

June 15, 2020

Minnesota Deer Farmers Assn.

President Rich Meech

Representative Rick Hansen Chair House Environment and Natural Resources Finance committee

Re: Opposition to the farmed cervidae provisions in HF28, First Special Session

Representative Hansen and Committee members,

The Minnesota Deer Farmers Association stands in opposition to the provisions in HF 28, Article 2, sections 15 and 16 based on the following criteria.

Article 2, Section 15, subdivision 1 (a) This change in statute would require immediate notification for an escaped farmed cervidae with no latitude when a farmer is confronted by issues such as storm damage to fences or other acts of nature which may make this immediate reporting requirement impossible. The current statute allows latitude and is preferable to this proposed change.

Article 2, Section 15, Subdivision 1, (d) Licensed hunters may kill and possess escaped farmed cervidae. In this provision, we are concerned with the precedent that this sets which essentially removes ownership of farmed cervidae once they leave the enclosure even though these deer may have left the premises through no fault of the owner. We also question the provision on constitutional grounds given that property may be seized by hunters with no compensation being made to its rightful owner. Given recent revelations that a high percentage of escapes are the result of vandalism to fences, locks or gates, this provision creates a scenario where anyone could damage a fence and shoot an escaped and valuable trophy deer with virtually no chance of being caught. It also removes criminal liability for the act other than a insignificant damage to property violation.

Article 2, Section 16, Subdivision 6, (a) GPS technology which would work with farmed cervidae is currently not available. The second option which requires the owner's phone number, address or other contact information is totally impractical on a standard identification tag. Furthermore, requiring it to be visible to the naked eye at 50 yards would require an extremely large tag. This can be damaging to the ear and be completely impractical. The current ear tags mandated by statute can easily establish ownership with a quick call to the board of animal Health.

The language of this bill has no provision for the escape of farmed cervidae which is not the fault of the farmer such as storm damage to fences, trees falling on fences, wind, fire, tornado or vandalism. We find the related provisions in this bill to be specifically prejudicial against cervid farmers. There are no such provisions in statute concerning the escape of other farmed livestock and certainly none that would allow hunters to kill and keep escaped livestock.

Sections 15 and 16 of HF 28 represent a further attempt to needlessly regulate the Cervid industry which is already the most heavily regulated livestock industry in Minnesota. It presupposes that all farmed cervidae have CWD which is a patently false assumption. No cervidae farmer wants his/ her animals to escape and does everything in their power to prevent escapes. The motivation provided by the potential loss of valuable assets, combined with the provisions in current statute, are more than sufficient to motivate farmers to eliminate escapes.

In the current Covid 19 environment where farming endeavors of all types are struggling, we view the provisions of this bill to be needlessly punitive and specifically discriminatory against the cervidae farming industry. We urge that the specified sections not be adopted. They are unworkable, discriminatory and based on false assumptions.

Sincerely

Rich Meech
President, Minnesota Deer Farmers Association