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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3273

02/10/2022 Authored by Hansen, R.; Ecklund; Sundin; Xiong, J.; Lee and others
The bill was read for the first time and referred to the Committee on Agriculture Finance and Policy
03/10/2022 Adoption of Report: Re-referred to the Committee on Environment and Natural Resources Finance and Policy
03/17/2022 Adoption of Report: Amended and re-referred to the Committee on Judiciary Finance and Civil Law

1.1 A bill for an act
1.2 relating to animal health; modifying requirements for certain owners of farmed
1.3 Cervidae; prohibiting new registrations for farmed white-tailed deer; amending
1.4 Minnesota Statutes 2020, sections 13.643, subdivision 6; 35.155, subdivisions 1,
1.5 10; Minnesota Statutes 2021 Supplement, section 35.155, subdivision 11.

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

1.7 Section 1. Minnesota Statutes 2020, section 13.643, subdivision 6, is amended to read:

1.8 Subd. 6. **Animal premises data.** (a) Except for farmed Cervidae premises location data
1.9 collected and maintained under section 35.155, the following data collected and maintained
1.10 by the Board of Animal Health related to registration and identification of premises and
1.11 animals under chapter 35, are classified as private or nonpublic:

1.12 (1) the names and addresses;

1.13 (2) the location of the premises where animals are kept; and

1.14 (3) the identification number of the premises or the animal.

1.15 (b) Except as provided in section 347.58, subdivision 5, data collected and maintained
1.16 by the Board of Animal Health under sections 347.57 to 347.64 are classified as private or
1.17 nonpublic.

1.18 (c) The Board of Animal Health may disclose data collected under paragraph (a) or (b)
1.19 to any person, agency, or to the public if the board determines that the access will aid in the
1.20 law enforcement process or the protection of public or animal health or safety.

2.1 Sec. 2. Minnesota Statutes 2020, section 35.155, subdivision 1, is amended to read:

2.2 Subdivision 1. **Running at large prohibited.** (a) An owner may not allow farmed
2.3 Cervidae to run at large. The owner must make all reasonable efforts to return escaped
2.4 farmed Cervidae to their enclosures as soon as possible. The owner must notify the
2.5 commissioner of natural resources of the escape of farmed Cervidae if the farmed Cervidae
2.6 are not returned or captured by the owner within 24 hours of their escape.

2.7 (b) An owner is liable for expenses of another person in capturing, caring for, and
2.8 returning farmed Cervidae that have left their enclosures if the person capturing the farmed
2.9 Cervidae contacts the owner as soon as possible.

2.10 (c) If an owner is unwilling or unable to capture escaped farmed Cervidae, the
2.11 commissioner of natural resources may destroy the escaped farmed Cervidae. The
2.12 commissioner of natural resources must allow the owner to attempt to capture the escaped
2.13 farmed Cervidae prior to destroying the farmed Cervidae. Farmed Cervidae that are not
2.14 captured by 24 hours after escape may be destroyed.

2.15 (d) The owner is responsible for proper disposal, as determined by the board, of escaped
2.16 and destroyed farmed Cervidae that test positive for chronic wasting disease.

2.17 Sec. 3. Minnesota Statutes 2020, section 35.155, subdivision 10, is amended to read:

2.18 Subd. 10. **Mandatory registration.** (a) A person may not possess live Cervidae in
2.19 Minnesota unless the person is registered with the Board of Animal Health and meets all
2.20 the requirements for farmed Cervidae under this section. Cervidae possessed in violation
2.21 of this subdivision may be seized and destroyed by the commissioner of natural resources.

2.22 (b) A person whose registration is revoked by the board is ineligible for future registration
2.23 under this section unless the board determines that the person has undertaken measures that
2.24 make future escapes extremely unlikely.

2.25 (c) The board must not approve a new registration under this subdivision for farmed
2.26 white-tailed deer. This paragraph does not prohibit a person holding a valid registration
2.27 under this subdivision from selling or transferring the person's registration to a family
2.28 member who resides in this state and is related to the person within the third degree of
2.29 kindred according to the rules of civil law. A valid registration may be sold or transferred
2.30 only once under this paragraph. Before the board approves a sale or transfer under this
2.31 subdivision, the board must verify that the herd is free from chronic wasting disease and
2.32 the person or eligible family member must pay a onetime transfer fee of \$500 to the board.

2.33 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.1 Sec. 4. Minnesota Statutes 2021 Supplement, section 35.155, subdivision 11, is amended
3.2 to read:

3.3 Subd. 11. **Mandatory surveillance for chronic wasting disease; depopulation.** (a)

3.4 An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian
3.5 and filed with the Board of Animal Health every 12 months.

3.6 (b) Movement of farmed Cervidae from any premises to another location must be reported
3.7 to the Board of Animal Health within 14 days of the movement on forms approved by the
3.8 Board of Animal Health.

3.9 (c) All animals from farmed Cervidae herds that are over 12 months of age that die or
3.10 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 Cervidae after the federal indemnification process has
3.13 been completed or, if an indemnification application is not submitted, within a reasonable
3.14 time determined by the board in consultation with the commissioner of natural resources;

3.15 (2) maintain the fencing required under subdivision 4 on the premises for five years after
3.16 the date of detection; and

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

3.18 (e) An owner of farmed Cervidae that test positive for chronic wasting disease is
3.19 responsible for proper disposal of the animals, as determined by the board.

3.20 (f) An owner of farmed Cervidae is liable for any additional costs associated with the
3.21 escape of an animal infected with chronic wasting disease, including the cost of additional
3.22 surveillance and capture caused by the escape. This paragraph may be enforced by the
3.23 attorney general on behalf of any state agency affected.