

Subject Farmed Cervids

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## Overview

This bill modifies a number of provisions regarding the regulation of farmed cervids (deer, elk, moose, etc.). In part, this bill would provide the public access to the location of registered cervid farms, modify fencing and animal identification requirements for white-tailed deer farms, prohibit the Board of Animal Health (BAH) from issuing new registrations for the possession of farmed white-tailed deer, authorize a voluntary buyout payment to existing white-tailed deer farmers, specify that the owner is liable for additional costs associated with the escape of a farmed cervid infected with chronic wasting disease (CWD), and provide the Department of Natural Resources (DNR) the sole authority to register, inspect, and regulate cervid farms beginning July 1, 2024.

## Summary

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<b>1</b>	<b>Animal premises data.</b>
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Requires the BAH to provide the public access to data that identifies the location of registered cervid farms.

<b>2</b>	<b>Running at large prohibited.</b>
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Requires the owner of farmed cervids to immediately notify the DNR of an escape if the animal is not returned/captured within 24 hours. Allows a licensed deer hunter to kill and possess an escaped farmed cervid during the appropriate deer hunting season without liability to the owner for the loss of the animal. Requires the owner to pay for CWD testing of an escaped farmed cervid that is killed by a licensed hunter or the DNR.

Establishes that the owner of an escaped and destroyed farmed cervid that tests positive for CWD is responsible for properly disposing of the animal. Provides that the owner is liable for any additional costs associated with the escape of an animal infected with CWD, including additional surveillance and capture costs. Authorizes

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the Office of the Attorney General to enforce this requirement on behalf of a state agency.

**Effective date:** This section would take effect on September 1, 2022.

3 **Fencing.**

Requires perimeter fencing for farmed cervids to be constructed and maintained to prevent physical contact between farmed and wild cervids beginning September 1, 2023. Beginning that same date, this section requires cervid farmers to repair fence deficiencies within 14 days. Under current law, that farmer has up to 45 days to repair the deficiency.

4 **Fencing; commercial herds.**

Requires commercial white-tailed deer farmers to confine the animals with two or more perimeter fences of at least 120 inches in height beginning September 1, 2023.

5 **Identification.**

Requires white-tailed deer farmers, beginning September 1, 2023, to identify fawns within 14 days of birth using ear tags that conform to one of two specified animal identification systems.

6 **Mandatory registration.**

Generally prohibits the BAH from approving new registrations for the possession of farmed white-tailed deer. Specifies that an existing registration may be sold or transferred once, but only to a family member who resides in the state, and the BAH may approve the sale or transfer only if the person pays a \$500 transfer fee and the BAH verifies that the herd is free from CWD.

**Effective date:** This section would take effect the day following final enactment.

7 **Mandatory surveillance for chronic wasting disease; depopulation.**

Prohibits the intentional movement of farmed white-tailed deer from any premises. Requires CWD testing for all farmed cervids that die after six months of age—under current law this requirement applies to animals at least 12 months old.

Requires the owner of a premises where CWD has been detected to allow and cooperate with inspections as determined by the BAH and DNR conservation officers and wildlife managers. Requires depopulation of an infected herd within 30 days—under current law depopulation must occur within a reasonable time determined by BAH in consultation with the DNR.

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|    | Requires landowners to maintain fencing for ten years on premises where CWD has been detected (current law requires the fencing for five years) and prohibits raising farmed Cervidae on the premises for at least ten years.  |
|    | Requires the landowner, prior to any sale or transfer of the premises, to use a BAH-approved method to test the soil for CWD and report the results to BAH. Requires the landowner to record a notice in the county's real estate records that includes specified information such as the legal description of the premises, the date of CWD detection, and the requirements incumbent upon an owner of the land under this subdivision.   |
| 8  | <b>Importation.</b><br>Prohibits the importation of live cervids and cervid semen from a herd that is infected with or exposed to CWD, as well as from a state or province where CWD is present in wild or farmed cervids. Prohibits the importation of live cervids and cervid semen from a herd that has not been subject to a state or provincial CWD monitoring program for at least three years. Authorizes the DNR to seize cervid semen that is in violation of this section.   |
| 9  | <b>White-tailed deer testing required; chronic wasting disease.</b><br>Requires registered owners of farmed white-tailed deer to have each animal tested for CWD using the RT-QuIC live-animal test prior to October 1, 2022, and report the results to the BAH. If a farmed white-tailed deer tests positive, the owner must have the animal tested again. Should the animal test positive a second time, the owner must have the white-tailed deer destroyed and tested using a BAH-approved postmortem test. If the postmortem test is positive, the owner must depopulate all farmed cervids on the premises after the federal indemnification process, if any, is complete. |
| 10 | <b>Transfer of duties; farmed cervidae.</b><br>Transfers oversight of cervid farms from the BAH to the DNR effective July 1, 2024. This transfer would follow a standard statutory process whereby existing farmed cervid statutes and rules would remain in effect after the transfer, but BAH personnel would not transfer to the DNR. Requires the DNR to contract with BAH for required veterinary services.   |
| 11 | <b>Appropriation.</b><br>Appropriates \$250,000 on a onetime basis to the BAH for purposes of the white-tailed deer testing required in section 9, and requires the BAH to issue a request for proposal for the required RT-QuIC testing.  |

Section	Description
12	<b>Revisor instruction.</b> Requires the Revisor of Statutes to modify Minnesota Statutes and Minnesota Rules to conform to the transfer of duties in section 10.



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