

A bill for an act
relating to agriculture; providing requirements for cattle herds within certain
areas; appropriating money to the Board of Animal Health for the buyout of
cattle herds in certain areas; amending Minnesota Statutes 2007 Supplement,
section 35.244; proposing coding for new law in Minnesota Statutes, chapter 35.

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

Section 1. **[35.086] BOVINE TUBERCULOSIS MANAGEMENT ZONE;
RESTRICTIONS.**

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this
section.

(b) "Bovine tuberculosis management zone" means the area within the ten-mile
radius around the five presumptive tuberculosis-positive deer sampled during the fall
2006 hunter-harvested surveillance effort.

(c) "Located within" means that the herd is kept in the area for at least a part of
the year.

Subd. 2. **Requirements.** (a) Cattle owners with herds located within the bovine
tuberculosis management zone must:

(1) apply to the board for payments to remove the herd from the farm and keep off
the farm until the modified accredited area achieves tuberculosis-free status; or

(2) demonstrate that the cattle herd is kept in a manner that does not allow cattle
and deer interface.

(b) All farms located within the bovine tuberculosis management zone must be kept
in a manner that does not allow deer access.

Sec. 2. Minnesota Statutes 2007 Supplement, section 35.244, is amended to read:

35.244 RULES FOR CONTROL OF BOVINE TUBERCULOSIS.

Subdivision 1. **Designation of zones.** The board has the authority to control tuberculosis and the movement of cattle, bison, and farmed cervidae within and between tuberculosis zones in the state. Zones within the state may be designated as accreditation preparatory, modified accredited, modified accredited advanced, or accredited free as those terms are defined in Code of Federal Regulations, title 9, part 77. The board may designate tuberculosis zones that contain not more than 201 herds.

Subd. 2. **Control within modified accredited zone.** In a modified accredited zone, the board has the authority to:

(1) require owners of cattle, bison, or farmed cervidae to report personal contact information and location of livestock to the board;

(2) require a permit or movement certificates for all cattle, bison, and farmed cervidae moving between premises within the zone or leaving or entering the zone;

(3) require official identification of all cattle, bison, and farmed cervidae within the zone or leaving or entering the zone;

(4) require a negative tuberculosis test within 60 days prior to movement for any individual cattle, bison, or farmed cervidae leaving the zone with the exception of cattle moving under permit directly to a slaughter facility under state or federal inspection;

(5) require a whole-herd tuberculosis test within 12 months prior to moving breeding cattle out of the zone;

(6) require annual herd inventories on all cattle, bison, or farmed cervidae herds; and

(7) require that a risk assessment be performed to evaluate the interaction of free-ranging deer with cattle, bison, and farmed cervidae herds and require the owner to implement the recommendations of the risk assessment.

Subd. 3. **Authority to adopt rules.** The board may adopt rules to provide for the control of tuberculosis in cattle. The rules may include provisions for quarantine, tests, and such other measures as the board deems appropriate. Federal regulations, as provided by Code of Federal Regulations, title 9, part 77, and the Bovine Tuberculosis Eradication Uniform Methods and Rules, are incorporated as part of the rules in this state.

Sec. 3. APPROPRIATION; BOVINE TUBERCULOSIS MANAGEMENT ZONE HERD BUYOUT.

\$3,000,000 is appropriated in fiscal year 2009 from the general fund to the Board of Animal Health for the payments to cattle owners who remove cattle herds that are

- 3.1 located within the bovine tuberculosis management zone, as defined in Minnesota
- 3.2 Statutes, section 35.086.