal phase - it is a horrible way to die. Let's do all we can to prevent such an occurrence in Montana. We urge your support of House Bill 152 .



David B. Lackman , Lobbyist , Montana Public
Health Association Jan. 17, 1981



Burnt Fork Game Farm



Phone 777-3642 — 1417 Middle Burnt Fork Road — Stevensville, Montana 59870

January 16, 1981

Rep. Orval Ellison
Chairman, House Fish & Game Committee
State Capitol
Helena, Montana 59601

Dear Mr. Ellison:

I am writing to you concerning HB 152 relating to the 'Prohibiting the Possession of Bats, Skunks, Foxes, or Raccoons'.

I own and operate a game farm east of Stevensville. While I primarily raise pheasants and other birds, I also raise several species of animals including skunks, fox, and raccoon. These birds and animals are viewed by school groups from the Bitterroot Valley and the Missoula area as well. I also sell some of the young (skunks and raccoons) for pets. Quite a number of these animals are used in some of the 'Wild Kingdom' Series films.

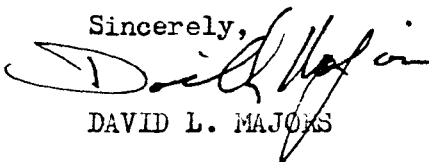
I believe that the problem of rabies transmission is directly related to those animals which have been caught directly from the wild, not those raised in captivity.

I feel this bill should only deal with the wild caught animals and exclude the categories as listed in section 2 of the bill as well as their progeny. In addition, any deletions or additions to the four species listed should be only made thru legislative action and not the ARM procedure.

I plan to attend the hearing and I am looking forward to meeting you.

I have contacted Rep. Bob Thoft with some suggestions for possible ammendments to this bill, which I feel I could live with and still help to minimize the transmission of rabies.

Sincerely,

A handwritten signature in cursive script, appearing to read "David L. Majors".

DAVID L. MAJORS

January 17, 1981

C. Fredrick Frey
Route 2 Mullan Road
Missoula, Montana 59801

Chairman-Orval Ellison
Montana House Fish and Game Committee
Capitol Station
Helena, Montana

Representative Ellison,

I understand that HB 152 will go before your committee on January 20th for review and recommendation. I understand that this proposal will prohibit or strictly limit the possession of bats, shunks, foxes, raccoons, and other species of animals known to be capable of transmitting rabies to human beings, and is in fact very similar to SB259 of 1979. I was opposed to the passing of that bill, and I must take the same stance on this proposal as written. Please consider the following:

1. Almost all of the problems with rabies arising from these species comes from animals taken from the wild populations.
2. According to a local veterinarian, most animals diagnosed to be carrying the disease have not involved human exposures, and often have been dead animals that tested positive.
3. The proposal is far too restrictive and unfair to those who wish to own or breed these animals, which, although in a small way, has been part of the Montana and American way for many generations. There is little or no evidence that captive populations of these animals have contributed to the problem. By captive populations, I mean those bred and raised in captivity, not captured and raised.
4. Also according to the local veterinarian, even though no vaccines are Federally approved for wild type animals, time has shown that some are functional and are controlling the disease in some of the animals in question.
5. The use of the terms "certain other animal species known to be capable of transmitting rabies" is not specific enough, and allows for various interpretations, and misunderstandings that are not necessary.

I do recognize the seriousness of this disease, but I do not believe that Montana's problem warrants this restrictive action without having tried other solutions. There are individuals in this state that earn part of their income from raising these types of animals, and others who receive a great deal of satisfaction from owning such pets. These people, however, should be expected to take the necessary precautions to protect there captive animals from exposure to rabies through vaccination and limiting their travels. The Department of Health and Environmental Sciences should continue to and intensify there education process on the disease and its transmittal. Further we should look at either enforcing or stiffening our laws on the taking of these species from the wilds, where most of the problem seems to lie, and solicit the support of our local veterinarians not to descent wild taken shunks, and to discourage the keeping of wild caught animals. Maybe we should look at the use of receipts as proof that the animal came from captive stock.

I hope that your committee will reject HB152 as written in favor of attempting to minimize the transmission of rabies by giving due consideration to alternate methods that may prove just as effective, and yet allow the citizens of the state to own the animals in question. If we prove that the disease cannot be controlled withing reason in our captive bred animals, then the matter should be dealt with along those terms.

Sincerely yours,

A handwritten signature in cursive script, reading "C. Fredrick Frey". The signature is written in dark ink and is positioned above the printed name.

C. Fredrick Frey

WITNESS STATEMENT

Name David B. Lackman Date 1/20/81
Address 1400 Winne Ave, Helena 59601 Support ? X
Representing Montana Public Health Assn. Oppose ?
Which Bill ? HB 152 (Donaldson-Skunk Bill) Amend ?
Comments: Written Testimony - Copies attached.

Please leave prepared statement with the committee secretary.

WITNESS STATEMENT

Name David Majors Date 1/20/80
Address 1417 Middle Burnt Fork Rd, Stevi Support ?
Representing Burnt Fork Gene Farm - Oppose ? x
Western Montana Agriculturists
Which Bill ? HB 152 Amend ? x
Comments:

Please leave prepared statement with the committee secretary.

~~139~~ F & G

COMMITTEE

Date 10.20.81

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

7 4 G

COMMITTEE

HB 152

Date 1/20/81

SUNSON *Donaldson*

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

STANDING COMMITTEE REPORT

February 10

19 81

MR. SPEAKER:

We, your committee on FISH AND GAME

having had under consideration HOUSE Bill No. 152

A BILL FOR AN ACT ENTITLED: "AN ACT TO MINIMIZE TRANSMISSION OF
RABIES BY PROHIBITING THE POSSESSION OF BATS, SKUNKS, FOXES, OR
RACCOONS AND PROVIDING FOR PROHIBITION OF POSSESSION OF CERTAIN
OTHER ANIMAL SPECIES KNOWN TO BE CAPABLE OF TRANSMITTING RABIES
TO HUMAN BEINGS; AND PROVIDING AN EXEMPTION FOR SUCH ANIMALS THAT
ARE POSSESSED FOR SIX MONTHS PRIOR TO JANUARY 1, 1982."

Respectfully report as follows: That HOUSE Bill No. 152

DO PASS

STATEMENT OF INTENT ATTACHED

STATEMENT OF INTENT - HB 152

THE HOUSE COMMITTEE OF FISH AND GAME

A statement of intent is required for this bill because it creates rule-making authority for the Department of Health and Environmental Sciences, with the approval of the Department of Livestock, to administer and implement law controlling rabies through limits on the possession of wild pets. Rule-making is primarily needed to add a species of animal to those presently designated "wild animals" by the act if the chance of rabies occurring in that species increases beyond its present level. Coyotes are an example of a species which may become a rabies threat in the future.

As for other rules, most would clarify terms and phrases used in the bill. Examples of potential rule subject-matter are:

(1) to clarify what will be considered a fur-bearing enterprise (Section 2);

(2) to clarify what controls by zoological exhibitors will be considered to adequately prevent physical contact by the public with wild animals.

STANDING COMMITTEE REPORT

January 20

1931

MR. ~~SPENCER~~:

We, your committee on FISH AND GAME

having had under consideration Bill No. 199

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 13-2-101, MCA,
TO CLARIFY THE DEFINITION OF CONSTRUCTION FOR STATE BUILDING PROJECTS."

Respectfully report as follows: That..... HOUSE Bill No. 199

DO PASS