

EXHIBIT 285
DATE 2/8/11
HB 331

**Testimony of Cattle Producers for Responsible Animal Health Development
(Cattle PRAHD)
House Agriculture Committee
62nd Session of the Montana Legislature
February 8, 2011
PROPONENT OF House Bill No. 331**

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT LIVESTOCK OWNERS BE PROTECTED BY THE STATE FROM ECONOMIC LOSS FOR BRUCELLOSIS-RELATED COSTS FOR ANIMALS THAT HAVE BEEN DETERMINED TO BE INFECTED WITH BRUCELLOSIS AND THAT ARE DESTROYED AS A SANITARY SAFEGUARD; CREATING A BRUCELLOSIS INDEMNITY ACCOUNT; AMENDING SECTION 81-2-206, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Dear Chairman Kerns and members of the Committee:

For the record, my name is Rachel A. Kinkie, and I represent Cattle Producers for Responsible Animal Health Development ("Cattle PRAHD"). Cattle PRAHD is a group comprised of livestock producers and business owners whose goal is to promote Montana's livestock industry by ensuring quality animal health policy. Cattle PRAHD supports House Bill ("HB") 331 because it addresses the far-ranging economic effects of brucellosis and would ultimately help sustain agricultural business in Montana.

HB 331 addresses costs that could mean the difference between success and failure for a livestock producer. While state law covers the obvious and primary cost of depopulation by providing indemnity for slaughtered stock, a variety of other associated costs have gone unaddressed. It is these additional feed, testing, and quarantine costs that add up and determine if an operation is rebuilt or permanently goes out of business.

Over the last four years, Montana livestock producers have been forced to face the harsh reality of brucellosis. Under federal law, if a herd tested positive for brucellosis in a Class Free state, that herd was slaughtered. Subsequent herds testing positive were given an option: slaughter the herd or "test out" by repeatedly testing the herd and culling positives. While federal law seems to be moving away from the mandatory depopulation policy, no new policies have been finalized and mandatory depopulation remains on the books. HB 331 provides security to livestock producers in this time of uncertainty.

HB 331 is a well-crafted bill that fills unintended gaps in current indemnity law. While Montana statute already addresses the primary cost of forced depopulation, HB 331 carries indemnity the rest of the way by ensuring that producers are not driven broke by the "little costs" that accumulate into a crushing economic weight. For this reason, please recommend a "do pass" on HB 331.

Respectfully submitted,

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