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162

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MONTANA'S GAME FARM INDUSTRY:
AN INDICTMENT FOR ABOLISHMENT

by
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Game farms, as they exist in Montana, pose a number of serious threats and concerns to our native free-ranging wildlife, our fair-chase hunting heritage and the North American philosophy of wildlife conservation. Commercialization of wildlife has become a major concern for wildlife managers, conservation groups and commercial livestock interests. This paper examines the commercial aspects of game farming to include breeding, velvet antler and canned hunts. It further provides an overview of the various threats posed by the industry from disease, hybridization, loss of habitat, escape and the negative impacts to fair-chase hunting.

There are currently over 4000 elk and deer on game farms in Montana. Records indicate that game farm animals escape, may transmit disease and parasites, and hybridize with native elk. Potential for introduction of diseases such as tuberculosis (TB) and chronic wasting disease (CWD) via game farm animals may be fatal to our wild, free-ranging herds of elk and deer. TB and CWD have been chronic problems on game farms in the western US and central Canada since the early 1990s. Over 2600 domestic elk were destroyed in Alberta during the 1990s in an effort to eradicate TB, at an estimated cost of $25 million. Since 1999, 22 Saskatchewan game farms have had to destroy over 3100 elk in an attempt to prevent the spread of CWD. If either of these diseases were established in wild free-ranging elk and deer populations, they would be impossible to control.

Attempts to regulate this industry in order to protect wildlife from the threats they pose have been hampered by the industry’s quest for economic gain. As a result of the continued failure of the industry and state legislators to heed the concerns of professional wildlife biologists and wildlife advocacy groups, a watchdog group (MADCOW), was organized to protect free-ranging wildlife from the threats posed by game farms. MADCOW successfully drafted and orchestrated the passing of citizen’s initiative I-143, the Game Farm Reform Initiative during the 2000 general election.
Dedication

It is with a great deal of pride, respect and gratitude that I dedicate, not only this endeavor, but all of the hard work and energy and commitment required to pass I-143, the Game Farm Reform Initiative, to.

Mary, who has followed me through so many campaigns, adventures and wild places. She has a true “warrior’s spirit and has always provided me the strength to undertake new and difficult challenges with tenacity, integrity and honor. She was and is, as much a part of I-143 as I or anyone else.

And to my children, Todd, Troy, Tyler and Tammy, with whom I have had shared so many adventures and the excitement of wildlife and wild places. The excitement in their eyes as they witnessed bull elk bugling and dueling in the cool of fall will always bring a smile to me heart. They each have the “call of the wild” within their hearts and spirits. My hope for each is that they too share and enjoy wild places and wildlife with their children as much as I.

Finally, this endeavor is dedicated to my son Tadd. We never had the chance to experience the rising of the sun from a mountain top on a cool autumn day nor did we ever travel the high country or hunt the elusive elk in remote places together. We never had the chance to share the miracles of wildlife and wild places together—the thrill of the “call of the wild.” None the less, he has traveled with me on each journey - he has always been there and shared .. in my heart. His spirit soars in those wild places that we really do share.
“The professional market hunter who kills game for hide or for the feathers or for the meat or to sell the antlers and other trophies; market men who put game in cold storage; and rich people, who are content to buy what they have not the skill to get by their own exertions these are the men who are the real enemies of game.”

Theodore Roosevelt

“Game farming commercializes the last remnants of the great wild commons, it seeks to privatize what is held in trust by all of us; it domesticates the wildness we seek to preserve, and it trivializes what is exceptional...The things we cherish die inside the woven wire of game farms.”

Jim Posewitz
Orion The Hunter’s Institute
Acknowledgments

The enthusiasm and commitment to writing this paper was heightened by the integrity and dedication of those who undertook the challenge of I-143.

I am grateful to the members of the Board of Directors of Montanans Against the Domestication and Commercialization of Wildlife, Jack Lyons, Dave Stalling, Stan Frazier and Stan Rauch, for their leadership, courage and tenacity. I would also like to thank Dr. Gary Wolfe, President of the Rocky Mountain Elk Foundation for his courage of conviction and willingness to stay in the “arena.” If it were not for these individuals, we would not have succeeded.

The Environmental Studies Department at the University of Montana provided a wealth of knowledge and practical application that served as the foundation for this work. I would especially like to thank the Department Director, Tom Roy and my advisor, Len Broberg, for their patience and understanding in seeing me through the Environmental Studies Program. Every aspect of the knowledge they imparted to me has been utilized in the accomplishment of this project - both in the classroom and in reality.

I owe a special thanks to Darrell Rowledge, Executive Director of the Alliance For Public Wildlife - but more importantly - my friend. Darrell is a wealth of knowledge and experience on many topics but particularly the threats of game farms. More importantly, he leads from the front and is totally committed to the mission.

Finally, I would like to thank the thousands of sportsmen and women from across Montana; conservation organizations such as the Montana Bow Hunters, Ravalli Fish and Wildlife, Montana Wildlife Federation and the Rocky Mountain Elk Foundation. Their commitment to the health and safety of Montana’s native, free-ranging wildlife is unparalleled.

To all, I simply say - thanks and Semper Fidelis!
Domesticated Wildlife. Now that is an oxymoron. An oxymoron that is widely utilized by the game farming industry to promote the sale of elk as a domesticated livestock crop, capable of providing meat, animal parts and breeding stock one day, and miraculously, reincarnated overnight into a wild trophy elk; to be sold as a living target to some wealthy client, seeking a trophy head for the wall of his den.

I first became aware of game farms and the potential problems they posed to our native wildlife while living in southern California in 1989. There I read, in USA TODAY, the news that tuberculosis had been discovered in Montana elk ranches and that potentially, the TB could spread to the wild herds causing their total destruction. As an avid elk hunter and conservationist, I was deeply concerned.

Upon retiring from the United States Marine Corps and moving to Montana, I became reacquainted with an old high school friend; then Montana State Senator Terry Klampe (D) from Florence, Montana 1995. Terry was carrying Senate Bill 173 during the 1995 legislative session. SB 173 was a bill that would phase out Montana’s game farms and provide real protection to the state’s native, wild, free-ranging herds of elk. Terry wasn’t a hunter; he didn’t even spend a lot of time in elk country but he understood the threats game farms posed to the health and safety of our wild elk herds. He fought long and hard for SB 173 but between the ridicule, threats and constant battles with a legislature that was controlled by those who supported the industry, he left the senate after one term. However, not before drawing the attention of numerous conservation organizations and individuals to the perils of game farming—myself included.

In 1995, I picked up where Terry left off. I began learning all I could about the issue here in Montana—both the factual and political aspects. It became abundantly clear from the very beginning that the issue of game farming and penned shoots, was highly
charged and extremely controversial at the very least. The industry was led by several individuals who fought hard for their beliefs and the right to do as they pleased within their industry. They were organized and had strong allies in the state legislature; allies like the chairman of the senate agricultural committee—who shortly after leaving the senate in 1999, started in the game farm business. For those opposed to the industry, while we were many and from a diverse cross section of the public domain, we were not organized or united in order to be effective in creating change. This is where I came in.

I spent the next couple of years learning all I could, not just about the perils of game farming, but how the industry had established strong bonds with key politicians and leaders of many of the state’s agricultural organizations, including the department of livestock. I began researching the industry on a national level as well. There I discovered the problems we were encountering here in Montana were not unique just to Montana. In fact, I discovered the industry had formulated a national strategy to expand the domestication and commercialization of elk worldwide. This master strategy included the removal of any oversight from state departments of Fish, Wildlife and Parks. It would place all oversight responsibilities under departments of agriculture because they were considered to be industry friendly. In fact, the strategy even included the legislative removal of the term game farm and replacing it with a new term, “alternative livestock” facilities. The industry was working hard to eliminate as much regulatory oversight as possible and to dispel any negative perceptions the public had of it. The public relations impetus remains today

At the same time, a small group of Montana sportsmen was working hard to protect the state’s native wildlife from the threats posed by game farms. The task of gaining public support was an enormous one. We not only had to try and organize a united front, we literally had to educate people and organizations on the problems associated with this industry. I began traveling the state, educating and gaining the support of countless sportsmen and conservation organizations. I attended public hearings on the licensing of new game farms or the expansion of existing ones, submitted written statements on EAs and EISs for the same, and debated game farm owners at numerous
hearings and symposiums addressing the viability of the industry. In all, over 160 trips
across the state were made in little more than two years. As a result, considerable support
was garnered to more closely regulate the industry and public awareness was increased
dramatically. Despite these advances however, we were unable to achieve any significant
changes during the legislative sessions or meetings of the Governor’s Game Farm
Consensus Rule Making Committee. (The Rule Making Committee was established by the
Governor for the sole purpose of establishing the rules and regulations for the game farm
industry.) The industry had too much influence and was better organized.

In the fall of 1999, after a poor showing in the previous legislative session, a small
group of Montana sportsmen gathered together in order to brainstorm possible strategies
to protect the state’s wild elk and deer herds from this rapidly expanding industry. From
this meeting five individuals formed and organized a non-profit group, whose primary
mission was insuring the health and safety of the state’s elk herds and protecting them
from the threats posed by game farms. Montanans Against the Domestication and
Commercialization of Wildlife (MADCOW) was conceived. The rest is history.

This project is the culmination of our efforts to protect Montana’s wild, free-
ranging herds of elk and deer. It provides an overview of an industry that seeks to
privatize wildlife and commercially exploit it for personal economic gain. It lays out the
threats and concerns the industry posses to the future of our native wildlife and to that of
fair chase hunting—not imagined threats but ones that are well documented and real.
Finally, it provides a plan, MADCOW’s plan, one which the game farm industry would
seek to discredit through threats, intimidation, and a misleading public relations campaign.
It is a plan the industry feared the most because it finally brought the issue of game
farming into an arena they could not totally control—that arena was the voting public of
Montana.
Status of Licensed Big Game Farms In Montana
As of March 9, 2000

Montana Alternative Livestock Producers
Elk and Deer Ranches in Montana

Current Status
Licensed game Farms: 84
Applications Pending: 3
Pending Fence Construction: 11

Types of Animals on Game Farms
Elk Farms: 74
Deer Farms: 3
Musk Ox/Reindeer: 3
Combination of elk, deer, antelope and mountain goats: 4

13,500 fenced acres
Facilities range from 10 acres to 1,100 acres
Licensed Game Farm Acreage contains 4,500 Animals
# Table of Contents

Acknowledgments ........................................................................................................... Page iv  
Preface .............................................................................................................................. Page vi  
Maps ................................................................................................................................ Page x  
Status of Big Game Farms in Montana ........................................................................ Page x  
List of Illustrations ........................................................................................................... Page xii  
History and Background ................................................................................................ Page 1  
Commercial Game Farming ............................................................................................ Page 8  
Ingress and Egress ......................................................................................................... Page 27  
Hybridization ................................................................................................................ Page 35  
Disease and Parasite ....................................................................................................... Page 47  
Commercial Shooting Operations .................................................................................. Page 61  
Montana Game Farm Legislation ...................................................................................... Page 67  
Sportsmen For I-143, The Game Farm Reform Initiative .............................................. Page 84  
Epilogue ........................................................................................................................ Page 99  
Bibliography .................................................................................................................. Page 104  
Appendices ..................................................................................................................... Page 110

- **A** A Campaign Plan for Election Year 2000, Sportsmen For I-143  
- **B** Table of Organization, Sportsmen For I-143  
- **C** Game Farm Reform Initiative  
- **D** Arguments For and Against I-143  
- **E** Game Farm Reform Campaign, A Project Sponsored by the Sportsmen of Montana (Sample of Grant Proposal)  
- **F** MADCOW Media Campaign Plan  
- **G** “Keep Elk Wild and Free, Vote I-143” Brochure  
- **H** “Real Hunters Don’t Shoot Pets” Poster  
- **I** Montana Conservation Voters Polling Results dated January 24, 2000  
- **J** Talmet-Drake Research & Strategy Inc., Polling Results dated August 31 - September 1, 2000
List of Illustrations

Figure 2.1, Current Number and Type Species Raised as “Alternative Livestock” within the State of Montana..............Page 11

Figure 2.2, Example of Elk Economics..........................Page 14

Figure 2.3, Approximate Antler Prices from 1970-2000.................................Page 17

Figure 2.4, Game Farm Admin for the last 6 years, State of Montana..............Page 24

Figure 3.1, Record of Ingress and Egress for the State of Montana....................Page 32

Figure 4.1, Known Hybrids Among Selected Native, and Domestic Animals........Page 38

Figure 8.1, Game Farm Regulation Reform Survey Jan 24, 2000.......................Page 100

Figure 8.2, Statewide Survey on Game Farms of September 2000,
Question #1 ..................... Page 101

Figure 8.3, Statewide Survey on Game Farms of September 2000,
Question #2............... Page 102
HISTORY AND BACKGROUND

Since the beginning of time man has sought domination over his environment and the world in which he lives, whether climatic, social, economic or ecological domination. Included in this quest for domination has been the domination of our planet's wildlife. Man has domesticated cattle for use as a food source, clothing, economic gains and, as a beast of burden. Man has also domesticated the dog for pets, protection, and as a food source, as well as economic exploitation. Likewise, he has sought and achieved domination over camels, goats, pigs, horses, birds of prey, great bears and even the earth's sea life such as dolphins, seals and whales. There is hardly an area of our earth's habitat where man has not invaded the homes and domain of the many free ranging wild animals that roamed its surface and attempted to conquer those animals in one way or another—simply to satisfy the selfish needs of man. The history of mankind is replete with hundreds of examples where man has sought and gained control over wildlife solely to meet his specific purposes and, generally, without any regard for the consequences to a given species of wildlife or to the overall environment of the earth.

The relationship between man and captive wildlife dates back over 50,000 years. Deer are described in the Old Testament and have been farmed for over four thousand years throughout the northern hemisphere (Rich 1993). The Mongos of eastern Asia
herded reindeer 2,500 years ago as do the Siberians and Scandinavians of today. From the ancient Roman Empire, full descriptions of game farms/game ranches, where animals were kept for meat production and hunting, are present in the writings of Varro, Columell, and Pliny (Anderson 1985).

Likewise, man has been consistently associated with the use of large wild cervids or ungulates, in North America since the Paleolithic times more than 10,000 years ago (Martin 1973). During his exploration of western Canada in the 1770's, explorer Samuel Hearnes reported the "moose were the easiest deer to tame." In 1877, federal judge J.D. Caton discussed the husbandry of wapiti and by 1905, a U.S. Biological Survey was producing extension pamphlets and information about the details of elk husbandry.

At the turn of the twentieth century, North America's vast wildlife populations were all but gone as a direct result of commercial exploitation for furs, delicacy foods, sport hunting, and even strategic slaughtering in order to eliminate the American Indian (Ambrose 1975). Our nation's wildlife became just another economic commodity to be exploited on the world's market places and the end results were devastating. Entire populations of specific species were wiped off the face of the earth forever. The great herds of buffalo that used to roam the western prairies were slaughtered in order to clear the way for the railroads and provide food for those employed to complete its construction. Additionally, the U.S. military thought it a wise strategic maneuver to eliminate the great buffalo herds in order to cause the destruction of the Indian nations. The great herds of elk or wapiti that used to roam the forests and prairies of Michigan, Pennsylvania, New York and almost any state east of the Mississippi, were slaughtered for
their meat, hides and the entertainment of so called "aristocrats" seeking the thrill of sport hunting. Likewise, the passenger pigeon met with a similar fate because of over hunting and believing that their numbers were so great that the resource could never be depleted. The devastation and havoc that occurred as a result of feeding the luxury markets and the uncontrolled slaughter of wildlife for their parts was horrendous. The slaughter was so devastating and difficult to control that the United States Army was called in to protect the last remnants of wildlife in Yellowstone National Park in 1886 (Hampton 1971).

By the end of the 19th century, the excesses in wildlife slaughter for man’s personal pleasure and the rapid decline of various species resulted in determined attempts by North America’s financial, social and political elite to save what remained of what was formally conceived of as an unlimited wildlife resource. Market hunting and conspicuous consumption of wildlife were no longer acceptable in the public’s view (Hornaday 1913, Leopold 1933; Roe 1970). During the three decades it served protecting Yellowstone National Park and its wildlife inhabitants, the U.S. Army implemented policies that were destined to become universally accepted as resource conservation. These wildlife conservation policies grew under the watchful eyes of President Theodore Roosevelt and Gifford Pinochet, along with their Canadian counterparts concerned with the preservation of our continent’s wildlife. The two countries’ Commissions of Conservation worked in close cooperation on both sides of the border, giving rise to the first international treaties (1911 Marine Mammal Treaty; 1916 Migratory Bird Treaty), and to policies that shaped the wildlife conservation laws of North America (Geist 1995).

This new found wildlife conservation doctrine was evolutionary for its time. It
was a conservation doctrine that evolved to not only help wildlife recover, but also served as a rare example of sustainable development. It became known as the North American system of wildlife management and conservation. This highly successful system/policy of wildlife conservation is based upon three fundamental policies established by President Theodore Roosevelt and outlined by noted Canadian wildlife biologist Valerius Geist.

First, the absence of a market in meat products, or other body parts and products, of a vulnerable species of wildlife (and plants). This is the biggest and most popular policy, a policy established about seventy years ago after grim, bloody battles on behalf of wildlife. Second, the allocation of the material benefits of wildlife by law, instead of the market place, birthright, land ownership, or social position. It is a complimentary policy arising from the first, which automatically places wildlife into public domain, making the state the owner, guardian, and manager of all wildlife resources. This vital policy insured broad interests at the local level in wildlife and its conservation and generated the political clout on behalf of wildlife. Third, the idea (not a policy), that wildlife is a food resource to be cropped annually for subsistence purposes, making wildlife management a form of food production. This idea generated broad public consensus for the active management of wildlife and its harvest, by hunters and non-hunters alike.

Finally, as a number of species approached the brink of extinction, both the U.S. and Canadian courts declared that all wildlife was a public resource, and both governments established laws to protect it. By so doing, they removed almost all of the economic incentives associated with our wildlife by making it illegal to market vulnerable or near extinct wildlife species. They took control of hunting on a national scale and made it illegal
to conduct frivolous killing of wildlife-for sport, food, or any other reasons. These fundamental principals, (Geist, 1995), became the foundation of our wildlife conservation system as we know it today-and they worked-at least for a period of time. Today's thriving populations of deer, elk, ducks, geese, pheasants, etc., all bear evidence of the success of these basic principals. In fact, their success could be the greatest environmental success story in the history of mankind.

However, since the early 1920's, another of man's attempts at the domination and conquest of wildlife for selfish reasons has come into being, that of the commercial game farm or game ranch. This latest effort is often touted by the game farm industry as the “next great domestication of the animals for mankind.” These commercial enterprises exist solely for the purpose of economic gain for those involved in their ownership, operation, and management. They seek to gain economically through the trapping, penning, marketing and destruction of our wildlife, despite the overall social, political, economic and ecological impacts that wildlife commercialization pose to the rest of the world. This phenomena of commercializing our wildlife for profit through meats, antlers, and other by-products is a real and viable threat to North America's philosophy of wildlife conservation. These policies are being undermined by an extremely aggressive and arrogant group of people seeking to profit from our wildlife resources. These individuals place their economic gains above the future and welfare of our wildlife resources.

Despite the near total disasters that took place in the late 1890's with the our large herds and flocks of wildlife, and the intervention of the court systems, both within the U S. and Canada, to provide some controls over wildlife resources, the game farm industry
places a new economic thrust aimed at the commercialization of our wildlife. Incredibly, the industry has grown to international proportions and has managed to convince governments to do away with the principals of our conservation system—for one purpose—so they can exploit our wildlife resources for their private and selfish economic gains. In the last two decades, the business of game farming has been introduced and legalized as an "alternative" livestock crop in all but a few states within the U.S. and most provinces within Canada. The marketing of wildlife and wildlife by-products, has once again become legal. Only now, this market also receives government subsidies in order that a few individuals may gain economically.

Throughout the last 30 years, the proliferation of big game farms within the State of Montana, particularly those utilized to raise elk, deer, and certain exotic species, have become a major concern for various wildlife organizations, state Fish, Wildlife, and Parks managers as well the Department of Livestock and the game farm industry itself. Within the State of Montana, there are now 84 licensed, privately owned, big game farms, ranging in size from less than an acre to several thousand acres. These game farms exist solely for the purpose of exploiting, for economic gain, the commercialization of wildlife through such methods as antler harvesting, "trophy" hunts conducted from within the confines of pens, as well as markets for meat products, the Asian demand for certain animal by-products such as velvet antlers, and finally, breeding stock. Unprecedented international marketing and translocation of live game animals, and threats that such practices pose to native wildlife populations and domestic livestock, are of increasing concern to wildlife mangers and commercial livestock interests as well as sportsman and wildlife conservation
organizations. Most wildlife concerns are concentrated in the western United States and in areas that already have extensive, free ranging, wildlife populations and vast wildlife habitat.

Within the State of Montana, the laws, rules and regulations governing game farms have been slow to develop and have largely been directed and influenced by the industry itself. In the last several years, various sportsmen organizations and individuals have played a significant role in the negotiating, drafting and implementing of the current regulations governing game farms. These organizations and individuals oppose game farms and have actively sought to eliminate them from operation within the State of Montana. However, failing that effort, they have remained actively involved in the State Game Farm Rules Making Committee, tasked by the legislature to create the rules governing game farms and to reduce or slow the number of future game farms. In addition, they continue to work at placing tighter controls on the industry in order to prevent such concerns as genetic pollution, spread of disease, and habitat loss. Despite these efforts, the industry continues to dominate the rule making process and has been able to control the direction of this industry within the State of Montana—that is until the elections of 2000.

Currently, the monitoring and regulating of this industry is a convoluted administrative nightmare for managers charged with its oversight. The FWP department is charged with licensing, inspections, game violations and enforcement, while the Department of Livestock, is charged with oversight for disease control, animal identification, movement, etc; similar to the oversight responsibilities with the cattle or sheep industry. The game farm industry within the state has actively sought to move all
oversight responsibilities to the Department of Livestock, thereby reducing the impacts of any regulation or enforcement from the FWP department. Their reasoning behind this move is to ultimately eliminate the requirements for environmental assessments, environmental impact statements, enforcement of state game laws, disease control (those related directly to wild ungulates), and oversight by the Fish, Wildlife, and Parks department in general. The industry's position is that their captive animals are not wild animals but merely an alternative form of livestock, to be treated and viewed in the same manner as any other form of livestock.
COMMERCIAL GAME FARMING

Game farming, or alternative livestock farming, as it is now legally called in Montana, is the domestication and commercialization of vulnerable wildlife and their by-products. It is an industry designed to privatize and domesticate wild animals; to own and raise them for profit. Primarily, the industry in Montana is focused on the management of elk and deer, to be bought, sold, moved, and bred for commercial purposes. The foundation of this industry is essentially a pyramid scheme. Any profit from this exploitation is concentrated in the hands of a select few, typically the individuals who got into the business first. Essentially, all serious costs resulting from the hazards of the industry are borne by the public in terms of lost habitat, spread of disease, hybridization of free ranging wild herds, and costs associated with law enforcement, regulations, and disaster.

In recent years, the game farm industry has seen significant growth on a global scale. For instances, Judy (1992), estimates that in New Zealand there are currently over 4,000 game ranches that are engaged in the breeding, raising and slaughter of 750,000 red deer annually. In addition, New Zealand exports more than $25,000,000 worth of venison annually. The commercial market for venison and other products derived from red deer and its close cousin, the North American elk, is so great in New Zealand, many New
Zealand game farmers are now looking to the U.S. as a potential source for the establishment of additional commercial operations. By expanding their operations into the U.S., New Zealanders feel they can produce twice the amount of venison and the associated by-products, because of the variations in breeding seasons. (In the U.S., the North American elk breeds during the months of September and October while in New Zealand, red deer breed in March and April). Likewise, during 1990, within the U.S., the lower 48 states produced 100 tons of venison (23 tons from farm/ranch raised deer and elk) which reflected a 163% increase since the 1983 (Judy 1992).

In North America alone, commercial game farms have expanded dramatically during the last ten years. Elk are now raised in 17 of 50 of the lower forty-eight states (Renecker 1993). The captive elk population is located on some 500-700 game farms across the country and striving to become the next boom in the agricultural industry. The number of captive elk has also steadily increased at a rate of about 14% each year since 1985 (Renecker 1993). Within the State of Montana, the trend was making even greater strides until recent legislation halted the advancement of the industry for a variety of reasons to be discussed later.

Montana’s 84 licensed game farms currently harbor roughly 4000 animals, from eleven different species, 3500 animals of which are elk, located on 13,500 acres, within the state of Montana. Until recent legislative changes halted the process, the Montana DFWPS was receiving, on average, 8-10 applications for new game farms or expansion of existing ones each month.
<table>
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<th>Number of licensed Game Farms</th>
<th>Number of Game Farm Animals</th>
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<td>200</td>
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<td>Whitetail Deer</td>
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Figure 2.1 Current number and type species raised as "alternative livestock" within the State of Montana. (Courtesy of Dept. of Fish, Wildlife, and Parks, State of Montana. Information is valid as of December, 2000).

Although the mainstay of Montana’s game farm industry is elk, in some instances, a specific game farm is licensed to hold more than one species of animal on a limited amount of land. Often, this results in a variety of species, upwards of 700-900 animals, being confined within the same area. (It needs to be understood, that unlike domesticated cattle that are accustomed to being penned from birth, these are animals that are, habitually and instinctively, free ranging). In Canada, there are a little over 1000 game farms raising even more deer, elk, and bison for commercial use (Struzik 1992). While each of these factors are lauded by the industry as evidence of an ever increasing demand for its products, there are a number of downfalls that have prevented the game farm industry from truly becoming
the next agricultural boom, particularly in western states. Figure 2.1 is a listing of the number and species of animals currently licensed as game farm animals within the State of Montana.

As previously alluded to, the game farm industry is driven solely by one element—that of profit. Both profit and market demands dictate the industry’s practices and variety of products provided. With an increased demand of animal products such as trophies, antlers, hides, blood, etc., the profit margins of the industry also increase. As such, the game farm industry is by no means ecologically orientated nor is it concerned with the far reaching ecological impacts that may result from the current practices. It is an industry designed to privatize and domesticate wild animals; to own and raise them for personal economic gain without regard to the potential hazards presented to native wildlife or public health and safety. Essentially all serious costs for oversight are borne by the public. It is the public which foots the bill for recapture of escaped animals, disease control, environmental impact statements or environmental assessments as well as the major costs associated with regulatory oversight. These costs often reach into the tens of thousands of dollars. On the other hand, the game farmer pays a small fee (generally less than $200.00 per year), to get his business in operation and maintain his license from year to year (See Figure 2.4).

According to the Montana Alternative Livestock Producers, (MALP), white paper submitted to 1999 Montana State Legislature: “The Cutting Edge of Montana Agriculture: Elk and Deer as an Alternative Livestock,” there are three primary, lucrative markets that the game farm industry is dependant upon for its longevity. The velvet antler and trophy
bull or "shooter bull" markets are the backbone of the industry. (Velvet antler is the soft, blood-engorged covered in velvet). The industry is also attempting to build a nationwide market for meat and other by-products. However, without the velvet antler and shooter bull markets, the industry would not survive.

The sale of breeding stock, in the form of herd cows, semen from trophy sized bulls and stud fees for breeding bulls, is potentially a very lucrative business for the game farm industry. However, like any pyramid industry, the real profits are gained by those who entered into the business early on. Those individual game farmers who have followed in subsequently, are now paying large fees (as much as $16,000 for a breeding cow and $81,000 for a yearling bull from prime bloodlines), to those who ventured in early. Consequently, newcomers to the industry are always in quest of the high dollar profits claimed by those who ventured in early on, who, by the way, generally provide the breeding stock, semen, facilities etc., at a fee, to those trying to get started in the business.

The breeding stock market is focused at perpetuating the support for the two other markets of the industry. In order for the industry to sustain and encourage the breeding market, it must first foster the expansion of the end markets of the industry, i.e. velvet antler and trophy bull sales. In essence, they feed off each other and complete the cycle of the pyramid scheme. Through the industry's efforts to expand the sale of velvet antler products, either via foreign markets or gaining a foothold within the US, the demand for bulls also increases. Cows which consistently produce heifers and proven bulls range in price anywhere from $1,800-$16,000 and can allegedly produce a return of $25,000 throughout the cow's lifetime (North American Elk Breeders Association 1997). Bulls
with proven records of producing large, heavy antlers are sought after for continuing the
"gene pool" and ultimately, for trophy shooting operations. Figure 2.2 is the industry’s
"theoretical" economic elk breeding benefits.

Figure 2.2 Example of Elk Economics. Source: North American Elk Breeders 2000.

<table>
<thead>
<tr>
<th></th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3-11</th>
<th>Year 12</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
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<td>&lt;$5000&gt;</td>
<td></td>
<td></td>
<td></td>
<td>&lt;$5000&gt;</td>
</tr>
<tr>
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<td>$7500</td>
<td></td>
</tr>
<tr>
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<td></td>
<td></td>
<td>$4000</td>
<td></td>
</tr>
<tr>
<td>Theoretical Return</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$6,500</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3-11</th>
<th>Year 12</th>
<th>Total</th>
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<tr>
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<td>&lt;$5000&gt;</td>
<td></td>
<td></td>
<td></td>
<td>&lt;$5000&gt;</td>
</tr>
<tr>
<td>Sell Yearling Calves</td>
<td></td>
<td>$3000/year</td>
<td>$3000 (Cow retires)</td>
<td>$30,000</td>
<td></td>
</tr>
<tr>
<td>Theoretical Return</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$25,000</td>
</tr>
</tbody>
</table>

However, the demand for breeding stock, both bulls and cows, is directly related to
the demand for velvet antler and trophy sales. If the velvet antler market falls, the demand
for breeding stock falls, leaving the breeder with a surplus of animals to dispose of.
Additionally, the market demands for trophy bull sales is totally dependent upon the
availability of mature bulls that have exceeded their most productive years for velvet antler
and those "hunters" willing to pay enormous fees to shoot penned animals.

Finally, the breeding market and its attempt to grow to the "theoretical" optimum
is hampered by several factors. First, introduction of diseases and parasites associated with
the game farming industry to North America's free ranging wild elk and deer herds has been perhaps the most important problem in establishing the industry in North America (Renecker 1993). Second, escapes of game farm animals into the wild have been cause for concern among wildlife professionals, regulatory agencies and the general public. Escape from game farm facilities is inevitable and with every escape, the threat of disease transmission and hybridization looms. The history of these problems linked directly to the game farm has served not only to diminish the industry's abilities to develop additional markets, but it has served as the basis for public opposition, in a wide variety of political and social circles across North America. The end result is that these situations have been the basis for many regulations governing the industry, making it difficult for the industry to expand and new industry prospects to enter in.

The main product derived from the game farm industry is the marketing of body parts, particularly immature antlers, which are highly sought after, in a predominately Asian market, as aphrodisiacs to enhance sexual performance and natural medicines. This market requires that the male of a given species be de-antlered during the early stages of antler growth, specifically when the animal is in the early stages of velvet and the antlers are still soft and full of blood. The antlers are cut from the animals head without the use of any sort of anesthesia or tranquilization. In other words, the animal undergoes severe mutilation each year he produces a new set of marketable antlers. This is done because the market for "fresh" velvet antlers or "living, growing tissue" is much higher than that of mature antlers or "dead" tissue.

The industry continuously attempts to prove that antler ingestion is beneficial as an
aphrodisiac or for medicinal value. Velvet antlers are a commodity used widely in Pacific Rim countries, with the main market located in South Korea. There, the various antler by-products are used widely as ingredients for holistic medicines to treat anemia, arthritis, impotence, permatorrhea, and menopausal complaints (Church 1998). In the US, the industry is pushing hard to take advantage of the holistic medicine market as well as the aphrodisiac and vitamin markets. As more and more people turn to alternative medicines and health enhancements, the markets for holistic medicines and nutrients are being touted. Velvet antler is being lauded as being effective in boosting testosterone levels, increase production of both red and white blood cells, and helping the body protect itself against stress. It has also been lauded for protecting against electric shock, liver damage, stimulating bone growth, retarding the aging process, healing nerve tissue, and reducing blood pressure. It is the miracle cure of the future.

Despite the lack of any peer or institutionally reviewed scientific literature on the effects and benefits of velvet antler products as aphrodisiacs or so-called “cures” to having any medicinal value, the industry has been able to penetrate US nutrition and health food
markets by utilizing the same proclamations utilized in the far east. Most recently, the industry has been successful in placing velvet vitamins in the national GNC store franchise despite the fact that there is no FDA regulation or oversight of the effects of the products provided (North American Elk Breeder’s Association 2001). However, the velvet antler market has proven to be as volatile as the controversies surrounding the mutilation processes utilized to harvest the antlers. Figure 2.3 is a thirty year look at the ever fluctuating velvet market. These fluctuations are the direct result of reaction to perceptions and problems associated with the overall industry of game farming. Disease problems such as chronic wasting disease and TB, as well as harvesting methods, all contribute to the fluctuations in price and market demands.

In the early 1970s, the velvet antler market was virtually unknown to US game farmers. As the game farming industry grew in popularity and US farmers attempted to expand and develop new product markets, they discovered the thirst the Pacific Rim has for products such as fresh cut velvet antlers. During the years of 1970-1974, the exportation of antler appeared to be taking off in the US. The price hovered around $100 per pound and then the market simply plummeted. There were literally no buyers for over two years.

In 1976, the market began to slowly rise once again, reaching an all time high of $150 per pound in 1980. Needless to say, enthusiasm grew and so did the spread of new game farms. Ironically, prices dropped again in 1981 to $65, a prelude to another crash in 1982. The only velvet antler selling was a small amount on the domestic market. The only justification offered by the industry was the South Korean military takeover of its government, which resulted in a closed door policy for international trade. The Korean
demand returned in 1983. However, the market price was at a low of $35 per pound. With a slow market increase each year, by 1991, the value again spiked to $110 but plummeted again to $28 per pound. During this time frame, tuberculosis was discovered on several Montana game farms and had ultimately been exported to several Canadian provinces via elk sold from the Montana facilities. The results were devastating, not just to the velvet market but to the entire Canadian agriculture market (Fanning 1993).

As the fears of disease and harvesting methods were removed from the public eye, the markets began to rise once more. By 1993, velvet was reaching a value of nearly $60 per pound. It continued to rise, and by 1995, it hit another high of $100 per pound. This price slowly sank to a low of $60 per pound in 1997. In 1998, the market took its most sustained crash on record—it plummeted to $15 due to the Pacific Rim’s economic crisis and the discovery of chronic wasting disease on US and Saskatchewan game farms. Then in December of 2000, the Korean Agricultural Ministry placed a total ban on all Canadian elk velvet and meat products, with an eye towards extending the ban all across North America. The ban was a direct result of the every growing problem of chronic wasting disease (CWD) and the potential harms to human health and safety (North American Elk Breeder’s Association 2000).

Despite the intense industry efforts to prove otherwise, there is not one shred of scientific evidence to indicate that these aphrodisiacs or so called “cures” have any medicinal value. In short, game farms are jeopardizing wildlife and endorsing the painful mutilation of sensitive animals, as well as exposing consumers to potentially harmful diseases such as the CWD prion, all for personal economic gain.
Finally, the industry's ultimate market is known as "shooter bulls" or the killing of a domesticated/semi-domesticated bull elk and calling it hunting. After years of domestication and suffering at the hands of owners harvesting antlers, the game farms have to have a place to dispose of bulls that have outlived their usefulness to the antler market or a breeding sires. The most common method to dispose of these mature bulls that have started a downward trend in antler production, is that they are utilized in "captive hunts" for wealthy clients willing to pay up to $20,000 to shoot the bull of a lifetime-from inside escape proof enclosure areas on "alternative livestock facilities." These shooter bulls are sold based upon the number of points or tines in the antler as well as the overall antler mass. This determination is most often based upon the standards set by either the Boone and Crocket Club or Pope and Young, national organizations that track, score and record various big game species such as elk and deer.

Captive shooting facilities obtain their shooter bull stock either through their own breeding stock, purchase from other game farm operators raising the bulls for the shooter market or from other overstocked facilities. Because these bulls have been pen raised for their entire lives, they tend to be much less wary of humans and often react much the same as domesticated cattle. They recognize the sound of the feed truck driving through the fields or the call for feeding from the human voice. As a direct result of their domestication/semi-domestication, they become easy targets for clients at these trophy facilities which guarantee the individual "no kill, no pay" targets.

Generally speaking, the clientele of these "captive hunts" are wealthy people who, for whatever reason, cannot or will not, take the time required to get into shape, learn the
animal they seek and give him "fair chase" in order to have a successful harvest. Instead, they seek the services of a game farm that offers "captive hunts" and then harvest animals that have been pen raised and then released into a closed area, to be harvested for large sums of money, in order to claim they have killed the trophy of a lifetime.

In most cases, the would be "hunter" or "shooter" picks his bull in the spring time when the antlers are in full velvet. Generally, the individual has the opportunity to view photographs or video footage of his "trophy" in order to decide on exactly the bull he will harvest. Shooting facility prices vary from facility to facility. However, the fees charged by Len Wallace, owner of Darby, Montana's Big Velvet Ranch, appear to be the norm throughout Montana. According to Wallace, his prices are structured based upon the point and mass system. Visitors to the Wallace shooting facility can expect to pay fees beginning at $6500 for bulls ranging in antler size from 300 points and up. Fees are increased at $1000 per 25 point increments until the desired size of the antler exceeds 350 points. At this point, the fee to shoot the animal becomes negotiable and quickly amounts to over $20,000 (Len Wallace, pers. comm. April 22, 2000).

The irony for these so called hunters is that they seek to "harvest" a "record book" animal, in terms of antler size. However, because the animal is harvested as a result of a captive hunt and the animal is considered to be domesticated, the antler scores are not recognized by either the Boone and Crocket Club or Pope and Young Club for record purposes. The bottom line is that the "shooter bull" aspect of game farming could eventually make hunting and wildlife harvesting accessible to only those who possess the financial means to do so. This method of harvesting these domesticated animals makes a
mockery of North America’s long standing hunting traditions and only serves to trivialize the value of all wild animals.

Despite the propaganda and efforts of the game farm industry to proclaim it has a viable market for meat, there is not a "venison meat" industry that competes with other forms of domesticated livestock for grocery shelf space. In fact, the meat aspect is little more than an occasional by-product. According to Wallace, despite having over 900 head of elk on his facility, he sells no elk or venison meat and there is literally no market within the US. It is the industry's hope however, that a large market will develop overtime and that it will compete directly with existing domestic livestock markets and even replace them with elk and venison products. However, the continued expansion of the industry will require continued government subsidies to enable it to grow, subsidies such as the continuance of state paid fees for environmental impact studies, environmental assessments, and compensation for depopulation as the result of disease and genetic pollution (Tim Feldner, MDFWP, pers. com. March 10, 2000). The growth of the so called "venison" industry will, more than likely, destroy the very reasons proponents cite as its reasons for its existence. In other words, increased supplies of meat will drive the current lucrative prices downward, while increasing public liabilities, will force the costs of doing business upwards.

Poaching is another factor that will directly affect the venison markets. Throughout the world, illegal poaching operations already exist for the purpose of extracting antlers, tusks, gall bladders, and other lucrative animal parts for sale-especially in the far east (Geist 1985). Our nation’s wildlife is already suffering severe impacts as a
result of poaching activities with tens of thousands of violations occurring annually, without especially large markets for "wild" meat. Montana is no exception. Each year, we read news accounts of individuals charged with the poaching of trophy bull elk, bighorn sheep or other species of wildlife. If the wild meat markets are developed, protecting wildlife populations will become impossible. Game farms simply cannot compete economically with professional poachers because the poachers do not endure any of the high costs associated with game farms. They don't have large economic investments in land, fencing, veterinarian fees, feed, and other facilities that exist for game farmers. Poachers simply by-pass all the rules and regulations and sell directly to a market that does not question the source of its suppliers. Customers have no way of knowing the origins of the game products they are purchasing-they just attempt to meet the demands of their customers. In the meantime, wildlife officials' attempts to protect our public wildlife will become even more complicated and the costs of providing that protection will soar.

Despite the industry's attempts to proclaim unlimited economic growth potential, booming markets and viable uses for their products, the game farm industry is an extremely costly industry, subsidized with taxpayer money. In Montana, the costs associated with just the day to day administration of the industry are staggering. Figure 2.4 is a depiction of some of the state of Montana's costs incurred by our state Department of Fish, Wildlife, and Parks in the administration of the game farm industry within the state. The costs depicted are only administrative start-up costs for such things as the EIS/EA process and inspections necessary to approve an application. They are paid for with funds collected from the sale of hunting and fishing licenses by FWP and not from revenues generated by
the game farming industry. It is obvious, based upon Figure 2.4, that the public is bearing
the brunt of all costs associated with the game farm industry and that the industry is
benefitting as a result. These costs do not include those costs associated with disease
control, depopulation or legal fees. The ratio of the costs to the FWPs and that of
revenues collected is $22.30 spent per $1.00 collected. This amounts to corporate welfare
at its finest! Montana is also witnessing the enormous impacts of the threats and financial
burdens this industry poses in other areas (See chapter #3, 4, and 5). They are not pure
economic costs but those associated with the problems of diseases, parasites, escapes,
poaching, displacement, habitat loss, genetic pollution, and the destruction of our
conservation system of keeping our wildlife in the hands of the public and not those of
private enterprise.

<table>
<thead>
<tr>
<th>Year</th>
<th>New</th>
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<th>Revenues</th>
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<td>2</td>
<td>3</td>
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<td></td>
</tr>
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<td>8</td>
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<td>$3,050.00</td>
</tr>
<tr>
<td>1995</td>
<td>11</td>
<td>6</td>
<td>17</td>
<td>*$113,000.00</td>
<td>$4,300.00</td>
</tr>
<tr>
<td>1996</td>
<td>22</td>
<td>8</td>
<td>30</td>
<td>*$112,000.00</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>1997</td>
<td>16</td>
<td>5</td>
<td>21</td>
<td>*$334,000.00</td>
<td>$7,250.00</td>
</tr>
<tr>
<td>1998</td>
<td>10</td>
<td>7</td>
<td>17</td>
<td>*$251,000.00</td>
<td>$7,650.00</td>
</tr>
<tr>
<td>1999</td>
<td>3</td>
<td>2</td>
<td>5</td>
<td>*$190,000.00</td>
<td>$8,000.**</td>
</tr>
<tr>
<td>2000</td>
<td>7</td>
<td>3</td>
<td>10</td>
<td>*$132,000.00</td>
<td>$8,375.00.**</td>
</tr>
<tr>
<td>Total</td>
<td>77</td>
<td>34</td>
<td>111</td>
<td>*$1,262,000</td>
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Figure 2.4, Game Farm administrative costs for the last 6 years within the State of
Montana. *Does not include the costs of prosecutions or legal staff time necessary to
provide oversight to the Montana game farm industry. Estimated costs for these services
is $20,000.-40,000 annually. ** Totals ½ of the fees collected as 1999 rules now require
50% of all fees to be transferred to DOL (Courtesy Department of Fish, Wildlife, and
Highly touted by the game farming industry as a unique agricultural venture requiring no public funds, the industry has obviously already cost taxpayers enormous sums of money. The additional costs of tracing and testing thousands of potentially disease infected animals and using the services of veterinarians, human health care workers, administrators, wildlife biologists, game wardens, administrators, and clerical staff, are difficult to estimate but, based on the amount of time, effort, and energies utilized, it would be safe to say the costs are substantial. In addition to these costs, there is compensation paid to game farmers for the slaughter of escaped animals as well as the costs related to policing activities. Finally, there can be no cost attached to the potential harm and loss of our native, free roaming wildlife that is placed in harm's way as a result of this industry's pursuit of economic gain.

In the long run, game farming implies deficit and costs to the public at every turn in the road. In addition to the burdens borne by the taxpayers, costs will be significant in all sectors of the living wildlife economy as well. This diverse and thriving economy grew up because of the efforts to curtail and eliminate the privatization of wildlife at the turn of the century and because of the public's renewed enjoyment of all wildlife. It consists of everything from making and selling a vast array of mountain outdoor equipment, to all the services and industries, such as outfitting, hunting, fishing, hotels, restaurants, wildlife publication and films, journals etc., all associated with wildlife. In all, the public interests in our wildlife and the benefits derived therein, are more than 25 times larger than the entire world market that has been targeted by the game farm industry (1996 National Survey of
Fishing, Hunting, and Wildlife Associated Recreation, USFWS 1997). We are incurring enormous costs, and seriously jeopardizing our public wildlife, in an absurd attempt to capture a portion of a relatively small and clearly unsustainable, market in dead wildlife!

The game farm industry always uses economics as the foundation for arguments to support the industry. The overall economics of game farming however, simply do not make sense when all the numbers are tallied and the threats they impose are factored in. In fact, no known in-depth, unbiased economic analysis of the industry has ever been completed. Like any pyramid industry, game farming is based upon growth -- when supplies increase market prices drop (this assumes there is a demand for the product in the first place). The real impacts the industry poses to other markets, such as those related to wildlife recreation and traditional livestock operations, far outweigh the benefits gained by a few individuals. Additionally, the industry does not attempt to focus on the age old problem of economic development versus the environment. It deprives free ranging wildlife of historical migration routes and calving grounds, contaminates the gene pools through hybridization and is responsible for the spread of disease. It holds no promise for creating jobs and no promise of a long-term, stable market for products. Furthermore, the profits proclaimed by the industry are literally dwarfed by the financial benefits associated with our free ranging wildlife. In Montana for instances, the game the Montana Alternative Livestock Producers claim to bring a gross economic value of between $15-20 million annually into the state’s economy (MALP 2000). This figure is minuscule when compared with the $1.7 billion in economic benefits that are generated annually in Montana by wildlife associated recreation such as fair chase hunting, which brings $730 million
annually, as estimated by the 1996 National Survey of Fishing, Hunting, and Wildlife Associated Recreation for the State of Montana (USFWS 1997). Despite these negative economic impacts, the industry has continued to put forth considerable amounts of propaganda to validate their claims of economic benefits. However, when all factors are considered, it just does not fall into the plus column. They make no long term economical sense.

In the end, game farming is not a viable private enterprise, capable of making it by sustaining economic profits on its own merit. It is heavily subsidized at the entry level through government funding for such things as environmental impact analysis and inspection costs. In addition, our state government not only incurs the vast majority of costs for eradicating disease and parasites but, the public also absorbs the costs of attempting to regulate and administer the industry. Included in these costs are the damages to public wildlife because of egress and ingress of animals, relocation of non-game farm wild species, poaching, genetic pollution, etc. Incredibly, the same agricultural interests that pushed for game farming, have indicated that when diseases are transmitted to the wild, they will demand the slaughter of wild herds to protect their economic interests. We have already seen this mentality in the case of Yellowstone Park bison migrating from the park seeking winter range. Local traditional livestock ranchers demand the elimination of the migrating bison because of the possibility of brucellosis. In the instance of game farms, it could very well be an escaped game farm animal that is the source and cause of disease that threatens our wild herds. Yet the game farm industry would demand the extermination of the wild herd and protest any sort of quarantine or disposal of captive herds without
adequate government restitution! Consequently, the industry is not, and will never be a viable economic pursuit. The costs, both to the public and the private owner, completely overwhelm, the few, privately held benefits. The individual game farmer may benefit economically as a direct result of the public and the government subsidies required to keep our wild herds safe and wild - but the public will lose - as will our wildlife.
INGRESS AND EGRESS

Throughout the game farm industry, experience has shown that captive big game animals will inevitably escape from game farms (Lanka and Guenzel 1991). Literally every state and province in North American has developed some sort of system to track and document these instances in order to protect the public's wildlife from such things as potential disease transmission and hybridization. The reasons and means of egress and ingress have proven to be the result of literally everything imaginable. However, most often, it is the result of human error. Weather events such as, floods, drifting snow, fallen trees, wind, and lightening, have all enabled the egress of game farm animals into the wild as well as the ingress of wild animals into "secure" compounds. In addition, such conditions as vandalism, inadvertent and intentional release, hurdling fences by spectators, and animals destroying fences, are all methods that have contributed to the ingress and egress of animals associated with game farms. On a number of occasions, even free-ranging elk have sparred through the fences during the rut. During the process of sparring, the antlers have become entangled in the fence, resulting in up to 8 feet of fencing being torn out. At a public hearing on proposed new game farms in April of 1992, many Montana game farmers relayed numerous instances of ingress and egress at their facilities; most centered around the failure of game farm personnel to insure adequate securing of
gates and fences as the reason for existing problems (Governor’s Working Group on Game Farms Minutes 1992). However, the area manager of the National Bison Range gave several examples of both ingress and egress of white-tailed deer, bighorn sheep, and elk jumping 8 foot fences. In his statement, he noted that elk had been seen on numerous occasions jumping the 8 foot interior drift fences. He also noted other instances of ingress and egress related to natural events. In the fall of 1991 for instance, 30 elk escaped the range when several trees fell on perimeter fencing. Additionally, he noted three wounded elk had jumped the perimeter fence to escape hunters (Governor’s Working Group on Game Farms Minutes 1992). Given these examples, it is clear that natural acts play a role in contributing to the ingress and egress of animals associated with game farms. However, the most prominent reason for ingress and egress is that of poor fence maintenance. Montana’s reported records of escape are replete with instances that are the direct result of carelessness on the part of game farm personnel. Gates are left unsecured, fences maintained in a poor state or repair, and even the utilization of vehicles as a method of herding have all contributed significantly to escapes. During October of 2000, 21 game farm operators attempted to incorporate their operations to avoid the impacts of future regulations. During the evaluation process, one of the state’s largest and most adamant proponents of game farm expansion, Bob Spokely, was denied his extension request on all three of his operations due to the poor maintenance of his fencing (Tim Feldner, MDFWP 2000).

Montana’s first attempts at documenting the instances of ingress and egress of animals associated with game farm operations goes back about 25 years. In each year since
their establishment, game farms have experienced problems with ingress and egress (See Figure 3 1). Additionally, wildlife managers from across Montana and in 15 western states and 4 Canadian provinces all agree that egress and ingress from compounds is inevitable. In Montana, the latest incident of escape occurred in May of 2000, when 3 pregnant cows escaped from a game farm near Big Timber, Montana as the result of an improperly secured gate. The animals were unaccounted for until mid-June when two of the animals were recaptured. The third animal was not recaptured but was ultimately shot by a hunter in a late December hunting season, nearly 30 miles from the original escape location. The cow had apparently given birth to a calf which has never been recovered and due to the lack of any positive identification marks, never will be (Tim Feldner, MDFWP 2000). Consequently, egress and ingress are the major threat to both genetic alteration and disease transmission in our native wildlife populations as escaped animals are almost always impossible to identify and catch.

Wild animals that are exposed to captive animals may also be exposed to diseases or parasites and may breed with captive animals. Like ingress, the mixing of domestic wildlife and natural wildlife through escapement is a major threat to genetic purity and the overall health of public wildlife.

Figure 3.1 is a listing of the "reported" ingress and egress situations for the last six years within the state. However, it should be noted that many instances of ingress and egress go unreported either because of the integrity of the game farm owner (There are numerous such instances on the legal records of the DFWP) or they simply go undiscovered.
As can be seen by the reported numbers of ingress and egress, there is a large proportion of game farm animals that escape each year and are either never re-captured or are destroyed. Both situations are detrimental to our free roaming wildlife. An escaped game farm animal, whether native or exotic, is capable of destroying vast numbers of true wildlife, either through gene pool depletion or spread of disease and parasites (Lanka and Guenzel 1990). Likewise, the wild animal that is unfortunate enough to make a successful ingress is, almost always, destroyed, for pursuing its natural instincts.

Figure 3.1. Report of instances of ingress and egresses from authorized game farms within the State of Montana. ( Courtesy of DFWP, State of Montana. Records as of December 17, 2000).

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<tr>
<th>Year</th>
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<th>Egresses</th>
<th>Outcomes</th>
</tr>
</thead>
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<td>0</td>
<td>15</td>
<td>(3) destroyed, (12) recaptured</td>
</tr>
<tr>
<td></td>
<td>Mule Deer</td>
<td>1</td>
<td>1</td>
<td>both destroyed</td>
</tr>
<tr>
<td></td>
<td>Fallow Deer</td>
<td>0</td>
<td>3</td>
<td>(1) shot, (2) escaped</td>
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<tr>
<td></td>
<td>Sitka Deer</td>
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<td>5</td>
<td>All Escaped</td>
</tr>
<tr>
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<td>8</td>
<td>(2) shot, (6) re-captured</td>
</tr>
<tr>
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<td>0</td>
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</tr>
<tr>
<td></td>
<td>Mouflon Sheep</td>
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<td>2</td>
<td>Escaped</td>
</tr>
<tr>
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<td>4</td>
<td>Escaped</td>
</tr>
<tr>
<td></td>
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<tr>
<td></td>
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<td>shot</td>
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<tr>
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<tr>
<td>1998</td>
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</tr>
<tr>
<td></td>
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<tr>
<td></td>
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<td>Recaptured</td>
</tr>
<tr>
<td>Year</td>
<td>Species</td>
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<td>Elk</td>
<td>Mule Deer</td>
</tr>
<tr>
<td>------</td>
<td>--------------</td>
<td>-----------------</td>
<td>------</td>
<td>-----------</td>
</tr>
<tr>
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</tr>
<tr>
<td></td>
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<td>16</td>
<td>10</td>
<td>(2) Shot</td>
</tr>
<tr>
<td></td>
<td>White tail deer</td>
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<td>40</td>
<td>(1) Shot</td>
</tr>
<tr>
<td></td>
<td>Mule Deer(1)</td>
<td>2</td>
<td>2</td>
<td>(1) Shot</td>
</tr>
<tr>
<td>2000</td>
<td>elk (2)</td>
<td>0</td>
<td>3</td>
<td>(2) recovered</td>
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Under the existing Administrative Rules of Montana, (ARM 12.6.1538 (2)), the responsibilities of a game farm operator to report, recover, or remove animals as a direct result of ingress and egress situations is limited. In the event of an ingress, the only obligation the operator has is to report the incident to the local FWP authorities and attempt to document the reason for the ingress. It is then up to FWP personnel to determine if the animal should be destroyed, captured or seized.

In the event of escaped game farm animals into the wildlands surrounding the facilities, the operator has the responsibility to report the escape and attempt to recapture the animal according to specific time frames as described in the rule. In essence, the owner has five days to recapture the animal or destroy it. Under normal circumstances, the escaped animal becomes the property of the state after a period of ten days and may be destroyed on sight by FWP personnel or harvested during the normal big game hunting seasons. However, due to the threat of disease and hybridization, FWP's personnel expend an inordinate amount of time and money in attempting to recapture or dispose of escaped game farm animals, all at the expense of the Montana's sportsmen. In most instances, the costs associated with the recovery of escapees consists of salaries for wardens, helicopter operating expenses, and even special trapping equipment-all borne as costs to sportsmen.
A good example of additional costs to be paid is that of the mandatory requirements to test for red deer genes and chronic wasting disease. Any animal that has escaped from a game farm, must be tested for red deer genes and chronic wasting disease by the state. The tests completed are not only paid for by sportsmen but, should they reveal a positive result for either, sportsmen’s dollars ultimately foot the bill for any further depopulation efforts to be undertaken in the area the animal was originally harvested in and of the game farm involved. While there are no accurate cost records maintained associated with the recovery of escaped animals, FWPs records indicate the costs for recovery ranging anywhere from $1500 to $8000 per animal (MDFWP 2000).

Readily admitted by both the game farm industry and wildlife professionals tasked with the responsibilities for oversight - captive wildlife will escape. The escape game farm animals or the ingress of wild animals into game farm enclosures, not only places an economic burden on Montana’s sportsmen and an enforcement nightmare for law enforcement personnel, it poses several other significant hazards to our free ranging wildlife that are not so readily observed in terms of dollars and cents. These hazards include the loss of critical habitat, spread of disease and hybridization.

Containing game farm animals such as elk and deer in an enclosure requires the construction of “game proof” fencing, generally considered to be eight feet high or greater. Game farm operators erect these fences along the boundaries of their property, frequently cutting off wild game from traditional migration routes, calving grounds or corridors between feeding grounds. As a public resource, our wildlife have the right to roam all lands, both public and private, without fear of interference, capture or pollution. However,
game farming requires huge tracts of land, and when fences are erected, native free roaming wildlife are prevented from using fenced areas. Consequently, they are forced into more crowded territories. This over-crowding can lead to increased stress because of greater competition for limited food and shelter resources as well as greater opportunities for predators. In some cases, even seasonal migration and berthing routes are blocked, resulting in high mortality rates amongst migrating herds. Elk, deer, moose, and other wild hoofed animals, are better adapted to exploit traditional grazing land than are lessor adaptable "domesticated" ones.

Predatory species are also real problems for the game farmer. Predators can cost the game farm operator significant financial losses as a result of following its natural instincts by preying on the domesticated animals. Consequently they are eliminated from within the confines of the fences by being trapped or dispatched. In addition, all wild game farm type species confined within the fenced area, must be trapped and relocated at public expense. Any wild game animals that ingress into the confined areas must also be removed—at public expense due to the necessity to test for diseases and parasites. The game farm industry and our government agencies have, openly targeted, for game farm production, what they refer to as "marginal" land. For our elk, deer, and moose, this land is hardly marginal; it is among the best habitat in the country and within their domain. This marginal habitat, once identified, becomes available to the game farm industry for grazing, and fencing in much the same manner the cattle industry now leases BLM and national forest lands. As herd sizes and the number of game farms increase, the industry will undoubtedly mount greater pressure to gain access to these public lands for grazing their
game animals. Consequently, if the game farm industry reaches its targeted growth, that of becoming a viable alternative to domestic livestock, it will represent the greatest loss of our wildlife's habitat to date. Given the loss of natural migration corridors, calving grounds, the eradication of predators and free ranging wildlife from within the perimeter of fencing, and the targeting of marginal lands, game farming is not beneficial to our habitat or public wildlife and has nothing to do with saving habitat.
HYBRIDIZATION

One of the major concerns of wildlife managers concerning the game farm industry is that of hybridization. Game farm owners that practice selective breeding in order to develop larger antlers could pose a threat to the genetic integrity of their herds. These genetic alterations could find their way into the wild. Since game farmers and wildlife managers both agree that escapes are inevitable, the threat - or perceived threat - is worth examining. Hybridization does occur naturally in the wild. For instance, white-tailed deer and mule deer have been documented to interbreed in the Bitterroot Valley of Montana. In Texas, the Coues deer and their northern cousins, the Texas white-tail, have also interbred. Consequently, the deliberate human manipulation of specific gene pools for purely economic reasons and the inevitable potential of escaped animals intermingling with native wildlife, draws many varying and controversial opinions.

The hybridization of wildlife could affect a species or subspecies in several ways. First, it could improve the species overall survival instincts. These improved survival instincts could then be passed on from generation to generation and potentially alter the natural longevity of a particular species’ life span. This could place undue hardships on natural grazing, calving and migration habitats. In the end, the altering of survival instincts could serve as the undoing for the species and its habitat in later generations. This new
survival instinct, or other genetically altered trait, could have neither a positive or negative influence on the species - it would merely be a variation with no consequences to survival. Finally, the genetic change could have a deleterious affect on the species’ overall survival opportunities. Figure 4 is a listing of known hybrids among selected, native, exotic, and domestic animals. The listing is only a partial list of hybrids known to exist in both captivity and the wild (Lanka and Guenzel 1990).

<table>
<thead>
<tr>
<th>HYBRIDS</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mule deer and elk</td>
<td>Reported from a zoo</td>
</tr>
<tr>
<td>Mule deer and white-tailed deer</td>
<td>Fertile hybrids in the wild</td>
</tr>
<tr>
<td>Red deer and fallow deer</td>
<td>Presumed hybrid</td>
</tr>
<tr>
<td>Red deer and Sika</td>
<td>Presumed hybrids</td>
</tr>
<tr>
<td>Red deer and elk</td>
<td>fertile hybrids/common in New Zealand</td>
</tr>
</tbody>
</table>

4.1 Known Hybrids among selected native, exotic and domestic animals.

Genetic alteration/hybridization has long been an avenue of approach for the game farming industry in order to produce, larger, more prolific and adaptive species, in support of their industry. Hybridization between red deer and elk in New Zealand for instance, has been utilized by game farmers to increase size and growth relative to dam size, increase antler weight (and therefore, antler velvet) and advancing mating and calving dates. As practiced in New Zealand, combining a very heavy-weight sire (elk or red deer/elk hybrid) and a relatively small dam has obvious advantages in the production of a heavier, faster growing calf. In order to minimize calving difficulties, large red deer cows are used to produce red deer/elk hybrid calves (Lanka and Guenzel 1990).

The gestation period for elk and red deer is 256 days and 231 days respectively.
Elk cows conceive up to a month earlier than female red deer and calve at a later date than the red deer. Game farm managers have capitalized on these differences to adjust calving dates to suit their individual farming operations and exploit the commercial markets more effectively. In an effort to circumvent the seasonal reproductive cycles typical of red deer and elk, game farmers have also crossed red deer with tropical deer species (sambar, axis and rusa). Unlike species that inhabit the northern latitudes, mating in these species is not regulated by photoperiodism.

In Northern America, hybrids have also been produced by game farmers who have capitalized on the lower purchase price of red deer and red deer/elk hybrids in order to increase the size of their breeding herds or to produce larger more desirable bulls for trophy "captive" shooting. Hybrids have also been unknowingly acquired by game farmers for use as breeding stock, resulting in unintentional propagation of hybrids within their herds.

Deliberate hybridization, such as cross breeding the red deer with the North American elk in order to produce greater antler mass, that results in decreased survival is known as "genetic alteration". This is "extinction by degree of time-tested, co-adapted gene complexes. Hybridization robs the hybrid of the ability to survive and the affected population of reproduction and survival capabilities" (Geist 1988). One example of this is the one-way hybridization of mule deer and white-tailed deer. The resulting hybrid possess little ability to evade predators (Lingle 1989). Apparently this is the cause of mule deer extinction in Manitoba, as well as large portions of Saskatchewan, Alberta and certain portions of the northwestern United States. A similar loss of Czechoslovakian ibex occurred due to an apparent hybridization that resulted in scrambled birth seasons (Tureek
A thesis study conducted by Susan Lingle, at the University of Calgary, validated the contrasting behavioral responses of white-tailed deer and mule deer when confronted with danger and predators (Lingle 1989). The study revealed that white-tailed deer tended to minimize exposure to danger by evading predators after sighting them from a distance. In contrast, mule deer maintain visual contact with approaching predators while sizing up the situation prior to either fleeing the predator or approaching and threatening it. In addition to the differing behavioral responses to danger, each species exhibits an escape gait that uniquely is suited for the type of habitat it is characteristically associated with. White-tailed deer, which are generally associated with riparian or wooded areas located at low elevations, tend to minimize their exposure to danger by escaping at a gallop and then hiding in heavy timber or brushy areas. Mule deer on the other hand are typically associated with more upland, broken, brushy terrain of the higher elevations. Unlike white-tailed deer, mule deer exhibit a bounding gait called "slotting." Slotting is a gait in which both fore and hind legs are synchronized and the animal spends a portion of its gait with all four feet off the ground. Slotting enables the mule deer to conserve horizontal momentum from one stride to the next and to outmaneuver predators with quick changes of direction - even while suspended in mid-air. Slotting mule deer achieve speeds that are somewhat slower than a white-tailed deer gallop (Lingle 1989).

Lingle's study found that when confronted with a predator or other threatening situation, white-tailed/mule deer hybrids exhibited a period of uncertainty characterized by several approaches and retreats and then escaped with a bounding gait. Unlike the mule
deer slot however, hybrids bounded with the forelimbs synchronized and the fore and hind limbs moving independently of each other. This gait is slower and less efficient in comparison to either the mule deer slot or white-tailed gallop. Results of Lingle's study also indicate that the uncertain behavioral response and slower escape gait of the mule deer/white-tail hybrid renders it more vulnerable to predation than its counterparts - whether it is associated with a group of mule deer or a group of white-tailed deer. The study also revealed that the hybrid offspring were most often produced by a mule deer doe, hence they tend to associate themselves with mule deer herds.

The hybridization between two subspecies of white-tailed deer, the Coues deer and the Texas white-tailed deer, serve as another example of genetic alteration. In efforts to produce a larger and more heavily bodied specimen, Texas game farm managers began importing and introducing the larger Texas white-tailed deer into the Coues deer populations located on their lands (Galindo-Leal and Weber, 1994). The desired results these game farm managers were seeking were: 1) the propagation of more "trophy" individuals; 2) hybrid vigor and; 3) increased genetic variability. The researchers documented instances of calving difficulties in captive Coues deer believed to have been bred by a Texas white-tailed deer. The potential for calving difficulties among Coues deer bearing hybrid calves is accentuated by the polygamous mating system of deer which could be expected to confer a reproductive advantage to Texas white-tailed bucks (i.e., larger bucks are responsible for a disproportionate number of matings). Galindo-Leal and Weber, (1994), point out that hybridization between animals of different size and proportions can be expected to result in the same of kinds of calving problems that are common among
domesticated livestock breeds. They also suggest that the Texas white-tailed deer may not be as well adapted to habitats occupied by the Coues deer and, that since introduced animals are provided with supplemental foods, this problem would not be immediately apparent. They speculated that sexual competition, in addition to resource competition between the two subspecies, increases the likelihood of elimination of one species or other less predictable outcomes. They also caution that over-enthusiasm for animal size and translocation of subspecies from one geographic area to another may result in a loss of locally adapted populations and ultimately, alteration of the genetic composition of the entire population.

However, the most prominent threat to our North American elk could very well be the introduction of red deer genes into our wild native herds. These species have hybridized in free ranging situations in New Zealand, as well as reported instances in Colorado, Wyoming and Montana. In these states, it is widely believed that many so called amateur geneticists have attempted to hybridize red deer and elk in order to increase trophy antler production. Genetic screening of elk in Colorado revealed that 10% of the animals on 13 of 21 game farms tested contained red deer genes. Testing in Alberta revealed that at least 11% of the test sample were hybrids. Genetic testing laboratories in the U.S. and Canada report that submitted blood samples are testing between 10% and 18% positive for evidence of red deer hybridization (Lingle 1989).

In Montana, Wyoming and Colorado, state wildlife officials have found that red deer hybrids have been harvested in the wild during hunting seasons (Youmens 1993). Wyoming wildlife officials in the fall of 1993, found that an elk killed by hunters in the
Snowy Mountains was a red deer hybrid. The hybrid elk escaped from a Colorado game farm nearly 75 miles from where it was killed (Youmens pers. comm. 1994). During the same fall in Montana, wildlife officials reported 6 red deer hybrids that were harvested near Ellinston, Montana. The animals bore no ear tags, tatoos or other markings required by Montana law so it was impossible to determine if the animals were game farm escapees or wild offspring of past escapes. The nearest game farm to the location where the elk were harvested was over 90 miles away and there were no reports of escapes from game farms. During the same period, wildlife officials investigating a poaching operation in the Avon area tested a number of poached elk for the hybrid gene. They found several animals to be highly suspect and one tested positive. As a result of these positive red deer hybrids, FWP contracted a New Zealand helicopter crew, specializing in helio-borne net catches, to catch elk from the identified source herd (Youmans pers. comm. 1994).

There are several results that occur from red deer/elk hybridization throughout the game farm industry and ultimately, in wild herds of free ranging elk. For instance, male red deer and elk/red deer hybrids are more aggressive breeders than the Rocky Mountain elk. Hybrids often exhibit behavioral and physical alterations including changes in vocalization (red deer “roar” instead of bugle like the North American elk), coloration, confirmation, behavior, and antler configuration. Selective breeding or hybridization for tractability or body conformation destroys the adaptations of the species as well.

Game farm environments also preclude behavioral strategies that play significant roles in the natural selection process such as migration, wallowing, shelter-seeking, predator avoidance, competition between bulls, mate selection by cows, and isolation at
calving time. Management practices that contribute to an unnatural environment include over-crowding, removal of antlers in the velvet stage, premature dislocation of family groups, segregation by age, sex, size and class, supplemental feeding, anthelmintic and other medical treatments, as well as manipulated seasonal patterns of growth and reproduction (Fisher and Bryant 1993).

Antler attributes, specifically size and mass, are thought to have evolved primarily for behavioral purposes: to advertise and symbolize species-specific fitness and rank of prime males, threaten rivals, attract females and to shield the male during sparring or fighting contests. In a non-competitive, captive, single sire system, such as those of game farms, advertisement and competition behaviors by bulls (bugling, thrashing, and digging with the antlers, sparring with other bulls, urine spraying and wallowing and the holding of harems) become superfluous, if not undesirable exercises. Even if not harvested for velvet, antlers are often removed prior to the mating season for economic and safety reasons. In lieu of mate selection by cows, the sire is selected by the game farmer on the basis of criteria such as size and weight, antler value and overall temperament. The mate selection process then becomes artificial. Since mating is a package deal that has an element of chance, the game farmer attempts to achieve certain desirable traits through selective breeding often can result in unwanted or unintentional genetic traits as well. Captive breeding programs are designed to maximize animal production and financial returns for the game farm operator and not the natural selection process. Behavioral traits considered desirable in a captive situation include docility, ability to cope with crowding stresses, and reduced responsiveness to changes in the animals environment; both physical and
biological. Fisher and Brant's 1993 study indicates we need to thoroughly study the effects of "artificial selection" as opposed to "natural selection" and how changes in the selection process will forever alter or even eliminate our native wild species.

Most importantly, red deer genes could impact the long term success of elk populations that are currently well adapted to survival in the Rocky Mountain region. Genetic alteration could also have deleterious effects on the timing of breeding and calving, as well as the migratory behavior of the species. Each of these genetic possibilities could, over time, literally alter a specific species so much so that its eventual elimination from the wild would result. Hence, the Rocky Mountain elk we know today could likely take on a whole new set of physical and social characteristics-yet appear to be the same animal. Although the animal would likely appear normal to the average person, antler configuration and vocalization would be very different.

Finally, there is the issue of testing for hybridization in both wild and domesticated ungulates. There are laboratories that conduct tests to determine hybridization between red deer and elk routinely. These laboratories utilize an electrophoresis procedure that relies on two to four protein markers to determine hybridization (Dratch and Gyllensten 1985). Since 1991, elk imported into the State of Montana have been required to undergo the testing for hybridization. Unfortunately, the current available testing technology is 100% efficient at identifying only the first generation hybrid offspring of a cross between red deer and an elk. The power and efficiency of current technology to detect second and subsequent generations of hybridization declines with every generation thereafter. Offspring of hybrid parents can exhibit the protein profile expected in either a red deer or
elk, rather than the profile of the first generation hybrid. The chance that hybridization will be detected is reduced substantially in the case of offspring from a hybrid and elk backcross. Because of this, the utility of currently available testing technology to establish the purity of either red deer or an elk is limited. In the absence of whole-herd testing and detailed breeding records, tracing an animal's lineage directly to native wild stock, any game farm elk, whether or not it is identified by existing genetic tests as hybrid, is potentially a hybrid. Just as tests for tuberculosis are more reliable for a herd than they are for an individual animal, currently available genetic testing technology can more reliably assess the "genetic purity" of a herd rather than that of an individual animal. If an animal is identified as a hybrid from within a specific herd, then an individual animal originating from the herd is more likely to be a hybrid than an individual animal originating from a herd in which no animals have been determined to be hybrids (Dratch and Gyllensten 1985).

There are currently new testing technologies under research and development that show promise in our ability to determine genetic purity as well as new documented lineage requirements of individual animals. These new genetic tests may employ maternally inherited mitochondrial DNA or stretches of DNA termed microsatellites. Although it is not known how long it will take for new genetic testing technologies to be perfected, new tests are expected to be capable of identifying hybrids that have escaped detection using existing testing technologies.

In the meantime, there are continued reports of red deer/elk hybrids being discovered in the wild and on game farms. Despite regulations prohibiting the translocation of these hybrids within Montana, the potential for pollution of our wild herds...
still exists—our wild free-ranging herds do not know or heed the boundaries of fences. Additionally, a number of game farms have not taken the appropriate testing steps in accordance with rules they helped adopt. Montana’s administrative rules require all game farm elk born on or before December 31, 1999, to be tested for red deer hybrid no later than January 1, 2000. The rule also requires the testing of all elk born between January 1, 2000 and December 31, 2001 to be tested during the year following their birth (ARM 12.6.1542). However, as of August 17, 2000, numerous game farms had not complied with the testing. The report of those animals that had been tested revealed that 17 game farms had 44 positive hybrid tests. A review of records on September 14, 2000, revealed 23 additional positive hybrids on seven more game farms. Owner’s were sent a letter detailing actions to either ship the animals out of state, slaughter them or have them neutered by October 1, 2000. As of October 1, 2000, ten hybrids still remained on two farms who refused to comply with the rules. The Department of Livestock also sent letters to thirteen additional game farms on September 5, 2000 that hadn’t sent hybrid test results to the DOL. DOL gave these operations 30 days to comply. However, to date only eleven have responded and most of them were requesting extensions (Starkel 2000) Despite the industry’s acknowledgment of the hybridization problem and its participation in the drafting of rules to protect against hybridization, the efforts have failed to resolve the problem on Montana game farms.
DISEASE AND PARASITES

Diseases and parasites have historically evolved and coexisted with a wide variety of animal populations, both domesticated and wild. Conditions such as domestication, close quarters confinement, and broad-scale movements of animals, all create conditions conducive to the proliferation of diseases and parasites. These conditions not only threaten the potential health of an individual animal or herd, they pose significant threats to entire species as well as human populations. The control or eradication of a wide variety of diseases associated with the game farm industry and our native wildlife have been of primary concern of both the federal and state fish and wildlife agencies as well as agricultural departments throughout the last few decades. While those diseases and parasites associated with confined domesticated animals can generally be controlled or eradicated within the confines of a specific operation, the epizootic threat to free ranging wildlife is uncontrollable via the same means.

Low or unknown efficacy of disease and parasite tests have resulted in several disease outbreaks in captive herds of wildlife and domesticated livestock. Several of these outbreaks have had devastating effects. The escape of game farm animals in several states, as well as co-mingling of domesticated livestock and free ranging wildlife, poses an additional potential threat of disease and parasite transmission to our native wildlife no
matter where the location or what the disease maybe. Once an animal is infected, the transmission of disease from wildlife back to domestic livestock could also pose a threat to the domestic and alternative livestock industries as a whole. The risk and expense of disease control, if realized, would be borne by the citizens of Montana, sportsman of all types, and ultimately, our wildlife populations.

The Montana Department of Livestock has consistently supported the game farming industry with the belief that it can be managed and regulated according to principals and practices proven effective with traditional livestock. Consequently, under existing state regulations, imported ungulates such as elk and deer are screened for typical livestock diseases such as TB, brucellosis, blue tongue, and meningeal worm to name a few. However, not all diseases are reportable diseases under the current rules and subsequent infection reports are not required. Many wildlife diseases are little known and cannot be tested for, or do not show any signs or symptoms until the disease has manifested itself beyond the point of no return. Likewise, most DOL personnel are untrained and tend to be unfamiliar with diseases related specifically to wildlife. Within the state of Montana, many of the wildlife diseases associated with game farms have been found to be the source infection for both game farm animals as well as free ranging wildlife.Insensitive screening tests, shortened quarantine periods, and continued pressure from the industry to allow the importation and exportation of animals from other areas lacking any substantial screening, has been the source of significant disease issues in the state. These actions have resulted in complete depopulation of total captive herds, culling of wild animals within the vicinity of game farms, the exportation of disease from Montana based
game farms to other states and even the spread of disease to humans. The two diseases having the most impact on Montana as a whole have been bovine tuberculosis, (TB), and chronic wasting disease, (CWD).

**Bovine Tuberculosis.** Bovine tuberculosis, more commonly known as TB, is a disease that has been documented throughout the world in both domestic livestock and wild ungulates. It can be lethal in wild elk herds, domestic livestock, deer, and human beings. Although many cases have been traced to TB infected cattle herds, it is also been proven that game farms also serve as a mechanism of infection to wildlife (Roffe and Smith 1992). Currently, bovine tuberculosis is no longer believed to be present in any significant degree in the free ranging wild herds of ungulates of North America except Michigan and Texas. However, the problem of TB infected wild white tailed deer in these two states is so enormous that in December 2000, the US Secretary of Agriculture allocated $44 million in emergency funds to attempt to get the problem under control (USDA 2000). However, a number of outbreaks over the last two decades in Canada and the United States, have gained national attention and concern, not only for the health and safety of our public wildlife but, human life as well.

The earliest outbreak of TB in game farms was discovered in South Dakota in 1981 (Fanning and Edwards 1991). By 1992 the United States had 14 elk or deer herds that tested positive for TB in the states of Colorado, Montana, Nebraska, New York, Oklahoma, Texas, Washington, Michigan and Wisconsin (Roffe and Smith 1992). In Montana there were six facilities that tested positive, with no less than 43 domesticated elk testing positive as well. Additional outbreaks of TB were reported in 67 elk game farms
across Alberta. The Alberta outbreak ultimately lead to the destruction of more than 2,600 head of domesticated elk, and more than $25 million in compensation and clean-up operations for animals that were destroyed as a result of the TB outbreak. In addition, Canada’s agricultural disease free status was compromised. It has been valued at more than $1 billion over 20 years, and the outbreak now stands as the most serious transmission of bovine TB to people in history. The recorded instances of TB transmissions from game farm elk to families, veterinarians, technicians and labors in Alberta, includes 394 individuals tested because of potential infection, 81 individuals tested positive and 42 were recommended for treatment. One veterinarian actually contacted the disease and ultimately was forced from practice due to his failing health (Fanning and Edwards, 1991).

Overall indemnity costs to game farm operators for the Alberta outbreak ran up to $12,000 per cow and $3,500 per bull. Most importantly, records indicate that the original elk that died from TB in Alberta originated from two game farms located in Montana. These facilities were located in Corwin Springs, Montana and Phillipsburg, Montana (Lamb 1991, Fanning and Edwards, 1991). The elk were originally sold to a Canadian game farmer in 1989. The Corwin Springs ranch is located in the direct migration path of the Northern Yellowstone Herd. This allows the co-mingling of both wild migrating elk and the domesticated animals of the ranch. In fact, there has been a long history of contact between the domesticated elk of the game farm and the free-ranging elk migrating and living within the area (Youemens 1994). This continued co-mingling also serves to facilitate the spread of TB into the wild herds migrating through. If TB had spread from the game farm facility to the Greater Yellowstone ecosystem, it would likely take years before it is
Evidence of the dynamics of tuberculosis can be found in the Northern Yellowstone Herd of wild elk. Apparently, the presence of TB is only prevalent in winter-time feeding areas such as the National Elk Refuge, located in Jackson Hole, Wyoming. Elk which are fed supplementary foods during the winter contact and transmit TB as a result of the artificial concentrations of vast numbers of animals on the limited range. Elk herds that do not inhabit winter feeding grounds are free of TB (Haigh 1993). The obvious result of artificial concentrations of elk within an enclosed area, such as the limited area of a game farm, could contribute to the acceleration of an outbreak of TB. The end result is that any outbreak of TB in confined animals, no matter how large the area, could ultimately be passed on to our wild herds of free-ranging elk.

Since the original detection of TB on two Montana game farms, 6 additional Montana operations have experienced TB problems; ultimately leading to the depopulation of those herds and the quarantine of numerous animals located at facilities receiving Montana based imports. The elk on these six respective game farms were ultimately traced back to a facility in Nebraska; also known to be infected with TB.

In 1993, TB was found on the Elk Valley Game Farm, near Hardin, Montana. Following the detection of the TB, Montana’s FWPs established a wildlife surveillance program that was conducted on a 4-mile radius of land adjacent to the facility. After months of surveillance and harvesting countless deer and elk, numerous small mammals including ground squirrels, badgers, muskrats and beaver, one wild mule deer buck tested positive for TB. In addition to the random testing of public wildlife, FWPs established a
limited number of special deer, antelope and elk hunting tags to eradicate wildlife in the immediate area of the facility. Total estimated costs associated with the Hardin TB eradication program exceeded $58,000-paid for by sportsmen in Montana.

To date, there is no vaccine or treatment available for TB existing in animals and the procedures for testing for TB are not very reliable (Lanka and Guenzel 1991). Consequently, the only control method for TB positive animals is the destruction of an entire herd. The importation of two TB positive elk into South Dakota and their exposure to bison and the ultimate sale of infected animals, have been credited with creating a health and economic problem of national significance in the early 1980s (Nettles 1984). In 1994, the National Research Council, in a report to the Rocky Mountain News of Denver, declared TB in game farm animals "a major threat to disease eradication efforts in cattle, to the health of the industries, to wildlife and to the public." TB has also become problematic within red, sika, axis, and fallow deer found on game farms across North America. As a direct result of the TB infected elk imported from Montana in the early 1990's, Alberta will continue to face the problem of maintaining disease free herds in both domesticated and wild herds of elk for at least the next 10 years.

*Mycobacterium bovis*-a slow growing bacteria-is the most frequently isolated strain of TB found in hoofed animals (Thorne 1993). *Mycobacterium bovis* is difficult to control because it is relatively resistant to environmental conditions as well as the fact that there is no method of detection which is 100% reliable. Many animals which test negative for the disease develop clinical symptoms at a later stage in their life cycle. Consequently, they may be granted a disease free status when they are actually TB infected. In the event TB
becomes established in wildlife, efforts at control (almost certainly the destruction of infected animals) is not only expensive but futile. This is evident in the Australian effort to eradicate infected water buffalo. The cost per animal became prohibitive as the population was reduced. The only real effect was a decreased population in the study area—while the disease continued to persist and spread throughout the buffalo's range (Ridpath 1988).

TB becomes a significant problem among elk and cattle for reasons relating to ungulate ecology, physiology, and social behavior. Different species of deer have different patterns of feeding, grooming, and socialization. For example, the white-tailed deer, due to their solitary behaviors and tendency to avoid contact with other animals, would unlikely serve as the transport vehicle for TB. Elk on the other hand, an animal with much more pronounced social interactions, frequently groom themselves and other members of the herd, as well as overlap the food and grazing habitats of domesticated cattle. One infected elk could easily infect another member of the herd through the process of social grooming and sharing of grazing areas. In the case of infected game farm elk, those personnel who handle infected animals could also become infected. As well as the risks to people, infected elk could also contaminate, via body fluids, grazing areas, wallows, calving grounds, migration routes, watering sources such as standing pools and mineral sources, all of which are used by elk cattle and other animals (Geist 1988).

**Chronic Wasting Disease.** Chronic wasting disease, most commonly referred to as CWD, is the newest threat to large game animals such as elk and deer, found across the North American continent. CWD is a devastating disease that effects an animal’s nervous system and causes a slow, agonizing death. Scientists know very little about the disease in
terms of the method of transmission, ability to cross species barriers, or how to control the spread of the disease. As a result, the number of reported cases of CWD is rising at an alarming rate across Canada and the US.

CWD was first discovered in 1967 as a disease syndrome of captive mule deer held in research facilities in Ft. Collins Colorado. The deer had been held in confined facilities, similar to those utilized by game farm operations, for a period of up to four years prior to detection. Although CWD was first diagnosed in captive animals located at the research facilities, the original source, or sources, of CWD in captive or free-ranging ungulates is still unknown (Williams and Young 1982).

At first, chronic wasting disease was not recognized as a transmissible spongiform encephalopathy (TSE), similar to the mad cow disease (BSE), or scrapie, the TSE form found in sheep. Madcow disease has devastated the beef and dairy industry in the UK and has now spread across more than 30 European countries. Since then, 92 people have died from the human form of TSE know as variant Creutzfeld-Jakob disease—from eating BSE infected beef (USA Today, 2001). Although not the exact same disease as BSE (Mad Cow) or scrappies, CWD manifests itself in elk and deer in much the same manner as the former do in cattle and sheep. All three are members of the same family of diseases know as spongiform encephalopathy.

Chronic wasting disease has subsequently been recognized in captive deer, and later in captive elk in wildlife research facilities located near Kremmling and Meeker, Colorado and Wheatland, Wyoming as well as two zoos. Of the diseases currently facing wildlife managers and the game farm industry, CWD appears to be the most severe because it is
undetectable until the late stages, transmission methods are uncertain, and there is no
remedy once the disease has been contacted. It has been found to exist in game farm herds
in Wyoming, Colorado, North and South Dakota, Oklahoma, Nebraska and in a Montana
game farm located east of Phillipsburg. (This same game farm was also one of the 6
confirmed to have TB in 1991). Chronic wasting disease has also been recently discovered
in wild mule deer, elk and white-tailed deer in Colorado, Wyoming and just recently in
Nebraska. (Of note is the fact that Wyoming has banned all game farm operations, yet it
has still found CWD in wild animals). This deadly threat to our wildlife is especially
threatening because: 1) wildlife biologists are uncertain of its origin, 2) the incubation
period for the disease is thought to be from 2-8 years; 3) there are no obvious signs of the
disease's existence until it has manifested itself in very advanced stages and; 4) there are
currently no vaccines, remedies or tests for the disease. Animals infected with CWD will
surely die as a result of their illness and will very likely spread the disease to others prior to
their own demise.

Chronic wasting disease has been relatively rare in past occurrences and its
geographic distribution has been somewhat limited. More than 250 naturally occurring
clinical cases, most in captive research facilities and free-ranging mule deer, have been
documented in 9 contiguous counties in Colorado and southeastern Wyoming. There have
also been 15 reported instances of CWD on game farms in the states of Oklahoma,
Nebraska, South Dakota, North Dakota, Colorado and Montana-totally more than 260
infected animals.

In June of 1998, a CWD infected elk died on an Oklahoma game farm. The elk had
been purchased from a game farm located outside of Phillisburg, Montana. Subsequently, all the captive elk on the Phillisburg facility were depopulated at a cost of more than $80,000 to Montana’s sportsmen and women. The initial tests of the Phillisburg farm revealed another 5 elk had CWD. However, subsequent, more sensitive tests have revealed that nine elk present at the facility actually had CWD. On January 31, 2001 the Oklahoma Department of Wildlife announced that two more elk located on the original Oklahoma farm, have also died of CWD. These animals were traced back to the Montana facility. This brings the total CWD infected elk in Montana to 12 (MDFWP, 2001). Since the initial identification of CWD at the Phillipsburg facility, another 34 elk were placed under quarantine at a Hardin facility. The origin of the Hardin elk were suspected to be from Phillipsburg and all 34 head were ultimately euthanized because the owner no longer wanted to maintain the game farm. The owner simply abandoned the herd and left it for FWP to dispose of. During the same time frame, an additional game farm in Nebraska also reported two more elk fatalities due to CWD. Again, the elk were traced back to the Phillisburg facility.

The disease has also surfaced on 19 separate game farms in Saskatchewan within the last four years. During the year 2000, the Providence of Saskatchewan has announced the depopulation of 7 of these facilities, totaling more than 3100 captive elk, at a cost to the public of more than $6 million in compensation and another $4 million in additional disposal costs. As of April 5, 2001, the Canadian government has announced it will also depopulate 350 domestic cattle and 250 buffalo that are suspected to have pastured on the same grounds as the captive elk. In addition, the government has also announced the
discovery of a CWD infected two year-old mule deer buck harvested within 10,000 meters of one of the 19 game farms (CBC News, April 5, 2001). Recently, Agriculture Canada announced they would be depopulating another 10 game farms of at least 1000 more captive elk—with more to come (CBC News, Feb 1, 2001). In addition to the costs directly related to the Saskatchewan game farmers, the governments of Korea and New Zealand have recently placed a total ban on all Canadian elk velvet antler, meat and other by-products until further notice and are leaning towards the same on all North American elk and venison products. These latest actions have literally devastated Canada’s foreign export market which accounts for over 70% of their trade (Independent Newspaper Ltd, Feb 2, 2001).

These reports of CWD have all been discovered in commercial game farm operations since 1996 and are potentially linked to the exchange of infected animals between facilities. Although the disease doesn't appear to be common as of yet, the number of cases and the geographic dispersion of those instances is definitely on the increase. This trend maybe explained by the increased vigilance by wildlife and animal health officials, the expansion of the game farming industry itself, and the public responsiveness in reporting cases. It may also reflect an increase in the overall occurrence of the disease and the extremely long incubation period which occurs prior to detection. States like Montana, Nebraska and Colorado, have implemented reporting programs for all hunters harvesting wild elk and deer within prescribed hunting areas. To date, with the exception of those animals harvested near the original detection sites, only one mule deer buck has been taken in the wild that has tested positive for CWD. This buck was harvested
during the Nebraska fall hunt of 2000 and was located within 3 miles of the Nebraska facility that reported CWD in 4 elk obtained from Montana (Morrison, 2001). Based on preclinical testing of brain tissues from animals harvested in specific management areas, it appears that on average, CWD probably has infested itself in about 15% of deer population in two small core endemic areas of north central Colorado and southeastern Wyoming, and 4% or fewer deer in other surrounding mountain and plains areas. Testing of harvested animals indicates that less than 1% of the elk taken from within the same core areas are probably infected. Testing within new discovery areas is an ongoing, tedious and ambiguous process at best. This is primarily due to the frequent translocation of game farm animals throughout a large geographic area, the long incubation period and lack of adequate and reliable testing for the disease. The overall distribution of the disease among farmed animal operations should become more clear as industry-wide surveillance programs are developed.

Neither the agent causing chronic wasting disease nor its mode of transmission have been definitively identified by researchers. However, clinical manifestation of the disease is associated with the accumulation of protease-resistant prion protein in brain tissue. Experimental and circumstantial evidence suggests infected deer and elk probably transmit the disease through animal to animal contact and/or contamination of feed and water sources with saliva, urine, and/or feces. Chronic wasting disease seems more likely to occur in areas where deer and elk are crowded or where they congregate at man-made feeding and watering points. Although CWD does not appear to be a food-borne disease, artificial feeding of deer and elk may compound the problem because of congregation
associated with feeding (Williams and Young, 1982). In recent years, the disease has been more prevalent in areas in the foothills of north central Colorado where residents specifically put out feed for the deer and elk frequenting there. Despite wildlife regulations in most western states that have specifically prohibited feeding big game animals, many well-meaning individuals continue to ignore the laws and may be exacerbating the problem of CWD. The spread of CWD in wild herds of deer and elk has become so prevalent in Colorado, the Colorado Division of Wildlife set out plans to depopulate the core mule deer herds around the Ft. Collins Research facility by more than 40% during the year 2000 big game hunting season. Despite these occurrences in wild populations, there is ample evidence that CWD is appearing much more frequently in facilities where animals that are confined to small areas, such as game farms and not in the wild.

Deer and elk infected with chronic wasting disease show progressive loss of body conditions accompanied by behavioral changes such as a lack of fear of humans in the early stages. In the later stages of the disease, excessive weight loss, salivation, increased drinking and urination, stumbling, trembling, and depression, may be evident prior to death—which is inevitable. The long incubation of chronic wasting disease contributes significantly to the abilities of biologists to be able to detect the disease until the infected animal is in extremely advanced stages. As with other TSEs, the clinical course of chronic wasting disease appears to be progressive and irreversible, ultimately leading to the death of all affected animals. Because the clinical signs of chronic wasting disease are relatively nonspecific, laboratory examination of clinical suspects is essential for confirming this disease (Williams and Young 1982 [b]).
At the present time, the diagnosis of chronic wasting disease is based upon microscopic examination of brain tissues from deceased suspect cases only (Williams and Young 1982). There are currently no live animal tests for diagnosing either clinical or preclinical chronic wasting disease in either elk or deer. The lack of effective screens increases the potential of an outbreak in our wild herds of elk and deer. In addition to testing being conducted only after death, false negative results also occur with most testing procedures. While the industry and our US Department of Agriculture continue to deny any potential for transmission of CWD to humans, there is mounting evidence that this may not be the case. In fact, the FDA is currently investigating the premature deaths of three Utah individuals, all under the age of 30, all having a history of eating elk and venison, all succumbing to vCJD (Usborne 2001).
COMMERCIAL SHOOTING OPERATIONS

Unquestionably, the most controversial and hotly debated aspect of the commercial game farm industry is that of “canned trophy hunting” or the shooting of “penned animals” for sport. Unlike the issues of hybridization, risk of disease transmission or loss of habitat, the shooting of penned animals has no historic statistical evaluation available and no tangible outcomes that can be measured except for one purpose, the economic gain of a few individuals involved in this practice.

Commercial shooting operations are touted within the rank and file of the game farm industry as the most significant source of revenue for those involved in raising penned elk. However, they make every effort to downplay the advertisement of the practice. Newcomers to the business are encouraged to make their initial investments in the breeding and raising of “pure” bull elk that have proven bloodlines, capable of producing offspring known for their large antler growth and massive body size. In addition, they are encouraged to raise only “pure” cow elk known for their high yield of high quality offspring. In fact, the industry actually has a rating system for marketing their animals. This rating system is utilized to classify certain performance traits of individual animals in order to enhance the overall marketing of the best animals they produce. High end animals or animals with bloodlines that consistently place high in antler competitions, bring the
highest financial reward when sold to a shooting operation. A high end bull, on average, will bring between $10,000-$20,000 from an individual seeking his trophy of a lifetime. Cows of the same category average $16,000 and up. During a recent breeder’s sale in Wichita, Kansas, a yearling bull calf, sired from a well known “high end” bull, sold for $40,000. The animal’s value was based upon the proven track record of his bloodlines to consistently produce bulls that produce exceptionally large antler mass (North American Elk Breeders Association, 2000). The intermediate or secondary rating grouping consists of somewhat above average animals with limited proof of performance for antler production. These animals are generally sold to shooting operations that provide “guaranteed” kills for clients who are not seeking record book bulls but do desire to shoot a respectable bull elk for the family den. Generally speaking, the intermediate market is the main stream of the shooter bull market, with guaranteed kills averaging $6000 each. The last category is the commercial grade. These animals are mostly of unknown origin, have no specific bloodlines and no antler performance records. These animals generally have no appeal to the owner of a shooting operation or his potential clients. Consequently, they are most often utilized as the initial start-up animals for the unsuspecting beginner who is either unaware of the true orientation of the industry’s market or is simply interested in getting started. Overall, all three categories are focused at one goal and that is to fuel the demand for bull elk to be utilized as shooting targets by clients willing to pay large sums of money for a guaranteed kill. The velvet antler and breeding markets merely complete the circle and provide the targets for the shooter operations.

There are currently 26 states and provinces that allow the practice of shooting
penned animals. Of the 84 facilities located in Montana, 15 are licensed shooting operations. According to one of the US’s largest game farm operators, Len Wallace of Darby, Montana, the shooting of captive animals by “trophy hunters” makes up nearly 70% of his annual gross revenues (Len Wallace, April 22, 2000, personal communications). In a typical year, Wallace will sell an average of 150 guaranteed trophy kills to clients who are generally short on time but well heeled financially. His typical clients are professional individuals, doctors, lawyers, CEOs, etc., who lack the time, physical condition, and outdoor skills necessary to hunt wild free ranging elk. There are also those who actually fear such things as the dark, the forest, mountain lions, bears, and the so-called perils of typical elk country. Consequently, they turn to commercial shooting operations for the convenience and security of a controlled environment.

Game farm operators, who are proponents of penned shooting, defend this practice in a variety of ways. The primary defense utilized is that of economic development and agricultural diversification. In Montana, the industry proclaims to bring between $15-$20 million annually in economic benefit to the state (Montana Alternative Livestock Producer’s White Paper 1999). (These are MALP projections and lack any creditable substantiation). One quarter of this projection is allegedly from two of the state’s shooting operations. Wallace claims his operation draws over $1.8 million annually while a Havre operator, Kim Kafka, claims to bring in more than $3.8 million. Combined, these two operations claim to bring $5.6 million annually-over one fourth of the state’s industry derived revenues in just two operations. Both operations are dependent upon the smaller breeding operations to provide shooter bulls for their clientele. The industry also claims
that the diversification of their “crops” into the elk farming business is another means of saving the American farm from extinction. Shooting facility owners also proclaim their operations reduce hunting pressure on native wildlife, provide specialized services to both handicapped hunters and corporate executives who are limited by physical handicaps or have little time yet desire a “meaningful” hunting experience with guaranteed results. They also proclaim their facilities offer a greater quality experience than fair chase hunting because access is limited to those who pay the high fees, the hunt is guaranteed to produce a kill, and there is less chance of being shot in these controlled environments. Finally, the industry proclaims shooting facilities provide an economic benefit because they provide a market for older animals who have taken the downward turn in terms of antler production and breeding capabilities (Deer Farmer’s Digest 2000.) In each proclamation made, one underlying fact is consistently revealed—the shooting of penned animals for trophies is fueled by the economic gain of a few individuals. The industry readily admits that they view farmed elk as a “crop” and not as a wild animal. They repeatedly proclaim their crop is a domesticated/semi-domesticated animal and they should be allowed to harvest these crops in any manner they deem reasonable (Montana Alternative Livestock Producer’s White Letter 1999 [MALP]). Unfortunately, the method of choice is to place the animal in a confined area, remove his ability to escape or hide, and sell him to the highest bidder for target practice. One day the elk is a domesticated crop and the next, it is a wild trophy animal for some client to stalk and kill for a trophy.

There is honorable hunting, and there is cowardly killing. The motivations and characters defining each are as distinct as night and day (Peterson 1998). For most
individuals, the thought of shooting an animal that has been raised in a pen, in essence a pet or livestock one day and wild game the next, is nothing less than killing. The practice of “killing” a penned animal, unable to escape or elude the hunter, violates the concepts of fair chase hunting entirely and morally degrades hunting as a whole. Fair chase hunting is the pursuit of wild, free-ranging wildlife in their native haunts. It pits the skills of the hunter against the natural survival skills of the pursued. The fair chase hunter is never guaranteed “no kill, no pay.” His rewards or profits are not based on placing a large trophy head on the wall in the den. Rather, the reward is the profound respect, understanding and appreciation for all things wild and their wild habitat. The gratification is not in the kill but in the opportunity to exist and experience all things wild, in their natural habitats.

At the turn of the 20th century, commercial hunting had decimated North America’s wild herds of elk, deer, buffalo, antelope, moose, passenger pigeons, and song birds. As a result, our wildlife had to be restored. The governments of North America (Canada and the US) were forced to take corrective actions before the depletion of our native wildlife became irreversible. Four basic principals founded a system of wildlife conservation that was unique in the world. It established:

1) Wildlife as a public resource;
2) A ban on the marketing of vulnerable wildlife;
3) Allocation of (hunting) wildlife controlled by law;
4) A ban on the frivolous killing of wildlife.

This policy ultimately led to the restoration of much of North America’s wildlife and likely stands as the single greatest environmental success story in the history of the planet
(Rowledge 1999). It established hunting seasons that determined when, where and how individuals could hunt versus killing for profit. Individuals were no longer able to market animal parts for private enterprise. Instead, they were now required by law to clean, pack, package and consume the wildlife they harvested. Fish and wildlife resources began to be managed as a public trust by the separate states. In essence, this newly established wildlife policy also established both an ethic and a hunting heritage for all of us to follow. For those who hold this trust in high esteem, the act of domestication and commercialization of the last remnants of our free ranging herds of deer and elk for the purpose of killing, poses a real threat to the positive progress of the last 100 years. It is as harmful to the future of our wildlife as any disease or hybridization problem known. Finally, it returns us to the European system of hunting, in which only the wealthy, influential and elite shoot animals in a ritualistic imitation of hunting while harming the image of hunting and contributing to an industry that threatens public wildlife and public hunting. The act of killing a penned animal for profit on a game farm, not only trivializes the animal’s life, it literally guts the very essence of our public wildlife policy in order to privatize and commercialize wildlife for the economic gain of a few.
MONTANA GAME FARM LEGISLATION

Montana’s regulatory history pertaining to game farms and the private ownership of game animals prior to 1975 is extremely limited and poorly documented. Laws were general in nature and placed little emphasis on safeguarding against such threats as spread of disease, hybridization, poaching, loss of habitat, and commercialization. During the early 1900's, the state did enact laws which provided for the private ownership of wild animals and birds found to be indigenous within the state. In addition, regulatory authority was placed under the supervision of the State Fish and Wildlife Commission. All oversight of licensing, sales monitoring, transfer of animals, and law enforcement, became the responsibility of the Department of Fish, Wildlife and Parks (Youmens pers. comm. 1994).

By the early 1970's, scientific information had become more available concerning natural resource management; particularly in the area of wildlife disease, habitat utilization and genetics. Scientists, conservation organizations and groups, as well as individuals, became increasingly concerned with the impacts game farms were having in these areas. Initial concerns centered around the removal of endemic wildlife from game farm enclosures and the rights of private ownership. By the mid 1970's issues blossomed to encompass disease, escape and hybridization, identification techniques, competition for habitat and the ethical concerns associated with canned shoots. In a like manner, game farm owners began to became increasingly concerned with the infringement on their rights as
property owners and the enactment of regulations that would restrict the industry. Both sides began to lobby the legislature in order to achieve their respective goals.

The first major controversy in Montana arose between game farm operators and the Montana Department of Fish, Wildlife and Parks over the department’s attempts to tighten regulations. At issue was whether or not game farm animals could be dealt with as privately owned animals (Swanser 1992). Game farmers contended they not should be required to obtain a permit from FWP to harvest game farm animals via a “canned” hunt. In other words, could game farm operators sell their domesticated elk as trophy hunts? In the industry’s opinion, FWP was imposing hunting regulations on game farms without precedent. FWP was attempting to require all persons harvesting game farm animals to procure a state big game hunting license and comply with the state’s general hunting season regulations in terms of seasons, bag limits, hunting hours, etc. The industry did not feel their operations were subject to these regulations because their animals were “private” property and as such, they had a right to cull their herds in any manner they desired. In response to FWP’s action, game farmers filed for a Writ of Mandamus in order to obtain an operating license without permit restrictions on the harvesting of game farm-owned game (Swanser pers. comm 1994). Although the game breeders were successful in this action, the controversy continued not only between game farm owners and the FWP, but with sportsmen organizations and the general public.

Despite its defeat, FWP felt it had the responsibility to enforce permit restrictions on game farm harvests. This belief was based on the Commission's authority to interpret, apply and enforce existing rules and laws. By section 82A-2004(5), R.C.M. 1947, the
Commission was designated as a quasi-judicial board for the purposes of drafting and administering the rules applicable to the industry. Section 82A-103(9), R.C.M. 1947, defines the term "quasi-judicial function" and provides that the Commission may, in its adjudicatory capacity, interpret, apply and enforce existing rules and laws; grant or deny privileges, rights or benefits; issue, suspend or revoke licenses, permits and certificates; determine rights and interests of adverse partes; evaluate and pass on facts; order action or abatement of action; and do any other act necessary to the performance of its quasi-judicial function (36 A.G. Op. 112, 1976).

In December of 1976, the Montana State Attorney General’s office issued a formal opinion regarding the situation. The Attorney General determined, through a legislative review, that the FWP Commission had not promulgated any rules or regulations governing the harvesting of game animals on game farms nor had the legislature enacted any controlling statutes (36 A.G. Op. 112, 1976). It was the Attorney General's official opinion that FWP did not have the authority to regulate the hunting and killing of privately owned deer, elk, antelope and big horn sheep on a private game ranch through the imposition of licensing requirements on individual hunters. Nor did it have the authority to enforce regulations concerning the opening or closing of seasons, and bag limit restrictions in the absence of any definitive statutes rules or regulations.

The issue was ultimately settled in an unreported district court case favoring the game breeder (Boyce v. Montana Fish and Game Commission, No. 8529, 13th Judicial District), (Swanser 1993). The court held that once a game farm owner legally acquired the animal, he had the right of private ownership. Thus, he did not need a state license to
harvest the animal in any manner he deemed appropriate. The major significance of this case is that it defined a division between state-owned animals and privately owned animals.

From 1975 until 1980, The Bighorn Game Ranch was faced with the perplexing problem of how to deal with indigenous wild deer existing within their 19,000 acre fenced farm (38 A.G. Op. 68, 1980). A number of attempts were made to remove these animals including special hunts (Swanser, 1994), (38 A.G. Op. 68, 1980). This method became extremely controversial with the public and the situation became tenuous at best. The game ranch held that it was the state's responsibility to remove these animals through live trapping, hunting or other methods. The owners felt that the state must relinquish its claim of ownership if removal could not be accomplished within a reasonable time.

In February 1980, an Attorney General's opinion was issued upon the request of FWP pertaining to the removal of public wildlife from game farm confines. One of the oldest Montana property statutes relating to the ownership of wild game states: "Animals, wild by nature, are the subject of ownership, while living, only when on the land of the person claiming them, or when tamed, or taken or held in the possession, or disabled and immediately pursued." The owners felt this appeared to support the their opinion in relation to the wild indigenous deer herd. However, the Montana Supreme Court was able to construe this statute in Herrin v. Sutherland, 74 Mont. 587, 241 P. 328 (1925). The court held that the landowner's right to ownership of wild game was a "qualified right." Their right was limited to protecting wildlife from harassment and invasion by trespassers upon their property. In an additional case, Rosenfeld v. Jakways, 67 Mont. 558, 562, 216 P.2d 776 (1923), the court held that, "ownership of wild animals is in the state, held in its
sovereign capacity for the use and benefit of its people." It was the official opinion of the Attorney General that; "Where the fence of a game farm permittee under section 87-4-401, et seq., MCA, encloses native wild big game animals, these animals remain the property of the state and may be hunted and taken only in compliance with state law. The state has no responsibility to remove the wild game animals from the enclosure"(38 A.G. Op. 68).

As a result of these losses, tension between the game farm industry, FWP, and conservation groups concerned with the negative impacts of game farming, mounted even more. Public concerns questioned the value of game farming and the potential harms they posed to native wildlife. Three main issues surfaced. First, it was considered the "burden of obligation" of the state of Montana to support wild game. Fences, such as those on game farms, excluded wild ungulates from habitat and were therefore felt contradictory to this "burden" (Swanser, pers. comm. 1994). Spread of disease was the second concern; not only from game farm animals to their wild cousins, but ranchers were also concerned for the safety of their livestock. Diseases such as brucellosis or tuberculosis could potentially devastate their herds. Hunters and biologists had similar concerns for the health of free-ranging native wildlife. Lastly, moral and ethical issues began to surface over the ownership of wild animals (Swanser, pers. comm. 1994).

In 1982, Governor Schwinden, with the concurrence of the legislature, appointed a 13 member Game Farm Task Force to develop legislation to clarify regulation of game farm operations and assign agency jurisdiction. The purpose of this task force was to clarify regulation of game farm operations and assign agency jurisdiction. Hunters, game farmers, state fish and wildlife and livestock officials, were given equal representation on the task
force. The group convened for one year with all parties contributing input and negotiating solutions based on their concerns. The game farmers offered a number of solutions that were focused primarily on their economic concerns while conservation groups offered solutions that supported the protection of native wildlife (House Fish and Game Committee Minutes 1983). As a result of this task force, Senate Bill 448 was drafted and submitted to the 1983 legislature.

**Senate Bill 448.** The Game Farm Bill of 1983, Senate Bill 448, repealed sections of existing game farm laws and replaced them with updated legislation which reflected the problems and issues of the time. It outlined the right of private ownership of game farm animals, allowing the sale of game parts, meat and by-products and detailed procedures for establishing and monitoring game farms and harvesting private game farm animals. It went on further to remove any enforcement authority from FWP pertaining to the harvesting of game farm animals from within the confines of licensed game farm facilities (House Fish and Game Committee Minutes 1983). The industry had achieved a victory while FWP and the conservation organizations lost. The industry was clearly gaining on its desired ability to eliminate FWP from any further oversight.

During this same time frame, there was growing concern of the potential harms from disease and parasite introduction, as well as hybridization among wildlife advocates. Those fears were realized in 1989 with the discovery of TB at two Montana game farms and again, with red-deer hybrids appearing in the wild in both Wyoming and Montana during 1991 (Youmens, 1993). Finally, the industry itself posed a number of significant problems with the illegal trapping and possession of wild game animals. Numerous
violations were issued for operating game farms without licenses, illegal outfitting, and possession of illegal game other than those prescribed (Montana FWP Records, 1991). Those opposed to game farms felt that existing game farm statutes were inadequate, yet the industry was seeking less restrictive measures.

House Bill 556. The Game Farm Bill of 1991, House Bill 556, was introduced in order to strengthen the need for support of the game farm industry. It also served to clarify and strengthen the oversight responsibilities from both the Department of Livestock and the Department of Fish, Wildlife and Parks. HB 556 also clarified that criminal and civil penalties may be assessed in addition to, or instead of, revoking a license. This had been a particular problem for FWP in the prosecution of some previous violations. HB 556 would also require game farmers to comply with rules administered by the State Department of Livestock relating to marking, inspection, transportation, and health of game farm animals. HB 556 placed oversight of identification, transportation, importation requirements and health certificates under the supervision of DOL. For the first time, a real division of oversight responsibilities between the DOL and FWP began to appear.

In addition to the above actions, two significant amendments were made to HB 556 that had impact on the industry. The first made it illegal to import exotic game species into the state. The second increased the penalties associated with violations and specifically allowed for the revocation of a license. Both amendments passed (House Fish and Game Committee minutes 1991). Overall, FWP and the conservation groups felt they were losing ground; in particular, they were concerned with transfer of certain oversight responsibilities to the DOL. They felt the DOL was more industry friendly and less concerned about the
health and welfare of native wildlife.

Following the passage of HB 556, increased pressure from various groups concerned with the welfare of native, free-ranging elk and deer, disease issues, as well as the practice of captive shooting, brought game farming to the forefront. Numerous state agencies such as the Department of Environmental Quality (DEQ), and FWP became more concerned with the issues surrounding game farming.

The concerns voiced were many of the same concerns that had been made in previous years only now, they were being reinforced by substantial records which documented the threats and concerns associated with the industry. The depopulation of 6 game farms for TB, discovery of TB in wild mule deer, in close proximity to game farms, coupled with evidence of escapes and red deer hybridization, and the conviction of several owners for theft of publicly owned elk and deer, fueled the controversy. At the core of the disputes was the practice of canned hunts and the velvet antler market. As the industry began to expand within the state, it became apparent the real backbone of the industry hinged on these two aspects alone. The various opponents voiced the need for more effective regulations to monitor game farm operations within the state. On the other side, it was the opinion of the game breeders that FWP was trying to close down all game farms (Swanser 1993).

Tensions mounted even further between parties when, in March of 1992, state inspectors conducted a search of all 97 licensed operations. They documented a large number of violations. A follow-up search was conducted in July of 1992 with specific warrants for business records, personal files, and accountability of all animals. A number of
operators were cited and several ultimately were criminally prosecuted for their violations. Several had their licenses revoked and went out of business as a result. The game farmers felt that they had been harassed and their reputations badly tarnished in an effort to eliminate their industry from Montana. They were infuriated and perceived the entire process as a hostile act, aimed at the demise of their business. Needless to say, the relationship between game farm owners, FWP and a variety of sportsmen organizations, as well as other activists groups, were severely strained. The industry was convinced the only way it could survive and prosper was to eliminate FWP from any oversight responsibilities entirely (Swanser, 1993).

During this same time period, concerns over the effects of game farm locations on native wildlife ranges began to surface. The potential for blockage of migration corridors and the loss of critical winter range and calving grounds were of primary concern. In the fall of 1992, FWP proposed completion of an environmental assessment (EA) on game farms which were located along or near these areas. The industry viewed this requirement as another attempt by FWP to eliminate the industry from the state by slowing and ultimately denying the application process.

An additional conflict arose in 1992 between FWP and the game farm industry over the adoption of administrative rules. FWP adopted joint administrative rules with the Department of Livestock relating to game farms. Open public meetings were held and public input was received from many sectors of the public. The Montana Game Breeders Association felt they had been denied a fair opportunity to participate in the rule-making process (Swanser, pers. comm. 1994 ). FWP felt the game farmers were unclear regarding
their role in the rule-making process and that the game farmers may have incorrectly assumed that they would be the only public group involved in comments (Youmens, 1994). The Montana Game Breeders Association filed a petition requesting a hearing before the State Administrative Codes Committee to investigate whether the rules were properly recorded. The industry argued that the rules, as adopted, were procedurally and substantively unlawful. They also contended that the game farm industry would be willing to compromise and formulate reasonable rules regarding public and private interests. It was also insinuated that the game breeders would resort to a lawsuit if they were not given an opportunity to present their problems to an independent body (Swanser, August 14, 1992).

The Administrative Codes Committee informed all parties that they needed to meet and settle their disputes prior to the next legislative session (Youmens, 1994). In July, 1992, the Governor directed the establishment of a working group to address regulatory problems associated with the game farm industry and develop any necessary legislation to resolve any conflicts (FWP 1993). The working group was comprised of representatives from the Governor's office, the Board of Livestock, the Executive Secretary, Department of Livestock, the FWP, the Deputy Director of FWP, the Montana Wildlife Federation, the Montana Game Breeders Association, and an elected state representative (FWP 1993). The committee designation was the “Consensus Rule Making Committee on Game Farms.” Each representative presented their concerns and suggestions for legislation. The game farm industry was interested in solving its problems through the Department of Livestock and lessening any responsibilities held by FWP. The industry voiced considerable concerns relating to any type of regulation that would ultimately cost their individual operations.
increased financial burdens. They were opposed to suggestions voiced by the sportsmen and wildlife community concerning hybrid and disease testing, double fencing requirements as well as the abolishment of canned hunts (Swanser, August 20, 1992).

FWP voiced concerns about the introduction of meningeal worm, continued TB outbreaks, cryptosporidium, hybridization and ingress/egress problems of the past. The department felt that the committee had overlooked these major threats in the past and recommended corrective solutions (Stratton, August 11, 1992).

The Board of Livestock argued as a proponent of the game farming industry. It defended the industry as a credible method of efficiently utilizing Montana's grazing capacity. DOL also suggested the game farming industry provides a stable tax base at the private enterprise level. DOL concluded that HB 556 had not been enacted long enough to assess problems and make constructive changes. The department contended that the new legislative provisions would be guilty of unproductive harassment until any fault was discovered in the 1991 legislature. (Hagenbarth August 12, 1992).

It became readily apparent to the other participants, that the alliance formed between the game farm industry and the DOL was having an effect on the committee. The industry was again able to achieve its primary goals while FWP and its supporters lost more ground.

From the broad array of issues, FWP formulated a list addressing key points for 1993 game farm legislation. This list included: license application procedures, license renewal fees, term of license/non-transferability, game farm animals as private property, transportation and sale of game farm animals, records and reporting, ingress and egress,
game farm shooting license, general rule making, license revocation, seizure of animals, and legal protection of game farm animals.

**House Bill 338.** The 1993 Legislative Session brought about the introduction of House Bill 338 (HB 338). Sponsors of the bill emphasized the problems associated with illegal trade of wildlife parts, disease, importation of exotic species, hybridization, and health concerns for traditional livestock and that these issues were the main reasons for legislative modification. HB 338 served to update the penalties and seizure problems associated with illegally possessed animals as well as establish new criteria for issuing license. Finally, the bill established annual licensing fees at $50.00 and procedures for tracking the transfer, sale, and revocation of the game farm licences (House Fish and Game Committee Minutes February 4, 1993). HB 338 was approved and became state law in 1993.

Despite considerable deliberation during the development of HB 338, the controversies between the industry and FWP were not quelled. At issue was which agency should have specific responsibility to regulate individual animal identification. The industry proponents wanted to give more oversight to the DOL due to its favorable view of the industry, thereby severely limiting the oversight of FWP. Opposition from hunting groups, animal rights groups, animal welfare leagues, and environmental organizations grew increasingly vocal. Although intensive federal and state management could be employed, it could not guarantee 100% security for wildlife within the public domain. (Youmens 1994).

**Senate Bill 173.** During the 1995 session, Senate Bill 173 (SB 173) was introduced. The aim of SB 173 was multi-faceted. If adopted, it would have effectively
phased out the game farm industry from Montana over a 5 year period. Primarily, the bill: 
1) placed an immediate moratorium on issuance of new game farm licenses; 2) phased out 
all existing game farms over a five year period; 3) required existing game farm operators to 
purchase insurance coverage for any future expenses for state enforcement, ecological 
damage, recovery of escaped animals, etc., 4) increased license fees to $200.00; and 5) 
restricted the physical size of game farms and the number of animals per acre (Sen. 
Klampe, 1995).

The Montana Game Breeder’s Association mounted a considerable counter attack 
against SB 173 The bill was first introduced before the Senate Agricultural Committee 
(dominated by members friendly to the industry) and not the Senate Fish, Wildlife and 
Parks Committee. The game farm industry was able to align the majority of Montana’s 
agricultural community, as well as the Department of Livestock and the State Veterinarian 
in order to defeat the bill. Despite the considerable backing by sportsmen groups, 
veterinarians, wildlife professionals, and countless private citizens, SB 173 was defeated in 
its entirety in the Senate Agricultural Committee. Simultaneous to these deliberations, the 
game farm industry continued to work behind the scenes to achieve what had now become 
their primary goal. This goal was the elimination of FWP from any oversight 
responsibilities of their industry.

Over the course of the next 4 years, relations between the industry, FWP and the 
opponents of the industry, became increasingly strained. The rule making committee 
became increasingly bogged down over issues pertaining to safe guarding public wildlife 
while the game farm owners became more and more concerned with the effects of costs
and limitations any new rules would have on their operations. The primary concerns opponents consistently raised were the issues of disease, theft of public wildlife, hybridization, lack of reliable testing for diseases and hybridization, as well as inadequate fencing requirements. They argued that, despite some changes, the existing regulations did not go far enough to protect public wildlife and its overall safety and welfare.

The game farm industry countered by claiming the problems of disease, particularly TB, and hybridization had already been resolved with past legislation and rules. The industry claimed TB had been eradicated from the state and was no longer a threat to public wildlife. They also felt the issue of hybridization was a non-issue as a result of voluntary testing of privately owned game farm animals. Finally, the industry proclaimed that any further requirements placed on it would be too costly for the individual game farmer to bear. They flatly ruled out any possibility of double fencing or increasing the height requirements for existing facilities. The industry did agree to mandatory testing of all captive elk for red-deer hybrids. The industry resisted any new rules requiring the individual game farm owner from being solely responsible for all expenses associated with oversight to include costs of EAs and EISs, ingress and egress, disease control and on the negative ecological impacts resulting from the spread of disease from game farm animals. Efforts to remove FWP from its regulatory responsibilities and granting all responsibility to the DOL were defeated by the opposition (Consensus Rule Making Committee, 1997).

**Senate Bill 361** Senate Bill 361 was introduced by the game farm industry in the 1999 Legislative Session. SB 361's primary purpose was “An Act transferring primary oversight obligations for alternative livestock from the department of fish, wildlife and
parks, to the department of livestock; and providing effective dates.” In addition, SB 361 redefined the legal definition as applied to game farms. Under the bill, the term “alternative livestock farm” would be the new legal term utilized to identify game farm facilities. The Senate Agricultural Committee voted not to transfer all primary oversight to the DOL but did approve the legal re-designation of the industry (Senate Agricultural Committee Meeting Minutes, February 22, 1999).

In addition to SB 361, the 1999 Legislative Session also saw the introduction of several house bills aimed at curtailing the game farm industry expansion within the state and protecting Montana’s wildlife. House Bill 1173 (HB 1173), was intended to prohibit the practice of fee shooting and certain aspects of the industry’s advertising relating “fair chase hunts” on their facilities. House Bill 1174 (HB 1174), attempted to increase license fees for game farms and require the increase to be submitted to the electorate. Finally, House Bill 1175 (HB 1175) would have required the game farm license fee to cover all the costs of FWP’s administrative role for game farm oversight. All 3 bills were tabled in the House Fish, Wildlife and Parks Committee, with no further action. (Clark, 2000). Once again, the industry was making real progress with the advancement of its agenda while those who lobbied for the health and safety of our public wildlife were left with nothing.

The combination of newly found CWD infected animals in Montana and the lack of any significant legislative action over a period of years, aimed at protecting the state’s wildlife, prompted the formulation of a citizen’s action committee. In November of 1999, a small number of Montana’s sportsmen, concerned with the health and safety of public wildlife and fair chase hunting, met and organized a non-profit organization who’s purpose
was to strengthen the regulations governing the game farm industry. Specifically, the organization was focused on placing a ban on the practice of "canned" hunts and limiting the further expansion of the industry within the state. "Montanans Against the Domestication and Commercialization of Wildlife (MADCOW)," was established to bring the ongoing issue of game farming to Montana's electorate. The founders of MADCOW consisted of; 1) myself, a retired US Marine Corps officer; 2) Dave Stalling, conservation editor for Bugle Magazine; 3) Stan Frasier, past president of the Montana Wildlife Federation; 4) Stan Rauch, a retired US Air Force officer and board member of the Montana Bow Hunter's Association and; 5) Jack Lyons, a retired US Forest Service research wildlife biologist. Initially, the organization was comprised primarily of concerned citizens and the Montana Wildlife Federation. However, the organization grew very quickly and eventually garnered the support of the Rocky Mountain Elk Foundation, the Montana Chapter of the Wildlife Society and nearly every sportsmen and conservation organization within the state.

MADCOW drafted an initial citizen's initiative, I-142, which, if passed, would have effectively eliminated elk and deer game farm operations from Montana. The initiative placed an indefinite moratorium on the licensing of new game farms, and disallowed the sale or transfer of existing licenses as well as eliminate the practice of captive shooting. However, during an emergency legislative session in May of 2000, the industry sponsored the introduction of Senate Bill 7 (SB 7). The bill placed a moratorium on the licensing of all new game farms until a live test for CWD was discovered. The bill further allowed for the continued expansion of existing game farms and the continued import and export of elk and
deer into the state. The industry and its legislative supporters touted SB 7 as a pro-active step on the part of the game farm industry to protect Montana from any potential harms relating to CWD. SB-7 was passed and signed into law by Montan’s Govenor on May 7, 2000. The bill effectively invalidated the intent of I-142 by placing a moratorium on the licensing of new game farms within the state.

Supporter’s of I-142 viewed the passage of SB-7 as a blatant attempt to undermine the process of the citizens’ initiative pertaining to game farms. It was the contention of those opposed to SB-7, that the bill amounted to little more than a smoke screen, intended to divert the public’s attention away from the real issues that I-142 attempted to address. The initial petition, (I-142), was immediately redrafted to remove the “moratorium” placed in effect by SB7 and replaced it with a total ban on the licensing of all new game farms. The initiative was approved on May 10, 2000 and designated I-143, “The Game Farm Reform Initiative.”
Throughout the history of game farming in Montana, efforts to protect the state’s native wildlife from the threats of disease transmission, hybridization, loss of habitat and escapes, have consistently lost out to the economic gains of the industry. The industry, as well as the state legislature, consistently failed to heed the concerns voiced by many of the state’s leading wildlife advocates. Despite the repeated efforts of organizations such as the Montana Wildlife Federation and its affiliates, the Montana Bow Hunter’s Association, the Rocky Mountain Elk Foundation and the Montana Chapter of the Wildlife Society, the majority of the legislation passed to aid in the regulation of game farms erred on the side of economic gain versus that of caution and wildlife protection. Likewise, the Consensus Rule Making Committee on Game Farms failed to heed the warnings of the many wildlife advocates involved in the committee process by not developing more stringent rules aimed at wildlife protection. Again, industry advocates were able to persuade committee members that existing regulations were either already sufficient or stringent enough. Furthermore, they claimed that any additional restraints would be economically disastrous to their operations. As a result of the continuous failures to pass adequate protective legislation and the industry’s efforts to weaken existing legislation, as well as remove all FWP oversight from game farms, a grassroots watchdog organization was organized in the
fall of 1998.

Initially, Montanans Against the Domestication and Commercialization of Wildlife (MADCOW) was organized in 1999, as a splinter group to the Montana Wildlife Federation, specifically to reform the state laws, rules, and regulations governing the game farm industry. MADCOW sought to increase public awareness on the potential threats game farms posed to the future of all free-ranging wildlife, to include the threats from disease, habitat competition, hybridization, and commercialization. Finally, MADCOW sought to preserve Montana’s traditional hunting heritage based on the principal of "fair chase" as well as to promote the development of traditional hunting skills of individuals who seek to preserve our hunting heritage.

The structure of the organization was initially established to include; 1) a five member board of directors; 2) a communications director; and 3) representatives from organizations supporting I-143. Even though a number of major organizations joined in the passing of I-143, MADCOW continued to serve as the central organization sponsoring the initiative throughout the campaign.

The organization remained under the “umbrella” of the Montana Wildlife Federation in order to avoid the necessity of applying for a 501(C)(3) status as a nonprofit organization. MADCOW was officially incorporated as a “Domestic Nonprofit Corporation” within the state but remained a separate, yet dependant entity of the MWF for purposes of the 501(C)(3) status. (See Appendix A).

During the first year of its existence, MADCOW focused on the education of the general public concerning the threats and concerns posed by game farms. The initial target
audiences were outdoor and sportsman organizations, hunter education programs, and the members of the 1999 Montana State Legislature. In addition, the organization actively pursued the redrafting of the rules and articles governing the game farming industry, attempting to force the adoption of more stringent regulations. The organization also helped draft and define several house bills that were introduced during the 1999 Legislative Session; all were ultimately tabled. However, it was the 1999 Montana Legislative Session, coupled with the outbreak of chronic wasting disease and the DOL’s nonchalant attitude towards the threats this disease posed to the state’s wildlife, that gave cause for MADCOW to redefine itself and take more drastic actions to curtail the game farm industry in Montana.

In October of 1999, MADCOW decided that the only possible method of truly impacting the regulation of the game farm industry in Montana was to attempt to place the game farm issue before the entire electorate during the general election in November, 2000. In order to do so, the organization would have to undertake the task of proposing a citizen’s ballot initiative to petition for a change in the laws governing game farms. Although there was a wide array of talent on the board of MADCOW from which to draw, no one had any previous experience with qualifying and passing a ballot initiative. Once the decision and personal commitments to see the effort through to the end were made, the organization had slightly over 8 months to qualify the initiative for the November ballot. The overall development and implementation of a strategic plan that included the drafting of the initiative, message development, logistical support, fund raising and media campaign, were literally completed on the run. (See Appendices A and B).
Strategy  The most important aspect concerning the public’s knowledge of
game farms we had learned over time was simply that the public was not aware of the two
primary products Montana game farms produced. Whether at public hearings,
presentations or interviews, it was readily apparent that the vast majority of the public was
unaware of the industry’s practice of selling canned hunts or velvet antler for aphrodisiacs.
For the most part, the public’s general perception of game farms was that the owners raised
elk and deer for roadside zoos and meat. Experience had taught us that the industry tried
very hard to avoid either of the two topics that served as the industry’s backbone. Instead,
they would defend their operations based solely on the issues of private property rights and
potential “takings” if the initiative passed.

The ultimate goal of MADCOW is and always has been, the elimination
of game farms in order to insure the health and safety of our free ranging wildlife and
preserve our long standing fair chase hunting heritage. In order to accomplish this, we
understood, from past experiences, that it was unlikely that we would achieve a total and
immediate ban on game farms. However, based on polling data and public reaction to the
disease problems of the past, we were confident that a partial ban on certain aspects of the
industry were achievable. Consequently, the main strategy utilized throughout the
campaign was to establish MADCOW’s position on the “moral” high ground and maintain
that position throughout. In our view, the moral high ground centered around these two
specific topics: 1) the shooting of penned animals for a fee and calling it hunting and 2)
velveting, the mutilation of animals for aphrodisiacs. We were also keenly aware that by
eliminating either of these markets, the industry would ultimately cease to exist. With the
assistance of several lawyers, MADCOW drafted the ballot initiative. Rather than move for a total ban, the organization settled on three goals; 1) ban the licensing of all new game farms but allow existing ones; 2) ban the sale or transfer of existing game farm licenses; and 3) ban the practice of shooting domestically raised animals in “canned” hunts. The battle cry or campaign slogan fell naturally into these two focal points. “KEEP ELK WILD AND FREE, SUPPORT I-143” and “REAL HUNTERS DON’T SHOOT PETS” resonated with the public and gained their interest. (See Appendix A).

Qualifying for the Ballot. The first challenge MADCOW faced was qualifying the newly drafted initiative for the November general election. In order to accomplish this, we had to obtain registered voter signatures from 5% of 34 of the state’s 100 house districts prior to June 23, 2000; or 19,831 signatures. With the passage of SB-7 in May of 2000, nearly three weeks of signature gathering efforts and over 10,000 signature were lost. MADCOW not only had to quickly redraft the initiative to account for the changes established by SB-7, we also had to start the signature gathering effort over from beginning because the change created by SB-7 effectively nullified the intent of the initiative. The newly drafted initiative was approved by the Secretary of State on May 10, 2000 (See Appendix C and D). We immediately went back to work gathering signatures. However, the strategy utilized to qualify the initiative for the ballot was really focused on June 7, 2000, the primary election day in Montana. Utilizing a network of volunteers and county election data from previous years, we focused our efforts on those districts that had records for the highest percentage of voter turnout. In addition, we focused efforts on those areas we felt would be most favorable to passage of the initiative. For the most part,
this meant urban areas, which would be less likely to be sympathetic because of agricultural ties to the game farm industry and more concerned with the overall welfare of the state’s wildlife. Nearly 100 volunteers manned key polling places across the state on June 7. By day’s end, we had gathered well over 22,000 qualified registered voter signatures; the initiative had qualified for the ballot and we still had 16 days to gather additional signatures. By June 23, we had gathered more than 29,000 signatures in support of 1-143 with 27,405 qualifying as registered voters. The Game Farm Reform Initiative was the only initiative to qualify for the November ballot. For the first time, the game farm industry took this challenge seriously. It quickly became apparent they were genuinely concerned about the public’s reaction to their practices of harvesting velveted antlers and the conduct of selling canned hunts.

**Fund Raising.** Fund raising quickly became one of the most immediate hurdles that needed to be resolved in order for the initiative to go forward. The costs to simply qualify the initiative for the ballot were estimated to be near $10,000, while the remaining campaign would undoubtedly cost 10 times that amount. From the very start, there were literally no funds available to get the campaign rolling. Potential donors were extremely supportive of the efforts MADCOW was about to undertake. However, most seemed to take a “wait and see” approach to offering financial support. In other words, they were willing to step up and donate funds to the effort but, they first wanted to insure the initiative qualified for the November ballot. Consequently, the initial funding of the campaign came from the pockets of the various board members and an initial “seed” money loan of $5,000 from the Montana Wildlife Federation. Once the campaign began to gain
momentum, MADCOW utilized a variety of mechanisms to raise the funds required to wage the campaign. Included in these methods was the submission of several grant requests to organizations supportive of the initiative, various state wide raffles conducted by MADCOW and other organizations, fund raising banquets, and donations from various organizations and individuals via direct mail. In all, over $145,000 was garnered in support of I-143.

The initial start-up costs centered around the hiring of several full-time signature collectors in areas where MADCOW didn’t have representatives who could organize a sufficient volunteer force to get the job done. These areas were primarily in eastern rural areas, as well as the Bozeman and the Billings areas. Four full-time signature collectors were ultimately hired to cover polling places in these areas on June 7, 2000. The hiring of these individuals enabled MADCOW to qualify key house districts that may have otherwise not have qualified. The other primary costs associated with the signature gathering process was a limited amount of advertisement utilized at all manned polling places as well as other efforts devoted to qualifying the petition for the November ballot.

Once I-143 had qualified for the ballot, our real efforts had to turn toward the promotion of the initiative in a manner that would gain the attention of most of the voting public. From our experiences in earlier debates and presentations, we realized the issue would be extremely emotional and hard fought. We also knew that the game farm industry had a far greater financial resource than MADCOW did. If MADCOW was to be successful, it would have to utilize all aspects of the public media. Our strategy would include as much mass media such as television and radio, as possible. In order to
accomplish any type of media campaign that would include the electronic media, MADCOW would require a large amount of funding immediately. As the chief fundraiser, I put together several different grant proposals and formal presentations for organizations capable of providing the amount of funds needed. Numerous appearances before the various boards of directors, as well as personal letters asking for support were sent. In addition to these efforts, a local fund raising banquet was held that included the auctioning of donated merchandise to support I-143. In all, our fund raising efforts netted over $145,000; most in the last two months of the campaign. (See Appendix E).

**Media Campaign.** In order for MADCOW to be effective and ultimately win at the ballot box, effective, straight forward use of the mass media resources had to be positively employed. During the initial planning phases of the media campaign, a number of individuals and groups supporting the initiative expressed the necessity of “attacking” the game farm industry with graphic depictions of antler harvesting, CWD diseased animals, and actual video footage depicting the killing of a penned bull elk. These ideas stemmed from the belief that negative campaigning would garner more attention and in so doing, the industry would be placed in a constant state of defense and unable to define the campaign on their terms. However, the conduct of a negative campaign also carried the extra baggage of alienating support groups and those who were yet undecided. For personal reasons, it was also imperative to members of MADCOW’s board, to stand on a higher moral ground, one in which both personal integrity and dignity would be held in high esteem. In short, if we won the election, we could be proud of the accomplishments because they were the result of presenting honest and factual information to the public for
their decision. Likewise, if the election were lost, we could continue to march forward with future efforts as an organization because would not have compromised our integrity as a group or as individuals. We would have maintained our credibility to the general public. Hence during the development of the media campaign, the MADCOW directors established 5 important guiding principles; 1) the message presented must be simple and one which would resonate across the entire public spectrum; 2) all mass media resources must be utilized, with television the primary outlet; 3) the message put forth must not be negative in any manner and must focus on the issues revolving around game farms and not personal attacks; 4) MADCOW must define itself and not let the opposition define the organization; and 5) above all else, the organization must maintain its integrity and veracity to be a viable entity throughout the campaign.

The issue of funding remained at the forefront throughout the campaign. However, the development of the media plan was completed under the premise that we would raise the required amount of funding to finance the campaign. Accordingly, we developed 3 separate media plans that would allow us to make adjustments as more and more funds became available. (See Appendix F). In addition to the electronic media utilized, MADCOW also used a limited amount of graphic print media for informational pamphlets and attention gainers at key polling areas. (See Appendices G and H).

Polls and Surveys. Following the guidelines set forth by the board of directors, MADCOW utilized the polling process to shape the media campaign. Although the news media conducted several surveys throughout the campaign period, MADCOW conducted only two in conjunction with other polls. The first poll or survey was conducted between
January 20-24, 2000. The purpose of this survey was to determine; 1) was there enough public interest or concern to place the issue on the November ballot? and; 2) to what degree did the general public feel the current regulations should be modified? Figure 8-1 depicts the results of the first survey and the following 5 answers apply to the question asked. (See Appendix I).

1) Game farms should be banned and existing ones phased out.

2) There should be a moratorium on new game farms.

3) There should be more regulation and tougher enforcement of current laws governing game farms.

4) No changes should be made to how game farms are regulated.

5) There should be more game farms to help the economy.

The results of the initial survey indicated that 72% of those polled wanted at least some action to address the problems associated with game farms; whether it was to be tougher regulations, a moratorium on new operations, or an outright ban of all game farms. The result of the survey also reinforced MADCOW’s assumption that the majority of the general public would support more regulation of game farms. Additionally, 29% polled felt game farms should be banned. This gave us a strong indication that we could successfully achieve a ban on the shooting of penned animals as part of the initiative. Only 14% of those polled felt that game farms were already regulated close enough while 5% felt they actually felt there should be more game farms to help the economy.

A second survey was conducted in September of 2000 in order to determine; 1) the effects of MADCOW’s media message and; 2) what was the extent of the sensitivity
the public had concerning the threats posed by game farms. Two specific questions were asked concerning the issue. Question #1:

"I-143 is in this November's ballot. It would ban any new game farms, ban the transfer of existing game farms licenses, and ban the shooting of game farm animals for a fee. If the election were held today on this initiative, would you definitely vote yes, probably vote yes, probably vote no, or definitely vote no?"

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Figure 8.1. Game Farm Regulation Reform Survey conducted January 24, 2000.

The results showed 49% would likely vote yes in support of the initiative while 44% would likely vote no (Figure 8.2). This indicated that the public was closely split on the issue when none of the adversities game farms impose were known. However, there was 7% of the public that was still undecided on the issue. MADCOW’s efforts had to include gaining the support of the undecided in order insure passage of the initiative.
Question #2 provided an entirely different and more positive outcome to the goals MADCOW was seeking.

"Supporters of I-143 say game farms pose a serious threat of disease and genetic alteration of our future native wildlife. Passage of I-143 will help preserve Montana's free ranging public wildlife for generations by halting the growth of game farms - without harming existing game farm businesses. Now would you vote definitely vote yes, probably vote yes, probably vote no, definitely vote no on I-143?"

Once the threat of disease and genetic pollution to our native wildlife were added to the equation, the voter response quickly favored the increased regulations by a margin of 59% to 31% with 10% undecided (Figure 8.3).

The survey results from question #2 validated MADCOW's strategy of focusing on the issues of disease and hybridization, especially that of disease. Hence, we began to focus the majority of our media efforts on the issue of disease and the history of disease problems in both Montana and Canada. We made certain that every advertisement had some
reference to the disease problems throughout the remainder of the campaign. These two messages together, seemed to be the ones that resonated most and caught the public's attention throughout the campaign.

As a result of the second survey, we focused on developing our television and radio messages utilizing individuals that the vast majority of the public could relate to. Our radio ads featured a well known native Montana rancher, who was also an outfitter and sportsmen. Likewise, our television campaign featured a well known and respected native Montana outdoor author, who was also a wildlife advocate, and retired FWP biologist. Both individuals were selected because of their maturity and proven reputations throughout Montana's agricultural community as well as the wildlife community.

Public Relations. The public relations campaign waged by MADCOW
coincided closely with the mass media campaign. Regularly scheduled press conferences were utilized as much as possible in order to shape the battlefield around MADCOW’s goals and objectives. During the first several months, all press conferences and news releases were handled by one or two members of the board of directors. However, as the election approached, news releases, interviews and press reports were occurring all too frequently to be handled part time. In September, the organization hired a Public Relations Director to handle all news briefs, arrange interviews, issue press releases, etc. In addition, we established rapport with the editorial boards of all the state’s main newspapers in order to facilitate access to opinion columns and special editorial pieces. A letter writing campaign was implemented, with key people providing regular articles and responses to local newspapers. We made every attempt to focus the public’s attention, and that of the opposition, on the issues defined by MADCOW and not the game farm industry. However, due to the emotional aspects of the issue, we frequently found ourselves repelling attacks from the opposition that were either false or focused on issues other than those defined by MADCOW.

In addition to the letter writing campaign, various members of the organization traveled the state giving presentations on the threats and concerns posed by game farms and the reasoning behind I-143. These presentations were frequently in the form of debates with the opposition and included every group and organization imaginable. I personally developed a slide presentation and traveled throughout the state, giving 63 presentations in five months.

In the end, I-143 passed on November 7, 2000. Statewide, there were 397,361
votes cast; 204,282 for the initiative and 193,079 against; for a 51 to 49 percent split.
Slightly over 95 percent of all the participants in the election voted on the issue. The
initiative passed in 15 counties and was rejected in 41 counties. It passed in 8 of the 11
counties with more than 7,000 votes but failed in 38 of 45 counties with fewer than 7,000.
We knew the rural community would rally behind the game farm industry, not because of
their support of the business, but because of the private property rights issue.
Consequently, we had to focus on the vast majority of the urban areas, where Montana’s
wildness was valued for something more than individual economic gain. The issues
MADCOW focused on, canned hunts, velveting, and disease, were widely seen as threats
and unacceptable practices in the urban areas. The issue the industry focused on, private
property rights, resonated with the more rural, agricultural community. Our strategy
proved to be the correct one. We won and game farms will be slowly phased out over time
in Montana.
EPILOGUE

The issue of game farm reform is an extremely complex and emotional issue, especially for sound bites and 30-second advertising slots. MADCOW faced a difficult challenge in order to pass a citizen’s ballot initiative on the issue. We not only had to convince voters to curtail an industry in a period of economic stagnation, but we had to deal with the fact that Montanans also have a fierce libertarian streak and look poorly on government meddling with business. Initially, game farmers were arrogant and didn’t think we could have any real impact on “their” private industry. However, once the initiative qualified for the ballot, they came out swinging. From the start, their campaign labeled the initiative as the effort of “out-of-state animal rightists and environmental extremists.” One email from the opposition even said I-143 was a “conspiracy of vegetarians.”

As Election Day grew near, industry radio ads repeated the charge, louder and louder. Never mind that I-143 supporters had rejected money from animal rights and anti-hunting groups. Never mind that the effort was led and backed by Montana hunters and sportsmen organizations, not “out-of-state animal rightists and environmental extremists” as the opposition stated. MADCOW and other I-143 supporters cringed with each new battery of negative radio ads, trying to steer the public’s attention away from the issues. The second version of ads said I-143 would break the backs of Montana farmers and
trample on private property rights. In Montana, existing game farmers said I-143 violated their property rights and would result in a “takings.” Yet I-143 was carefully crafted, to “grandfather” in existing game farms and allow them to continue their operations except for canned hunts. MADCOW held that licenses were not private property, but a privilege—like drivers’ licenses—issued by the state. MADCOW had several takings lawyers check the legislation for any potential constitutional issues. We were smart enough not to fight for a cause, only to have it tossed out in court. States like Wyoming had already crossed these barriers when they banned game farms before they became established. The issue of “takings,” concerning the banning of game farms had already been challenged there. The courts ruled in favor of the ban.

Property rights remained a sticky issue throughout the campaign. Certainly, farmers should be able to diversify their crops, but that doesn’t give them the “right” to grow potentially damaging crops, such as marijuana or game-farm elk. Property rights exist in a larger framework of the public good. Landowners don’t have the right to dump poison in a river just because they own land along its banks, nor do they have the right to run businesses, such as prostitution, deemed unethical by society. Neither should landowners have the right to spread potentially deadly diseases that can affect public wildlife, we argued, or charge people to kill penned, domesticated big game animals.

Another disheartening piece of news for MADCOW was the list of groups lining up against Initiative 143. Opponents included the Montana Stockgrower’s Association, Montana Outfitter’s and Guide’s Association, Montana Trapper’s Association and the Montana Taxidermist’s Association. MADCOW felt these groups should be allies for
game farm reform, not against it. We had obviously failed to carry our message to these
groups in time to convince them. This, we knew would hurt us. However, many individual
cattle ranchers, outfitters, trappers and taxidermists did donate time, money and support for
I-143. Many served as public spokes people within their respective communities.

Hunters are a varied and strong-willed bunch. Some hunters loudly criticized the
efforts to pass I-143. They argued that using an initiative to stop canned hunts would open
the door for later initiatives to stop legitimate hunts. We countered that the initiative
process is always present and can and should be a tool for hunters to use to protect wildlife
and fair-chase hunting if the state legislature fails to act in the best interest of wildlife and
hunting. We argued further, that hunters have a responsibility to police their heritage and
traditions against phony, for-profit killing operations.

MADCOW and its supporters tried to keep the debate focused on disease,
hybridization, habitat loss and the bastardization of Montana's hunting heritage. However,
in the political war of words, game farmers were fairly persuasive in their focus on private
property rights and the influence of animal rightists. As Election Day approached, the
debate grew more and more pitched. It is difficult to describe the emotion each of us felt as
time ran short. As the backers of I-143, we were fightin
results in the last days of the campaign. Repeated surveys showed I-143 was locked in a
dead heat. No one could predict how the vote would turn out. Like so many other races
political races during the 2000 elections, this one was coming down to the wire. However,
by the time the sun came up on the morning of November 8, it became clear that I-143 had
passed and Montanans had put a halt to the growing threats of game farms within the state.

Montana voters, like most Americans, are concerned about property rights and
about maintaining a vibrant economy. At the same time, they proved they are willing to
take the necessary steps to protect our wildlife and environment over the economic gain of
a few. Even in a politically conservative mood, Montana voters sent a clear message to
support public wildlife. Our cause had clearly crossed party lines.

What can wildlife supporters learn from this episode? After all, hunter-
conservationists in Idaho, Colorado, Oregon and South Dakota said they were interested in
following MADCOW’s lead. In fact, I am currently working with several wildlife and
conservation organizations in the states of Idaho and Oregon to curtail game farm growth
in those states. One lesson is political victories are hard won but, they are possible. Victory
requires hard work, smarts, guts and money. Public education, and lots of it, is key.
Probably the most glaring lesson I learned is that there is no requirement to tell the truth in
political campaigns. However, I think the results of I-143 prove, once again, that the voters
are capable of discerning the truth and making choices that will benefit the entire populace,
rather than just a few. When we would talk, we would simply present the facts and focus
on that—maintaining our integrity and honesty. We let the industry repeatedly send out
unanswered negative attacks and misinformation coupled with their threats and
intimidation. We let their rhetoric and intimidation speak for themselves. We did not send out a single negative ad; we simply focused on fact. Was that the smartest tactic? Well, we won.
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OTHER PROCEEDINGS, MANUALS, NEWSLETTERS, CORRESPONDENCE


108


A Campaign Plan

for

Election Year 2000

Sportsmen Initiative I-143

The Game Farm Reform Initiative

sponsored by

Montanans Against the Domestication and Commercialization of Wildlife

(MADCOW)

October 1999
Montanans Against the Domestication and Commercialization of Wildlife (MADCOW)
Sportsmen For I-143, The Game Farm Reform Initiative
Campaign Plan

MADCOW

MADCOW is a non-profit, non-membership-based organization serving as a political arm of hunters, sportsmen organizations and other citizens of Montana concerned about Montana’s public wildlife and fair chase hunting heritage.

Mission

The mission of MADCOW is to preserve and protect the public health and safety of Montana’s free ranging wildlife and fair chase hunting heritage by reforming the regulations governing the game farm industry and curtailing the domestication, privatization, and commercialization of wildlife.

Goals

In support of our mission, MADCOW opposes the continued proliferation of big game alternative livestock facilities within the state of Montana and seeks a moratorium on all new licensed game facilities as well as stricter regulation and enforcement of rules for existing big game facilities. MADCOW also seeks to end the captive shooting of big game animals such as elk, deer, moose, bighorn sheep, and pronghorn within the fences of alternative livestock facilities.

The Problem

Wildlife conservation in North America is based on four principles that have established a unique, and amazingly successful, system for protecting and enhancing free-ranging wildlife populations:

- Wildlife is a public resource; not for sale or market
- A ban on the marketing of vulnerable wildlife and their by-products
- Allocation of hunting is controlled by law and hunting seasons
- A ban on the frivolous killing of wildlife
The game farming industry, as practiced in Montana, violates all four of these principles and undermines all of our hard-earned successes that North America’s unique system of wildlife management has accomplished. It takes us closer to a European system of commercialization and privatization that great conservationist-hunters such as Theodore Roosevelt and Aldo Leopold fought long and hard to avoid. It makes a mockery of our hunting heritage, caters to the affluent, influential and elite, and exploits a public resource by calling it alternative livestock.

Additional concerns of major importance to the citizens of Montana include:

- The wide variety of diseases and parasites introduced by imported game farm animals and potentially transmissible to free-ranging wildlife.
- Potential genetic pollution by escaped game farm stock.
- Escape of captive game farm stock is a continuing problem, and existing fences are inadequate to prevent contact between penned animals and those in the wild.
- Fenced enclosures restrict movement and habitat use by free-ranging public wildlife. In many cases, the habitat lost is essential winter range.
- The Montana Department of Fish, Wildlife and Parks must continue to spend hunter and angler generated funds to administer and monitor game farms; test for, quarantine and eradicate diseases, and otherwise ensure the health and welfare of Montana’s free-ranging wildlife. This diverts limited funds needed for important wildlife management and habitat conservation efforts, and all for an insignificant industry that contributes little to Montana’s economy while threatening a strong economy based on the public use and enjoyment of public wildlife.

**Sportsmen For I-143, The Game Farm Reform Initiative**

Sportsmen For I-143, the Game Farm Reform Initiative, is a simple and straightforward effort by hunters and other concerned citizens to reform an industry which has, for too long, abused its relationships with traditional ranching and ethical hunting and in the process have put our wild free-ranging elk at risk.
What are the facts about I-143? What will it really do and why?

1) I-143 will amend state law to prohibit all new game farms in the state of Montana.

2) Existing game farms in Montana will continue to operate, but will be prohibited from charging fees for captive shooting operations.

3) Existing game farms will be prohibited from transferring their licenses to any other party.

4) I-143 also repeals provisions of the law concerning expansion of existing game farms.

If passed, here is what I-143 will NOT do:

1) I-143 will not affect traditional livestock operations, and will not affect ranches or farms that raise bison, llamas, emus, musk ox, or game birds. The initiative only affects game farms that raise domesticated animals classified by state codes as "big game," such as elk, deer, bighorn sheep, bear, and mountain goats.

2) I-143 will not deprive current owner/operators of game farms of their livelihood or their land. Existing game farms can continue to operate, but the game farm license will sunset with the owner. The prohibition of "canned hunts" will only affect 15 game farms in Montana.

3) I-143 will not constitute a violation, or takings, of private property rights. Historical precedent and recent case law is clear: "No one has an absolute right to use his land in a way that may harm the public health or welfare, or that damages the quality of life of neighboring landowners, or of the community as a whole."

No one has a right to pump poison in a river that may affect downstream users, and no one has a right to run businesses (such as prostitution or cock fighting) deemed unethical or immoral by society. Similarly, no one has a right to
run a business that can spread deadly diseases into public wildlife populations and traditional livestock, and no one has a right to run a business in which people pay to kill penned, domesticated big game animals and call it hunting.

Why is I-143 necessary?

Simply put, I-143 is needed to protect our wildlife and fair-chase hunting heritage. Renowned wildlife researcher Valerius Geist calls game ranching a "deep but silent crisis" in wildlife conservation, and says "the trend toward viewing wildlife as a commodity has grown, cancer-like, and its severity has not been sufficiently recognized or appreciated."

Game farming attacks the tremendously successful system of North American wildlife management that was created in the wake of the market-driven demise of wildlife a 100 years ago. Today, all hunters depend on this system for their hunting opportunities.

Game farming is a long step toward a European system in which wildlife is privately owned, domesticated and commercialized, bred and manipulated to meet market demands, and in which hunting is only for the wealthy and powerful.

But that's not all. Game farming poses many other serious, well-documented threats to public wildlife, including disease, hybridization, genetic pollution, the creation and expansion of commercial markets for wildlife, loss of wildlife habitat and an unacceptable, bankrupt image of hunting portrayed by the paid shooting of captive animals.

Game farming also threatens traditional livestock ranching and people. In 1991, game farm elk shipped from Montana to Alberta caused an outbreak of bovine tuberculosis (TB) that infected elk, cattle and 42 people. In addition to $25 million in direct costs to taxpayers, it also cost Alberta its TB-Free status, estimated by Agriculture Canada to be worth $1 billion.

Each of these threats, taken by themselves, is serious enough. Taken as a whole, the impacts could be devastating. Already, Montana is beginning to experience the implications of game farming. Here's what game
farming has done to Montana:

1) Last winter, Chronic Wasting Disease (CWD) was reported for the first time in Montana -- among game farm elk. There is no live test for CWD, and there is no way to know if infected animals are being moved around the state or into Montana from game farms in other states. Recently reported wildlife research has indicated that CWD can be a significant threat to wild deer populations, and recent medical research has indicated it may be a threat to human health.

2) Numerous domesticated elk and deer have escaped, and continue to escape, from game farms every year. The most recent incident occurred earlier this year when elk escaped from a Townsend game farm. There is no such thing as a game-proof fence.

3) From 1995-1999, the Montana Department of Fish, Wildlife and Parks has spent $1 million of hunting license dollars (about $\text{200,000}}$ every year) to regulate and monitor game ranches to protect our public wildlife from disease and other threats. During that same period, game farmers paid only $38,850 in annual fees.

4) Captive shooting operations, or canned hunts, make a mockery of Montana's fair chase hunting traditions and tarnish the image of real hunting.

5) Game farming creates and expands a commercial market for the parts of vulnerable wildlife, and can result in increased poaching as it has elsewhere in the United States, Canada and Europe.

6) Eighty Two game ranches in Montana contribute relatively little to Montana's economy but they threaten a $413-million economy based on the direct public use and enjoyment of public wildlife.

These threats are far from speculative. There are numerous official records across the northwest, in states which currently permit game farm operations, of instances of disease, escape, hybridization, theft of public wildlife, and more. In a 1996 report on game farming prepared by the Utah Division of Wildlife, wildlife
professionals interviewed officials in every state and province where game farming exists. The results: Every one of them reported numerous problems associated with game ranching and considered the industry a grave threat to wildlife.

The Montana Legislature has failed to recognize and deal with the serious threats of game farming to our wildlife and fair-chase hunting heritage. If unchecked, the problems will grow more severe. We need to act now before game farming grows further out of control. I-143 is an opportunity for the citizens of Montana to at last have a say in protecting our wildlife and fair-chase hunting heritage.

Simply stated by Jim Posewitz, founder of the Helena-based Orion-The Hunter's Institute: "Game farming commercializes the last remnants of the great wild commons, it seeks to privatize what is held in trust by all of us, it domesticates the wildness we seek to preserve, and it trivializes what is exceptional . . . The things we cherish die inside the woven wire of game farms."

**Overview**

This campaign plan is intended to outline the general needs, requirements, and elements of a successful ballot initiative as being currently considered by Montanans Against the Domestication and Commercialization of Wildlife (MADCOW). The plan will not look at arguments for or against the initiative, or alternatives to a ballot initiative effort (these elements have previously been inventoried, analyzed and discussed by MADCOW).

As a general statement the MADCOW Board should recognize that successful passage of a ballot initiative is a significant, if not monumental undertaking. Whereas the Montana initiative process has been and continues to be an attractive route for legislative change from the citizen level, it is important to note that successful campaigns employing this process have been few and far between since it was first placed within the Montana Constitution as a process. Far more legislative and ballot initiative efforts have failed than have passed.
Why Does An Initiative Pass/Why Does It Fail?

There are any number of reasons why any single initiative may pass or fail (and many of the elements of a successful campaign will be discussed in this campaign plan), but there is one common underlying principle that tends to rule success and/or failure: Montana voters are by their nature a cautious lot. They like to know what they are voting on and be clear about its impact before they are disposed to supporting it. Otherwise, they tend to vote “No”.

This is a very important consideration to keep in mind as the MADCOW deliberates its path. The most common strategy adopted by anti-initiative interests for defeating pro-active efforts is cause confusion, misrepresent the issues, and rally ‘no’ votes by doing so. The history of failed ballot issues is a graveyard of such tactical campaigns. The 1-122 Clean Water Initiative was a very simple legislative effort with a very simple message; it basically stated that if mines used river water and polluted it in the process, they had to clean it back up before they returned it back to its original source. Opponents managed to characterize 1-122 as complex, unworkable, and impractical, against the average person, and the work of environmental kooks. The confusion caused by the anti-initiative folks turned an initial 70%-30% ‘For’ vote (June 1996) into an eventual 56%-44% defeat in November of 1996.

Whether one looks at 1-122, the recycling initiatives of the early 1980's, the tobacco effort, or various campaign reform ballot measures, almost all that have failed have done so under the weight of the arguments put forth by the opponents that have created confusion, typically by spreading misinformation, among the voters.

Confusion has two edges - that created by the opponents and that created by the proponents. This is also a critical concept to integrate into our thinking as we look at such an effort. In order to vote “Yes” voters must have both; a) a clear sense of what the initiative does, and b) a strong understanding that it is needed. In other words there must be a clear and evident danger or need that 50% +1, of the voting populace wants to correct. This second edge is especially important for MADCOW to come to grips with. There are obvious dangers to us in regards to equitable future wildlife opportunities; however the solution to that problem is a complex path - one that we as an organization have been grappling from the beginning; attempting many different solutions and
strategies across a variety of forums. It's only been recently, as seasoned MADCOW warriors have sat back in exhaustion from massive well-intentioned work efforts and seen that the tide continues to turn against us, that we have landed on the ballot initiative process as the overarching answer.

To believe that the general voting public will get to where we are in our thinking would be a colossal miscalculation on our part and one that may doom any further effort on the part of MADCOW. What this means is that a poorly worded and/or poorly framed initiative by us would be a fatal flaw. People just wouldn't “get it”. In the end, I am convinced it was precisely this that doomed 1-136. It was confusing as to what it was aimed at, and the opponents exploited that confusion by augmenting it. How many of us reading this memo had a conversation with a knowledgeable friend/sportsmen in the weeks preceding the election in which that friend said they were unsure about how to vote and could we explain the initiative? Point made!

Money and Message

Later in this report I will discuss 'Messaging' and 'Financing, both of which are closely tied elements to successful passage. One cannot separate voter perception from the money necessary to create that perception, whether accurate or inaccurate, nor can one deny that proper messaging of the initiative’s purpose is absolutely fundamental to success. However, message and money tend to be only the indispensable tools necessary to keep voters on track. What is central is that they stay on track, and not be misled.

The Real Work

Many people mistakenly believe that the hardest part of passing a ballot measure is the signature-gathering phase. Their logic tends to go like this: "We'll have to work our butts off at the start because it will take thousands of signatures just to get it voted on. However, once we get that done, people will see that it makes good sense and pass it, no problem. I mean, who can vote against this?" This was exactly the thinking that preceded the demise of the “Sportsmen’s Initiative” in 1998. Opponents of 1-136 spread misinformation, the ballot measure was not simple, clear and convincing, a few "trusted" and visible political leaders came out against it, and down it went.
What most backers of ballot measures fail to realize is that signature gathering is the easiest part (although for a Constitutional Amendment, this theorem becomes less clear simply because twice as many signatures are needed). The hardest part of passing an initiative is creating a clear simple and convincing message, defending that message over the course of the campaign, and building a 50%+1 majority that votes “YES” on election day based on that message.

Of all the points made in this campaign plan, it is the underlined statement above that we must keep our eye on. Within its seeming simplicity lies a complicated matrix of activities, goals, strategies, resource expansion and allocations, and immeasurable amounts of individual hard work and volunteer dedication.

**Goals and Objectives**

Why are we doing this? Why do we hope to accomplish? It is important to define our goals and objectives in order to properly assess what we want to accomplish should we push forward. Through a ballot initiative, we have one central, underlying goal:

“to preserve and protect the public health and safety of Montana’s free ranging wildlife and fair chase hunting heritage by reforming the regulations governing the game farm industry and curtailing the domestication, privatization, and commercialization of wildlife.”

In support of our central goal, MADCOW proposes the following objectives underscoring our campaign:

seek a permanent moratorium on the licensing of all new game farms within the state.

1) seek stricter regulation and enforcement of rules for existing game farms
2) seek to halt to the expansion of existing game farm facilities.
3) seek to prohibit the sale or transfer of all existing game farm licenses
4) seek to end the captive shooting of big game animals such as elk, deer, moose, bighorn sheep, and pronghorn antelope within the fences of game farm facilities.

5) inform, educate, and create a majority consensus among the Montana citizenry that the game farming industry violates all four principals of the North American’s unique system of wildlife management.

6) to arouse the citizenry as a unified advocate and defender to the idea of preserving and protecting the health and safety of our free ranging wildlife from the concerns and threats associated with the game farm industry.

**Allies/Opponents/Unknowns**

An initiative campaign might as well be a battle in the way we view it. There will be a winner and a loser, and no in-between. The winner will be the side that is able to muster the greatest amount of resources in combination with the smartest allocation of those resources. Who supports the proponents and who supports the opponents is an integral and important part of the battle landscape. Individuals, citizen organizations, governmental entities, and elected officials all bring resources to the engagement that are central to the final outcome. Those resources include money, grassroots networks, volunteerism, and the ability to sway public opinion.

The following list represents today’s best guess at where the affected interests might line up in a battle for public trust ownership of wildlife. An (A), represents an ally, an (O), and opponent, and a (?), an unknown and potential recruit.

- Montana Outfitters and Guides Association (0)
- Montana Stockgrowers Association (0)
- Montana Farm Bureau (0)
- Montana Private Property group (0)
- Candidates for Legislative Offices (?)
- Montana Wildlife Federation (A)
- Montana Chapter of the Wildlife Society (A)
- MWF Affiliates (A)
Sportsmen For I-143,  
The Game Farm Reform Initiative  
Campaign Plan  
October 1999

Rocky Mountain Elk Foundation (A)  
Montana Bow Hunter's Association (A)  
National Elk Breeder's Association (O)  
Non-Affiliated Sportsmen Groups Environmental Groups (?)  
Labor Unions (?)  
Tourism organizations (?)  
Chambers of Commerce and Organized Business Entities(?)  
Mining Industry Timber Industry Political Parties (?)  
Private Hunting Clubs and Wealthy Landowners Who Lease (0)  
Out of State Interests (?)

A look at this landscape results in the conclusion that there is very little natural alignment at the outset, other than what we all expect - that sportsmen will hopefully be full square behind it, while agricultural organizations will ally with outfitters and wealthy landowners who outfit and lease on private lands. In the middle somewhere is a wide array of other organizations, individuals and interests that have influence and need to be recruited.

I would suggest that the original alignment, if left as is, will be difficult at best, for us to overcome. If NEBA, and other out of state groups, and state agricultural interests weighed in aggressively with monetary and political resources, and if they came into coalition with just a few of the many wealthy landowners who view the initiative as a real threat to private property rights, we would not be able to control message or debate, and might lose.

**Message**

The campaign must have a clear and simple message and theme that resonates with the voters, that is defensible, and that can overcome attacks. As discussed earlier, our message must encapsulate the purpose of the ballot measure and capture a definable need in the minds the voting public. A message is the boiled down purpose of the effort explained in its most basic terms. It is then put into a campaign "theme", that is the term or terms which best reflect the message. As an example, the I-122 theme was 'Clean Water, and the message was: "Hard rock mining pollutes our waters. They must clean up their pollution and keep our waters clean." I-136's theme was "The Sportsmen’s Initiative' and the message
was "Montana hunters are getting a raw deal at the expense of outfitters and well-heeled out-of-state hunters, and this needs fixing."

Messaging public trust and developing a simple theme is challenging, from two angles: 1) our initiative attempts to engage a multi-pronged solution in addressing a complex and emotionally charge problem, all for the purpose of preserving a basic and single cultural right not clearly defined or recognized by a majority of the people, and 2) our initiative sets itself up for attack from a number of accepted societal areas that in their simplicity are easy to understand and easy for the uninformed to ally themselves with.

What are the areas of attack by our opponents: a) private property rights, b) potential for a takings, c) loss of agriculture, another financial burden, d) lose of another method of agricultural diversification, to name just a few that resonate sympathetically among Montanans in today's political climate.

Our message and theme most take into account what we anticipate coming from our opponents. If we move ahead with this endeavor, we should hire a messaging firm to assist us in framing our issue properly.

**Money and Budget**

Ultimately we will win or lose depending on whether we can significantly outride and outspend our opponents. That's a simplistic way describing our campaign plan, but the reality is that it's true.

Take a close look at the year 2000 and November. A Presidential race, 5 Montana statewide offices, a Congressional race, a Senatorial race, 2 Supreme Court Justices, and term limits in the middle of over 120 legislative contests. Not to mention scores of competing ballot issues.

Within this electoral context, place an electorate that is disposed to voting 'No' on issues that are confusing and difficult to understand. Our job is to create an electoral context in which 50%+1, understands the ballot measure and supports it. This is tough sledding.

To gain our goal, we will need to do a number of things right. When it comes to
money, we need to raise enough to buy enough radio and TV time to blast through the media noise from all the other races, out compete our opponents, and embed our message and theme.

There are a number of hurdles facing us. The court has struck down 1-125, the initiative that limited corporate giving to ballot measures. This leaves the door wide open for corporate funding of ballot measures, which typically works against the citizen interests and for economic interests. To frame just how significant this issue is: in the entire history of ballot measures in Montana, no ballot measure has been approved in which the proponents have been significantly outspent by the opponents. This fact was exactly the rationale that led to the desire on the part of citizen interests to pass I-125, which passed by sliding relatively unnoticed in the wake of the furor surrounding 1-122, the Clean Water Initiative.

In I-122 proponents raised and spent about $450,000, of which $350,000 went for media. Opponents raised (by best estimates, because they disguised or non-reported hundreds of thousands of dollars in income) over $2.5 million, and spent over $2 million media. This huge imbalance allowed opponents to paint the ballot measure in their own terms and ultimately swung the electorate from a 70%-30% in favor split to a 56%-44% against margin. I-122 is only one of a long litany of ballot campaigns which line up to consistently to underscore the fact that in today's sound-bite, media charged world where voters are simply too lazy to research any issue in depth money in the last 3 weeks of a campaign ultimately determines the outcome.

We must outspend our opponents. If DOL, PLPW, state ag groups, and any respected elected officials and candidates align themselves against us and do so aggressively and vocally, then we must substantially outride our opponents.

What does that mean in dollars and cents? Tough question, without any reliable answer at this point. However, let's invent a likely scenario in which ag weighs in aggressively, DOL says bad idea, and a smattering of wealthy, landowners, private lease holders and hunt clubs, as well as NEBA, open their wallets. In such a situation it is likely that our opponents would raise a minimum of $200,000. Our goal, therefore, would be $250,000. Of that amount, we would need to earmark the bulk of it for paid media. Most of that total would need to be
raised by early summer of 2000 in order to-reserve air time, which will be both expensive and hard to get given the number of candidates up next year.

A portion of the budget, probably in the neighborhood of $15,000, would have to be set aside for campaign administration costs, including staffing, phones, printing, travel, rent, etc.

**Resources/Non-Monetary**

Our campaign can offset monetary advantages of the opposition by overwhelming them with non-monetary resources. Typically this has been the method that most citizen, grassroots inspired ballot campaigns have engaged in an attempt to be competitive against opposition that is well-heeled and economically enfranchised.

It must be firmly noted, however, that non-monetary resources can only overcome so much of a monetary advantage. There comes a time when, if opposition money and media get too large, no amount of human work can override it. One example of this is, again, I-122 where citizen interests mounted the most comprehensive, grassroots-based, volunteer driven campaign in the history of state ballot measures, and still lost. This campaign encompassed hundreds of volunteers across the state, thousands of individual donors, extensive free media, and a strong list of public allies and political supporters. Money overwhelmed those impressive non-monetary resources.

That being said, the Game Farm Reform Campaign should develop all possible strategies to optimize non-monetary resources.

**Allies**

Powerful allies who bring public credibility are one extremely valuable resource for the campaign. Like it or not, and for all the bashing they take, the state’s agricultural community, particularly ranchers, enjoy wide credibility with the general public. They must be a recruitment priority. Additionally, the campaign should actively reach out to identified political candidates of both parties, whose stamp of approval builds momentum publicly.
Any other agricultural interests as well as those from the outfitting industry, that will endorse the initiative are also pivotal. Finally, and most importantly, is the professionals of the within the wildlife community. Groups like the Wildlife Society, the RMEF, and scientists and veterinarians, from across the region, who have long studied the game farm issue and its impacts on native wildlife. It is extremely important that the campaign solidify its base among our own constituency early on; state sportsmen and women and the grassroots groups, they are a part of, and are absolutely essential to any winning campaign. Additionally the campaign should continue to reach out to non-sportsmen conservation groups.

Recruitment of a strong base of allies is critical to controlling public sentiment and response, raising funds, and developing the necessary volunteer base.

**Volunteers**

The campaign will need to be extensively deep in volunteerism. Later in this campaign plan, I will outline the elements of a grassroots campaign structure. What the ballot initiative supporters must quickly recognize, however, is that ballot measures are largely volunteer driven, starting with their conception (MADCOW), through the signature gathering phase, and on up into the election-day finale.

This campaign will need a deep and extensive volunteer network if it is to be successful. In building that network, we must look to allies within our own ranks. It will be primarily sportsmen and women, hunters and anglers, and their organizations, who have the passion to give their time and energy to this effort. This passion and willingness to sacrifice must be geographically deep and diverse if a truly effective campaign is to be built.

**Staffing**

Sportsmen For I-143 will need to be staffed and administered on a full-time basis. Anyone familiar with the crazed schedule and singular focus that absorbed Brad Molnar in his lonely quest to bring his message throughout Montana on I-136 recognizes that a campaign built on such a model is a campaign mired in serious shortfalls. Generally speaking, no individual working
on a shoestring, and as a volunteer, has the capacity to successfully drive a ballot measure to its conclusion, if that ballot measure is controversial. I-122 had 2 full time staff, and still was sorely under-supported. MADCOW will not be able, under the current budgetary constraints, be able to fund for any full time staff personnel. This means that we will have to rely on committed volunteers and the assistance of those organizations such as the RMEF and the MWF, who have professional staffs, to assist with the accomplishment of goals and objectives. We will look to the professional community for assistance with our media and public relations campaigns as these will, undoubtedly be the most crucial.

The campaign should still expect to spend at least $15,000 in administrative, staff and other related expenses.

**Media and Message Delivery - Paid and Free**

I have already spent time discussing the role of money in delivering our message and theme. Paid media is the core of any successful campaign, and if the initiative is too move ahead, the campaign team should begin stockpiling dollars right now in order to fund the paid media portion of the budget.

Free media and message delivery is a second, and very important dimension of shaping voter perspective. If this campaign turns out to be low budget (we don't succeed in raising money, and neither do our opponents), then public opinion will be largely shaped by the side that does the best job of framing and repetitively explaining their position through free avenues. This is the place where our campaign must: a) do exceptional spadework in reaching out to potential allies and recruiting them; b) neutralizing potential opponents; and c) pounding our message and theme at doors, county fairs, radio and TV talk shows, public appearances, and letter-to-the-editor.

That being said, free media and free messaging is the premier campaign area in which deep and dedicated volunteerism comes into play. The effort will need visible campaign teams in communities across the state. These teams must be knowledgeable about the issues surrounding the amendment, be willing to publicly come forward in a variety of forums to defend and advocate for it,
write letters to the editor, and go door-to-door.

Montana remains a state in which neighbor-to-neighbor communications still count in terms of shaping public response to policy debates. The campaign must, as a first step, gauge the public’s response to the issues of banning canned hunts and protecting the health and safety of our public wildlife, by curtailing the game farm industry within the state, in order to assess whether the troops are in place to drive this critical part of the campaign.

Additionally, the effort must do a thorough inventory of potential allies, opponents, and entities that must at the least be neutralized. Then an outreach plan must be enacted as a very early effort. It is imperative that if we move forward, that we are in control of the “buzz” or debate. That can be best affected if we are successful at isolating those who we know will be our opponents.

This early groundwork is incredibly important.

**Fund-raising**

If we establish a budget of $150,000 for the campaign, how are we going to raise it. Say we decide to move ahead in November of this year. That means we need to raise $12,500 a month for 12 months to meet our goal. And the bulk of that must be raised in the early months if we are going to be able to reserve paid media air time. Can we do it? The tough part is that we, in all likelihood, won’t get much in the way of corporate or big-money donations. Most of our campaign will have to come from small donations of individuals. The only organizations we will be able to, hopefully, depend upon, will be those that share the same goals and objectives as MADCOW; specifically, the RMEF and MWF to name two. I-136 raised about 40,000 total, and the bulk of that was larger donations chipped in from rod and gun clubs spread out across the state. Organizations that were concerned with the issue of outfitting and the overall impacts on the public’s ability to enjoy its wildlife resources. MADCOW will have to do likewise. Will have to align these type organizations through education and convincing them that we can win%with their support.

We will also have to be extremely careful of avoiding accepting any money or
support from organizations or individuals who do not share the overall same interests as MADCOW. We must remember, MADCOW has been formed and supported by sportsmen and women, organizations and groups, who staunchly support the 2d Amendment and fair chase hunting. There will undoubtedly be a number of organizations and individuals who share our concerns over the game farm issue, however, they may not necessarily share the same ideologies when it comes to fair-chase hunting. We must avoid compromising our ethics, integrity and mission by guarding against aligning with those who do not share all of our concerns and principals. To do otherwise would only serve to significantly weaken our mission and compromise our integrity and principals.

A sample Fund-raising plan, given the constraints discussed above, might look something like this:

Donations of:

a) $1000 or more from Individuals $5,000
b) $100 - $1000 from individuals $20,000
c) Less than $100 From Individuals $20,000
d) Events $20,000
e) Organizational Contributions $85,000

This sample schematic is ambitious, yet is realistic and only totals $150,000. Obviously, the more we are able to raise, the more media effort we can put forward. However, any additional funding is the quandary. I-122 was able to raise over $400,000 because the coalition of interests and organizations backing it was strong and deep in its memberships and contacts with people of wealth and people dedicated and used to contributing. Hunters and anglers are a somewhat different group, who typically are not people of exceptional wealth and who don't as a rule give often.

This demands a creative Fund-raising strategy that is embarked on early and sustained over the life of the campaign. We should look to unusual sources, such as national groups who have begun looking at state ballot measures as a means of preserving our hunting heritage, as just one example, or to non-hunting who see the initiative as an opportunity to protect the health and safety
of our free ranging wildlife from diseases they have already witnessed such as TB and CWD. Again, we must be cautious as to the sources of funding we are willing to accept. The temptation to accept large sums of money from those who do not share our principals will likely increase as election day draws near.

**Gathering Signatures**

A ballot initiative will need about 20,000 signatures to qualify for the ballot (this figure accounts for the expected 5% disqualification rate for unregistered signers and duplicates). However, to demonstrate the public’s concern for the issue and receive a mandate, we must qualify significantly more than the minimum requirement. These signatures must be gathered and turned into local election offices by no later than June 23, 2000. In order to meet this deadline, we must anticipate that our petitions are approved by the Attorney General and Secretary of State, printed and distributed to the campaign organization no later than early spring (March). There are major opportunities for gathering signatures that represent the times when close to 75% of our quota can be gathered. They are the school elections held in early April and the primary elections held on June 7, 2000. These dates will be vital to our efforts and by the primary elections are concluded, we should have over 25,000 signatures in the bank.

Because a ballot initiative requires so many signatures, the “easy” job of qualifying an initiative is difficult. The 20,000 needed signatures must also meet legislative district quota standards. Our campaign must “qualify” in 34 of the 100 state legislative district by gathering signatures in them from 5% of the registered voters in each of those districts. So if District #31 has 3,500 registered voters, then we must gather 175 of those on our petition to qualify that district, and do that 34 times.

**Campaign Organization**

To successfully meet the minimum qualifications required to place the initiative
on the November ballot, the campaign will need to construct a solid and deep volunteer base that is dependable and organized. If money is the #1 determinant of a successful effort, then campaign organization is #1 1/2. Our effort must be broad, deep, inclusive, and structured. At all levels, there has to be uniform focus and commitment to passing our amendment to the constitution. The discussion below outlines the various elements of a model campaign structure, if we could have everything we need.

**Statewide Board/Steering Committee**

We must put together a Steering Committee. It must be composed of individuals from within MADCOW as well as representation from those organizations from outside of it. It should contain people who are well known and respected across Montana and within selected constituent circles. Visibility is important, as is depth of representation.

As examples, MADCOW leadership should sit side by side with leadership from the RMEF, the MWF and non-affiliated sportsmen clubs, angling clubs, ag (hopefully), retired DFWP, and other recognized wildlife, hunting/angling leaders. The Steering Committee should be geographically diverse. It should have a manageable number of individuals on it (maybe 20 maximum), and must be ready to meet on a relatively frequent basis as things get underway. The Steering Committee is in charge of the general direction of the campaign. It makes the major decisions on staffing, message, fund-raising, and overall strategies. It communicates regularly with itself and with the spokes people of the campaign wheel that reach out to communities across the state.

The Steering Committee is held together by a common, unwavering commitment to passing the initiative and believing in the cause. Steering Committee members serve as the principal spokespeople for the campaign, and are regularly requested to make public appearances and presentations on the effort.

**Local Campaign Teams**

Our eventual success is heavily tied to our ability to control local dialogue on the initiative. Doing so is very much an extension of congregating local leaders to
form local committees that spearhead campaign efforts. Basically, we must establish local campaign teams that are largely self-governed but that adopt the statewide themes, messages and goals, and carry them forward within their grassroots community.

This is a decentralized approach coordinated by a strong central staff and Steering Committee, who communicate with local campaign teams in setting direction and goals. Among the tasks local campaign teams must take on are: a) signature gathering, b) door-to-door canvassing, c) some Fund-raising, d) public appearances and e) some free media work.

Local campaign teams are in many ways mirror images of the state Steering Committee. They should be composed of a diverse array of individuals who are highly representative of the hunting, angling, and wildlife recreational culture of the community. Local team members must share a commitment, energy, and time investment to reach a successful end for the campaign.

If anyone doubts the power and influence of a local campaign team and its ability to move the electorate in their local area, one should look at the performance of the team established in the Billings/Laurel area around I-136. On election day, this geographic region developed a whopping margin for I-136, whereas other major areas lagged far behind. The Billings local team was small, but highly dedicated, and through the course of the campaign generated significant local discussion and free media around the initiative.

Local teams will be divided into 2 tiers, reflecting a difference in population size. The campaign must look at applying its resources in all designated activities based upon the one major consideration: the number of voters reached. This criteria applies to activities ranging from signature gathering, to letter-to-the-editor, to paid media decisions, to free media actions. Using this criteria, the following division should be utilized. Omission of certain town/counties does not mean that activity should not or will not occur in them. Rather the following areas, if fully approached by active local teams as campaign targets, should provide the amount of voter support needed to both qualify and pass an amendment.
Tier I Areas:  Tier 2 Areas:

a) Missoula  a) Hamilton  
b) Billings  b) Columbia Falls  
c) Great Falls  c) Miles City  
d) Helena  d) Glasgow  
e) Bozeman  e) Libby  
f) Kalispell  f) Glendive  
g) Butte  g) Polson  
h) Havre  h) Livingston  
i) Lewistown  i) Whitefish

In addition to those areas identified in Tier 2, it will be necessary to attempt to establish local teams in other key house districts not identified. We must focus our main thrust on those areas that will provide the most favorable voter turnout but, at the same time, attempt to gain support in areas less likely to support the initiative because of their close ties with the agricultural community. It will be incumbent upon the Steering Committee to establish both Regional and District Directors in both tier areas.

**Timetable**

The clock's ticking, and in some ways the campaign is already behind. Rather than get into a discussion about where we should be now, this timetable lays out some important date benchmarks (it is very non-comprehensive) that should be adhered to.

<table>
<thead>
<tr>
<th>Month</th>
<th>Events</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 1999:</td>
<td>Language Finalized and submitted to AG</td>
</tr>
<tr>
<td>January 2000:</td>
<td>a) State Steering Committee Established</td>
</tr>
<tr>
<td></td>
<td>b) Allies recruitment swings into full gear</td>
</tr>
<tr>
<td></td>
<td>c) Messages and Themes established</td>
</tr>
<tr>
<td>February 2000:</td>
<td>a) Language and Ballot Format completed/printed</td>
</tr>
<tr>
<td></td>
<td>b) $5,000 Raised</td>
</tr>
<tr>
<td></td>
<td>c) Fact Sheets/Public and Media Outreach begin</td>
</tr>
<tr>
<td>March 2000:</td>
<td>a) Local Teams Established and Trained</td>
</tr>
</tbody>
</table>
b) Ballots Distributed/Signature Gathering Starts
   c) $1,000 Raised

April 2000:
   a) 5,000 Signatures gathered
   b) $10,000 Raised

May 2000:
   a) 5,000 Signatures gathered to date
   b) $15,000 Raised

June 2000:
   a) 21,000 Signatures Raised/Primary Elections
   b) $25,000 Raised / Amendment Qualifies
   c) Free Media/Public Outreach Moving Hard

July 2000
   a) $50,000 Raised
   b) Paid media purchased and reserved for Fall 2000

August 2000:
   a) Paid media spots produced
   b) $100,000 Raised
      a) Public Outreach Continues
      b) Commitments from Candidates for support

September 2000:
   a) $125,000 Raised
      b) Major free media campaign underway
         a) Paid media begins

October 2000:
   a) $150,000 Raised
      b) Paid Media in Full Swing
         a) Local Literature Drops and Door-to-Door
         b) Free media blasting away

November 2000:
   a) We Win!!!!

The Decision

Deciding to take on this campaign is a major decision of significant proportions for the organization. The campaign is not “just another” project. It represents an effort that the majority of the organization must live and breathe for over a year and one that requires an extensive investment of all resources. To engage such a campaign requires careful thought, an objective analysis of the opportunity to win, and whether or not the payback is worth the investment. In engaging this discussion, the following criteria must at a minimum be weighed as we move toward a “go/no-go” decision.
1) Can we raise the money?
2) Are enough groups committed to establish the volunteer base necessary?
3) Can we overcome the opposition?
4) Is the timing right?
5) Do we have a broad enough consensus and commitment?
6) Can we conduct this campaign ourselves or do we need to hire a campaign manager?
7) Is the payback sufficient to reward the investment?

**Conclusion**

MADCOW has spent considerable resources and time over the past year engaging an extensive internal and external discussion about what can be done to stem the accelerating tide of commercial game farm operations. The effort has been spearheaded by MADCOW's Board of Directors, primarily, Gary Holmquist, Stan Rauch, Stan Frasier, Dave Stalling and Jack Lyons. These individuals have spent considerable time and energy researching, organizing, lobbying and educating the general public on the threats and concerns game farms represent to our free ranging wildlife.

As a result of this group's diligent work, we undoubtedly face the best opportunity in our state's history to effectively garner legislation that will, eventually, be the demise of game farms in Montana. The Executive Board is recommending that MADCOW engage a campaign to pass a citizen's ballot initiative that will:

1. Place a ban on the licensing of all new alternative livestock licenses within the state.
2. Ban the transfer of existing licenses, and halts the expansion of existing operations.
3. Bans the shooting of penned animals ("canned hunts").

The work of the Board of Directors, and ultimately its decision, are rooted in the universal concern among Montana sportsmen and women, and MADCOW, that
our wildlife heritage our significantly threatened by commercial game farms. The record is clear: game farming embrace wildlife’s greatest known enemies; commercial trade that puts a price on its head, and commercial practices that threaten the health of the resource. Game farming exposes wildlife to domestic diseases, and has already spawned epidemic outbreaks threatening both public wildlife and traditional agriculture. Game farming, as practiced in Montana, violates the tried and tested North American system of wildlife management. It takes us closer to a European system of commercialization and privatization that great conservationist-hunters such as Theodore Roosevelt and Aldo Leopold fought long and hard to avoid. It makes a mockery of our hunting heritage, caters to privilege, wealthy and elite, and exploits a public resource by calling it alternative livestock.

It has become increasingly evident that Montana hunters and anglers are very aware of the escalating threats of disease and commercialization from game farms. They are seeking leadership in forcing solutions. At the same time, MADCOW and its volunteers, in our efforts to safeguard the health and safety of our public wildlife, are increasingly frustrated by a system that is literally controlled by the game farm industry and political decisions that consistently undermine public ownership rights. This then is the framework in which MADCOW was initially founded for and has worked in since its conception. This campaign plan takes a sober look at what it would take to put together a winning campaign to pass a ballot initiative during the upcoming 2000 election. As in most political campaigns, there is no crystal ball. All we can do is inventory the components of the campaign, assess our ability to put together a solid effort, raise a ton of money, and hope that the public is with us November of 2000. There are some stark realities that cannot be ignored in making this decision: a) it is extremely hard to pass an initiative; b) it will take a ton of money; c) there will, undoubtedly, be significant opposition; and d) we must have uniform commitment at all levels of the organization, as well as significant commitments externally.
Appendix B

TABLE OF ORGANIZATION
Sportsmen For I-143

President/Campaign Manager: Gary Holmquist

Prime leader of the organization. Responsible for ensuring the accomplishment of the organizational mission, goals and objectives. Provides guidance, direction and supervision to other components of the organization in the accomplishment of the mission. Responsible for scheduling, organizing and conducting meetings, strategy development and implementation as well as ensuring the decision making process is fair and unbiased. Makes executive level decisions when necessary. Chairman of the Executive Committee.

Vice President: Stan Rauch

Assumes the responsibilities of the president when the president is unavailable or absent from meetings. Provides input for executive level decisions with other board members, and assists other board members with the discharge of their duties when necessary. The Vice President shall effectuate the organizational goals and objectives in the accomplishment of the mission and be prepared to assume the office of the President at any time the need should arise. Member of the Executive Committee.

Secretary/Treasurer: Stan Frasier

Responsible for all organizational record-keeping to include, at a minimum, maintaining appropriate historical records and files, and submitting all appropriate reports and records as prescribed by the Montana State Elections Commission. Also responsible for the administration of all authorizations of funds and reporting all appropriate funding requirements to the State Elections Elections Commission. Will ensure the organization’s financial resources are directed at achieving organizational goals as defined in the Master Campaign Plan-2000. Maintain such controls, records and accounts so as to ensure that commitments, obligations, and expenditures are within the amounts authorized. Member of the Executive Committee.
Director of Logistics: Dave Stalling

The impetus of logistical support is from a centralized point within the state. It is the responsibility of the Director of Logistics to provide adequate logistical support to all elements of the organization in a manner that will, both meet the goals and objectives of the requesting element and within the time frame logistical support is needed. It is the responsibility of the various organizational elements to fully utilize all mean of logistical support at their disposal. The Director will establish controls for allowances, procurement, distribution and controls for all logistical requirements. He is responsible for the economic utilization of materials and resources provided by the organization. Member of the Executive Committee.

Chief Fundraiser: Gary Holmquist

Fund-raising Team is responsible for funding the campaign. This team will be responsible for the establishment of a major contributors lists, to include both organizations and individuals, as well as write grant proposals, plan and organize fund raising events, solicit merchandise donations, etc.

Director of Media Production: Doug Mitchell

The Director of Media Production will be responsible for the production and distribution of all media materials to include radio, television, informational pamphlets, posters, billboards and bulk mailings as well as the supervision of all subordinate media coordinators. The Director of Media Production will ensure the mission, goals and objectives of MADCOW are met through the production and distribution materials of based upon factual information aimed at issues and not individuals. He will ensure that all materials appearing in newspapers or broadcast over radio and television stations conform to the standards established by MADCOW and meet the goals and objectives of the organization. He will utilize the television media as his primary source, within budgetary constraints; with radio and newsprint as secondary sources accordingly.
Responsible for providing three separate, broad media campaign plans to the board of directors; aimed at mission accomplishment.

**Newspaper Coordinator:** Ben Long

Responsible for the design, layout and procurement of all newspaper advertisements pertaining to the ballot initiative and MADCOW. The Newspaper coordinator will also establish a primary list of newspaper contacts of for the purpose advertisement procurement. Also responsible for the implementation of a newsprint monitoring system to that will enable MADCOW to track any and all newsprint articles, statewide, concerning Initiative I-143 and MADCOW. (To include editorials, advertisements and information provided by MALP or any of its proponents).

**TV/Radio Coordinator:** Doug Mitchell

Responsible for the procurement of electronic media distribution of electronic media commercials and the distribution of electronic media informational materials (radio and television ads).

**Print Coordinator:** Stan Frasier

Responsible for the design, layout and procurement of all printed materials to include brochures, informational pamphlets, posters, billboards and signs.

**Director of Public Relations:** Ben Long

Public relations encompasses all aspects of the relationship between the organization and the public. The purpose of public relations is to sustain the broadest possible public understanding and support of MADCOW’s goals and objectives and mission accomplishment. The PR Director is responsible for maintaining a positive rapport with the media, public and private organizations and groups, as well the private sector. The Director will establish a Public Relations Program that will serve as the organization’s primary means to
promote knowledge, understanding and support of the goals and objectives of
the organization. The Director of Public Relations is also responsible for the
scheduling of press conferences, press releases, video and photo clips, photo
ops and stock copy for volunteer writers of letters to the editor. It is the policy of
MADCOW the organization speak with one voice in order to accomplish
MADCOW’s mission.

**On-Line Communications: Joe Schaffer.**

Responsible for maintaining and updating MADCOW's Internet site with
information regarding the threats and concerns of game farms, articles written
by recognized outdoor and wildlife authors, and ballot initiative information.
Insures information provided is accurate and up to date; meeting the
mission, goals and objectives of MADCOW.

**Volunteer Spokespersons: Jim Posiwitz, Jack Lyon, Stan Rauch, Gary Holmquist**

Responsible for all public speaking engagements, seminars, and
informational briefs to organizations, groups, and societies interested in or
involved with, I-143, The Game Farm Reform Initiative.

**Community Coordinator: Ron Moody**

Responsible for the coordination of displays, local exhibits, demonstrations, and
marshaling of key personnel, as well as other local events in support of
MADCOW’s mission, goals and objectives. Provides the main line of
communications from the Regional Directors to the Board of Directors.
Responsible for the coordination of all logistical, administrative, and operational
requirements to the Regional Directors.

<table>
<thead>
<tr>
<th>Regional Areas</th>
<th>Regional Directors</th>
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<tbody>
<tr>
<td>Billings</td>
<td>John Gibson</td>
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</table>
Regional Directors are responsible for the scheduling, coordination, and conduct of all activities within their respective regions. Responsible to insure District Directors receive full and timely support of logistics, administration, and operations as required. Will facilitate any additional requirements for special events such as additional personnel, displays, informational pamphlets etc.

**District Directors:** Established according to the distribution of State of Montana House Districts. One per District where possible. Regional Director will coordinate personnel to provide adequate coverage of key districts, events, etc.

District Directors are responsible for initiating and supporting local community task forces to conduct the I-143 campaign at the grassroots level. Activities will include the following:

**LOCAL ACTIVITIES:**

2. Club meeting programs
3. Door-To-Door drives
4. Letters To The Editor
5. Public Meeting participation.
6. Personal advocacy.
7. Interviews with local media
8. Brochure - newsletter distribution.
9. Display and distribute bumper stickers
Executive Committee

The Executive Committee consists of the President, Vice President, Director of Logistics, Secretary/Treasure and one additional director. The Executive Committee is empowered to conduct executive sessions in order to facilitate the decision making process in the absence of the entire board.
Appendix C

GAME FARM REFORM INITIATIVE

BE IT ENACTED BY THE PEOPLE OF THE STATE OF MONTANA:

Section 1. Section 87-4-407, MCA, is amended to read:

"87-4-407. License required -- penalty -- seizure of illegally possessed animals. (1) A person may not operate an alternative livestock ranch in this state without having first obtained an alternative livestock ranch license from the department prior to [the effective date of this act]. A person may not apply for or be granted a license after that date.

(2) A person who operates an alternative livestock ranch without a license or possesses, transports, buys, or sells animals whose importation into the state is restricted pursuant to 87-4-424 is guilty of a misdemeanor and is subject to the penalties provided in 87-4-427(4).

(3) Any animal held in violation of subsection (2) or otherwise illegally possessed may be immediately seized by the department and is subject to disposal by the department. Costs of seizure may be charged to the person in possession of the animal."

Section 2. Section 87-4-408, MCA, is amended to read:

"87-4-408. Jurisdiction. (1) The department has primary jurisdiction over alternative livestock ranches with regard to licensing, reports, record keeping, exterior fencing, classification of certain species under 87-4-424, removal of game animals under 87-4-410, unlawful capture under 87-4-418, inspection under 87-4-413, and enforcement of the functions listed in this subsection.

(2) The department of livestock has primary jurisdiction over alternative livestock ranches with regard to marking, inspection, transportation, importation, quarantine, hold orders, interior facilities, health, and enforcement of the functions listed in this subsection."

Section 3. Section 87-4-411, MCA, is amended to read:

"87-4-411. License and renewal fees -- deposit of fees. (1) The department shall charge an initial annual renewal alternative livestock ranch license fee and an annual renewal fee based on the following scale:

(a) an alternative livestock ranch with 1 to 20 alternative livestock, an initial license fee of $200 and an annual renewal fee of $100;

(b) an alternative livestock ranch with 21 to 60 alternative livestock, an initial license fee of $300 and an annual renewal fee of $200; and

(c) an alternative livestock ranch with more than 60 alternative livestock, an initial license fee of $400 and an annual renewal fee of $400.

(2) In addition to the fees assessed under subsection (1), the department shall charge applicants a fee of $4 an acre based on the total number of acres indicated in the application for a license. In cases of an application for a license modification, the fee applies only if an acreage expansion is proposed.

(3) The department of livestock shall assess a fee, not to exceed $50, for each alternative livestock imported into the state.

(4) One-half of the fees collected pursuant to subsection (1) and all of the fees collected pursuant to subsection (2) must be deposited in the state special revenue fund for the use of the department for purposes of this part.

(5) One-half of the fees collected pursuant to subsection (1) and all import fees collected pursuant to subsection (2) must be deposited in the state special revenue fund for the use of the department for purposes of this part."

Section 4. Section 87-4-412, MCA, is amended to read:

"87-4-412. Term of license -- renewal -- transferability transfer prohibited. (1) An alternative livestock ranch license expires on March 1 of the year succeeding the year of issuance. Application for renewal must be made before a license expires. The department shall renew the license upon payment of the renewal fee if the licensee has complied with all recording and reporting requirements.

(2) An alternative livestock ranch license for a specific facility is not transferable with the consent of the department. The department's consent must be given if:

(a) the transferee meets the requirements of 87-4-426(1);

(b) the alternative livestock ranch and facilities are in compliance with requirements in place at the time the license was issued;

(c) the alternative livestock ranch is not under quarantine by the department;

(d) alternative livestock to be transferred are not prohibited under this part and department rules; and

(e) the transfer is not proposed as a means to evade a requirement imposed on the licensee."

Section 5. Section 87-4-413, MCA, is amended to read:

142
"87-4-413. Inspection. (1) Upon receipt of an application for an alternative livestock ranch license, the department shall inspect the land proposed to be covered by the license.

(2) The department may inspect the alternative livestock ranch or the licensee's alternative livestock ranch records on a scheduled basis or on another reasonable basis as may be determined necessary."

Section 6. Section 87-4-414, MCA, is amended to read:

"87-4-414. Alternative livestock as private property -- source -- marking -- fee shooting prohibited. (1) All alternative livestock lawfully possessed on a licensed alternative livestock ranch are private property for which the licensee is responsible as provided by law.

(2) The licensee may acquire, breed, grow, keep, pursue, handle, harvest, use, sell, or dispose of the alternative livestock and their progeny in any quantity and at any time of year as long as the licensee complies with the requirements of this part, except that the licensee may not allow the shooting of game animals or alternative livestock, as defined in 87-2-101 or 87-4-406, or of any exotic big game species for a fee or other remuneration.

(3) A licensee shall mark alternative livestock in a manner approved by the department of livestock, as required under subsection (4), and that indicates ownership and provides individual identification of animals for inspection, transportation, reporting, and taxation purposes.

(4) The department of livestock is responsible for the control, tracking, and distribution of identification tags used for the marking of alternative livestock. The department of livestock shall require that all imported alternative livestock are marked within 30 days of importation and that all other alternative livestock are marked prior to January 1 of each year. Each alternative livestock must be marked with identification that:

(a) is unique to the animal;
(b) is nontransferable;
(c) has an emblem owned and registered by the department of livestock that is embossed on each identification tag; and
(d) allows for the identification of alternative livestock from a distance.

(5) Upon the request of a licensee, the department of livestock may grant a temporary waiver as to the time for identification and to the manner of identification if necessary to address a special circumstance.

(6) Alternative livestock must be lawfully acquired by the licensee. Alternative livestock may be kept only on a licensed alternative livestock ranch. A licensee who keeps alternative livestock owned by, leased to, or leased from another person shall comply with all of the requirements of this part as if the animal belonged to the licensee. Records and reports submitted by the licensee pursuant to 87-4-417 must identify any alternative livestock kept by the licensee during the reporting period and the name and address of the owner or lessee.

(7) Except as otherwise provided in this part, laws applicable to game animals do not apply to alternative livestock raised on a licensed alternative livestock ranch."

Section 7. Section 87-4-428, MCA, is amended to read:

"87-4-428. Right to administrative hearing. (1) An applicant must be given notice and an opportunity for a hearing on a proposed denial or issuance with stipulations of an alternative livestock ranch license pursuant to 87-4-426 before the department may deny a license or grant a license with stipulations.

(2) The notice and an opportunity for a hearing and any judicial appeal must be conducted as provided in Title 2, chapter 4, parts 6 and 7."

Section 8. Section 87-4-433, MCA, is amended to read:

"87-4-433. Programmatic environmental review. (1) The department, in cooperation with the department of livestock, shall, by July 1, 2001, conduct a programmatic review of environmental impacts that may be associated with the granting of a license to operate an alternative livestock ranch.

(2) In consultation with the department of livestock, the department shall select a contractor to prepare the programmatic environmental review, which must be in the form of an environmental impact statement.

(3) In addition to the department of livestock, the department shall seek the assistance and participation of other governmental agencies that have special expertise in areas that should be addressed in the programmatic.
(4) For an alternative livestock ranch license application that is received after July 1, 2001, the department shall conduct an environmental review, if required, using the programmatic and tiering environmental impacts to the programmatic.

NEW SECTION. Section 9. Repealer. Sections 87-4-409, 87-4-410, 87-4-426, and 87-4-431, MCA, are repealed.

NEW SECTION. Section 10. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 11. Effective date. This act is effective upon approval of the electorate.
Appendix D

Arguments for and Against I-143

Citizen initiatives on the Montana ballot are described in a Voter Information pamphlet. Proponents provide a statement in favor, opponents a statement in opposition, then each is allowed a half page rebuttal. Unfortunately, space limitations usually prevent full examination and discussion.

While full disclosure would be considered unusual in any political situation, clouding the issue with meaningless rhetoric serves no useful purpose either. On this page, the two position statements, and the associated rebuttal statements, are presented in their entirety. As a service to our readers, all four statements are footnoted with additional discussion to include some of the information excluded by space limitations, and, where a deviation from the truth, or an obvious obfuscation can be demonstrated, provide clarification. Montana voters can make up their own minds on the game farm issue, but they are ill-served by half-truths and misleading information.

This is the statement proposing game farm reform:

VOTE FOR I-143

I-143, the “Game Farm Reform Initiative,” will stop the growth of the game farm industry and stop the unethical captive shooting of penned big game animals, also known as “canned hunts.” Existing game farms will be allowed to continue all operations, except for canned hunts (which will effect only 15 game farms).

Game Farming threatens Montanan's fair-chase hunting and wildlife heritage, and undermines a unique and tremendously successful system of public wildlife management and public hunting in North America. These serious and well-documented threats include disease, hybridization, the creation and expansion of commercial markets for wildlife, loss of wildlife habitat, and an unacceptable, bankrupt image of hunting portrayed by the paid shooting of captive animals. Game farms also threaten a strong economy based on the public pursuit and enjoyment of wild, free-ranging public wildlife.

At the turn of the last century, wildlife in North America had been decimated by commercial markets for the meat, hides, antlers and other parts of wildlife. Many animals, such as elk and deer, were on the verge of extinction. Hunter conservationists such as Theodore Roosevelt put an end to the commercial market killing of wildlife and led an effort to restore America's wildlife. In the words of
Roosevelt: “The professional market hunter who kills game for the hide or for the feathers or for the meat or to sell antlers and other trophies; market men who put game in cold storage; and the rich people, who are content to buy what they have not the skill to get by their own exertions—these are the men who are the real enemies of game.”

Roosevelt and others helped devise a unique system of wildlife management based on four principles: 1) Wildlife as a public resource; 2) A ban on the commercial markets of vulnerable wildlife; 3) Allocation of wildlife controlled by law; 4) A ban on the frivolous killing of wildlife. This tremendously successful system allows all Americans equal access towards wildlife resources and fuels public participation and concern for wildlife, wildlife research, and habitat protection and conservation education that benefits not just hunted species, but all other wildlife as well.

Game ranching undermines this system by creating and expanding commercial markets for vulnerable wildlife, privatizing a public resource, and bringing us closer to a European-like system in which wildlife is intensely managed to produce products only the wealthy can afford. Game ranching and captive shooting operations demonstrate a total disregard for our wildlife and hunting heritage, threatens legitimate, fair-chase hunting, creates and spreads disease that threaten wildlife and traditional livestock, and requires a substantial subsidy taken from license revenue paid by legitimate hunters.

From 1995-1999, the Montana Department of Fish, Wildlife and Parks spent $1,000,000 of license revenue generated from hunter and anglers to license and regulate game farms. During that same period game farmers paid $38,300 in fees.

In 1992 game farm elk shipped from Montana to Alberta caused an outbreak of bovine tuberculosis (TB) that infected elk, cattle, and 42 people. In addition to $25 million direct cost to the taxpayers it cost the entire country its TB free status, estimated by Agriculture Canada to be worth $1 billion. Last winter the existence of Chronic Wasting Disease (CWD) was confirmed on a Montana game farm. There is no live test for CWD; there is no way to know if infected animals are being moved around the state. The spread of CWD appears to be associated with the movement of game farm animals.

In short, game ranching poses many serious and well-documented threats to Montana’s wildlife and fair-chase hunting heritage and threatens a strong economy based on the public hunting and enjoyment of public wildlife. As retired Montana wildlife biologist Jim Posewitz, founder of Orion-The Hunter’s Institute, says: “Game farming commercializes the last remnants of the great wild commons, it seeks to privatize what is held in trust by all of us, it domesticates the wilderness we sought to preserve, and it trivializes what is exceptional . . . . The things we value die inside the woven wire of game farms.”
Additional Information:

1/ "REAL hunters don’t shoot pets" In collecting signatures to put Initiative I-143 on the ballot, this was a strong issue with Montana voters. And, although “hunting ranches” tend to claim fair chase, those that advertise on the elk breeders web page all guarantee 100 percent success with ‘trophy quality shooter bulls.’ Anyone who has ever hunted wild, free-ranging elk knows that “success,” as measured by killing a “trophy bull,” is never guaranteed. Paying to shoot fenced, domesticated, elk is not hunting, it’s killing, and it makes a mockery of fair-chase hunting traditions.

2/ Because it appears primarily to recall nostalgia, it is easy to overlook the importance of the four-point wildlife management system mentioned in this statement. However, these principles created a North American wildlife miracle. There is no where else in the world and no period in history with the wildlife abundance and broad public access to hunting that we take for granted. Public ownership of wildlife and a ban on commercial markets were responsible for restoration of many species from near extinction. Allocation of surpluses by law, through hunting seasons that provide equal access for all citizens is unique.

In response to these arguments, the Opponents reply:

BOTTOM LINE: The arguments for I-143 rely on inflammatory rhetoric, skewed implications, and faulty statistics. “There is a steady stream of speculations, allegations, inferences, emotional charges, soft science, innuendo, and plain misinformation.” (Region 4 Supervisor for Department of Fish, Wildlife & Parks-FWP) 1/

QUIT LIVING IN THE PAST: Domestic deer and elk are NOT wildlife. 2/ Producers do not steal these animals out of the wild; rather, they are purchased from legal entities approved by FWP and are 10-12 generations removed from wild populations. The I-143 sponsors need to move beyond the animal theft, hybridization, disease, and animal escape rhetoric, all of these are NON-ISSUES under the new rules and statutes already implemented by the Department of Livestock and FWP. 3/ If the alternative livestock producers truly had an impact on Montana’s hunting heritage, the State would see a significant decline in hunting licenses being sold, which certainly is NOT the case.

I-143 IS UNCONSTITUTIONAL: Art. II par. 3 of the Montana Constitution provides
that no person shall be deprived of his/her ability to acquire, possess, or protect private property. Because I-143 effectively "steals" the business of 92 Montana family farmers and ranchers, I-143 is a "takings without just compensation." This taking of private enterprise may cost the State (NOT the I-143 sponsors) in excess of $50 million Dollars. 4/

**PROGRAM FUNDING:** Elk ranchers have attempted to eliminate use of sportsmen dollars for this industry on two occasions, both of which were opposed by the I-143 sponsors. 5/ Current funding for the program is based on license fees and per-animal assessments ($32 for elk vs. $1.20 for cattle). Over the past 5 years, the producers have spent in excess of $4.4 million on regulatory safeguards for approximately 4,500 animals. 6/ In addition, the domestic elk industry has spent in excess of $500,000 on research for a live test and cure for CWD, which has been a proven wildlife disease for more than 30 years. In contrast, I-143 sponsors and related conservation groups have spent $0 on CWD research. 7/

For more information on the domestic elk industry go to: www.naelk.org

**Discussion:**

1/ It is obviously difficult to determine what the subject of this diatribe is intended to be. North American wildlife management is based on the best available science rather than implications, and there is no information in the statement made by the proponents that is not supported by the historical record.

Wildlife diseases transmitted by game farm animals are not a speculation, loss of habitat is not a speculation, Game farms also threaten a strong economy based on the public pursuit and enjoyment of wild, free-ranging public wildlife.

2/ Living in the past has little to do with trying to assure a future for wildlife in Montana. Since these are domestic rather than wild animals as described in this paragraph, then the fake hunts in which they are shot as trophies are even more despicable than we thought. When a real rancher is able to sell the idea that a trophy hunt for a Hereford bull is worth $3500, we will withdraw our objections.

3/ Non-issues? CWD was identified for the first time in Montana in a game farm in 1999. The continuing record of escapes by game farm animals remains unbroken with at least two new ones in 2000. The new rules must be so new they haven't gone into effect yet.

4/ I-143 does no such thing. All the current property remains the property of the owner. The only immediate change is that it is no longer legal to commit an immoral act on that property. This question has already been taken to the Supreme
Court in several different versions. In not one instance have the plaintiffs prevailed. There have always been restrictions to private land and business owners. A factory, for example, can’t dump poison in a river that effects public values downstream; neither should a game rancher be allowed to spread deadly diseases into public herds of wildlife. Cockfights have been deemed immoral and illegal in most states; so should the paid, captive shooting of fenced, domesticated animals.

5/ Elk owners have attempted to transfer all regulatory authority from Fish, Wildlife and Parks to the user friendly Department of Livestock. This is a quite different objective than providing the funds for inspection and regulation. Also note that the protection of public wildlife from game farm escapees always falls on Fish, Wildlife and Parks. Sportsmen dollars would not be needed to protect the public wildlife if the game farmers were billed directly for such excursions.

6/ Something doesn’t add up here. $32 x 4500 animals x 5 years won’t even produce 3/4 of a million dollars.

7/ CWD has only been spread from the original source in Colorado by game farm stock. It has been only been detected in game farms, and it has been spread to game farms all over North America by game farmers. Does this imply that game farmers have one more thing they expect the sportsmen to pay for?

In their rebuttal to our argument for I-143, here is more of what the opponents—those who support game farms—have to say:

Quoting the Region 4 Supervisor for the Montana Department of Fish, Wildlife, & Parks (FWP), “THE WHOLE ALTERNATIVE LIVESTOCK (Game Farm) ISSUE IS LONG ON OPINION AND SHORT ON FACTS.” 1/

REGULATORY HISTORY: There are currently 92 alternative livestock ranches in Montana. 2/ Over the past ten years, the Montana Legislature and the Game Farm Negotiated Rulemaking Committee (consisting of Montana Alternative Livestock Producers, Montana Wildlife Federation, Montana Stockgrowers Association, Montana Department of Livestock, and FWP) have worked diligently to draft, adopt, and implement statutes and rules which allow diversification opportunities for Montana’s farmers and ranchers, yet, at the same time, provide adequate regulatory safeguards to protect Montana’s wild populations. 3/

APPLICATION OF I-143: I-143 undermines the significant work done by the Montana Legislature and the Negotiated Rulemaking Committee. Three particularly
offensive provisions attack the ability of these 92 family farms and ranches to stay in business.

1. I-143 replaces the chronic wasting disease (CWD) moratorium (discussed below) placed on new licenses during the Special Legislative Session, with an absolute ban. This demonstrates the lack of flexibility, reasonableness, and compromise on the part of the I-143 sponsor and its supporters. 4/

2. I-143 will ultimately eliminate every elk ranch in Montana by not allowing current licensees to transfer their licenses before or at the time of their death. This prohibition attacks the time-honored tradition of rural Montana farmers and ranchers passing down their ranching operations to their children and grandchildren. 5/

3. I-143 seeks to prohibit the harvesting of private animals on private property, which is the end product of any livestock operation or industry. I-143 seeks to dictate what animals Montana’s farms and ranches raise and how those animals are managed. This year elk ranchers are targeted for elimination. Who will be next – game bird operations, buffalo producers, people who raise llamas, or even traditional livestock producers? 6/

ANIMAL HEALTH: To ensure a high degree of protection for domestic deer and elk, traditional livestock and Montana’s wildlife, Montana has adopted the most stringent herd health regulations in the United States governing alternative livestock operation. Mandatory testing protocols are in place for Brucellosis and Tuberculosis each time an animal is bought or sold. Pursuant to the negotiated rules, all domestic elk in Montana have been tested for elk-red deer hybridization, ensuring that they are pure Rocky Mountain elk. Every domestic elk or deer that dies in Montana on an alternative livestock ranch (561 to date on 41 ranches), regardless of the cause of death, is tested for CWD at the producer’s expense ($150 - $300). 6/

In May of this year, the Montana Legislature passed Senate Bill 7 which placed a temporary moratorium on new licenses until a live animal test for CWD is developed and approved by the Department of Livestock. The purpose of Senate Bill 7 was to develop a regulatory solution which was both reasonable and based on science in order to address the concerns of the general public. 7/

ECONOMICS IMPACTS: Current alternative livestock operations in Montana contribute between $15 and $20 million to the State’s economy on less than 13,000 acres. Alternative livestock are a logical addition to the traditional resource-based economy of the State. It is an appealing marriage between the frontier heritage of
Montana, its independent spirit, and economic development. At a time when Montana is at the bottom of the list in average income, it is essential and responsible to expand business opportunities using existing resources rather than destroying them through unnecessary interference with private enterprise. Such tinkering will have the additional effect of creating an artificial value for existing operations, similar to liquor licenses and gambling permits. Market forces and science should dictate policy decisions rather than hysteria and emotion. I-143 will instill total government control of a sector of private enterprise in Montana, setting a dangerous precedent for all Montana business.

**Additional Discussion:**

1/ It is an opinion that shooting penned animals and calling it hunting is immoral and unethical. It is a fact that Montana game farm elk transmitted the bovine TB that devastated both wild and domestic elk in Alberta. It is a fact that CWD was unknown in Montana until detected on a game farm. It is a fact that game farm animals escape every year in Montana, and it is a fact that the sportsmen of Montana repeatedly pay the costs for tracking down and killing game farm animals that are not recaptured.

It is surprising that a Montana Department of Fish, Wildlife, & Parks employee is defending game farms when his responsibility should be defending Montana wildlife. It is not a surprise, however, that most other wildlife biologists, through a Position Paper of the Montana Chapter of The Wildlife Society, have called for a statewide referendum on game farms. TWS is the professional and scientific organization representing all wildlife biologists in Montana. The position statement is available on the internet at www.montanatws.org

2/ Actually, there are only 82 game farms in Montana. A fact that can be determined in the public records maintained by Tim Feldner, FWP.

3/ The game farm industry was a reluctant participant of the "Negotiated Rules Making Committee" being forced to the table via the Governor as a result of public outcry. The industry and state did adopt statutes and rules - unfortunately nearly every existing game farm was exempted or "grandfathered" in and compliance with the new rules was not required by existing farms. Throughout the Negotiated Rule making process, the industry continuously resisted any efforts to protect the public' wildlife from disease, genetic pollution, and loss of habitat in favor of their personal economic gains. They have resisted all safeguards such as double fencing, inspection of records, facilities and animals, as well as attempt to eliminate the MEPA process. During the 1999 legislative session, they even attempted to eliminate any oversight by FWP yet would not
assume responsibility for the financial burdens their industry has placed on the sportsman within the state. (Over $1 Million in the last 5 years.)

4/ These fairly ridiculous assumptions are all discussed in The Facts on Game Farming which follows.

5/ There is no limit on wild rhetoric and flights of fancy. There is a limit on charges that even deserve discussion.

6/ It is only necessary to consult any newspaper in the State of Montana during January, 2000, to determine how these rules really work. When CWD was detected on a game farm near Philipsburg, the indecision and incompetence of the Department of Livestock resulted a series of daily changes in direction and eventual intercession by the Governor. When these CWD elk were eventually killed, the Kesler Ranch was reimbursed by both DOL and FWP.

7/ The purpose of SB 7 was to invalidate Initiative I-142 during the signature gathering process. In this, it was successful, and the sponsors were forced to rewrite, and resubmit the initiative, which then became I-143.

The Facts on Game Farming:

REGULATORY HISTORY: There are 82 licensed game farms in Montana. Many conduct "canned hunts." Montana has rules regulating game farms only because sportsmen have demanded the Legislature and the DOL establish rules to protect our wildlife & livestock. The industry has consistently resisted measures to safeguard our wildlife and agricultural heritage. During negotiated rule making, the game farm industry refused to even discuss the only method to prevent nose-to-nose contact between wild and penned animals—double fencing.

APPLICATION OF I-143: I-143 does not prohibit current license holders from operating their businesses nor does it prevent ranchers from passing on their lands and facilities. It prevents the transfer of a game farm license. I-143 does not prevent current owners from breeding, antler harvesting or slaughter of animals. Our federal and state governments already limit the scope of agriculture to protect humans, wildlife, and livestock. For example, Montanans cannot legally raise Red Deer or marijuana.

ANIMAL HEALTH: Montana has one of the most valuable wildlife resources in the United States. The game farm industry has a history of disease problems such as TB and now CWD. There is neither live test nor prevention for CWD. Game farm
GAME FARM REFORM CAMPAIGN
A Project Sponsored by the Sportsman of Montana

SUMMARY

Montanans Against the Domestication and Commercialization of Wildlife, (MADCOW), is seeking $50,000 in funding support to assist in the support of Sportsman For I-143, the Game Farm Reform Initiative, to ensure the passing of game farm reform policies within the state of Montana through a citizens initiative. Funds will be utilized to support and expand a strong community-based, grassroots effort throughout the signature gathering process and during the ballot process that concludes on November 7, 2000. This citizens initiative process is vital to ensuring the health and future of Montana’s world class sustainable public wildlife resource through the elimination of threats from “canned shooting” of big game animals, disease, loss of habitat and genetic pollution associated with the business of game ranching. Now more than ever, the future of our fish & wildlife and fair chase hunting heritage depends on action instead of just beliefs.

Background

The coalition of sportsman and conservation organizations sponsoring I-143 have relied on the hunter/angler membership to advance their respective missions of wildlife conservation and the promotion of ethical fair-chase hunting practices. These conservation efforts are founded in the principles of public wildlife management, ownership and ethical pursuit of public fish and wildlife. Historically, hunters and anglers have constituted a major portion of the wildlife restoration and conservation efforts that have taken place since the early 1900s. In recent years, new cultural, political, and economic forces threaten our public wildlife management system and wildlife health through commercialization and privatization. Game ranching is one of the furthermost deviations from public wildlife management and fair-chase pursuit principles this century. MADCOW has worked for a number of years to stem these threats and maintain the “wild” in wildlife.

Context

The advent of game ranching in Montana threatens our free-ranging public wildlife and fair-chase hunting heritage on many levels. Disease, genetic
pollution, habitat exclusion, and fair-chase hunting ethics are all threats to our public wildlife from game ranching. Throughout its history within Montana, the game farm has a history that is replete with threats of disease, theft of wildlife and wildlife parts, loss of habitat and genetic pollution, all for the economic benefit of a few individuals.

Montana now has 84 active game farms, which generate an estimated $11 million/year of economic impact. This relatively small economic benefit threatens a vastly more significant contribution from public wildlife hunting, angling, wildlife-related tourism and recreation which generates an estimated $1.7 billion/year to Montana's economy.

Public Support

A recent poll by Montana Conservation Voters shows that 72% of Montana citizens wish to see game farming banned or more strictly regulated. Numerous sportsman and conservation organizations throughout the state have joined in this effort, providing various levels of support and commitment for game farm reform.

The Problem

Wildlife conservation in North America is based on five principles that have established a unique, and amazingly successful, system for protecting and enhancing free-ranging public wildlife populations.

- A ban on the frivolous killing of wildlife. Wildlife is owned in law by the public, with the private ownership of wildlife severely restricted.
- Most markets in dead wildlife have been abolished, removing an enormous incentive to turn illegally killed wildlife into cash.
- Wildlife surplus is allocated by law, not by the pocket book, social status, or land ownership.
- Wildlife can only be harvested for cause, such as food, fur, or the protection of life, property and/or our natural habitats even by those carrying licenses.
- Wildlife is managed using the best available science practices with input from the public.
The game farming industry, as practiced in Montana, violates all five of these principles and undermines the success that makes North America’s system of wildlife management unique. Private wildlife ranching takes us closer to a European system of commercialization and privatization that conservationists and hunters such as Theodore Roosevelt and Aldo Leopold fought to avoid. Game ranching is at the other end of the spectrum from our fair-chase hunting heritage, threatens the future of free-ranging public wildlife and exploits a public resource and an American symbol by calling it “alternative livestock.”

**Threats to Public Wildlife**

There are a great variety of diseases and parasites introduced into Montana by imported game farm animals, which are potentially transmissible to free-ranging public wildlife. Most significantly, Chronic Wasting Disease (CWD) and tuberculosis have been imported into Montana via game farm animals. Game farms from within Montana have, likewise, exported diseased animals to other states and provinces that have been the source of spreading disease into those areas. The escapement, or egress, of diseased game farm animals into the wild presents a substantial threat that these diseases may become endemic in our wild populations. *Every year on record, there are multiple incidents of escapement of game farm animals into the wild, from game farm enclosures.* In addition, wild animals often find their way into game farm enclosures, especially during breeding season. Ingress by public wildlife into captive-game farm operations nearly always requires the extermination of public wildlife.

Many game farm elk have been crossbred to promote larger antler growth. The potential for genetic pollution of our public wildlife by escaped, and potentially genetically impure, game farm animals is considerable. Fenced enclosures also restrict the movement and habitat use by free-ranging public wildlife. In many cases, the habitat loss is essential winter range for our public herds.

**The Game Farm Industry**

The majority of game farm operators generate their income through three sources.
1) Selling of breeding stock to other game farms. This activity is the major source of income for most operators.
2) Providing processed velvet antlers as aphrodisiac to the Asian market. Antlers are cut from live animals while still in velvet.
3) Canned hunts, or captive shooting, of penned trophy sized animals for those who will pay for guaranteed success.

Game Farm Administrative Costs

Currently, the administration of game farms is split between the Department of Livestock (DOL) and the Department of Fish, Wildlife, and Parks (DFWP). The DOL is responsible for disease issues and importation/transportation of game farm animals. The DFWP is responsible for the environmental assessments (EA) associated with any new game farm proposal, the fence inspections, ingress/egress problems, and licensing. The vast majority of the funding that is needed to pay for the DFWP’s administration is supplied by sportsmen’s license dollars. In the past five years over $1 million have been siphoned from public sportsmen’s license dollars to pay for the associated costs of managing private game farms.

The Citizen’s Solution

A citizen’s initiative has been approved by the state for the 2000 election year. Sportsman for I-143 will accomplish three primary objectives:

(1) Immediately places a ban the practice of “canned” hunts or shooting of penned animals.

(2) Places an immediate halt to the sale of new game farm licenses and prohibits the expansion of existing game farms.

(3) Prohibits the sale or transfer of all existing game farm licenses.
The Campaign

The I-143 campaign has two phases.

Phase One: The collection of signatures to qualify the petition for the ballot. We will need to gather 19,862 signatures of registered voters by June 23, 2000.

Phase Two: Public education and visibility of I-143 for the November 7 election. (This phase of the campaign will focus on getting information to the Montana voters and building public support to ensure success at the General Election).

Phase One Strategies and Budget

MADCOW has organized a coalition of grassroots support from sportsman organizations, conservation groups, and individual citizens from across the state to insure the success of I-143. The focus of our efforts has been, and will continue to be, in the urban areas; specifically, Billings, Lewistown, Great Falls, Helena, Butte, Missoula, Kalispell, Bozeman and Hamilton. We have established Regional Coordinators in all of these areas who will assist in the signature gathering process as well as providing educational materials throughout the respective region. With approximately 400 activists throughout these regions, we will coordinate a major effort during the primary election day, which is June 6, 2000. This effort requires a part-time coordinator to insure regional coordinators have signature gatherer’s in place, more than adequate voting districts are covered, correct procedures are followed for legitimate signatures, and petitions are returned to counties in a timely manner. Additionally, this coordinator will manage the distribution of materials.

Phase One - Signature Gathering Budget

3000 8 x 11 orange signs for identification at the polls $ 340.00
Stationary for communications and petition instructions $ 200.00
Return Envelopes for petitions (15,000) $1260.00
Mailing Labels (3000) $31.25
Computer Ink Cartridges for printing $ 217.00
Transparencies for presentations $48.25
35 mm slides for presentations $51.00
Game Farm Reform Campaign
Grant Proposal
July, 2000

Postage costs 400 packets @ $2/packet $1000.00
Coordinator & Adm Printing costs $1200.00
Administrative Costs $1127.00

Phase One TOTAL $ 5,474.50

Phase Two - Ballot Public Outreach & Education

Phase two of the campaign will focus on raising public awareness and the promotion of I-143. A full-time campaign coordinator will be hired to organize the campaign from June 2000 through the November election. Costs of advertisements (including yard signs, bumper stickers, television/radio ads, and travel) are also included.

Media Coordinator $2,000.00
Printing/Copying $3,325.50
Administrative Supplies $400.00
Postage $660.00
Education Materials $3,600.00
Travel Expenses $2,160.00
Communications $650.00
Advertising Budget $20,000.00

Phase Two TOTAL $ 127,315.00

CAMPAIGN TOTAL BUDGET: $132,789.50
Appendix F

MONTANANS AGAINST THE DOMESICATION
AN COMERCIALIZATION OF WILDLIFE
(MADCOW)
MEDIA CAMPAIGN PLAN

Option #1: Statewide Television, Statewide Radio

Television Time: $75,000
This estimate is based on a fourteen-day run period in the Great Falls, Billings, Missoula, Helena, and Butte markets at a point level of 11 00- 13 00 point per market, with two spots in rotation.

Television Production: $8,000
Production costs are typically $3,000 - $5,000 per spot and are billed using actual expenses, there is no mark-up on production at all, and we should work to keep the production as low as possible while still making sure the quality of our spots is good. This assumes that we produce and air two spots.

Radio Time: $20,000
This is based on an eight-day run period with good statewide coverage. We will mix urban and rural radio, perhaps with different messages.

Radio Production: $1,000
We will be able to produce our radio well within this budget, even if we decide to do four or five different regional spots. As is the case with television, production is billed at actual cost.

Timeline:
This is the busiest schedule. We should be prepared to begin purchasing television time the first week in September (we will not have to place all of it at that time, but the sooner we are able to purchase, the better placements we will get). We will want to have our television production completed by the first week in October. Since we may use some of the audio from the television spots for the radio, we will want to produce our radio the first week in October. We will want to have our radio spots purchased by September 15th.

Total Electronic Media, Option #1 $104,000
Option #2: Statewide Television Only

Television Time: $45,000 - $80,000
This estimate assumes a smaller budget and the need to focus on one mode of communication. The low end of the scale ($45,000) would give us one spot for 10 days at roughly 750 points per market. The higher end of the scale ($80,000) would give us 1200 - 1400 points per market (the markets remain the same: Great Falls, Billings, Missoula, Helena, Butte and Missoula).

Television Production: $4,000 or $8,000
Production costs are typically $3,000 - $5,000 per spot and are billed using actual expenses, there is no mark-up on production at all, and we should work to keep the production as low as possible while still making sure the quality of our spots is good. With a budget of $55,000 or less we will likely only produce one spot ($4,000). If we have a bigger budget we would likely produce two spots ($8,000).

Timeline:
We should be prepared to begin purchasing television time the first week in September (we will not have to place all of it at that time, but the sooner we are able to purchase, the better placements we will get). We will want to have our television production completed by the first week in October. Total Electronic Media, Option #2: $49,000 - $88,000

Option #3: Radio Only

Radio Time: $40,000
Under this scenario, we would be attempting to convey our entire message through the radio. That will put additional pressure on purchasing in urban areas, and on the development of a radio campaign that will extend into a third week and likely be comprised of three spots

Radio Production:
$1,500 We will be able to produce and distribute our radio within this budget. As with TV, radio production is done at actual cost.
Timeline:
We will want to have our radio purchased by September 15" and produced the first week in October.

Total Electronic Media, Option #3: $41,500

Absentee Ballot Program

An absentee ballot mailing program is based on; 1) an assumption we would mail first class, and 2) that we would target roughly 10,000 voters in urban areas across the state. Here are the numbers:

Printing: $1,138
Postage: $3,300
Total $4,438

Brochure design will be accomplished pro-bono and is not calculated in any of the other expenses in to this analysis. People can begin requesting ballots on August 24, 2000 and Clerks and Recorders will be available beginning September 22

Conclusion

The numbers outlined above are inclusive of all fees, to include those fees of all the affiliated media partner, Murphy Putnam Media, Alexandria, Virginia. These fees come in the form of buyer’s commissions on the advertising (15% for television and 10% for radio) that are reflected in the gross rates charges by the stations and used in these estimates.
Appendix G

What I-143 does:

- Bans the shooting of penned animals ("canned hunts")
- Protects Montana's wildlife and hunting heritage
- Protects traditional agriculture
- Halts the sale of new game farm licenses, the transfer of existing licenses, and expansion of existing operations

I-143 does not:

- Deprive existing game farmers of their land or livelihood
- constitute a violation or 'takings' of private property rights

I-143 is supported by individuals, hunters, farmers, ranchers, wildlife conservation and public interest organizations and individuals.

Rocky Mountain Elk Foundation
Montana Conservation Association
Ravalli Fish & Wildlife
Prickly Pear Sportsmen
Public Lands Access
Pondera Out Doors
Wildlife Society of Montana
Montana Wildlife Federation
Great Falls Archery Club
Gallatin Wildlife
Billings Rod and Gun Club
Russell Country Sportsmen
Anaconda Sportsmen's Club
Big Sky Upland Bird
Skyline Sportsmen Club

VOTE FOR I-143
REAL hunters don’t shoot pets.

Support I 143 - Sign Here
Nearly all voters want to take at least some action to address game farms, whether it is tougher regulations, an outright ban, or a moratorium.

Game farms are places where game animals, such as elk or deer, are raised. These farms have hunter pens, which are large fenced-in areas where hunters can shoot the wildlife for a fee. Some people say these farms can provide additional income for some farmers and ranchers. Other people say they pose a public health threat, as chronic wasting disease was recently found on a farm.

There has been recent debate over regulating these farms. Which of the following statements on this issue is closer to your view?

- Game farms should be banned and existing ones phased out: 29%
- There should be a moratorium on new game farms: 12%
- There should be more regulation and tougher enforcement of current laws governing game farms: 31%
- No changes should be made to how game farms are regulated: 14%
- There should be more game farms to help the economy: 5%
Appendix J

Montana Statewide Survey - September 2000

1. Next, let me read you about ballot initiative 1 - 143 in this November's election. It would ban any new game farms, ban the transfer of existing game farm licenses, and ban the shooting of game farm animals for a fee. If the election were held today on this initiative, would you definitely vote yes, probably vote yes, probably vote no, or definitely vote no? (N=918)

<table>
<thead>
<tr>
<th>Definitely vote yes</th>
<th>Probably vote yes</th>
<th>Probably vote no</th>
<th>Definitely vote no</th>
<th>DK/NS</th>
</tr>
</thead>
<tbody>
<tr>
<td>27%</td>
<td>22%</td>
<td>24%</td>
<td>20%</td>
<td>7%</td>
</tr>
</tbody>
</table>

2. [Ask of everyone except definitely vote yes in Q1] Supporters of 1 - 143 say game farms pose a serious threat of disease and genetic alteration of the future of our native wildlife. Passage of 1 - 143 will help preserve Montana's free ranging public wildlife for future generations by halting the growth of game farms - without harming existing game farm businesses. Now, would you say you would definitely vote yes, probably vote yes, probably vote no, or definitely vote no on 1 - 143?

<table>
<thead>
<tr>
<th>Q2 Vote</th>
<th>Q1 &amp; Q2</th>
</tr>
</thead>
<tbody>
<tr>
<td>(N=918)</td>
<td>(N=918)</td>
</tr>
<tr>
<td>Definitely vote yes in Q1</td>
<td>27%</td>
</tr>
<tr>
<td>Definitely vote yes in Q2</td>
<td>6%</td>
</tr>
<tr>
<td>Probably vote yes in Q2</td>
<td>25%</td>
</tr>
<tr>
<td>Probably vote no in Q2</td>
<td>18%</td>
</tr>
<tr>
<td>Definitely vote no in Q2</td>
<td>13%</td>
</tr>
<tr>
<td>DK/NS in Q2</td>
<td>10%</td>
</tr>
</tbody>
</table>

3. In the past year, have you or anyone else in your household had a hunting license? (N=918)

   | Yes, respondent had license | 32% |
   | Yes, other household member had license | 29% |
   | No, no one had license | 47% |
   | DK/NS/Refused | 1% |