

House Bill 668
March 17, 2005
Presented by Jeff Hagener
Senate Fish and Game Committee

Mr. Chairman and committee members, for the record I am Jeff Hagener, Director of Montana Department of Fish, Wildlife & Parks (FWP).

I come to you today as a proponent for House Bill 668, a bill intended to provide flexibility to the existing statutes regarding the possession of prohibited species of exotic wildlife, and to provide enforcement ability to FWP. Passage of Senate Bill 442 during the 58th Legislative Session allowed the state to impose new restrictions on the importation and possession of exotic wildlife in Montana, as of January 1, 2004. Currently, Montana law allows only "accredited zoological gardens" to possess, under controlled conditions, species of exotic wildlife that had been classified as prohibited due to their potential impact on Montana's wildlife, agricultural enterprises and human health and safety. The first proposed change provided by House Bill 668 allows licensed roadside menageries, research facilities, and institutions with adequate facilities, to possess prohibited species under appropriate conditions providing secure confinement. FWP agrees that, under certain circumstances, legitimate institutions, universities, or commercial facilities established for the exhibition of wildlife should have an opportunity to import species that may be classified as prohibited for personal possession as pets. Commercial facilities and zoos are currently licensed, regulated, and inspected by FWP as well as the United States Department of Agriculture (USDA). Universities or private institutions engaged in research are also regulated through the USDA according to federal animal welfare laws.

House Bill 668 also provides enforcement application in situations where exotic wildlife have been imported illegally and/or are possessed in violation of the law. Although citations may be issued currently for violations, payment of a fine does not prevent the continued possession of the animal and thus does little to remove the potential danger the species of exotic wildlife may present to Montana's wildlife, agricultural enterprises, or human health and safety. House Bill 668 gives violators an option of shipping the exotic animal back out of state or destroying the animal within six months of conviction. If neither of those options are fulfilled, this bill gives FWP authorization to confiscate the animal and either destroy it or ship it back out of state with costs for handling, housing, transporting, or destroying the exotic wildlife charged to the violator.

This legislation, along with the framework provided by the 58th Legislative Session, gives FWP, the Department of Public Health and Human Services, The Department of Livestock, and the Department of Agriculture the ability to screen exotic wildlife prior to authorization for importation, maintains some flexibility in allowing certain licensed, regulated entities to possess prohibited species, and provides for the removal of animals that are potentially harmful to the environment. I urge your support for House Bill 668.