

MIDWEST LEGAL COMMITTEE REPORT

The Legal Committee met in Kansas City, Missouri, July 10-12, 2002 with representatives from five states in attendance. The Legal Committee discussed issues regarding shooting ranges. Legislation and rule-making concerning the establishment of ranges were compared. Liability issues regarding manned and unmanned ranges were reviewed. A discussion then ensued regarding the elimination of liability caps for state employees, which has occurred in Missouri.

A presentation was made regarding the Corps of Engineers' current review of the Missouri River Manual, which is the Corps' management handbook for the river. The review process was started in the late 1980's. Currently, USFWS has recommended that the river be managed to more closely duplicate the natural flow of the river in order to provide more appropriate habitat for fish and wildlife. The litigation, which has occurred over the past ten years, was reviewed and different problem-solving strategies, other than litigation, were discussed. Post-script: Since this meeting, President Bush announced that the manual would be under review for an additional five years in order that the Corps and USFWS could further study the impact of the Missouri River on fish and wildlife.

The legal issues regarding Chronic Wasting Disease were also discussed. The need to consider the limitation of intra-state movement in addition to interstate action were reviewed. The need to determine appropriate disposal if an outbreak occurs was considered. In addition, the excellent communication between state fish and wildlife agencies was discussed and attendees were asked to encourage similar interactions among state agricultural agencies.