

Hearing on **HB 573**
before the **House Agriculture Committee**
Testimony of **Charles R. Taylor**
February 15, 2005

1. **HB 573 penalizes good producers.**

I have been in business since 1997 and have never had an escape. To ensure that is the case, I spent hundreds of thousands of dollars in constructing my facilities. Under Montana law (specifically 87-4-426(2), MCA), our exterior fences are required to be game proof, meaning that our animals cannot escape and the State's animals cannot enter our facilities. If there are producers whose fences do not meet that regulatory burden, FWP already has the enforcement ability to require those licensees to improve their fences. That regulation is found at 87-4-427, MCA. I am aware of only one instance where animals have escaped from the newly designed fence requirements similar to my facility. Those animals escaped because the gate was left open. Whether you have one fence or ten fences, if gates are left open animals will escape, and HB 573 does nothing to address that situation.

2. **HB 573 breaks "THE DEAL."**

The administrative rules governing the alternative livestock industry were negotiated over the course of a five year period. All interested parties signed-off on the rules as adopted by FWP and Department of Livestock. Those parties included the producers, veterinarians, traditional livestock representatives, and the Montana Wildlife Federation. Newspaper articles covering the state employee pay plan this Legislative Session have often referred to "THE DEAL" that was negotiated. Well, I'm here to tell you that alternative livestock regulatory framework is no different. DON'T BREAK THE DEAL! Don't negate the goodwill and effort of those who participated in the five-year long negotiated rulemaking process.

3. **There are no liability caps in HB 573.**

Under HB 573, and should I choose not to double fence, FWP could rack up containment costs with little or no accountability. In theory, I could get a bill for tens of thousands of dollars and jeopardize my ability to keep my ranch.

4. **HB 573 does not protect producers against vandalism.**

I am aware of at least one instance where vandalism caused the release of animals. HB 573 encourages industry opponents to vandalize perimeter fences and force the financial liability to be incurred by the producer.

THE BOTTOM LINE IS THAT HB 573 IS CLEARLY MALICIOUS IN NATURE AND SEEKS TO PENALIZE GOOD PRODUCERS.