

Greeting Legislators

Before your consideration is HB 439.01 and/or its variations. First allow me to thank you for the opportunity as a voting citizen to speak to this bill. I will be brief and to the lawful point, however there are several so I ask your patience as I address them section by section for your ease of following the arguments. All references unless otherwise specified will be from the MCA 2011 rules and regulations.

Section 3: is currently governed by 81-2-101 and 81-6-103

This section has the phrase "single location used to conduct the commercial dog breeding business." That statement in itself approaches a slippery slope as it would subject the personal residence to searches which are protected under the Amendment 4 of the U.S. Constitution's Bill of Rights and Article II Section 11 of the Montana State Constitution.

Section 4: as a whole is governed by 81-2-101, 81-6-103, 81-2-702, 81-2-102, 45-8-211 and 45-8-217

Sub section 1 is governed by 81-30-102 sub 9

Sub section 2 is governed by 45-8-211

Sub section 3 is governed by 81-30-102 sub 9 82-2-701 and 702

Sub section 4 is a quagmire of possibilities, which standards will we follow?

American Dog Breeders Assn., American Kennel Club, Breeders Assn. of American, American Rare Breed Assn., American Canine Assn., American Herding Breed Assn., International Progressive Breeder Assn., North American Versatile Dog Hunting Assn., or the American Rescue Dog Assn. And those are just a few of the numerous associations that set the breeding standard found in the first page of a single web search. Which standard will this law be adopting and how many specialists will need to be hired to educate OR enforce this standard of breeding.

Sub sections 5-8 are currently governed by 45-8-211 and 45-8-217

Section 4: is governed by 81-2-101 and 81-6-103

Section 5: Which registration authority will this bill be deferred to? Will it be required that the breeder have an EIN, local business license, 501 C3 if they provide animals to special needs groups such as search and rescue or guide animal trainers? Or will they required to be an LLC or S Corp. Will this be county controlled registration or will the State of Montana provide that service?

Sub 1: Liabilities, short list

How much additional funding will be needed to create this new department that the tax payers will be liable for?

How much of a burden will it add to our already unfunded retirement fund liability?

How many additional transportation expenditures will need to be allocated to fund vehicles able to access the remote facilities?

How many employees will this entail for the collection and administration of these fees and how many new inspectors/agents will need to be hired to enforce these new rules?

Sub 2: How many veterinarian's will be needed by 81-1-301 as specified in this bill, to ensure compliance with this subsection and other sections of this bill which are governed by various current MCA rules?

Sub 3: Who determines what standards are to be set that is not already covered under those same numerous MCA rules?

Sub 4: What is a credible complaint as mentioned in this bill that is NOT already covered under 45-8-211 or 45-8-217?

Sub 5: Who will enforce this new law? Each Counties Sheriff's Office, Fish and Game, Department of Treasury, Secretary of State or will there need to be another government agency established to oversee this bill and if so, how much will this cost the tax payers to create this new agency?

Section 6: The funding mechanism referred to in these sub sections do not specify what the \$62,000.00 will be used for. It will not even begin to pay for a single employee and their associated benefits much less the new paperwork, office, phones, computers, vehicles or the workman's compensation that will come with ONE single employee. Given the size and scope of this bill it is unreasonable to imagine that ONE single employee could begin to handle the number of breeders that it would take at the highest fee schedule much less the more reasonable breeding number of females in the lowest fee schedule. At the highest there would be 100 breeder applicants and at the lowest level there would be 520 breeder applicants.

Section 7: Sets aside \$85,000.00 for veterinarians to administer and authorized the initial certifications AND to hire AN inspector AND A single compliance officer to cover the ENTIRE state of Montana. To put that in perspective it means that ONE vet, ONE inspector and ONE compliance officer would each be making \$28,333.00 annually which from that must be deducted the States matching

taxes, retirement funding, medical and social security fees. If assuming that that number is only 20%, which we know is low, the cost to the tax payers for each of these three employees' would be \$5667.00.

In closing I ask you what is this bill for? We all, every one of us here want to see animals treated like they were our children and all good pet owners and breeders do treat them like children. So again I ask you what is this bill for?

It provides NOTHING new for the protection of animals that is currently not already on the law books in the state of Montana. Is there really that much of an epidemic of abusive breeders that the current laws cannot address? Are there so many complaints that a new law must be passed and is it reasonable to even think that three new employees could service the ENTIRE state of Montana?

The obvious answer is to all these questions is NO and I urge you to consider the points that I have made, backed by currently MCA laws and regulations and to please not burden the tax payers with useless legislation that simply duplicates current laws, potentially creates a new agency and adds new employees unnecessarily to the already top heavy bureaucracy. All of which does NOTHING to fulfill Bill 439 "The Montana Commercial Pet Protection Act."

Thank you for your time, patience and consideration.

Wolf

Bozeman MT.