

Subject Elk Depredation Claims

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Overview

This bill modifies claim and compensation procedures and limits under the elk damage program administered by the Minnesota Department of Agriculture (MDA). Under this program, MDA compensates eligible owners for crop, pasture, and fencing damage caused by wild elk.

Summary

| Section | Description |
|---------|---|
| 1 | Definitions. Defines key terms for purposes of the compensation program. |
| 2 | Claim form and reporting. Eliminates a requirement that claim forms be filed with MDA. Requires owners to promptly notify an approved agent of suspected elk damage. Requires claimants to complete the required portions of the claim form and provide an approved agent with all information required to investigate the damage. |
| 3 | Investigation and crop valuation. Requires approved agents to promptly investigate damage reports and make written findings regarding whether the damage was caused by elk. Specifies the physical and circumstantial evidence upon which an approved agent must base their findings. Allows the owner to choose between two methods (claim submission at time of damage, or claim submission at time of harvest) when elk damaged the owner's standing crop. Specifies information an approved agent must record on a claim form when elk cause damage to stored crops or fencing. |
| 4 | Claim form. Requires the owner and approved agent to sign a completed claim form. Requires the agent to submit the form to MDA and specifies how MDA must handle incomplete forms. |

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| 5 | <p>Compensation.</p> <p>Provides that the owner is entitled to the estimated value of the damaged or destroyed crop or fence. Under current law, the owner is entitled to the larger of a crop's target or market price plus yield loss adjustments. Eliminates the option for owners to verify fence damage by, in part, submitting a statement from an independent witness. Eliminates the requirement that eligible owners must have followed normal harvest procedures in their area. Lowers maximum compensation for damaged fencing from \$20,000 to \$1,800 per year, per owner.</p> |
| 6 | <p>Repealer.</p> <p>Repeals the following statutes and rules.</p> <ul style="list-style-type: none">▪ Minnesota Statutes, section 3.7371, subdivision 7 – Under current law, this section requires MDA to adopt administrative rules for the elk damage compensation program.▪ Minnesota Rules, chapter 1506 – These are the existing administrative rules promulgated by MDA for the elk damage compensation program. |



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