2025 HOUSE ENERGY AND NATURAL RESOURCES

HB 1325

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau AB Room, State Capitol

HB 1325
1/24/2025

Relating to positive detections of chronic wasting disease.

10:56 a.m. Chairman Porter opened the hearing.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chair Novak, Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, Conmy, Foss

Members Absent: Representative Ruby.

Discussion Topics:

- Tracking of chronic waste disease
- Synthetic prions
- Chronic waste disease testing

10:56 a.m. Dusty Backer, Center, North Dakota, testified in favor and provided testimony #30828 and #31352.

11:16 a.m. Andy Buntrock, North Dakota Resident, testified in favor and provided testimony #31223.

10:20 a.m. Jermey Dinius, Bismarck, North Dakota, testified in favor and provided testimony #30953.

11:23 a.m. Dr Charlie Bahnson, Wildlife Veterinarian at North Dakota Game and Fish, testified in opposition and provided testimony #31207 and #31354.

11:42 a.m. Dr. Ethan Andress, State Veterinarian at North Dakota State Board of Animal Health, testified in opposition and provided testimony #31284.

11:51 a.m. Brock Wahl, Chairman of North Dakota Backcountry Hunters and Anglers, testified in opposition and provided testimony #31239.

Additional written testimony:
In favor:
#30194, #30546, #30549, #30552, #30659, #30664, #30668, #30694, #30726, #30858, #30965, #30969, #31048, #31050, #31054, #31085, #31087, #31133, #31137, #31139, #31141, #31149, #31178, #31189, #31194, #31195, #31199, #31208, #31209, #31218
In opposition:
#30634, #30728, #30882, #31074, #31125, #31158, #31197, #31211, #31225, #31234, #31252, #31258

11:54 a.m. Chairman Porter closed the hearing.

Wyatt Armstrong for Leah Kuball, Committee Clerk

NEWS

News Release
Media Contact: TPWD Press Office, news@tpwd.texas.gov, 512-389-8030
Jan. 19, 2024

National Laboratory Does Not Confirm Chronic Wasting Disease at Kerr Wildlife Management Area Research Facility

AUSTIN — The National Veterinary Service Laboratories (NVSL) in Ames, Iowa recently notified Texas Parks and Wildlife Department (TPWD) that additional testing at their facility did not confirm a suspect-positive case of Chronic Wasting Disease (CWD) in a 14-month-old captive male white-tailed deer at the Kerr Wildlife Management Area (WMA) research facility.

The sample from the 14-month-old buck was collected in October during ante-mortem testing of all captive white-tailed deer as part of on-going research at the Kerr WMA. Samples were submitted to the Texas A&M Veterinary Medical Diagnostic Lab (TVMDL), working in conjunction with the Wisconsin Veterinary Diagnostic Lab (WVDL) to address an influx of sample submissions in a timely fashion. The sample was processed by WVDL, and the staining observed by their staff was confirmed by TVMDL via digital images of the slide. As required by federal regulation, WVDL forwarded the sample from the Kerr WMA as a suspect positive for CWD to NVSL for confirmatory testing.

October's ante-mortem testing followed a previous presumptive positive RT-QuIC (real time quaking-induced conversion) test result from a doe in early 2023. This RT-QuIC detection spurred additional research investigations and amplification testing on additional deer, equipment, water, and feed sites within the facility. Although no confirmed detections were obtained from regulatory tests on any deer, the second round of RT-QuIC environmental evaluations at the facility did detect the presence of prions in some environmental samples.

Out of an abundance of caution, TPWD staff euthanized all deer in the research facility prior to receiving confirmation from NVSL and collected post-mortem samples in November, which resulted in no additional detections. TPWD has immediate plans to utilize RT-QuIC and protein misfolding cyclic amplification (PMCA) to conduct a third round of environmental sampling at the facility and evaluate postmortem tissues from all the animals euthanized from the facility. This is an extremely rare occurrence in which TPWD has not received confirmation from NVSL following a suspect immunohistochemistry positive result.

"While TPWD staff is disappointed in abruptly ending use of the research herd, the department knew it was essential to immediately eliminate the likelihood of amplifying the disease threat within the captive facility," said Wildlife Division Director, John Silovsky. "Additionally, it also reduces the risk of potentially transmitting CWD to the surrounding WMA property and neighboring landowners. Early detection and containment of the disease are key components of CWD management."

I am in favor of HB 1325. Every CWD detection by test, a microscopic slide of the causative agent (prion) and necropsy, must be provided and kept on file. Total transparency, show us the proof.

I am in favor of HB 1325. Every CWD detection by test, a microscopic slide of the causative agent (prion) and necropsy, must be provided and kept on file. Total transparency, show us the proof.

I ask that you please pass HB 1325. I feel this is necessary to hold Game and fish accountable. It would also help to prove actual positives versus just a detection.

HB 1325

I am writing in opposition of HB1236. I sure hope any bill requiring the ND Game and Fish to do something includes them in the process. This bill is trying to bypass science. Please trust the department that is trusted with protecting our state wildlife. You can't instruct an agency to research science that doesn't exist or can't be proven. You have an agency that sole purpose is to protect the wildlife in the state of North Dakota. They have nothing to gain other than protecting wildlife.

As legislators in the state of North Dakota you are entrusted with protecting our state's resources, and wildlife is one of those resources. Who are you going to trust with the future of wildlife in our state, hunters trying to find a way to use bait to hunt and bypass CWD and the tools used by the Game and Fish to manage it or the Game and Fish who only have a desire to protect wildlife in our state!

Please oppose HB 1325

Dear Committee Members,

I ask for a do pass on HB1325

This bill just makes sense. If the department is using north dakota sportsmen's and federal dollars on their "CWD initiative" I think it is common sense to make them provide and keep a record of all positives.

The department is spending funds and restricting hunting opportunities due to this disease, why do they not have to keep a record on hand of what caused this and where the money is going.

There has been opens records request for this data, with none provided back in the affirmative. They are also using sportsmen to test. How scientific is it to send a sample pack in the mail, and expect a sportsman in the field to collect this. How can we "trust this science".

For these reasons I ask for a do pass.

Thanks,
Wyatt Thompson

Committee members my name is Gabe Thompson I farm and ranch by Antler ND and today am asking you to support HB 1325

In the on going multiple years long discussion on the CWD agenda the NDGF has been pushing with their narrative … this agency has been caught in direct contradictions of their claims, their science and even their own policies they impose on sportsmen yet do not follow themselves to the point ND sportsmen have lost faith in their action and claims

This is evident at the many advisory meetings I have attended where dozens of sportsmen speak out yet are ignored ….in a meeting specifically on CWD in Minot the NDGF told attendees we would not be able to ask questions in an open forum setting so all in attendance could hear their answers and instead would have to speak privately one on one with their staff after the meeting was done …..

To put it bluntly a growing number of sportsmen across the state no longer trust our unelected NDGF leadership ….”experts” with an agenda have become propagandists with a narrative

HB 1325 would put in place a degree of accountability in the attempts by the NDGF to restrict hunting opportunities away from ND sportsmen

I encourage a do pass on this bill

Thank you

01/22/2025

Dear Energy and Natural Resources Committee members

I am writing my testimony to support HB1325

Isn't it irresponsible and negligent to rely solely on a test that could create both social and economic fallout from the outcome of just one false positive CWD result?

According to multiple sources, ELISA - CWD, which is a test utilized by many agencies across the US, has a potential false positive rate anywhere between 5%-9.5% (depending on the source study). This could indicate that nearly one out of every ten tests is inaccurate and can lead to major and disastrous effects.

Relying on the results of a faulty test without a secondary confirmation source (such as necropsy) is negligent and can have severe consequences negatively impacting an otherwise healthy deer herd.

These consequences come in the form of a myriad of effects; added hunting restrictions, deer population reductions (either through increased tag allocations and harvest, and/or through culling), decreased genetic diversity, lower recruitment numbers (offspring), social disinterest in participation in hunting, economic impacts to communities and sporting goods revenue/taxes generated, dollars diverted away from beneficial programs (habit, food plots and other beneficial programs), etc.

Please vote yes on HB1325 to help ensure that our deer herds are getting fair representation before being enrolled into extreme management protocols enacted by our North Dakota Game and Fish department, simply all because of one potentially false positive test result.

Respectfully submitted,

Matt Williamson
Minot, ND

I am in favor of HB 1325. This will provide an actual necropsy and microscopic slide versus the detection method taking place now.

I support this bill and ask that you reccomend a Do Pass.

I am in strong opposition of HB 1325 and encourage a Nay vote on this bill. As legislature representatives, this bill brings no value to the North Dakota Department of Game and Fish. We need to let the scientists manage the nature resources within the current confines of the law.

Chronic Wasting Disease (CWD) oversight, management and mitigation are critical for healthy ecosystems and wildlife in North Dakota.

Again, I encourage you to reject this bill for further consideration.

Josh G.

Grand Forks, ND

1/22/25

House Energy and Natural Resource Committee
RE: HB 1325

IN SUPPORT

There has been an abundance of trust lost with the sportsmen and landowners of North Dakota and the North Dakota Game and Fish because of the CWD “hysteria”.

HB 1325 is about transparency and would be a stepping point for the connection between the NDGF and the people to begin to be mended.

- Dusty Backer

Support of HB 1325

Chairman Porter and members of House Energy and Natural Resource Committee

My name is Christopher Jorde and I am a lifelong resident and sportsman of North Dakota. I believe that CWD is a real disease and that the North Dakota Game & Fish Department as a form of accountability shall for every CWD detection by test, a miscroscopic slide of the causative agent (prion) and necropsy, must be provided and kept on file. I believe that this would be an easy practice to achieve and would show better accountability and professionalism from the North Dakota Game & Fish.

For these reasons, I would appreciate a DO PASS vote on HB 1325

Christopher Jorde

Towner, ND

701-240-8696

I oppose HB1325.

I fully support passing HB-1325. The amount of time money and energy wasted on CWD is becoming an insult to all taxpayers and citizens of ND. Considering only 1 deer has died from CWD in the last 50 years and there is little to no evidence of bait spreading cwd, banning it for hunting purposes only is nothing more than a government control attempt in the private property of the citizens of ND. We watch as thousands of deer perish every year in ND due to harsh winters and EHD yet nothing is done about either by our wildlife officials. The amount.m of money wasted that could be used to help with access and habitat should alarm anyone.Please recommend a do-pass for HB-1325 Thank you

Jeremy Dinius.

Members of the ENR committee.

I am in favor of HB 1325. This bill is about transparency nothing more nothing less. I ask for a DO PASS on 1325

1/22/24

House Energy and Natural Resource Committee
RE: HB1325

IN SUPPORT OF

One cannot understand CWD without reviewing the background of a presumed “science” lineage.

It starts with Kuru. Kuru is supposed to be caused by cannibalism in New Guinea. It was out of respect for the deceased, people ate the corpse. Daniel Gajdusek (who was later charged with child molestation) worked with Kuru and no one was able to confirm his findings, and some say the pictures of his work, resembled pork and was a hoax.

Gajdusek had a theory that Kuru was a “slow moving” infectious condition and attempted to prove this by performing experiments and transmission of the disease. He drilled holes into chimpanzee head and placed pureed brain matter. He then said these animals developed symptoms of Kuru and therefore, the first demonstration of infectious spread of a neurodegenerative disease. He further coined Kuru as an “unconventional virus” with a long incubation period that does not cause an immune response (symptoms) from the host. This would mean to detect a disease, we take a test and don’t look at symptoms/immune response.

This was the beginning of the unsubstantiated idea of a slowing moving infectious condition.

Stanley Prusnier became involved in the 1980s and liked Gajdusek’s theory and argued that the definition of a virus should be changed. The definition of a virus is:

> *The basic concept of an infectious microbe incorporates*
> *the assumption that it is genetically alien to the host it invades*.

In simple terms, anything infectious is foreign to the body.

Prusnier speculated instead, that this new agent could be a host protein and one of the normal molecules found in healthy brains, would become a mutated brain cell. He said that the infectious proteins would have to be a chemically altered form of a normal protein. This was a preposterous proposal and many virologist did not support this way of thinking because in this example, proteins are a naturally vital part of the bodily system.

With enough Human Dimensions, this theory has been accepted, even although there are no pictures for proof, of this mutant protein. The idea that slow virus (18-24 months) are a thing and prion are a thing, even though they have not been proven, (Prion Hypothesis) is a Human Dimension conception. (Virus is 2 days-2 weeks for symptoms)

Let’s return to the infectious (contagious) proving methods that were used with Kuru and how similar they are to the current studies that the Agencies grasp to with CWD. Brain matter mushed up and injected into drilled holes in the head of chimps in direct comparison to the deer contagious studies of taking “infected” brain matter and shoving it into a healthy deer’s brain, nose, and mouth.

Another study that is accepted by “robust science," is to put a deer under light anesthesia, wake the deer up enough to drink “infected”saliva, every week, for 3 months. After these 3

months, the deer tested positive (by test only) and no necropsy performed. Massive stress factors and no control group was administered.

Gajdusek did the same type of barbaric experiments with blood, urine, bodily fluid, and spinal fluid. The infected fluids should have been fully apparent in the brain yet, transference to prove contagious did not happen. Months to years later, some of the injected monkeys suffered coordination and movement problems. Yes, would seem logical with inoculations to the brain.

More experiments have been attempted using these methods in an attempt to transfer "infected matter" to other species and resutling in no mutations being seen in brain tissue, even with an electron microscopes. Creating brain inflammation by injecting brain material, or any other material by injection, does not prove transmission or contagiousness.

When does the brain ever come into contact with another brain in nature? Injecting blood, urine, or saliva into animals is not causing them to become sick with CWD. NOTHING like this happens in nature. Yet, here we are with reports of the possibility of CWD being in other species and possibly, eventually humans.
This lack of natural infectiousness is proof alone to defeat the CWD fears of a "spread".

In these experiment there are no controls. There are no comparative animals and therefore, shotty science. Taking "infected" brains and shoving them into healthy deer to see what happens but, they aren't taking healthy brains and injecting them into healthy deer as a control. Chances are very high that both would be sick, at the same rate. Shame on the 'experts".

The disease that the Agencies tend to compare to CWD is the neurodegenerative disease, CJD (Creutzfeldt-Jakob disease). It is also known as Mad Cow, BSE (bovine spongiform encephalopathy) It is described as a spongy brain. Most people have heard of CJD but not CWD.

In 2005, CJD was cancelled. (Massive testing ceased and so did BSE)
The BSE hysteria cost Germany 1.5 billion euros. That is equivalent to $1,562,434. The cattle farms were imposed with obligatory tests on 5.1 million cattle and 200 were deemed positive. If you believe those 200 cattle were infected, that meat would have infected 3 people, at the most, over 30 years. The feeding of bonemeal to cows has been disproven.

In the United States, 787,711 cows were tested from June 2004-August 2006. 4-7 animals were "infected" in a population of 42 million adult cattle. Were these 4-7 necropsied? It has been stated: *Testing all slaughter cattle for BSE could produce an exceedingly high rate of false negative test results and offer misleading assurances of the presence, or absence, of disease.* Hardly an infectious disease. These statistics and methods sound parallel to CWD.

United Kingdom reported that most CJD cases were in northern Scotland while most cattle with BSE, were in southern England. So, cows in Southern England caused CJD in northern Scotland? That would mean that all the meat from these cows, was shipped to northern Scotland and only eaten there. That is not traditionally how the big meat market works.

In 1985 a law was passed in the United Kingdom forcing British farmers to apply Phosmet (insecticide) to the necks of cattle. Phosmet is known to be highly toxic and causes severe neural damage to the brain and nervous system. The government forced neurotoxins on cattle and then they say,"It must be prion"causing a disease.

Great Britain, Northern Ireland and Switzerland were required high concentrations and those countries were where most of BSE occurred. The farmers that were organic and fed the

bonemeal to cows, had no problems. 1990s brought a law that repelled this Phosmet mandate and there was a dramatic reduction of BSE cases. The British government admitted Phosmet was a factor in the onset of BSE and added that this disease can look like a muscle disorder or a wasting disorder that hits the nervous system at any different point and gets slightly different symptoms.

I am not disagreeing that CWD is real and a neurodegenerative disease. **I am disagreeing that it is caused by a magical protein and is infectious.** The lineage of this type of "deadly, fatal disease", has a historical playbook.

The CWD narrative follows the same playbook of Kuru and Mad Cow. Recently, we have been bombarded with fear-mongering media of H5N1. Another example of HUMAN DIMENSIONS.

H5N1 is an additional bureaucratic narrative that is going after another animal. The cattle (beef and dairy), poultry, sheep, and pork industries have been taking punches for years.
KILL THEM ALL TO SAVE THEM ALL has been the 'expert" thought process based on "science".

The H5N1 narrative scare began on an island in the Baltic Sea as Germany came to search for dead birds. They collected and tested, with occasional positive tests, as no one was able to state what caused a positive or negative result. They chose to overlook that only a fraction of the dead birds were positive and no one asked why the birds died. Keep in mind, the Germans were **looking** for dead birds. These birds wintered in Germany and didn't even come from the Baltic Sea and were isolated so, the swans that were blamed for the outbreak of Avian Influenza, could not have contracted H5N1.

2003-2006, claims of 153 people died of H5N1 yet, there is no proof that it was the killer. If you study the reports of the deceased, there is no evidence that H5N1 was the issue. Some had cold symptoms (thousands die from colds each year). The medicine given to these patients did not show it combatted the H5N1 virus and Tamiflu was the prescription of choice.

Nov 1, 2005 (CIDRAP News) – President George W. Bush today proposed $7.1 billion in spending to prepare for an influenza pandemic, including $5 billion for vaccines and drugs, as his administration released an outline of its preparedness strategy.

"At this moment, there is no pandemic influenza in the United States or the world," Bush said in a speech in Bethesda, Md., today. "But if history is our guide, there is reason to be concerned."

He explained the threat posed by the H5N1 avian flu virus, saying it is "still primarily an animal disease" but could spread around the world if it gained the ability to pass efficiently from person to person. "Our country has been given fair warning of this danger to our homeland—and time to prepare," he said.

Bush said his strategy has three main elements: detecting outbreaks anywhere in the world; stockpiling vaccines and antiviral drugs while improving the ability to make new vaccines for a pandemic virus; and improving general readiness at the federal, state, and local levels.

George W. Bush said that 2 million people may die from H5N1 and ordered 200 million bottles of Tamiflu at $100 each for a bird disease that has never been proven to impact birds, or humans. Tamiflu is being sued under the False Claims Act for $1.5 billion+.

The human dimensions tactic began fanning the flames of terror and over 100 million animals have died because of this panic. Only a fraction of the deaths have been accounted for by H5N1 and more birds have died from mass exterminations prompted by panic of authorities, then H5N1. It has since been exposed that there is a patent number assigned to H5N1. This would explain why the media did not ask questions, rather they promoted the "unknown" hysteria. Again, a repeat of the thought process, KILL THEM ALL TO SAVE THEM ALL and the repeated statment of, "We just don't know" when CWD questions are asked.

The CWD narrative with the backing of media, and a threat to humans and other animals, is killing more deer than CWD has, or ever will. North Dakota massacred 50+ deer in a panic reaction when a dead deer was reported in Williston that tested "positive". A United States Fish and Wildlife crew was called in and together, with NDGF, they murdered healthy deer and fawn, over a corn pile, at night. It has been reported by neighbors as a "blood bath". The 50+ deer were tested and all announced negative. The meat was disposed of.

The NDGF has stated that they have culling tags mixed in with the submitted allotted rifle tags therefore, having the North Dakota sportsmen perform the culling for them. Director Jeb Williams stated to the House and Senate Energy and Natural Resource Committees on January 10, 2025, "Hunting has to be apart of the solution (to CWD)?".

The current supplied data for CWD in North Dakota:

49,596 deer tested since 1998
105 detections (not necropsied)
1 confirmation

This one deer in this data report was the "Williston Massacre" deer that was found dead, and in the necropsy report, it was noted a mass was on the deer's head and could be a contributing factor to the brain damage. Necropsy is the only way to confirm a neurodegenerative disease because you must see the holes in the myelin of the brain. Any other reports of "positive" or "detections" are based solely on a test and are being announced as CWD infected deer which is misinformation.

The repeat of the hypothesized science is deafening as demonstrated with Kuru, Mad Cow (BSE) and H5N1. It seems to be the same playbook with a different species, all back by Human Dimension and shotty science.

The NDGF has also announced that they are focusing on Human Dimensions to "inform the public". This push started in October of 2022 when the NDGF applied and received, $96,300 for a grant: *Shifting Behaviors to Lower the Risk of CWD; a multi-media approach,* and then again in 2024 being one of the 16 states to receive funds from the CWD Surveillance and Management (HR 5608) Act worth $420 million. NDGF was awarded this time with $168,723 for a grant titled: *Cultivating Long term Engagement with a Long Term Issue.* That is $265,023 to get **us** to think they way they want us to about CWD.

Why would it be so imperative to submit grants to change or mold the minds of the people of North Dakota? $265,023 is a substantial amount that could have been used for the deer in areas such as habitat.

All "expert" dialogue is centered around a document titled: AFWA (Association of Fish and Wildlife). This guide is what the Wildlife agencies around the nation, are tied to when repeating the CWD narrative. There is a human dimensions section that spans from pages 87-89. On page 87, there is a section titled: *Best Management Practices involving human dimensions in*

implementing a CWD program. This section also outlines how to use surveys to "explore hunter attitudes related to CWD including effort, success rates, and willingness to accept regulatory changes to manage CWD".

The second section on this page outlines elements of a communication plan:

a. Contain key messages about CWD.
b. Include and use the best available science, preferably from the host state
c. Frequently be updated.
d. Endure openness, honesty, and transparency
e. Use social media (e.g. Facebook, Twitter) to convey information to the widest range of age and cultural segments of the population.

a. FEAR seems to be the key message.
b. Testing-restricting- culling- human dimensions are the "best available science" tools being used. NOTHING for the deer. KILL THEM TO SAVE THEM.
c. To find real data on CWD, one must contact NDGF. Only the information they want exposed is reported. Advisory meetings are protocol and input lies on deaf ears.
d. Public is reported that there are 105 detections yet, the only way to confirm CWD is by necropsy so, that confirmation number is **one**. Honesty has been covered by hypocrisy with 5 units that were to be restricted (2 in 2023, 3 in 2024) according to the NDGF criteria, and were not. Transparency is what HB 1325 is about.
e. Commercials, billboards, social media, radio, podcasts, search engine marketing, email, printing materials, magazines, tv, radio, mailings, practice targets.

The NDGF seems to be fluent in submitting and receiving federal grants therefore, it would not be an added work load to take this talent and apply for grants that focus on the big game of North Dakota rather than the minds of the people of North Dakota. Perhaps additional habitat efforts.

Human Dimensions manages people, not disease.

The amount of money that has been used for CWD is astounding. Nationwide, over $1 billion from the federal government. $919,612 of North Dakotans hunting and fishing license and fees along with $265,023 in federal grants, which is the people of the United States.
All for a HYPOTHESIS.

This CWD disease should actually be called a Testing Epidemic. Testing with methods (ELISA, IHC, Western Blot) that do not detect "prion" and focus on antigen and what is attached to them (bacteria, virus, fungus). Upon a conversation with the manufacturer of tests that use the ELISA method (NDGF tests), he stated that there is an unreliability factor of 4-7%, are similar to the PCR, and do not detect prion. The tests being used are only available to universities, research settings, and agencies. None of these institutions will share what they are testing for. If you attempt to purchase a test, even as a cervid farmer, it would be impossible.
Why are these tests so secretive?

These tests are driving the hysteria, decision making and killing of thousands of healthy deer.

When questioning the CWD methods or tools being used by the NDGF, the consistent response is "robust science". There is a page on the NDGF website with this "science" and also a statement by the Association of Fish and Wildlife Agency that was approved March 8, 2019. Again, terms of allusiveness (162 in the complete AFWA) and more specifically a paragraph that reads:

However, alternate theories regarding the cause of CWD have been postulated and continue to be examined by some in the scientific community. These theories, which explore possible etiologies including viruses, bacteria, trace mineral imbalances, and others, have been advanced for many years and often are supported by peer-reviewed, scientific publications. While our understanding of CWD epidemiology can benefit from diverse research perspectives and investigations, the preponderance of scientific information currently available strongly supports prions as the causative agent of all TSEs, and this is accepted by the vast majority of scientists working in this field.

The AFWA does not say that "prion" are the causative agent. It states that they support the **consensus** that "prions" are the causative agent for CWD and at this time, is accepted by the majority of the scientists in the field. This statement also points out that there are peer-reviewed etiologies that include virus, bacteria, and trace mineral imbalances (nutrition) that are supported in scientific publications. The NDGF has chosen to follow the "Prion Hypothesis".

The Associations of Fish and Wildife have made it clear that they are supporting and following scientific CONSENSUS with the "prion" theory. **There is no consensus in science**. A billion federal dollars has been spent on consensus? Thousands of deer have been killed on consensus? People have been exposed to massive human dimension campaigns based on consensus? Rights are being taken away on consensus?

What makes us think that we need to intervene with CWD? The data does not indicate that interventions are necessary. There is no proof that CWD is contagious. CWD is not directly impacting humans. The numbers do not show panic even if you accept a detection as diseased. The cause of CWD is suspected to be "prion" yet, there is no proof. The atomic structure of a "prion" is not even known. Where are the pictures of "prion" during the scrapie era of 2003-2016?

CWD seems to be a "problem" when federal funds become available (2002, 2012, 2021, 2022).

Sportsmen and landowners are the people that are using common sense and advocating for the deer while resisting the massively funded human dimensions campaign.

In summary, there are lineage situations, methods and "diseases" that demonstrate CWD is not contagious, not deadly, not a "prion" disease, and relies heavily on HUMAN DIMENSIONS to stay valid and threatening. Therefore, why HB 1325 is imperative for the deer and people of North Dakota.

Thank you for investing time in this lineage and supportive testimony for HB 1325.

Respectfully,

Pat Backer

Dear committee members I am asking that you recommend a DO PASS.

Thank you

I am writing this to ask that you please pass this bill.

Dear committee members I urge you to pass this bill.
Thank you

I am strongly opposed to HB 1325. Positive records of CWD are already maintained by G&F. Due to the extended latency period that can be present in CWD, I have strong concerns that deer necropsies that may show negative results will be used to raise “gotcha” questions about CWD management, further wasting taxpayer dollars as the G&F has to address yet more politicization of wildlife. Please let the professionals do their jobs. Thank you for your time.

Mike Bush

Fargo, ND

I am asking the committee members to recommend a Do Pass on this bill as it has my full support

Thanks
Grant Meyer

Legislative Assembly

North Dakota House of Representatives

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COMMITTEES:
Human Services (Chair)
Energy and Natural Resources

24 JANUARY 25

Good morning Mr. Chairman and Energy & Natural Resources committee,

My name is Matt Ruby, and I represent District 40 in Minot. I apologize for not being there in person, I didn't speak to the chairman in a timely manner to hold the bill and my son is having surgery this morning. Before you is HB 1325 which seeks to add transparency to the CWD testing information that is used to close down deer units to hunting over feed. We have had this discussion about CWD over the last couple sessions and I am not going to get into the questions about the prion theory. Instead of arguing the efficacy of the science being used, we are seeking to see the data and the slides.

When a deer is tested for CWD either through heads being turned in or testing dead deer found in the state, the first test is a screening test using the ELISA technique. If the screen tests a detection the IHC test is done. Both tests can confirm DETECTION of CWD in the lymph nodes, but a necropsy test is the only way to confirm INFECTION of CWD. A necropsy report would indicate, verify, and produce a picture of degrading parts of the myelin of the brain. Many hunters in the state are simply looking for the data used to not allow hunting over feed and having the slides available to the public is the least the department can do. I know there is a $614,686 federal grant that was awarded to Game and Fish to be used for public outreach and education. One would think doing proper testing and having it available to the public would fall into any plan with that goal of educating the public and therein would be a good use of those funds.

We don't live in a "trust us we are from the government" era. Show us the slides and you would likely have more buy in. Whether you believe everything the department is putting out or not, I think most people would say there should be less focus on public persuasion and more focus on public education and transparency. Thank you, Chairman Porter. As I am not there, I can't stand for questions, but I would be happy to answer as much as I can next week.

Energy and Natural Resource Committee,

Please DO NOT PASS HB 1325.

This bill is further proof that the CWD deniers only pretend to know what they asking with regard to CWD testing and monitoring. This bill would place a significant strain on the resources and budget of the North Dakota Game and Fish.

OPPOSE HB 1325.

Thank you,
Kerry Whipp

Please support this bill and reccomend a Do Pass.

Please support this bill and reccomend a Do Pass.

Please support this bill and reccomend a Do Pass.

Please support this bill and reccomend a Do Pass.

I fully support this bill I ask that the committee members reccomend a Do Pass.
Thanks

I am writing you in regards to HB 1325. I am opposed to this bill and offer the following reasons for this opposition.

The requirement in this bill for Game and Fish to provide a microscopic slide of the prion and necropsy report is an unrealistic approach to CWD monitoring. The proposed process in this bill would require an electron microscope to produce the microscopic slide which is an extremely difficult and costly requirement. The people who crafted this bill are misinformed about CWD testing and are upset about current restrictions surrounding baiting of deer. The current widely accepted practice of IHC testing of the lymph nodes has proven to be both accurate and cost effective for wildlife agencies across the country. It makes absolutely no sense to saddle the North Dakota Game and Fish Department with this added expensive and difficult requirement. Please allow the Game and Fish Department to do its statutory duty to manage wildlife by not legislatively burdening them with senseless requirements and impediments to wildlife management.

Thank you for the opportunity to comment on this proposed legislation.

I am writing the committee to ask for support on HB 1325. I feel this is only logical to do and would help provide some transparency and shed some light on CWD.

House Energy and Natural Resource Committee,

I am Marty Beard from rural Burliegh County and IN SUPPORT of HB 1325.
This Bill is the perfect situation for the North Dakota Game and Fish to show the people the real number of deer that have CWD.

IN SUPPORT

<html><head></head><body style="overflow-wrap: break-word; -webkit-nbsp-mode: space; line-break: after-white-space;"> <ol start="1325">
Hello, I am writing today to show my support of SB 1325. I asking you to vote yes on this. There is no reason the proof shouldnt be able to be provided and documented.
 </body></html>

1-23-25

Jeff Jacob

616 18th st SW

Minot ND 58701 701-720-8300

RE: HB 1325 Necropsy

Members of the House Energy & Natural Resource Committee.

My Name is Jeff Jacob and live in Minot. Please vote in favor of this bill. What this bill will do is confirm what the wildlife agencies have been saying for the last 50 years. This is a prion disease, with holes in the brain. There is nothing wrong with double checking your work and showing us there are no false positives. We then will have a Necropsy report with a side of the prion.

In closing, this should be a win for both sides. Please say yes on HB 1325.

Sincerely,

Jeff Jacob

My name is Dirk McWhorter and I am asking you to vote no on HB 1325. This bill is being pushed by the same people who are pushing another bill that will keep the North Dakota game and Fish from using funds from license dolllars for CWD. If they do not want the Game and Fish to spend more money on CWD then why would you push a bill that would spend more money on CWD.

Again, I urge you to vote no on HB1325

Thank you

Dirk McWhorter

HB 1325- In Support

Andrew Mittleider

I support this bill and the accountability for the ND game and fish it has stated. I want to see how many of these “prions” are examined and recorded. Please considering supporting HB1325 thank you.

House Energy and Natural Resources Committee
Testimony on HB 1325

North Dakota Game and Fish Department
Dr. Charlie Bahnson, Wildlife Veterinarian
January 24, 2025

Chairman Porter and members of the House Energy and Natural Resources committee, my name is Dr. Charlie Bahnson. I serve as Wildlife Veterinarian for the North Dakota Game and Fish Department.

We oppose this bill, primarily because the intent is unclear. I'll take a few minutes to explain how our surveillance and testing works with the hope that I can clarify a few misconceptions.

A positive CWD test result means the animal will develop terminal brain disease if it lives long enough. We know this from numerous longitudinal studies. Those involve infecting a group of animals at the same time, then periodically euthanizing a cohort at set time intervals to examine how the disease progresses. From these, we know that lymph nodes are a reliable place where prions collect. This makes them a good place to determine the infection status of an animal and that's the tissue that's tested.

CWD is unlike viral or bacterial disease. With those etiologies, a positive test can mean a lot of things. You can have a range of severity of disease, you may be in the process of clearing the infection, or you could be a carrier but not get the disease. In prion diseases, whether its CWD in a deer, Creutzfeldt-Jakob disease in humans, or scrapie in sheep, once positive, you only get more positive, the subject tests positive for life, and it's a death sentence.

We are interested in the prevalence of CWD at the herd level because that tells you something about the impact to the population. We test hunter harvested deer because that's a way to get access to a large sample size. For example, if 10 out of 100 harvested deer test positive from a unit, that gives us some very valuable information about the prevalence rate for the rest of the population that is still out on the landscape in that unit. Ten percent of deer right now, in that unit, are walking around with a progressive brain disease. Some will live long enough to be potentially harvested next year, but a lot will slowly peel off the back of the herd throughout the next year. Most of those animals will die in places where they're never found, they are never reported, and they are quickly gobbled up by scavengers. The handful of cases we've had so far represent a lot of luck. Deer died at the right place at the right time. We don't build our surveillance program around luck.

As for the testing, we follow USDA-recognized and approved CWD testing protocols carried out at veterinary diagnostic laboratories that are certified by the National Animal Health Laboratory

Network to ensure quality assurance and quality control. That's a lot of jargon to say that this is legitimate. These test results are valid.

We follow a two-test system. The first test is an enzyme-linked immunosorbent assay, termed "ELISA." A small piece of the lymph node is homogenized and treated with a chemical that will dissolve normal protein. Any remaining protein is then stained with a marker that is detectable through an automatic machine. ELISA testing is very sensitive but there is a small chance of false positives. For that reason, any "suspect positive" sample is tested a second time by ELISA. If it remains positive, it is submitted for a second test, immunohistochemistry or "IHC."

IHC involves affixing an extremely thin cross section of lymph node to a slide, treating it with a chemical to dissolve normal protein, followed by a dye that affixes to prions and can be seen under a light microscope. Slides are then visualized by trained pathologists. IHC is less sensitive but very specific. If the sample tests positive by IHC, it is positive.

We send all samples to Montana Veterinary Diagnostic Laboratory for ELISA testing. ELISA positive samples are sent to the Utah Veterinary Diagnostic Laboratory for confirmation testing by IHC. Here is a picture of an IHC slide confirming CWD in a lymph node. UVDL retains all slides for seven years. If it is decided that Game and Fish should also retain duplicate slides, we can.

A record of all positive CWD detections is already kept and made available to the public. Some proponents of this bill have requested and been provided with this information in the past. As I mentioned earlier, most positive detections come from hunter harvested animals, in which case, a necropsy is never performed. However, all necropsy reports are also already publicly available.

With that, I'd gladly stand for questions.

HB 1325- In Support

Reggie Luhmann

I support HB1325. This seems like common sense, every case should be backed by the proper information. Please consider supporting HB 1325.

I strongly support HB 1325 and ask a do pass from this committee . For several sessions now whenever a ND game and fish bill comes forth we are told to trust the experts. I feel that it is time to questions this entire CWD narrative. I feel over the last 2 yrs ND game and fish leadership have had an opportunity to improve public education and transparency regarding CWD. They themselves have admitted failures and a need for improvement. However they have chose to do little to nothing besides push propaganda rather than show the public actual data and unreputable proof. I personally sat at public advisory meeting at the ND Game and Fish main office in Bismarck 2 yrs ago, I watched a gentleman ask very specific questions and create dialog at the public advisory meeting. I left disappointed and concerned about how this was handled by Jeb Williams the current director of ND game and fish, who is an unelected official. During this advisory board meeting he dismissed this gentleman's concerns and questions, I personally felt it was a fail from the department. These advisory board meetings are suppose to be an avenue for the department to collect input and communicate with the general public. This advisory board meeting was recorded by the department and this particular interaction is part of that recording. The people have tried to create a dialog with the department to gain understanding and clarity of this disease we are led to believe will decimate our deer population. Yet many of us have witnessed first hand the devastation left by harsh winters and EHD, these are unarguably proven to adversely affect our deer population yet we hear nothing from ND game and fish. CWD has been responsible for 1 deer death in ND, all the rest have been harvested animals tested by the department. So I feel we have every right to question the resources that have been dedicated to CWD vs these proven factors and disease . We have tirelessly tried to persuade ND game and fish to provide facts and data to back the fear driven narrative they have pushed with CWD. They have done nothing to cooperative with the people or gain our trust , these very people are residents who are landowners and outdoorsmen/women. We continually hear how the wildlife belongs to the people and ND game and fish is entrusted with the health and management of said wildlife. We have exhausted every avenue to create communication, transparency, and accountability in regards to CWD. That is why as elected representatives of the people we are asking for your help in this matter. Incidents like I described above have become much too common, we must ask why. I think the answer and what concerns many is the department has shown they know there is no action the people can take if dissatisfied with the performance of the department, this bill will provide accountability and transparency. I ask you represent the people and give us a voice by passing HB 1325. Thank you for your service and dedication to the people of ND. Sincerely, Travis Jensen

I am in opposition of HB 1325. Why are we letting legislation determine what our game and fish agency believes is best for the resource? I don't want legislators managing my deer herd. This bill will cost the game and fish more money which some of the same legislators introducing this bill also are introducing a bill to restrict the agency to have less money to do this very thing by taking funding from CWD. Please do not pass HB1325

Cody Hilliard
280 102nd St NW
Souris, ND 58783
(701) 460-7295

Chairman and members of the committee, thank you for the opportunity to submit testimony in support of HB 1325. My name is Cody Hilliard, and I am a lifelong North Dakotan and an advocate for responsible wildlife management. I strongly support this bill, which enhances transparency and public access to vital information on chronic wasting disease (CWD).

Adding the duty for the director of the Game and Fish Department to maintain and publicly share records of positive CWD detections for four years is a significant step forward in addressing this critical wildlife health concern. By including a microscopic slide of the prion and the necropsy report, this measure ensures that hunters, landowners, researchers, and the general public have access to detailed, science-based information.

This level of transparency builds trust between the Game and Fish Department and North Dakotans while fostering informed decision-making. It also supports ongoing research efforts by providing valuable data for understanding and combating CWD. Ensuring public access to this information aligns with our state's commitment to accountability and science-driven wildlife conservation.

HB 1325 also demonstrates North Dakota's leadership in adopting forward-thinking measures to manage wildlife diseases effectively. By making this information available, the state can better engage with its citizens, wildlife stakeholders, and researchers in addressing the challenges posed by CWD.

I respectfully urge the committee to give HB 1325 a "Do Pass" recommendation to strengthen wildlife conservation and maintain public confidence in our state's wildlife management efforts. Thank you for your time and consideration.

HB 1325- In Support

KariAnn Buntrock

Please support HB1325. This seems like a reasonable ask for the NDG&F to supply proof of their testing, especially if this is such an important disease to them. Please support HB1325 to ensure we have full transparency on this issue.

Testimony of the North Dakota Chapter of The Wildlife Society
By Phil Mastrangelo (#1571)
HB 1325
HOUSE ENERGY and NATURAL RESOURCES COMMITTEE
January 24, 2025

Chairman Porter and Members of the House Energy and Natural Resources Committee:

For the record, I'm Phil Mastrangelo representing the North Dakota Chapter of The Wildlife Society. The Chapter is a professional organization comprised of over 320 members who are employed throughout North Dakota as wildlife biologists, land managers, educators, wildlife law enforcement officers, and natural resource administers.

The Chapter is in opposition to HB 1325 for the following reasons:

The Duties of the Director of the North Dakota Game and Fish Department (NDGFD), as currently stated in Section 20.1-0204 of the North Dakota Century Code, are fairly straight forward. Those duties are not overly intrusive to the citizens of North Dakota and there is no "government overreach."

After a 30+ year career with the federal government, I learned that the best way to make any government agency ineffective, is to burden it with unnecessary administrative rules and policies. Passage of SB 1325 would be an intrusion into how the Directors of the NDGFD execute their duties. Passage of SB 1325 could set a precedent and lead to more unnecessary administrative rules and policies, making the NDGFD less effective in fulfilling its mandate to protect end enhance North Dakota's wildlife resources.

Therefore, the Chapter respectfully requests a "Do Not Pass" vote on SB 1325.

Thank you for the opportunity to provide testimony in opposition to SB 1325.

Phil Mastrangelo
Lobbyist #1571
North Dakota Chapter of The Wildlife Society

Testimony of John Risch resident of Bismarck

Before the Senate Agriculture and Veterans Affairs Committee

In Opposition to SB 2137 1-17-2025

Mr. Chairman members of the committee my name is John Risch I'm a lifetime citizen of North Dakota. I'm retired from the railroad industry. My wife and I own a farm and ranch 10 miles southwest of Mandan. An incredibly beautiful place that has the Heart River flowing through it. A place where I and others hunt deer every year.

I strongly believe in the principle of "fair chase". I not only don't allow baiting on our place I also don't allow cameras, because they undermine the principle of "fair chase".

Baiting deer is certainly not "fair chase". Deer become accustomed to the bait and show up every day to eat it. All the hunter has to do is set up and wait. Shooting a deer over bait is not hunting, it's simply killing.

We are very fortunate to live in North Dakota where our hunting heritage is strong and for the most part respected by the public. Shooting deer over bait will undermine that respect.

We are also very fortunate to have an incredible Game and Fish Department. Headed by Director Jeb Williams and a team of professional wildlife biologists. They are the experts. If they say baiting helps spread disease and it threatens our deer population I believe them. They should not be prohibited from doing what they think is right to protect our precious wildlife.

I urge the committee to recommend a "Do Not Pass" on Senate bill 2137 and vote against the bill when it comes to the floor.

BACKCOUNTRY HUNTERS & ANGLERS
NORTH DAKOTA

TESTIMONY OF BROCK WAHL
NORTH DAKOTA BACKCOUNTRY HUNTERS AND ANGLERS
HOUSE BILL 1325
HOUSE ENERGY AND NATURAL RESOURCE COMMITTEE
January 24, 2025

The North Dakota Chapter of Backcountry Hunters and Anglers urges a Do Not Pass on HB 1325.

It has been clearly demonstrated in multiple research efforts, that detection of infectious prions in retropharyngeal lymph nodes (positive test) results in disease and subsequent death, generally around 2-years, outside of other mortality factors. Multiple disease pathogenesis studies have been done to quantify and record disease progression through the body of an infected animal, as well as field validation of testing. This is true in human prion diseases as well. Authors behind this bill, questioning the validity of CWD testing are, perhaps unknowingly, questioning the entire field of prion diseases, not just in animals but also in humans. For which there are tests for humans as well, tests that detect prions.

ELISA and IHC to confirm is a two phase testing protocol, both of which use artificially developed anti-bodies that bind only to the proteins of interest (species specificity). Every single Immunohistochemistry (IHC) test requires a trained pathologist to confirm prion aggregation within specific locations in the anatomy of a lymph node to confirm ELISA results. The suggestion that these tests are faulty or are not trustworthy, that they aren't detecting prions, would be casting doubt on the entire field of prion biology, in both humans and animals. That same field is in the midst of trying to develop vaccines and treatments for prion diseases. This is the same field that just accomplished atomic level imaging of an infectious prion, a feat that is regarded in the prion field to be the equivalent of mapping the human genome. The same field that can convert a non-infectious cellular protein into an infectious prion protein that causes a symptomatic prion disease.

Furthermore, thousands of deer have been participants in GPS collaring studies where deer are tested, mortality signals investigated, and necropsies performed. For example, Arkansas is in the final stages of their GPS collaring project where mid-point data shows 34% of positive deer died of no other cause other than late stage, clinical Chronic wasting disease. Wisconsin's preliminary data from a multi-year study where they GPS collared over 1,000 deer, shows 57% of positive white-tailed does died of no other cause other than late stage, clinical chronic wasting disease.

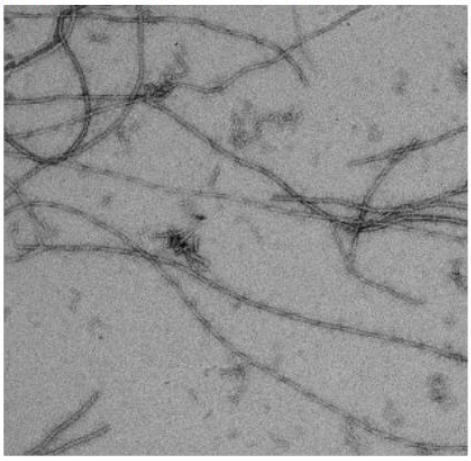
This bill is the equivalent of a witch hunt and should be treated as such.

We urge a Do Not Pass on HB 1325.

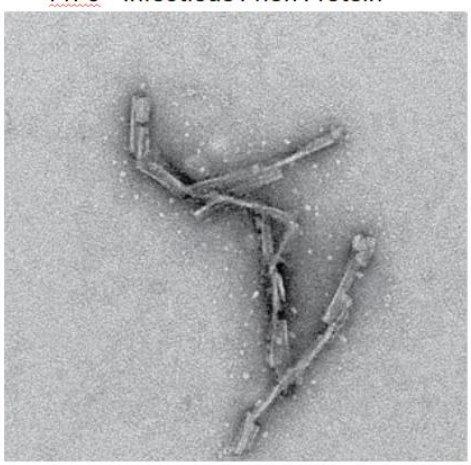
Brock Wahl
Board of Directors
North Dakota Chapter of Backcountry Hunters and Anglers

PrPc vs PrPcwd

PrPc – Non-infectious Cellular Prion Protein
(Required for prion infection)



PrPc – Infectious Prion Protein



- **Structural features distinguishing infectious ex vivo mammalian prions from non-infectious fibrillar assemblies generated in vitro**
  - https://www.nature.com/articles/s41598-018-36700-w

- **High-resolution structure and strain comparison of infectious mammalian prions**
  - https://thedaily.case.edu/first-atomic-level-imaging-of-lethal-prions-provide-sharpened-focus-for-potential-treatments/
  - https://www.sciencedirect.com/science/article/pii/S1097276521006511?via%3Dihub

- **Field Validation and Assessment of an Enzyme-Linked Immunosorbent Assay for Detecting Chronic Wasting Disease in Mule Deer (Odocoileus Hemionus), White-Tailed Deer (Odocoileus Virginianus), and Rocky Mountain Elk (Cervus Elaphus Nelsoni)**
  - https://journals.sagepub.com/doi/10.1177/10406387030150040 2?url_ver=Z39.88-2003&rfr_id=ori:rid:crossref.org&rfr_dat=cr_pub%20%200pubmed

- **Progression of chronic wasting disease in white-tailed deer analyzed by serial biopsy RT-QuIC and immunohistochemistry**
  - https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0228327

- **Pathways of Prion Spread during Early Chronic Wasting Disease in Deer**
  - https://pmc.ncbi.nlm.nih.gov/articles/PMC5411598/

- **Longitudinal Detection of Prion Shedding in Saliva and Urine by Chronic Wasting Disease-Infected Deer by Real-Time Quaking-Induced Conversion**
  - https://journals.asm.org/doi/full/10.1128/jvi.01118-15

- **Flourescent Immunoassay Development for PrPSc Detection and Antemortem Diagnosis of TSEs**
  - https://apps.dtic.mil/sti/tr/pdf/ADA430442.pdf

- **Oral transmission and early lymphoid tropism of chronic wasting disease PrPres in mule deer fawns (Odocoileus hemionus)**
    - https://sigurdsonlab.ucsd.edu/wp-content/uploads/2018/07/Sigurdson-1999-Oral-transmission-and-early-lym.pdf

- **Comparison of Histological Lesions and Immunohistochemical Staining of Proteinase-resistant Prion Protein in a Naturally Occurring Spongiform Encephalopathy of Free-ranging Mule Deer (Odocoileus hemionus) with Those of Chronic Wasting Disease of Captive Mule Deer**
    - https://journals.sagepub.com/doi/full/10.1354/vp.39-1-110

TESTIMONY OF JOHN BRADLEY
NORTH DAKOTA WILDLIFE FEDERATION
HOUSE BILL 1325
HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE
JANUARY 24, 2025

Chairman Porter and Members of the Energy and Natural Resources Committee:

For the record, I am John Bradley, Executive Director of the North Dakota Wildlife Federation (NDWF).

NDWF is opposed to HB 1325 as written, mainly the line “including a microscopic slide of the prion and necropsy report.”

Chronic Wasting Disease (CWD) is a disease affecting cervids (deer family) such as white-tailed and mule deer, elk and moose. The disease, caused by a mal-formed protein or “prions”, can be found in deer body fluids; saliva, urine, and feces. Like all prion diseases, in humans and animals, it's always fatal and has no known cure. CWD was first detected in wild deer and elk populations in Colorado and Wyoming in the 1980s. Since, it has spread to 35 states and 4 Canadian provinces. CWD was first detected in south central North Dakota in 2009 and since has started to encroach in the NW portion of the state.

The ND Century Code charges the NDG&F with protection and management of the State’s big game herds as well as all of ND’s wildlife. As such, the NDG&F developed a CWD management plan in 2002, and updated it with 20 years of new data in the “2023 CWD Surveillance and Management Plan”. The Plan aims at slowing the spread of CWD and keeping the prevalence of CWD to a minimum where it does occur. The management plan relies on a minimal set of tools in dealing with disease. Increased hunter harvest to keep populations in check, baiting bans, and transportation restrictions are some of the only tools the NDG&F has to use in management of this disease.

But many sportsmen remain uninformed about CWD, or are misinformed about its causes and modes of spread, its effect on deer herds, and ultimately its potential long term effect on hunting.

Therefore, the NDG&F must continue to be able to use the best science and demonstrated management practices to monitor and manage the incidence of CWD in North Dakota's big game herds. CWD oversight, management and mitigation by the North Dakota Game and Fish Department are critical for healthy ecosystems and wildlife in North Dakota.

NDWF urges a Do Not Pass on HB1325.

House Energy and Natural Resource Committee

Testimony in OPPOSITION of HB1325

My name is Steve Goroski, and I am a long-time North Dakota resident, avid sportsman and conservationist of ND for almost 50 years. I am writing to express my opposition for House Bill 1325.

The state agencies are already required to follow specific records retention policies, and I believe our Game and Fish knows what is best to manage our wildlife and resources.

The ND Game and Fish sole purpose is to protect the wildlife in the state of North Dakota, and they have nothing to gain other than protecting our wildlife. As legislators in the state of North Dakota you are entrusted with protecting our state's resources, and wildlife is one of those resources.

I urge your opposition to HB1325 with a DO NOT PASS from the committee.

Sincerely,

Steve Goroski

COMMISSIONER
DOUG GOEHRING

NORTH DAKOTA
DEPARTMENT OF AGRICULTURE
STATE CAPITOL
600 E. BOULEVARD AVE. – DEPT. 602
BISMARCK, ND 58505-0020

ndda@nd.gov
www.ndda.nd.gov

Testimony of Dr. Ethan Andress
State Veterinarian
House Energy and Natural Resources
Coteau AB Room
January 24, 2025

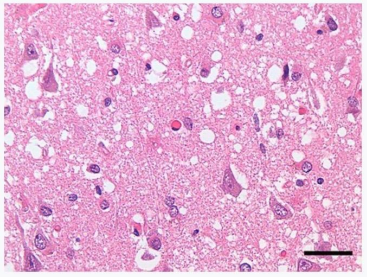
Chairman Porter and members of the House Energy and Natural Resources Committee, I am Dr. Ethan Andress, State Veterinarian here on behalf of Agriculture Commissioner Doug Goehring and the State Board of Animal Health. I am here today in opposition to HB 1325, relating to positive detections of chronic wasting disease.

The proposed language in HB 1325 is unnecessary and burdensome. Additional requirements for documentation of Chronic Wasting Disease added in line 16 of HB 1325, specifically, "The microscope slide of the prion and necropsy report" are concerning. This language provides for no additional benefit to the industry or the public.

The requirements are not considered standard protocol within the cervid industry or regulatory agencies. Current testing for industry and wildlife are broadly recognized by our state trading partners.

Chairman Porter and committee members, thank you for your time. I urge a do not pass on HB 1325. I would be happy to answer any questions you may have.

Transmissible spongiform encephalopathies (**TSEs**), also known as **prion diseases**,[1] are a group of progressive, incurable, and fatal conditions that are associated with prions and affect the brain and nervous system of many animals, including humans, cattle, and sheep. According to the most widespread hypothesis, they are transmitted by prions, though some other data suggest an involvement of a *Spiroplasma* infection.[2] Mental and physical abilities deteriorate and many tiny holes appear in the cortex causing it to appear like a sponge when brain tissue obtained at autopsy is examined under a microscope. The disorders cause impairment of brain function which may result in memory loss, personality changes, and abnormal or impaired movement which worsen over time.[3]

Transmissible spongiform encephalopathy (TSE)	
Other names	Prion disease
	

TSE: Transmissible Spongiform Encephalopathies

Group of neurodegenerative diseases

Also called: Spongy brain, holes in the brain

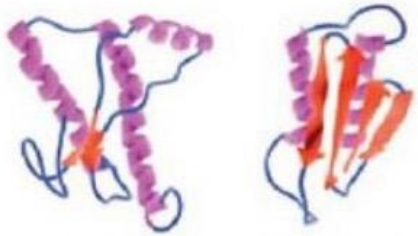
Autopsy is required to examine the brain tissue

NOTICE: According to the most widespread HYPOTHESIS

How Creutzfeldt-Jakob disease works

CAUSE

Creutzfeldt-Jakob disease is caused by abnormal proteins called prions that are not killed by standard methods for sterilizing surgical equipment.



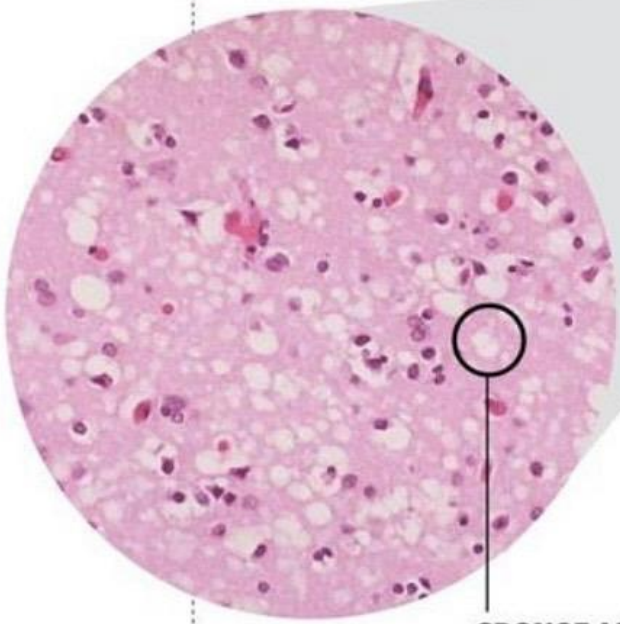
NORMAL HUMAN PROTEIN

DISEASE-CAUSING PRION

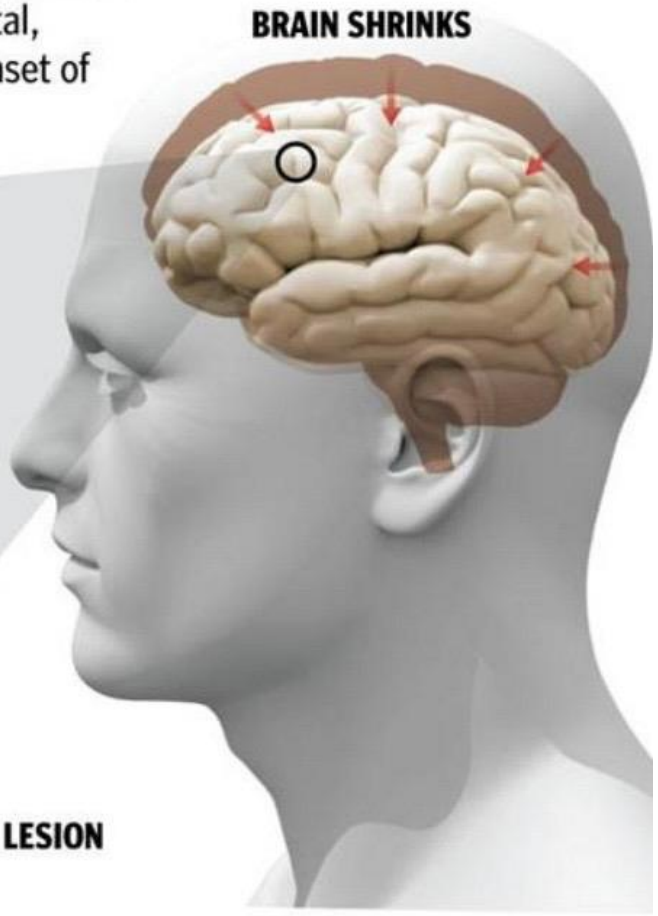
As prions build up in cells, the brain slowly shrinks and the tissue fills with holes until it resembles a sponge.

CONSEQUENCES

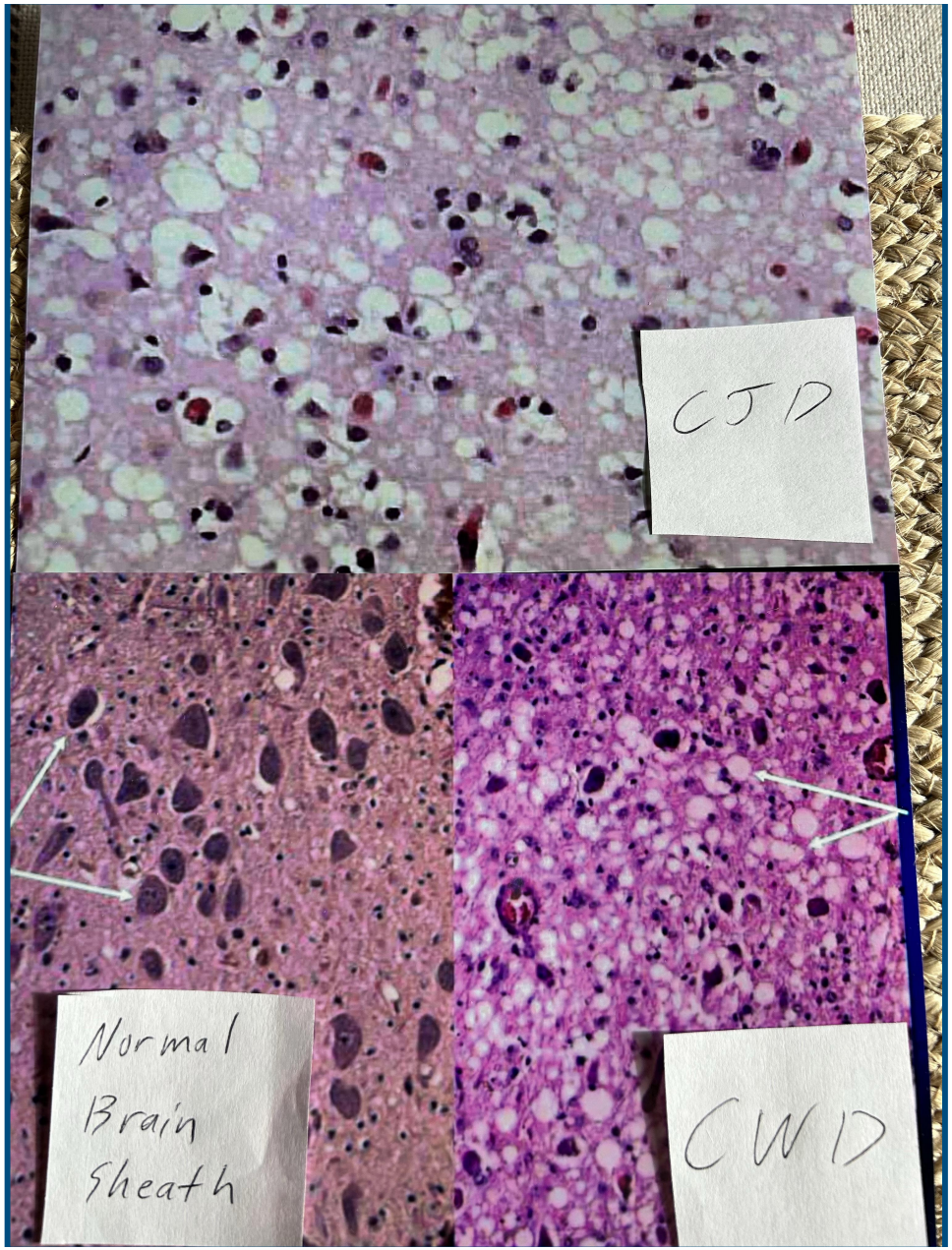
Those affected lose the ability to think and to move properly and suffer from memory loss. It is always fatal, usually within one year of onset of illness.



SPONGE-LIKE LESION



BRAIN SHRINKS



CJD

- pathology is identical to CWD
- is considered a prion disease
- not contagious through bodily fluids

CASE WESTERN RESERVE UNIVERSITY

School of Medicine
Pathology

Navigation + Search

HOME › DIVISIONS › NATIONAL PRION DISEASE PATHOLOGY SURVEILLANCE CENTER › HUMAN PRION DISEASES

Human Prion Disease

Prion diseases are a group of rare, invariably fatal brain diseases that occur both in humans and animals. They are caused by the presence of an abnormal protein in the brain tissue, called scrapie prion protein (**PrPSc**), and is believed to result from a change in the shape, of a normal protein which is present in the brain. As the amount of abnormal prion protein grows, it becomes hard to break down, causing brain degeneration and neurologic disease

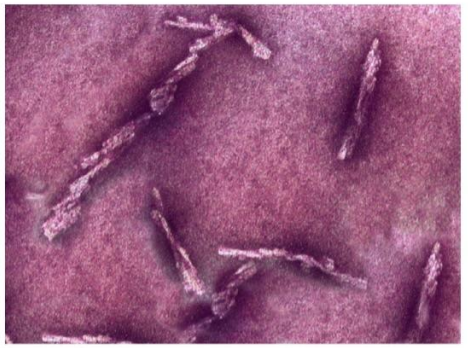
Case Western Reserve University
Cleveland, OH

Considered the highest level Prion Institute in the nation, for the human side.

Requested a micro-scopic slide of a prion.
- spoke top pathology administrator

Provided was a 2021 research paper filled with graphics and pink stained cover page with no label.

Requested confirmation that the cover picture was a prion and she would not confirm.

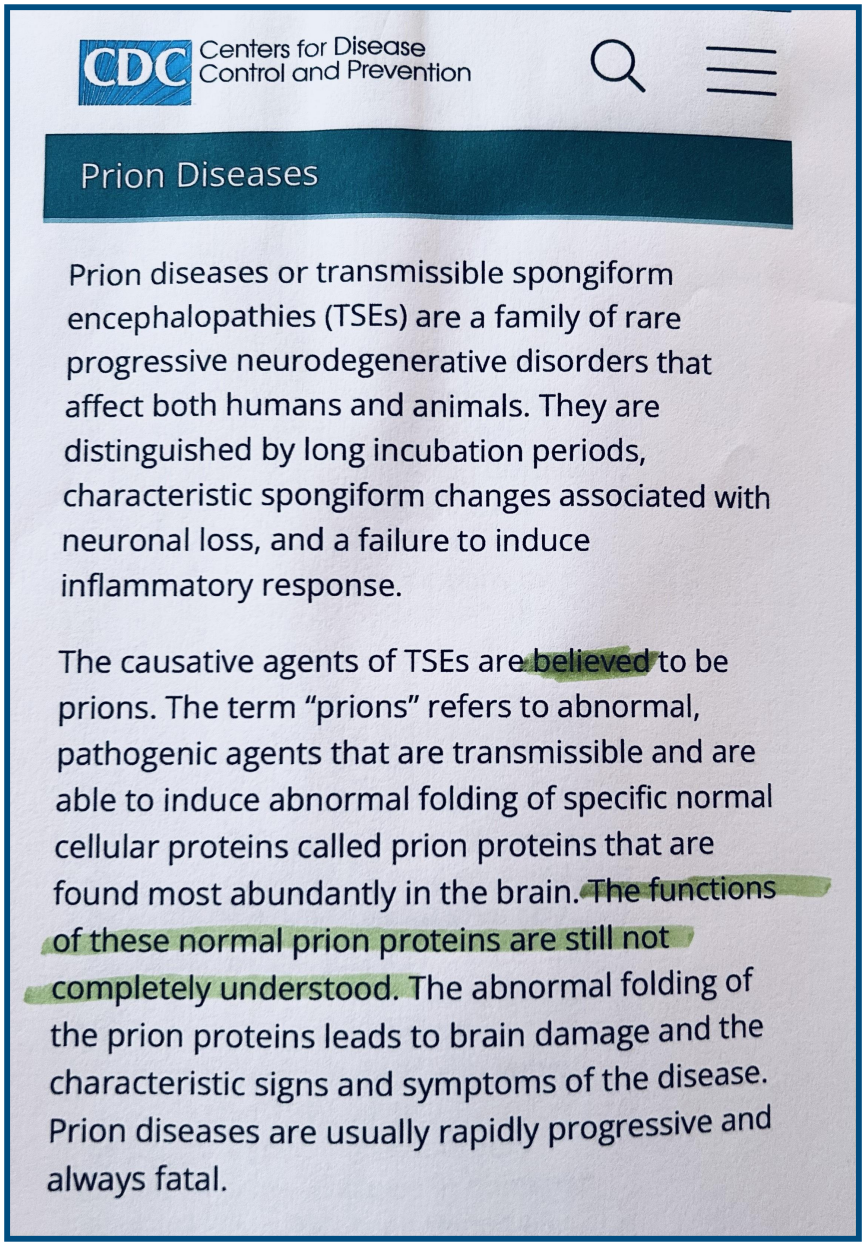


First atomic-level imaging of lethal prions provides sharpened focus for potential treatments

AUGUST 30, 2021

The causative agents of TSEs are *believed* to be prions.

The Functions of these normal prion proteins are still *not completely understood*



CDC Centers for Disease Control and Prevention

Prion Diseases

Prion diseases or transmissible spongiform encephalopathies (TSEs) are a family of rare progressive neurodegenerative disorders that affect both humans and animals. They are distinguished by long incubation periods, characteristic spongiform changes associated with neuronal loss, and a failure to induce inflammatory response.

The causative agents of TSEs are believed to be prions. The term "prions" refers to abnormal, pathogenic agents that are transmissible and are able to induce abnormal folding of specific normal cellular proteins called prion proteins that are found most abundantly in the brain. The functions of these normal prion proteins are still not completely understood. The abnormal folding of the prion proteins leads to brain damage and the characteristic signs and symptoms of the disease. Prion diseases are usually rapidly progressive and always fatal.

USDA APHIS | Cervids: Chronic Wasting Disease

Cervids: Chronic Wasting Disease

Chronic Wasting Disease (CWD) is an infectious, degenerative disease of animals in the family cervidae (elk, deer, and moose, etc.) that causes brain cells to die, ultimately leading to the death of the affected animal. First recognized in Colorado in 1967, CWD was described as a clinical 'wasting' syndrome of unknown cause. It later became clear that CWD was a member of a group of diseases known as transmissible spongiform encephalopathies or TSEs. TSEs include a number of different diseases that affect animals or humans, including bovine spongiform encephalopathy (BSE or "mad cow") in cattle, scrapie in sheep and goats, and Creutzfeldt-Jacob disease (CJD), variant CJD, Kuru, fatal familial insomnia, and Gerstmann-Straussler-Scheinker syndrome in humans. Unlike other infectious diseases, TSEs are not caused by bacteria or viruses, but rather by a naturally occurring protein, that when folded incorrectly, becomes both infectious and deadly. The prion protein in its normal state is thought to have a role in functions such as cell signaling and neuroprotection. It is still unclear what initially causes the normal shaped protein to misfold into the infectious form. Once misfolded, the infectious prion proteins continue to convert more and more normal prion proteins to the misfolded form. Misfolding of prion proteins in the brain leads to the death of neurons (brain cells) resulting in dysfunction in the body, ultimately causing death. The incubation period can be long (several months to years) depending on species and genetic factors, and infected animals are in good body condition until the end stages of the disease, making them difficult to distinguish from healthy animals.

The prion protein in its normal state is *THOUGHT* to have a role in functions such as cell signaling and neuroprotections. It is *STILL UNCLEAR* what initially causes the normal shaped protein to misfold into the infectious form.

USDA APHIS

North Dakota Game and Fish Department Informational Video

- 2020 Advisory Board Meeting CWD Presentation

Reports/Studies:

- Association of Fish and Wildlife Agencies - AFWA Technical Report on Best Management Practices for Prevention, Surveillance, and Management of Chronic Wasting Disease
- Association of Fish and Wildlife Agencies - Statement on Chronic Wasting Disease Etiology
- Cornell Wildlife Health Lab - Prion Hypothesis for CWD: An Examination of the Evidence

The Department maintains an extensive archive of over 200 peer reviewed scientific journal articles. For technical questions about CWD, contact Dr. Charlie Bahnson, Wildlife Veterinarian.

Links provided on gf.nd.gov

Robust Science

- AFWA Document
- AFWA Statement
- Prion Hypothesis

AFWA Document

30 contributors and reviewers

AFWA (Associations of Fish and Wildlife) Document

Page 34

There is currently no evidence that baiting and feeding of free range cervids can be conducted to mitigate increases in the opportunity for disease transmission.

(Rudolph et al. 2006)

162 of these terms are in the AFWA document

(The AFWA document is what the Agencies use to make decisions about CWD)

Where is the ***SCIENCE*** in these terms???

Association of Fish and Wildlife Agencies

Statement on Chronic Wasting Disease Etiology

Transmissible spongiform encephalopathies (TSEs) are a family of diseases that have been documented in numerous mammalian species, including cattle, sheep, humans, and members of the deer family (Cervidae or cervids), among others. Decades of scientific research have been dedicated to understanding the cause and treatment of TSEs, including chronic wasting disease (CWD) of cervids. The consensus that has emerged from this research indicates that prions (misfolded proteins) are the causative agents of TSEs, including CWD.

However, alternate theories regarding the cause of CWD have been postulated and continue to be examined by some in the scientific community. These theories, which explore possible etiologies including viruses, bacteria, trace mineral imbalances, and others, have been advanced for many years and often are supported by peer-reviewed, scientific publications. While our understanding of CWD epidemiology can benefit from diverse research perspectives and investigations, the preponderance of scientific information currently available strongly supports prions as the causative agent of all TSEs, and this is accepted by the vast majority of scientists working in this field.

There currently are no vaccines, no treatments, no cures, and no practical live animal, 'carcass-side,' nor food safety tests for CWD, despite extensive efforts and research to develop them. Consequently, CWD must be managed with available science-based tools that include, but are not limited to, regulation of live cervid and carcass movements, prohibition of activities that congregate susceptible species, targeted removal, hunting, surveillance and monitoring, and public education.

The Association of Fish and Wildlife Agencies (AFWA) supports the scientific consensus regarding prions as the causative agent of CWD and endorses use of the above and other available management strategies by state, federal, provincial, and territorial wildlife agencies as well as research that further elucidates the epidemiology of CWD and identifies effective management practices. Additional information on CWD management can be found in the *AFWA Best Management Practices for Prevention, Surveillance, and Management of Chronic Wasting Disease* that are available online at: https://www.fishwildlife.org/application/files/5215/3729/1805/AFWA_CWD_BMPS_12_September_2018_FINAL.pdf .

Approved March 8, 2019.

gf.nd.gov

In summary, the Associations of Fish and Wildlife (AFWA) *supports* the consensus that prions are the causative agent for CWD and at this time, is accepted by the majority of scientists in the field.

Notice, they do not say "prion" **ARE** the causative agent.

There are alternate theories including virus, bacterial, trace mineral imbalances and others.

The AFWA **chose** to follow the **"Prion Hypothesis"**

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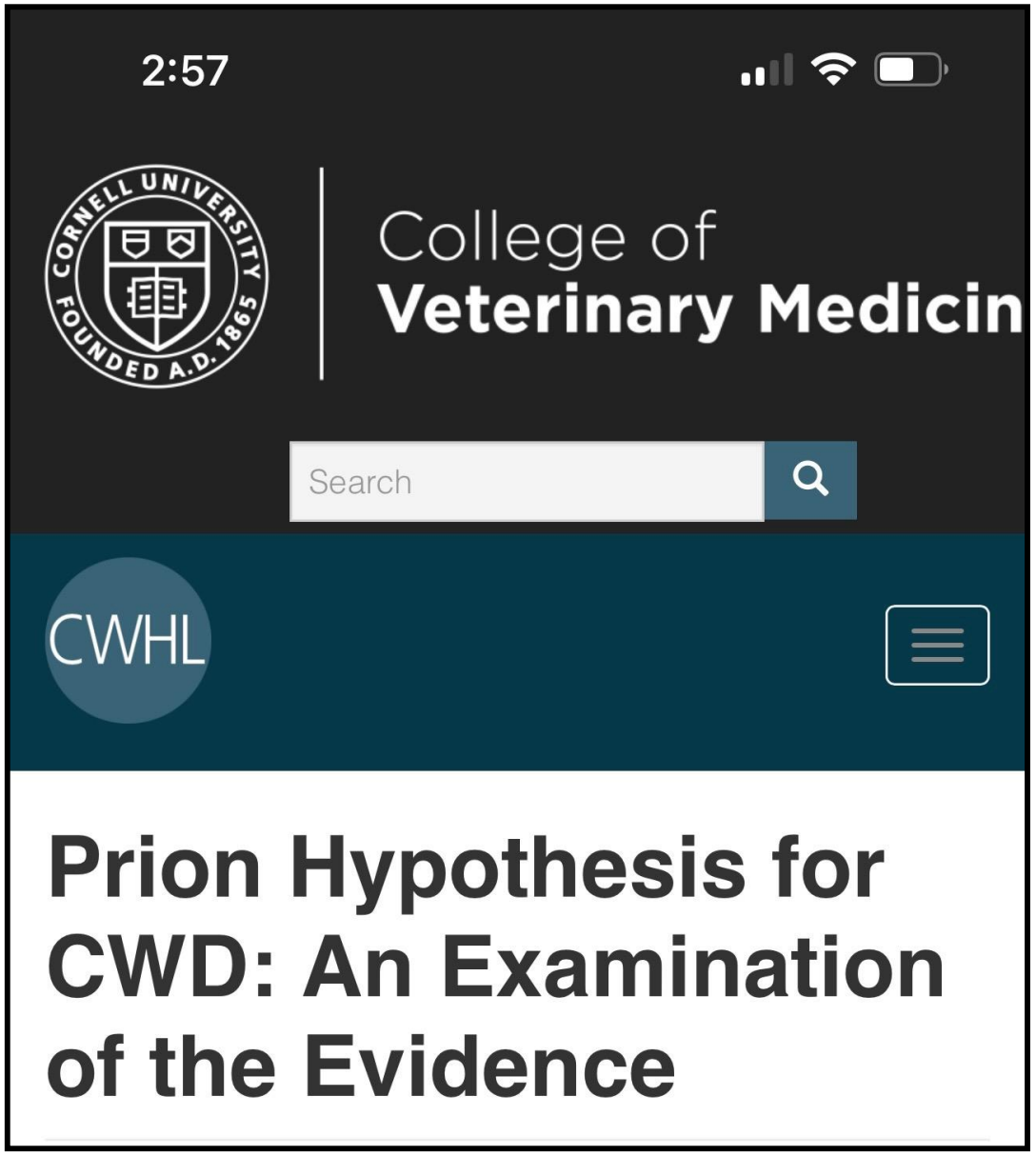
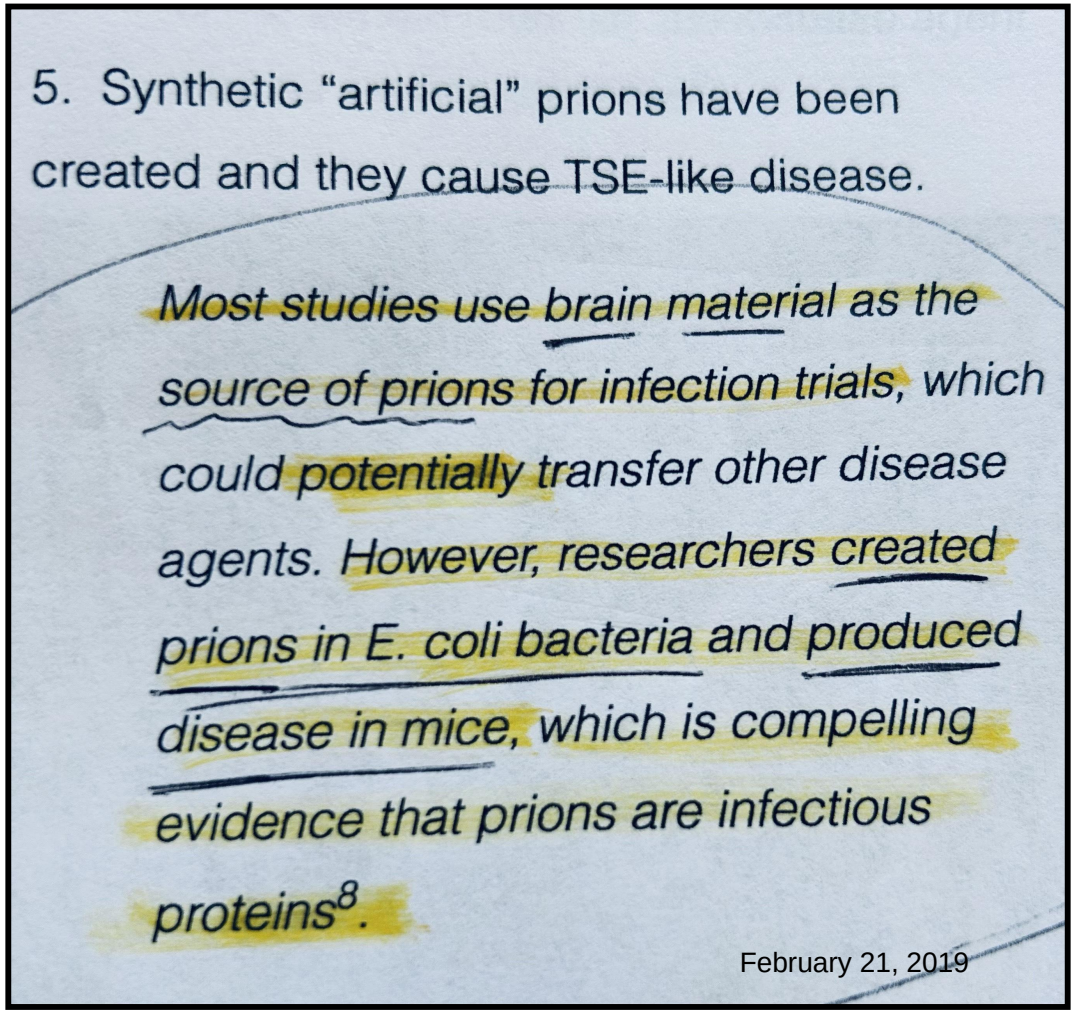


Synthetic “artificial” prions??
How with no pictures?



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Contagious?

No neurodegenerative disease is contagious

CJD has SAME pathology and not contagious

-Degrading of the myelin cannot be contagious

Irrefutable evidence that CWD is contagious through bodily fluids was requested in November 2023. (no response).

Innoculation Studies

- deer were put under light anesthesia every week and awaken just enough to drink saliva. Continued for 3 months. After 3 months, there were detections by test.
- no necrospy and no control groups used.

- jamming brain material

NONE of the studies demonstrate natural transmission

Inflammation can cause cells to die and disease.

Chronic wasting disease (CWD) is an emerging infectious disease that is fatal to free-ranging and captive animals in Cervidae, the deer family. CWD is one member of a family of diseases called transmissible spongiform encephalopathies (TSEs), and is thought to be caused by prions. CWD is the only TSE known to affect free-ranging wildlife.

Deer that have been detected at 3-4 years old are still alive at 9-10 years

gf.nd.gov

animal or pet. Many animals, including pigs (including wild pigs), cattle, dogs, moose, hares and birds, can carry the bacteria in their intestines.

Most infected animals will not show signs of disease, but they can develop diarrhea.

American Veterinary Medical Association

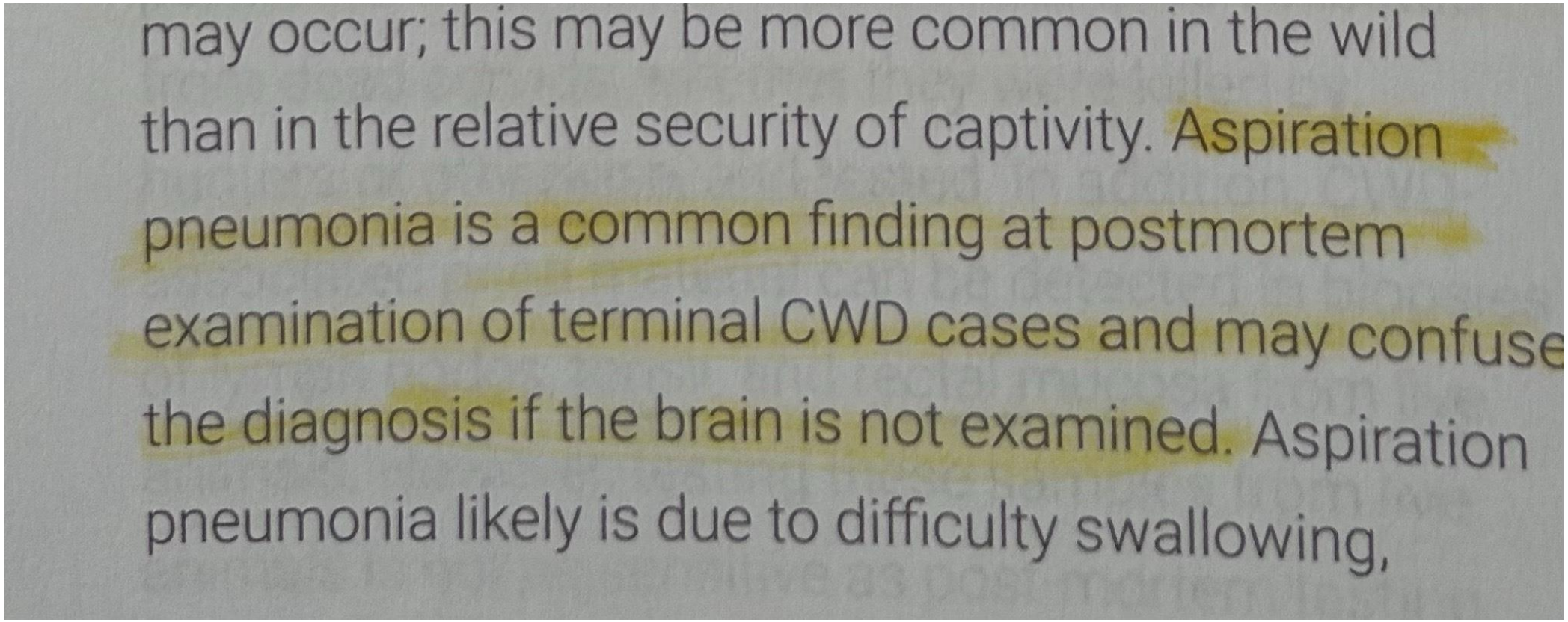
Chronic Wasting Disease (CWD)

CWD is a transmissible spongiform encephalopathy, in the same class of diseases as bovine spongiform encephalopathy (BSE – more commonly known as "mad cow disease"). These diseases are caused by prions, which are infectious proteins. The diseases affect the brain and spinal cord, causing signs such as weakness, incoordination and abnormal behavior. How CWD is spread from animal to animal is not fully understood, but it is believed to be transmitted through direct animal-to-animal contact or when an animal eats soil contaminated by saliva or manure from an infected animal. CWD prions have been found in elk antler velvet, suggesting a possible route of transmission from elk to elk.

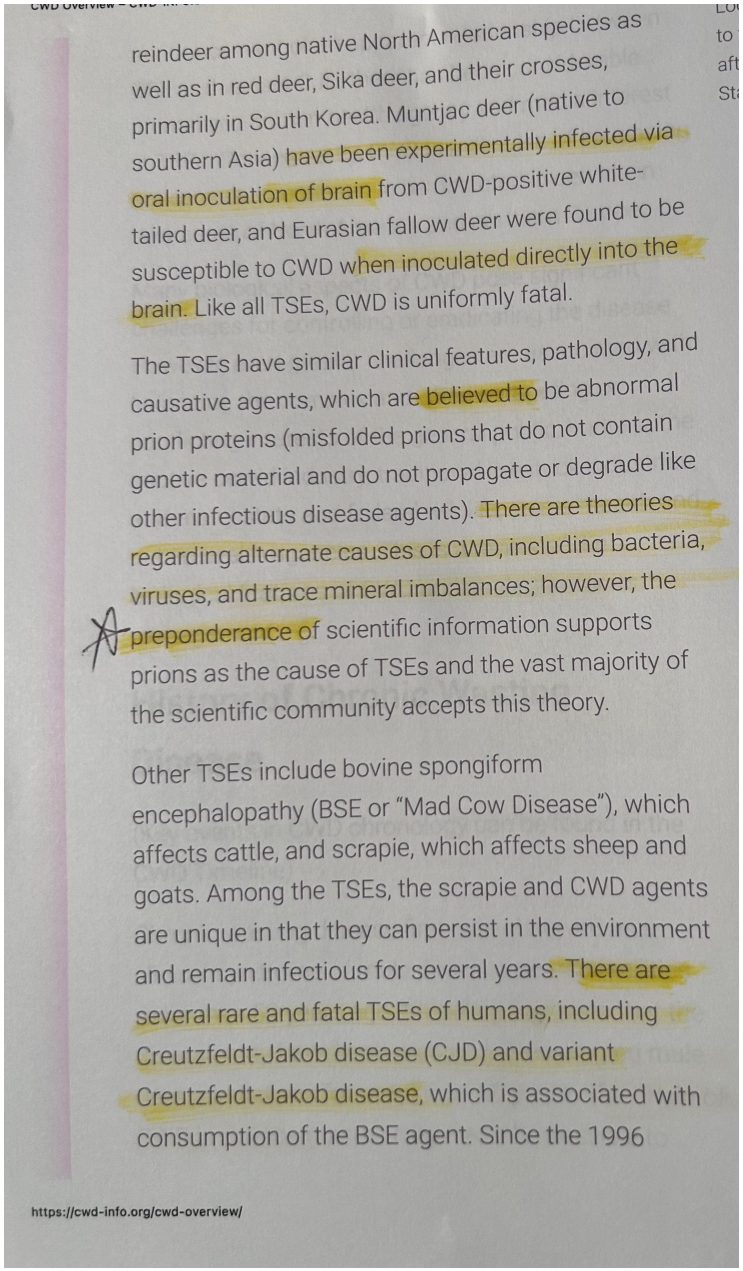
Believed

gf.nd.gov

CWD or Pneumonia



may occur; this may be more common in the wild than in the relative security of captivity. Aspiration pneumonia is a common finding at postmortem examination of terminal CWD cases and may confuse the diagnosis if the brain is not examined. Aspiration pneumonia likely is due to difficulty swallowing,



reindeer among native North American species as well as in red deer, Sika deer, and their crosses, primarily in South Korea. Muntjac deer (native to southern Asia) have been experimentally infected via oral inoculation of brain from CWD-positive white-tailed deer, and Eurasian fallow deer were found to be susceptible to CWD when inoculated directly into the brain. Like all TSEs, CWD is uniformly fatal.

The TSEs have similar clinical features, pathology, and causative agents, which are believed to be abnormal prion proteins (misfolded prions that do not contain genetic material and do not propagate or degrade like other infectious disease agents). There are theories regarding alternate causes of CWD, including bacteria, viruses, and trace mineral imbalances; however, the preponderance of scientific information supports prions as the cause of TSEs and the vast majority of the scientific community accepts this theory.

Other TSEs include bovine spongiform encephalopathy (BSE or "Mad Cow Disease"), which affects cattle, and scrapie, which affects sheep and goats. Among the TSEs, the scrapie and CWD agents are unique in that they can persist in the environment and remain infectious for several years. There are several rare and fatal TSEs of humans, including Creutzfeldt-Jakob disease (CJD) and variant Creutzfeldt-Jakob disease, which is associated with consumption of the BSE agent. Since the 1996

https://cwd-info.org/cwd-overview/

- Experimentally infected via oral inoculation of brain
- inoculated directly into the brain
- There are theories regarding alternate causes of CWD, including bacteria, viruses, and trace mineral inbalances (nutrition), however the preponderance…..
- There are several rare and fatal TSEs of humans including CJD

CWD-INFO.org

Diagnosis

Clinical signs of CWD alone are not diagnostic as several other diseases cause similar symptoms. Diagnosis can be confirmed upon postmortem examination of the brain for spongiform lesions and/or accumulation of the CWD-associated prion in brain and/or lymphoid tissues. The correct portion of the brain must be examined for a meaningful test.

From: Bahnson, Charlie cbahnson@nd.gov
Subject: request for information
Date: Nov 16, 2023 at 2:25:15 PM
To: Dusty and Pat Backer backerbees@hotmail.com

Hi Dusty. I got a note that you had requested images of a prion at a recent advisory board meeting. In the attached article, published in the journal *Molecular Cell,* cryo-electron microscopy was used to produce images of prions at 81,000X magnification.

Feel free to give me a call if you'd like to discuss more.

81,000 magnification

Charlie Bahnson
Wildlife Veterinarian

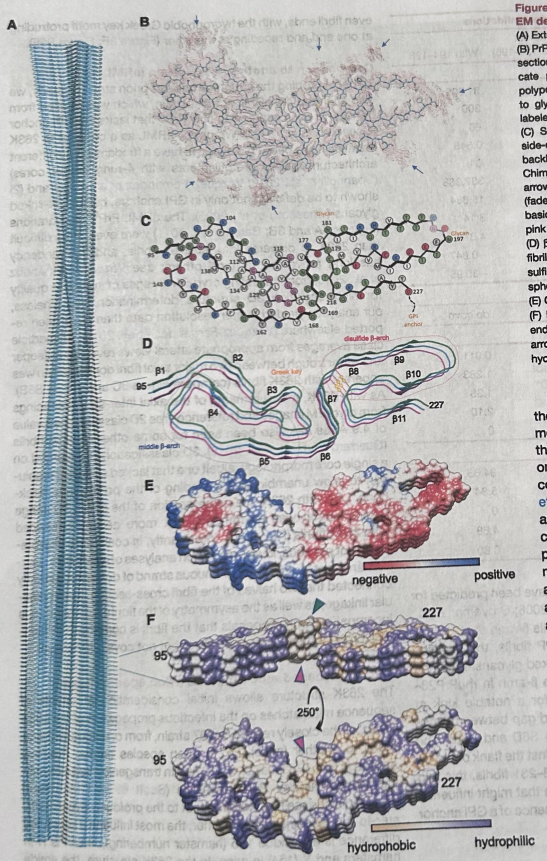


Figure 2. 263K prion model based on cryo-EM density map

(A) Extended fibril model as a ribbon diagram.
(B) PrP residues 95–227 threaded through a cross-sectional density map (mesh). Blue arrows indicate peripheral densities outside of the core polypeptide, some of which are likely attributable to glycans and GPI anchors attached at sites labeled in (C).
(C) Schematic depiction of fibril core showing side-chain orientations relative to the polypeptide backbone. Residues assigned to β sheets in Chimera are marked by thicker backbones with arrowheads. Side chains of residues 194–196 (faded) were poorly resolved. Green, polar; blue, basic; red, acidic; white,aliphatic; gray, aromatic; pink - glycine.
(D) β sheets in a stacked trimeric segment of the fibril. Structural elements are as labeled, and disulfide bond is indicated by a pair of yellow spheres.
(E) Coulombic charge representation.
(F) Kyte-Doolittle hydrophobicity surface of fibril ends (templates) showing the protruding (green arrowhead) and receding (magenta arrowheads) hydrophobic Greek key motif at opposite ends.

In contrast to the profound effects of the N155Y mutation, substitutions of mouse residues at 12 other positions in the hamster sequence have little effect on the efficiency of 263K-induced PrP^C conversion (Priola et al., 2001; Scott et al., 1993). Four of those substitutions are outside of the ordered 263K prion core and therefore would not be expected to influence its stability. The remaining seven substitutions may be tolerated because (1) they are more isosteric and, except for the T-to-V substitution at 215, conservative of side-chain polarity (or nonpolarity) and lack of charge (Figure S8A); and/or (2) they would be incorporated into less tightly packed locations within the prion structure (Figures S8A and S8B).

DISCUSSION

Infectious versus non-infectious PrP fibrils

From the cryo-EM-based density map of the highly infectious 263K prion, the serpentine threading of the polypeptide backbone of residues 95–227 and orientations of almost all of the side chains relative to the backbone were clear. Further, atomistic details of side-chain conformations and backbone hydrogen bonding were approximated by molecular modeling and best fit with the density map. The span of 134 residues packed into the ordered 263K core is more than double the residue span included in the protofilament cores of previously studied recombinant PrP fibrils (Glynn et al., 2020; Theint et al., 2017; Wang et al., 2020). The asymmetric cross-sections of both 263K and aRML fibrils in our current study are also starkly different from what had been surmised for aRML fibrils based on lower-resolution cryo-EM and X-ray fiber diffraction studies (Spagnolli et al., 2019; Vázquez-Fernández et al., 2016). In both the 263K and aRML structures, the halves of the cross-section are connected by continuous electron density and show no evidence of the previously postulated independent, equivalent protofilaments or intertwined β-solenoids. In the 263K structure, the side chains and the polypeptide backbone to eliminate steric clashes (Figures S8G and S8H). This modeling suggests that incorporation of a PrP^C molecule with a differently shaped and bulkier Y side chain at that residue might stall due to local steric clashes, alterations in hydrogen bonding, or longer-range allosteric effects on templated conversion.

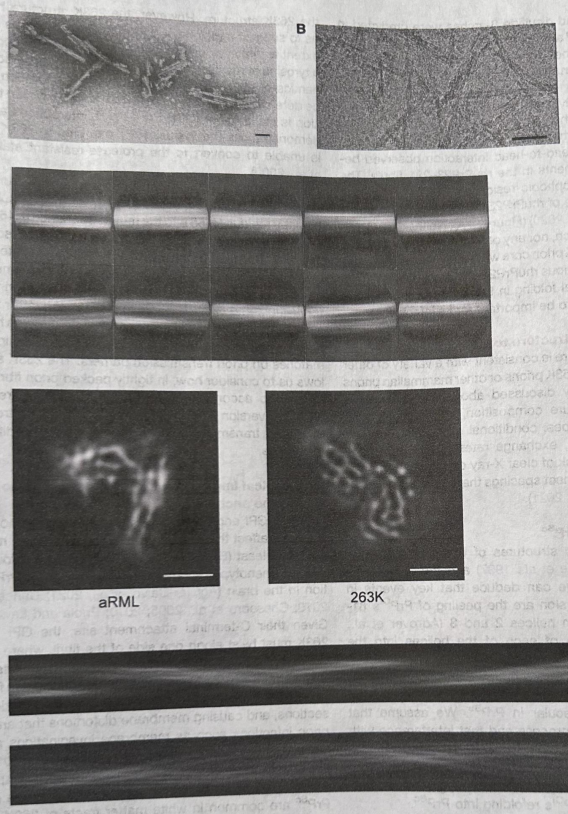


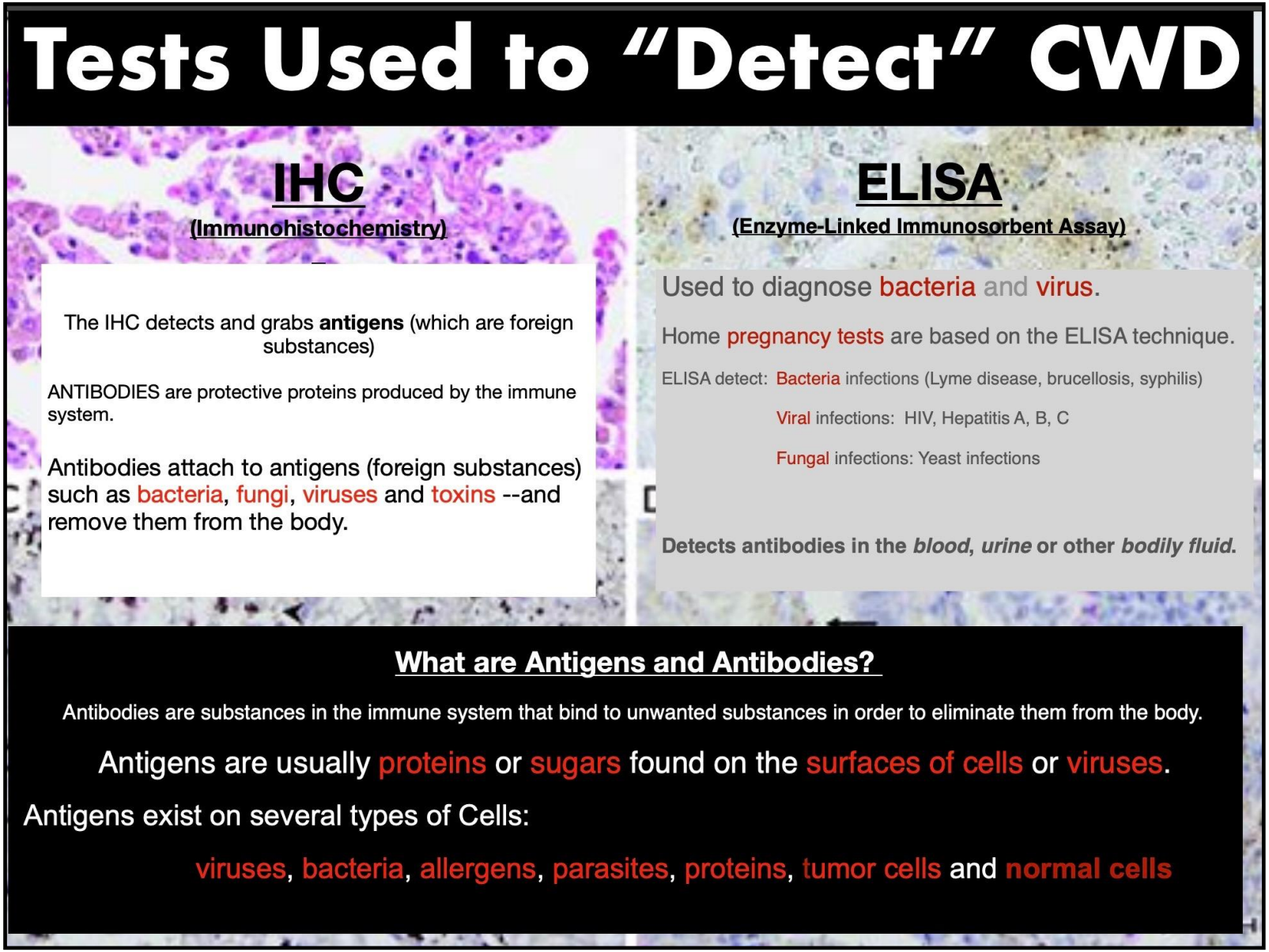
Figure 3. Anchorless RML (aRML) prions have distinct fibril morphology and cross-section

(A) Negative-stain electron micrograph of aRML fibril preparations. Scale bar, 50 nm.
(B) Representative micrograph of cryo fibril preparations. Scale bar, 50 nm.
(C) Select 2D classes show features of aRML fibrils.
(D) Projections of the aRML and 263K fibril cross-sections, with 263K low-pass filtered at 10 Å to match the resolution of aRML. Scale bar, 5 nm.
(E) Projections of aRML and 10-Å-filtered 263K fibrils from a lateral view showing overall topologies. aRML projection indicates the overall fibril topology; the cross-over distance scale may not be identical to that of 263K.

All slides are labeled fibril

Nov 2021

Tests Used to "Detect" CWD



IHC
(Immunohistochemistry)

The IHC detects and grabs **antigens** (which are foreign substances)

ANTIBODIES are protective proteins produced by the immune system.

Antibodies attach to antigens (foreign substances) such as bacteria, fungi, viruses and toxins --and remove them from the body.

ELISA
(Enzyme-Linked Immunosorbent Assay)

Used to diagnose bacteria and virus.

Home pregnancy tests are based on the ELISA technique.

ELISA detect: Bacteria infections (Lyme disease, brucellosis, syphilis)

Viral infections: HIV, Hepatitis A, B, C

Fungal infections: Yeast infections

Detects antibodies in the *blood*, *urine* or other *bodily fluid*.

What are Antigens and Antibodies?

Antibodies are substances in the immune system that bind to unwanted substances in order to eliminate them from the body.

Antigens are usually proteins or sugars found on the surfaces of cells or viruses.

Antigens exist on several types of Cells:

viruses, bacteria, allergens, parasites, proteins, tumor cells and **normal cells**

Contact to ELISA technique Manufacturer

- client must state what is to be detected to create a test
- ELISA techinique does not detect prion
- only universities, research labs, Agencies have access.
- no one can purchase.
- testing only done at universities State and federal agencies (32)
- information is confidential as to what is being detected (Iowa)

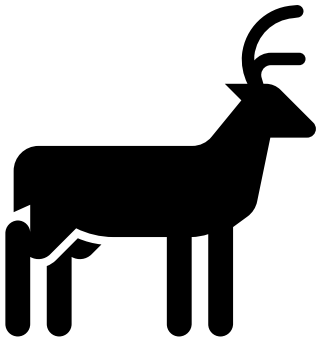

CWD
THEY MISSED IT BY A MILLION MILES
DR. JOEL WALLACH, BS, DVM, POST DOC (PATH) ND

House Energy and Natural Resources Committee

HB 1325

The mission of the North Dakota Game and Fish Department is to protect, conserve and enhance fish and wildlife populations and their habitat for sustained public consumptive and nonconsumptive use.

NORTH Dakota | Game and Fish
Be Legendary.™



Day 1

≈ 22 Months

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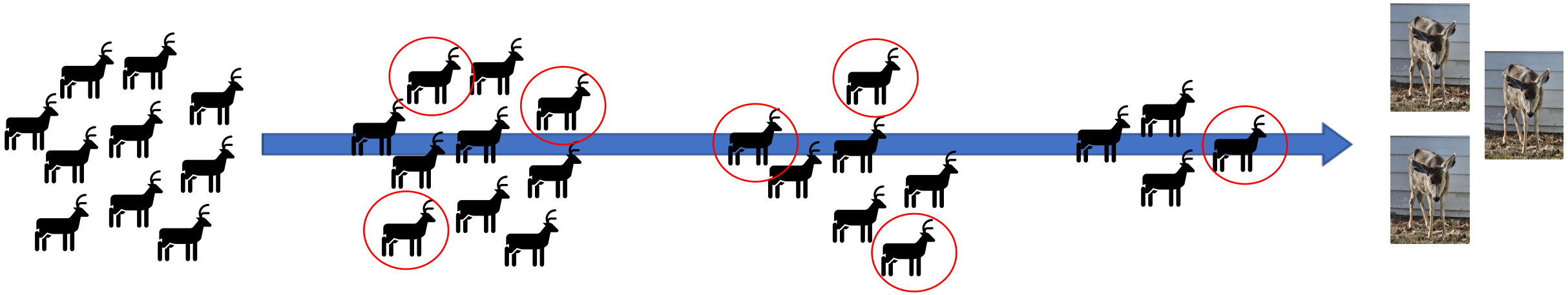

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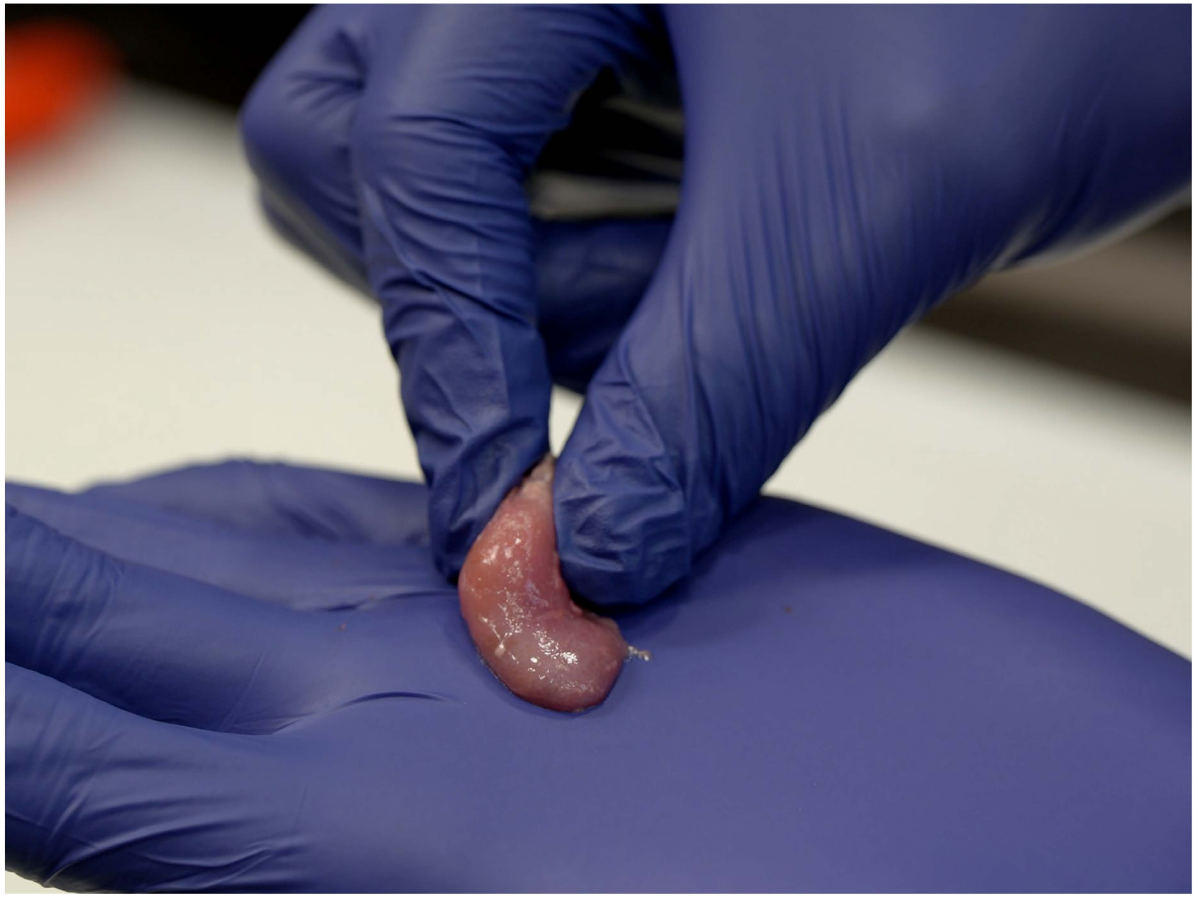

NORTH Dakota | Game and Fish
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Day 1

≈ 22 Months

NORTH Dakota | Game and Fish
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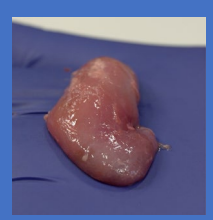
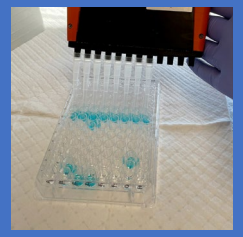
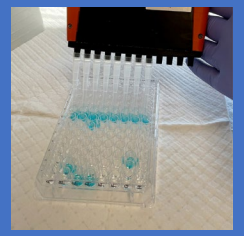
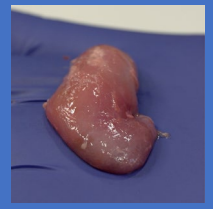
ELISA Testing

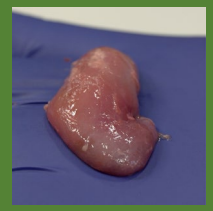

ELISA RESULT

ELISA TESTING

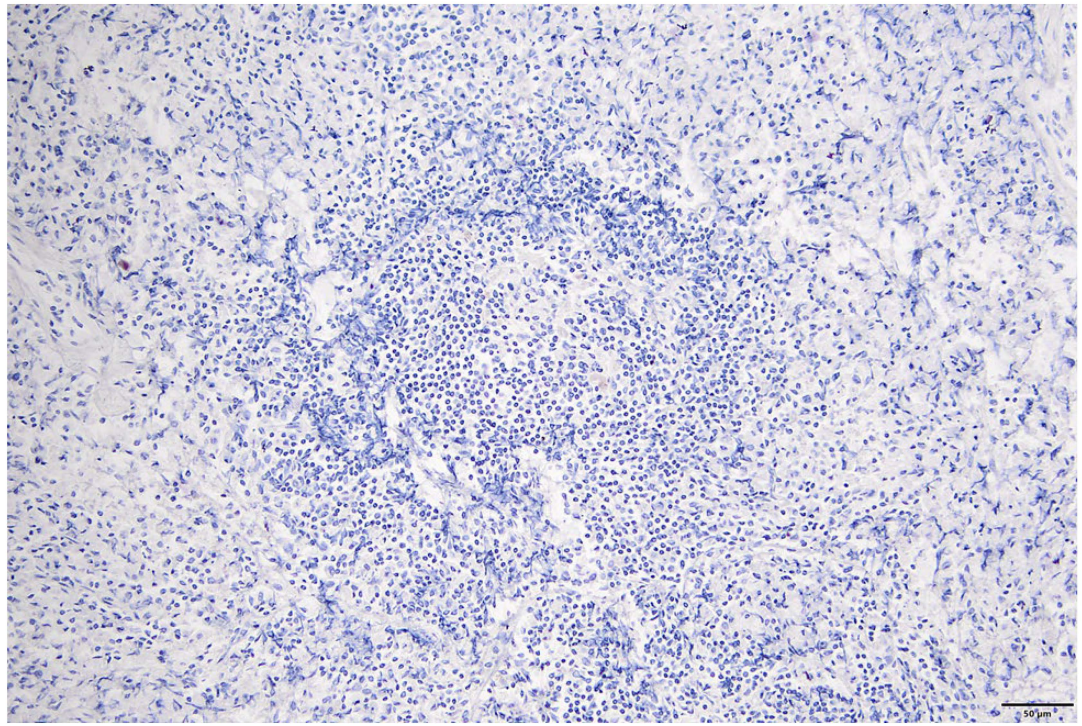




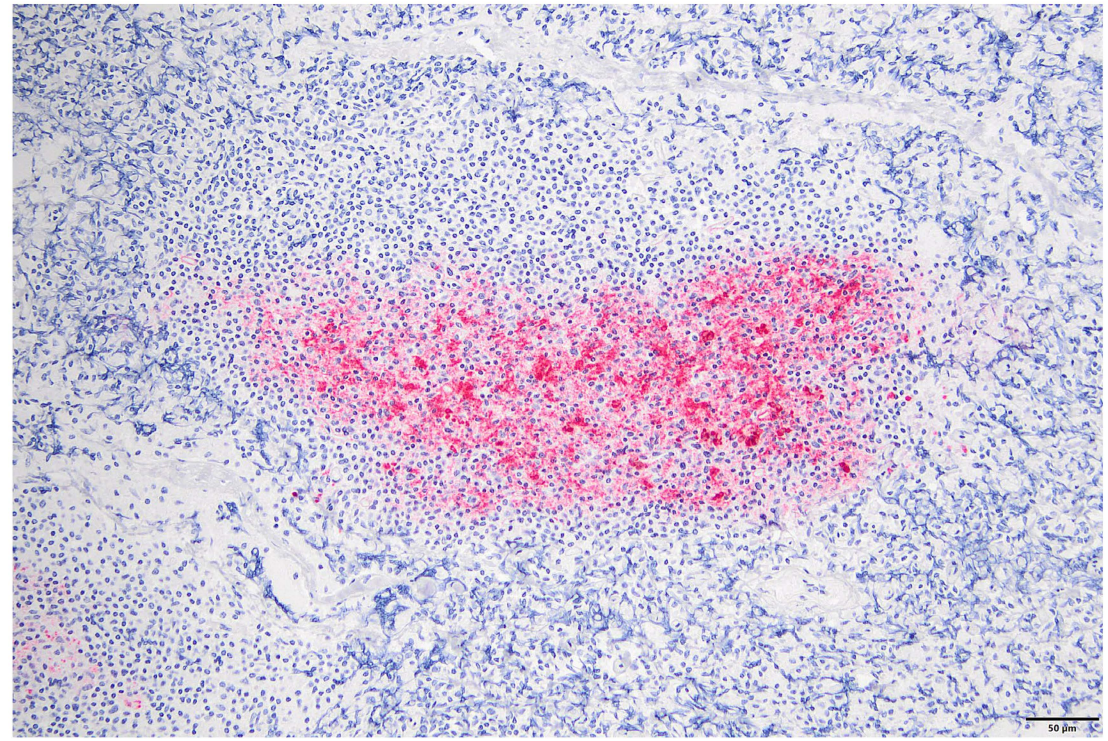
ELISA RESULT

IHC Testing



IHC RESULT





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2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau AB Room, State Capitol

HB 1325
2/13/2025

Relating to positive detections of chronic wasting disease.

10:05 a.m. Chairman Porter opened the hearing.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chair Novak, Representatives: Dockter, Hagert, Headland, Johnson, Marschall, Ruby, Conmy, Foss

Members Absent: Representatives Heinert, J. Olson

Discussion Topics:

- Committee action

10:05 a.m. Representative Ruby moved a Do Not Pass.

10:05 a.m. Representative Conmy seconded the motion.

Representatives	Vote
Representative Todd Porter	Y
Representative Dick Anderson	Y
Representative Anna Novak	Y
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Austin Foss	Y
Representative Jared c. Hagert	Y
Representative Craig Headland	Y
Representative Pat D. Heinert	A
Representative Jorin Johnson	Y
Representative Andrew Marschall	Y
Representative Jeremy L. Olson	A
Representative Matthew Ruby	Y

10:06 a.m. Motion passed 11-0-2

(The bill was placed on the Consent Calendar during the February 13, 2025, 10:10 a.m.

hearing.)

10:06 a.m. Representative Ruby will carry the bill.

10:06 a.m. Chairman Porter closed the hearing.

Wyatt Armstrong for Leah Kuball, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1325 (25.0884.01000)

Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). HB 1325 was placed on the Tenth order on the calendar.

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau AB Room, State Capitol

HB 1325
2/13/2025

Relating to positive detections of chronic wasting disease.

10:10 a.m. Chairman Porter opened the hearing.

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Members Absent: Representatives Heinert, J. Olson

Discussion Topics:

- Committee action

10:10 a.m. Representative Ruby moved to be placed on the Consent Calendar (The bill was passed during the February 13, 2025, 10:05 a.m. hearing)

10:10 a.m. Representative Hagert seconded the motion.

10:10 a.m. Voice Vote

10:10 a.m. Motion passed

10:10 a.m. Chairman Porter closed the hearing.

Wyatt Armstrong for Leah Kuball, Committee Clerk