

S.F. No. 1526 – Farmed Cervidae Modifications (As Amended by the A-2 Author’s Amendment)

Author: Senator Kelly L. Morrison
Prepared by: Ben Stanley, Senate Counsel (651/296-4793)
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Section 1 [Farmed Cervidae Location Information Not Private Data] makes farmed cervidae premises location data public data under the Minnesota Government Data Practices Act.

Section 2 [Escaped Farmed Cervidae] requires an owner to immediately notify the commissioner of natural resources of the escape of a farmed cervid if the cervid is not returned within 24 hours of escape. Current law requires notification after 24 hours but does not require notification “immediately.”

Allows a person with a hunting license to kill and possess escaped farmed cervidae without being liable to the owner for loss of the animal. Requires escaped farmed cervidae that are killed to be tested for chronic wasting disease (CWD). Makes the owner responsible for proper disposal of a deceased CWD-positive escaped cervid and for paying any costs associated with the escaped cervid.

Section 2 is effective September 1, 2023.

Section 3 [Fencing Requirements for All Farmed Cervidae] requires fencing for farmed cervidae to be constructed and maintained in a manner that prevents physical contact between farmed cervidae and free-roaming cervidae.

Requires fencing deficiencies to be repaired immediately if the deficiency allows entry or exit of farmed or wild cervidae. All other deficiencies must be fixed within a reasonable time not to exceed 14 days. Current law requires fencing to be repaired within a reasonable time, not to exceed 45 days.

Section 3 is effective September 1, 2024.

Section 4 [Additional Fencing Requirements for Farmed White-Tailed Deer] imposes additional requirements on fencing for farmed white-tailed deer. Specifically, farmed white-tailed deer must be confined by two or more perimeter fences, each of which must be at least 120 inches high. Under current law, farmed cervidae must only be confined by a single fence of at least 96 inches in height.

Section 4 is effective September 1, 2024.

Section 5 [Farmed White-Tailed Deer Identification Requirements] requires identification of white-tailed deer within 14 days of birth. Current law requires this to be done the earlier of October 1 each year or before the deer is moved from the premises.

Requires identification to be by an ear tag that complies with certain standards. Current law does not explicitly require an ear tag and allows the Board of Animal Health (BAH) to determine the method of identification.

Section 5 is effective September 1, 2024.

Section 6 [Prohibition on New White-Tailed Deer Farms] prohibits new registrations of white-tailed deer farms. Allows transfer or sale of a white-tailed deer farm registration to a family member one time only. Transfer or sale may only be approved once the BAH has verified that the herd is CWD-free and has been paid a \$500 fee.

Section 6 is effective the day following final enactment.

Section 7 [Effects of CWD Detection] prohibits moving a farmed white-tailed deer from a CWD-positive herd to another location.

Requires the owner of premises where CWD has been detected to cooperate with inspections by the appropriate state agencies and prohibits raising farmed cervidae on the premises for twenty years. This section also requires written disclosure to a purchaser of the property of the date the herd was depopulated and notice of the requirements and limitations that apply to the property as a result of CWD having been detected on it. Finally, the owner must file a notice containing related information with the appropriate county recorder or registrar of titles.

This section also makes the owner of farmed cervidae that test positive for CWD responsible for proper disposal of the animals.

Section 8 [Liability] provides that a herd owner is civilly liable to a person injured by the owner's sale or unlawful disposal of farmed cervidae infected with or exposed to CWD. Provides further that a herd owner is liable to the state for costs associated with the owner's unlawful disposal of farmed cervidae infected with or exposed to CWD.

Section 9 [Cervidae Semen Importation Prohibition] prohibits the importation of cervidae semen from a herd that is CWD positive or that has been exposed to CWD, or from a state or province where CWD is present in the farmed or wild cervid population. Cervidae semen may only be imported from states and provinces that are free from CWD and that have been subject to a CWD monitoring program for at least three years.

Section 10 [Appropriation of Certain Federal Funds] appropriates to the commissioner of natural resources federal funds received by the state to respond to CWD in white-tailed deer. Under current law, CWD-related federal funds received by the state are appropriated to the commissioner of agriculture.

Section 11 [Consultation with the Center for Prion Research] requires BAH and the DNR to consult with the Minnesota Center for Prion Research and Outreach at the University of Minnesota in the administration of § 35.155 (farmed cervidae provisions).

Section 12 [Notification of CWD Infections Required] requires the BAH to promptly notify affected local and Tribal governments when an animal in a farmed cervidae herd tests positive for CWD.

Section 13 [Annual CWD Testing of Farmed Cervidae Required] requires BAH to annually test each farmed white-tailed deer for CWD using a live animal real-time quaking-induced conversion (RT-QuIC) test. If the first test is positive, a second test is required. If the second test is positive, the animal must be destroyed and a post-mortem CWD performed.

Section 14 [Transfer of Duties] transfers the responsibility for administering and enforcing statutes and rules regulating farmed white-tailed deer from BAH to the DNR.

Section 14 is effective July 1, 2025.

Section 15 [Appropriation] appropriates money to the Board of Regents of the University of Minnesota for chronic wasting disease contingency plans developed by the Center for Infectious Disease Research and Policy.

Section 16 [Revisor Instruction] instructs the Revisor of Statutes to make necessary conforming changes.