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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

н. г. №. 4126

03/10/2022 Authored by Hansen, R.,

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The bill was read for the first time and referred to the Committee on Agriculture Finance and Policy

1.1 A bill for an act

relating to agriculture; modifying requirements to farm Cervidae; amending
Minnesota Statutes 2020, section 35.155, subdivisions 4, 6, 12; Minnesota Statutes
2021 Supplement, section 35.155, subdivision 11.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2020, section 35.155, subdivision 4, is amended to read:

Subd. 4. Fencing. Farmed Cervidae must be confined in a manner designed to prevent escape. All perimeter fences for farmed Cervidae must be at least 96 inches in height and be constructed and maintained in a way that prevents the escape of farmed Cervidae or entry into the premises by free-roaming Cervidae. After July 1, 2019, All new fencing installed and all fencing used to repair deficiencies must be high tensile. By December 1, 2019, All entry areas for farmed Cervidae enclosure areas must have two redundant gates, which must be maintained to prevent the escape of animals through an open gate. If a fence deficiency allows entry or exit by farmed or wild Cervidae, the owner must repair the deficiency within a reasonable time, as determined by the Board of Animal Health, not to exceed 45 14 days. If a fence deficiency is detected during an inspection, the facility must be reinspected at least once in the subsequent three months. The farmed Cervidae owner must pay a reinspection fee equal to one-half the applicable annual inspection fee under subdivision 7a for each reinspection related to a fence violation. If the facility experiences more than one escape incident in any six-month period or fails to correct a deficiency found during an inspection, the board may revoke the facility's registration and order the owner to remove or destroy the animals as directed by the board. If the board revokes a facility's registration, the commissioner of natural resources may seize and destroy animals at the facility.

Section 1.

Sec. 2. Minnesota Statutes 2020, section 35.155, subdivision 6, is amended to read:

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Subd. 6. **Identification.** (a) Farmed Cervidae must be identified by means approved by the Board of Animal Health. The identification must include a distinct number that has not been used during the previous three years and must be visible to the naked eye during daylight under normal conditions at a distance of 50 yards. Within 14 days of birth, white-tailed deer must be identified before October 31 of the year in which the animal is born, at the time of weaning, or before movement from the premises, whichever occurs first with an ear tag that adheres to the National Uniform Ear-Tagging System (NUES) or the Animal Identification Number (AIN) system. Elk and other cervids must be identified by December 31 of the year in which the animal is born or before movement from the premises, whichever occurs first. As coordinated by the board, the commissioner of natural resources may destroy any animal that is not identified as required under this subdivision.

- (b) The Board of Animal Health shall register farmed Cervidae. The owner must submit the registration request on forms provided by the board. The forms must include sales receipts or other documentation of the origin of the Cervidae. The board must provide copies of the registration information to the commissioner of natural resources upon request. The owner must keep written records of the acquisition and disposition of registered farmed Cervidae.
- Sec. 3. Minnesota Statutes 2021 Supplement, section 35.155, subdivision 11, is amended to read:
- Subd. 11. **Mandatory surveillance for chronic wasting disease; depopulation.** (a)
 An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian
 and filed with the Board of Animal Health every 12 months.
- 2.24 (b) Movement of farmed Cervidae from any premises to another location must be reported 2.25 to the Board of Animal Health within 14 seven days of the movement on forms approved 2.26 by the Board of Animal Health.
 - (c) All animals from farmed Cervidae herds that are over <u>12 six</u> months of age that die or are slaughtered must be tested for chronic wasting disease.
 - (d) The owner of a premises where chronic wasting disease is detected must:
- 2.30 (1) depopulate the premises of Cervidae after the federal indemnification process has
 2.31 been completed or, if an indemnification application is not submitted, within a reasonable
 2.32 time determined by the board in consultation with the commissioner of natural resources
 2.33 30 days;

Sec. 3. 2

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3.1	(2) maintain the fencing required under subdivision 4 on the premises for <u>five 20</u> years
3.2	after the date of detection; and
3.3	(3) post the fencing on the premises with biohazard signs as directed by the board.
3.4	Sec. 4. Minnesota Statutes 2020, section 35.155, subdivision 12, is amended to read:
3.5	Subd. 12. Importation. (a) A person must not import live Cervidae or Cervidae semen
3.6	into the state from a herd that is:
3.7	(1) infected with or has been exposed to chronic wasting disease; or
3.8	(2) from a known state or province where chronic wasting disease endemic area, as
3.9	determined by the board has been detected in a captive herd or in the wild.
3.10	(b) A person may import <u>live</u> Cervidae <u>or Cervidae semen</u> into the state only from a
3.11	herd that:
3.12	(1) is not in a known located in a state or province where chronic wasting disease endemic
3.13	area, as determined by the board, has been detected; and
3.14	(2) the herd has been subject to a state or provincial approved state- or
3.15	provincial-approved chronic wasting disease monitoring program for at least three years.
3.16	(c) Cervidae or Cervidae semen imported in violation of this section may be seized and

Sec. 4. 3

destroyed by the commissioner of natural resources.

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