

Hailey Coggins

04/27/23

HB23-1264 Testimony

To whom it may concern,

I am writing to address my concerns on HB23-1264, regarding the authority of the commissioner of agriculture to act in instances involving the health of livestock.

Without a doubt, there are concerning parts of this bill ranging from the violation of civil liberty to extremely vague and ambiguous sections. My name is Hailey Coggins, I'm an individual from a rural town in Colorado, and currently raise cattle. This bill is nothing more than a threat to liberty in the state and a process that will invade the agriculture industry.

I start by pointing out the fact every process has solely been left in the hands of the commissioner, rather than a rule making system run by the executive branch. During the executive branch process, the public is allowed time for input – a crucial opportunity to absorb additional facts or values, to enhance decision making- however this bill removes the chance to receive input, in addition to the process in general. To summarize; we are eliminating a process that involves the engagement of the people, and specifically handing all power to the commissioners of agriculture, who are appointed by the governor.

We still live in the land of the free, and therefore, our constitutional rights still apply- *if, the people and representatives in the state protect them*. This bill seems to have forgotten our 4th amendment, which protects citizens under unreasonable search and seizure, and the 5th amendment which protects against self-incrimination. A commissioner is able to receive a warrant without reasonable cause, issued by an *administrative judge*, which is not restricted to the stock themselves. If the process continues, the owner must testify against themselves in court.

Finally, the section(s) regarding appraisers is highly concerning. As current law states, more than one appraiser is necessary to elect the number of livestock destroyed. Under this bill, the power is again confined to a commissioner who chooses ONE appraiser. Only one, compared to multiple opinions on such a critical subject. Given this, the owner therefore lacks the option to receive another appraisal.

While this bill is written in a manner that implies the goal is limiting state interference with agriculture, it only adds more potentially corrupt threats. We are again violating our precious civil liberties, including vague statements that only allow for more governmental rule, and selecting individual opinions for serious operations.