

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1401

02/08/2023 Authored by Hansen, R., The bill was read for the first time and referred to the Committee on Agriculture Finance and Policy

1.1 A bill for an act
1.2 relating to agriculture; modifying requirements to farm white-tailed deer; amending
1.3 Minnesota Statutes 2022, section 35.155, subdivision 6; proposing coding for new
1.4 law in Minnesota Statutes, chapter 35.

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

1.6 Section 1. Minnesota Statutes 2022, section 35.155, subdivision 6, is amended to read:

1.7 Subd. 6. Identification. (a) Farmed Cervidae must be identified by means approved by
1.8 the Board of Animal Health. The identification must include a distinct number that has not
1.9 been used during the previous three years and must be visible to the naked eye during
1.10 daylight under normal conditions at a distance of 50 yards. White-tailed deer must be
1.11 identified before October 31 of the year in which the animal is born, at the time of weaning,
1.12 or before movement from the premises, whichever occurs first according to section 35.1555.
1.13 Elk and other cervids must be identified by December 31 of the year in which the animal
1.14 is born or before movement from the premises, whichever occurs first. As coordinated by
1.15 the board, the commissioner of natural resources may destroy any animal that is not identified
1.16 as required under this subdivision.

1.17 (b) The Board of Animal Health shall register farmed Cervidae. The owner must submit
1.18 the registration request on forms provided by the board. The forms must include sales
1.19 receipts or other documentation of the origin of the Cervidae. The board must provide copies
1.20 of the registration information to the commissioner of natural resources upon request. The
1.21 owner must keep written records of the acquisition and disposition of registered farmed
1.22 Cervidae.

2.1 Sec. 2. **[35.1555] FARMED WHITE-TAILED DEER.**

2.2 Subdivision 1. **Applicability.** This section applies to farmed white-tailed deer and
2.3 supersedes the farmed Cervidae requirements in section 35.155, subdivisions 4, 6, 11, and
2.4 12.

2.5 Subd. 2. **Fencing.** Farmed white-tailed deer must be confined in a manner designed to
2.6 prevent escape. All perimeter fences for farmed white-tailed deer must be at least 96 inches
2.7 in height and be constructed and maintained in a way that prevents the escape of farmed
2.8 white-tailed deer or entry into the premises by free-roaming Cervidae. All new fencing
2.9 installed and all fencing used to repair deficiencies must be high tensile. All entry areas for
2.10 farmed white-tailed deer enclosure areas must have two redundant gates, which must be
2.11 maintained to prevent the escape of animals through an open gate. If a fence deficiency
2.12 allows entry or exit by farmed white-tailed deer or wild Cervidae, the owner must
2.13 immediately repair the deficiency. All other deficiencies must be repaired within a reasonable
2.14 time, as determined by the Board of Animal Health, not to exceed 30 days. If a fence
2.15 deficiency is detected during an inspection, the facility must be reinspected at least once in
2.16 the subsequent three months. The owner of the farmed white-tailed deer must pay a
2.17 reinspection fee equal to one-half the applicable annual inspection fee under section 35.155,
2.18 subdivision 7a, for each reinspection related to a fence violation. If the facility experiences
2.19 more than one escape incident in any six-month period or fails to correct a deficiency found
2.20 during an inspection, the board may revoke the facility's registration and order the owner
2.21 to remove or destroy the animals as directed by the board. If the board revokes a facility's
2.22 registration, the commissioner of natural resources may seize and destroy animals at the
2.23 facility.

2.24 Subd. 3. **Identification.** (a) Farmed white-tailed deer must be identified by means
2.25 approved by the board. The identification must include a distinct number that has not been
2.26 used during the previous three years and must be visible to the naked eye during daylight
2.27 under normal conditions at a distance of 50 yards. White-tailed deer must be identified
2.28 within 14 days of birth or before movement from the premises, whichever is sooner. As
2.29 coordinated by the board, the commissioner of natural resources may destroy any animal
2.30 that is not identified as required under this subdivision.

2.31 (b) The board must register farmed white-tailed deer. The owner must submit the
2.32 registration request on forms provided by the board. The forms must include sales receipts
2.33 or other documentation of the origin of the white-tailed deer. The board must provide copies
2.34 of the registration information to the commissioner of natural resources upon request. The

3.1 owner must keep written records of the acquisition and disposition of registered farmed
3.2 white-tailed deer.

3.3 Subd. 4. **Mandatory surveillance for chronic wasting disease; depopulation.** (a) An
3.4 inventory for each farmed white-tailed deer herd must be verified by an accredited
3.5 veterinarian and filed with the board every 12 months.

3.6 (b) Movement of farmed white-tailed deer from any premises to another location must
3.7 be reported to the board within seven days of the movement on forms approved by the
3.8 board.

3.9 (c) All animals from farmed white-tailed deer herds that are over six months of age that
3.10 die or are slaughtered must be tested for chronic wasting disease.

3.11 (d) The owner of a premises where chronic wasting disease is detected must:

3.12 (1) depopulate the premises of white-tailed deer after the federal indemnification process
3.13 has been completed or, if an indemnification application is not submitted, within 45 days;

3.14 (2) maintain the fencing required under subdivision 2 on the premises for 15 years after
3.15 the date of detection; and

3.16 (3) post the fencing on the premises with biohazard signs as directed by the board.

3.17 Subd. 5. **Importation.** (a) A person must not import live white-tailed deer or white-tailed
3.18 deer semen into the state from a herd that is:

3.19 (1) infected with or has been exposed to chronic wasting disease; or

3.20 (2) from a state or province where chronic wasting disease has been detected in a captive
3.21 herd or in the wild in the previous five years.

3.22 (b) A person may import live white-tailed deer or white-tailed deer semen into the state
3.23 only from a herd that:

3.24 (1) is not located in a state or province where chronic wasting disease has been detected
3.25 in the previous five years; and

3.26 (2) has been subject to a state- or provincial-approved chronic wasting disease monitoring
3.27 program for at least three years.

3.28 (c) White-tailed deer or white-tailed deer semen imported in violation of this section
3.29 may be seized and destroyed by the commissioner of natural resources.