

1.1 moves to amend H.F. No. 2200 as follows:

1.2 Page 1, after line 7, insert:

1.3 "ARTICLE 1
1.4 AGRICULTURE APPROPRIATIONS"

1.5 Page 24, after line 22, insert:

1.6 "ARTICLE 2
1.7 FARMED CERVIDAE

1.8 Section 1. Minnesota Statutes 2018, section 35.153, subdivision 1, is amended to read:

1.9 Subdivision 1. **Applicability.** The definitions in this section apply to section 17.452,
1.10 this section, and ~~section~~ sections 35.155 and 35.1551.

1.11 Sec. 2. Minnesota Statutes 2018, section 35.155, subdivision 4, is amended to read:

1.12 Subd. 4. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent
1.13 escape. All perimeter fences for farmed Cervidae must be comprised of two or more rows
1.14 of fencing, or one high tensile fence. All perimeter fences must be at least 96 inches in
1.15 height and be constructed and maintained in a way that prevents the escape of farmed
1.16 Cervidae or entry into the premises by free-roaming Cervidae. All entry areas for farmed
1.17 Cervidae enclosure areas shall have two redundant gates, which must be maintained to
1.18 prevent the escape of animals through an open gate. If a fence deficiency allows imminent
1.19 entry or exit by farmed or wild Cervidae, the owner must repair the deficiency within a
1.20 reasonable period of time as determined by the board. If a fence deficiency is detected during
1.21 annual inspection under subdivision 7, the facility must be reinspected not less than two
1.22 times in the subsequent six months. If the facility experiences more than two escape incidents

2.1 in any 12-month period, the board may revoke the facility's registration and the animals
2.2 may be seized and destroyed by the commissioner of natural resources.

2.3 Sec. 3. Minnesota Statutes 2018, section 35.155, subdivision 6, is amended to read:

2.4 Subd. 6. **Identification.** (a) Farmed Cervidae must be identified by means approved by
2.5 the Board of Animal Health. The identification must include a distinct number that has not
2.6 been used during the previous three years and must be visible to the naked eye during
2.7 daylight under normal conditions at a distance of 50 yards. Newborn animals must be
2.8 identified before ~~December 31~~ November 30 of the year in which the animal is born or
2.9 before movement from the premises, whichever occurs first. The commissioner of natural
2.10 resources may destroy any animal that is not identified as required by this subdivision.

2.11 (b) The Board of Animal Health shall register farmed Cervidae. The owner must submit
2.12 the registration request on forms provided by the board. The forms must include sales
2.13 receipts or other documentation of the origin of the Cervidae. The board shall provide copies
2.14 of the registration information to the commissioner of natural resources upon request. The
2.15 owner must keep written records of the acquisition and disposition of registered farmed
2.16 Cervidae.

2.17 Sec. 4. Minnesota Statutes 2018, section 35.155, subdivision 7, is amended to read:

2.18 Subd. 7. **Inspection.** (a) The commissioner of agriculture and the Board of Animal
2.19 Health may inspect farmed Cervidae, ~~farmed Cervidae facilities,~~ and farmed Cervidae
2.20 records. ~~For each herd, the owner or owners must, on or before January 1, pay an annual~~
2.21 inspection fee equal to \$10 for each cervid in the herd as reflected in the most recent
2.22 inventory submitted to the Board of Animal Health, up to a maximum fee of \$100. The
2.23 board shall coordinate inspections authorized under this paragraph.

2.24 (b) The Board of Animal Health shall annually inspect each farmed Cervidae facility.
2.25 Upon request by the Board of Animal Health, the commissioner of agriculture shall assist
2.26 the board with annual inspections required under this paragraph. The annual inspection shall
2.27 include a physical inspection of the entire perimeter of fencing around the facility and a
2.28 viewing to ensure all animals are tagged. The owner of a farmed Cervidae facility must
2.29 present to the regulatory agency conducting the annual inspection an accurate inventory of
2.30 the owner's farmed Cervidae for review. During an annual inspection, the owner must
2.31 present individual animals in a herd for a physical inventory, if required by the board.

2.32 (c) The commissioner of natural resources may inspect farmed Cervidae, farmed Cervidae
2.33 facilities, and farmed Cervidae records with reasonable suspicion that laws protecting native

3.1 wild animals have been violated and must notify the owner in writing at the time of the
3.2 inspection of the reason for the inspection and must inform the owner in writing after the
3.3 inspection of whether (1) the cause of the inspection was unfounded; or (2) there will be an
3.4 ongoing investigation or continuing evaluation.

3.5 (d) If the owner of a farmed Cervidae facility does not repair fence deficiencies within
3.6 the reasonable period of time determined by the board or is not otherwise in compliance
3.7 with this section after an inspection and review of the owner's farmed Cervidae facility, the
3.8 board may revoke the owner's registration and the owner's animals may be destroyed by
3.9 the commissioner of natural resources.

3.10 Sec. 5. Minnesota Statutes 2018, section 35.155, is amended by adding a subdivision to
3.11 read:

3.12 Subd. 7a. Fees. (a) For each herd, the owner must, on or before January 1, pay to the
3.13 board an annual inspection fee of \$500 unless the owner sells the ability to shoot animals
3.14 in the herd, in which case the annual inspection fee is \$1,000.

3.15 (b) In addition to the annual inspection fee under paragraph (a), the owner must pay to
3.16 the board on or before January 1, 2020, an annual fee of \$10 per cervid and \$5 per cervid
3.17 each year thereafter. The board shall deposit fees collected under this paragraph in the
3.18 farmed Cervidae reimbursement and indemnity account established under section 35.1551.

3.19 (c) At the end of any calendar quarter in which the farmed Cervidae reimbursement
3.20 account equals or exceeds \$500,000, the board shall suspend the collection of the fee under
3.21 paragraph (b). If the account falls below \$250,000 after suspension, the board shall resume
3.22 collection of the fee under paragraph (b).

3.23 Sec. 6. Minnesota Statutes 2018, section 35.155, subdivision 9, is amended to read:

3.24 **Subd. 9. Contested case hearing.** A person raising farmed Cervidae that is aggrieved
3.25 with any decision regarding the farmed Cervidae may request a contested case hearing under
3.26 chapter 14. The request for a contested case hearing must be made within 30 days of the
3.27 notice of revocation from the board.

3.28 Sec. 7. Minnesota Statutes 2018, section 35.155, subdivision 10, is amended to read:

3.29 **Subd. 10. Mandatory registration.** (a) A person may not possess live Cervidae in
3.30 Minnesota unless the person is registered with the Board of Animal Health and meets all
3.31 the requirements for farmed Cervidae under this section. Cervidae possessed in violation
3.32 of this subdivision may be seized and destroyed by the commissioner of natural resources.

4.1 (b) Beginning with new applications submitted on or after July 1, 2019, the board shall
4.2 not allow a new registration under this subdivision for farmed Cervidae that are white-tailed
4.3 deer.

4.4 Sec. 8. Minnesota Statutes 2018, section 35.155, subdivision 11, is amended to read:

4.5 Subd. 11. **Mandatory surveillance for chronic wasting disease; herd depopulation.** (a)
4.6 An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian
4.7 and filed with the Board of Animal Health every 12 months.

4.8 (b) Movement of farmed Cervidae from any premises to another location must be reported
4.9 to the Board of Animal Health within 14 days of the movement on forms approved by the
4.10 Board of Animal Health.

4.11 (c) All animals from farmed Cervidae herds that are over ~~46~~ 12 months of age that die
4.12 or are slaughtered must be tested for chronic wasting disease.

4.13 (d) If an animal in a farmed Cervidae herd tests positive for chronic wasting disease,
4.14 the entire herd must be euthanized and disposed of in a manner, and within a reasonable
4.15 period of time, determined by the board in consultation with the commissioner of natural
4.16 resources. If the owner pays for the euthanization and disposal, the owner is eligible for
4.17 reimbursement under section 35.1551.

4.18 (e) The owner of a herd that euthanizes and disposes of the herd as required by paragraph
4.19 (d) must:

4.20 (1) maintain the fencing required under subdivision 4;

4.21 (2) prevent any free-roaming or farmed Cervidae from accessing the former cervid pens
4.22 and other areas that were accessible by the farmed Cervidae; and

4.23 (3) post the premises as directed by the board.

4.24 The requirements under this paragraph must be met for at least 60 months from the date
4.25 depopulation is completed.

4.26 Sec. 9. **[35.1551] FARMED CERVIDAE REIMBURSEMENT AND INDEMNITY**
4.27 **PROGRAM.**

4.28 Subdivision 1. **Establishment.** A farmed Cervidae reimbursement and indemnity program
4.29 is established. The board shall administer the program and provide reimbursement and
4.30 indemnity payments to eligible owners.

5.1 Subd. 2. **Eligibility.** An owner of farmed Cervidae registered with the board under
5.2 section 35.155 who is required to euthanize and dispose of farmed Cervidae under section
5.3 35.155, subdivision 11, is eligible to receive reimbursement and indemnity payments under
5.4 this section.

5.5 Subd. 3. **Application.** An owner asserting eligibility for reimbursement and indemnity
5.6 payments under subdivision 2 must file a completed application with the board within 30
5.7 days of the euthanization and disposal under section 35.155, subdivision 11. The owner
5.8 must demonstrate that the euthanization and disposal was completed in the manner required
5.9 by the board.

5.10 Subd. 4. **Payment.** (a) The board shall provide payment to an owner under this section
5.11 if the owner applies for federal indemnity funds but federal indemnity funds are not available
5.12 to the owner when the herd is depopulated, or during the six months following the
5.13 depopulation.

5.14 (b) The board must pay the owner an amount not to exceed the value of the animal as
5.15 determined by the board using the United States Department of Agriculture's appraisal
5.16 calculator. When determining the appraised value of an animal under this subdivision, the
5.17 board must value each animal as if it were not infected with chronic wasting disease.

5.18 Subd. 5. **Account; appropriation.** A farmed Cervidae reimbursement and indemnity
5.19 program account is established in the special revenue fund. Money in the account, including
5.20 interest, is appropriated to the board to pay reimbursements under this section."

5.21 Amend the title accordingly