

*Requested changes to Montana Code Annotated  
Livestock 56030-04-001F / LC0373  
September 2022*

**Title 81  
Chapter 9  
Part 217  
Update  
definitions  
to more  
closely  
align with  
federal  
amenable  
species**

**Requested Change:**

Revision to Title 81, Chapter 9, Part 217 to modify what species are amenable in Montana.

**Content with proposed language:**

**81-9-217. Definitions.** As used in **81-9-216** through **81-9-220** and **81-9-226** through **81-9-236**, the following definitions apply:

(1) "Adulterated" means the term applied to meat if:

(a) it bears or contains a poisonous or deleterious substance that may render it injurious to health, except that if the substance is not an added substance, the product may not be considered adulterated if the quantity of the substance is insufficient to ordinarily render it injurious to health;

(b) it bears or contains, by reason of administration of any substance to the meat, an added poisonous or added deleterious substance other than a color additive, a food additive, or a pesticide chemical in or on a raw agricultural commodity, any of which may in the board's judgment make the meat unfit for human food;

(c) it is in whole or in part a raw agricultural commodity and bears or contains a pesticide chemical that is unsafe as provided in the Federal Food, Drug and Cosmetic Act;

(d) it bears or contains a food additive that is unsafe as provided in the Federal Food, Drug and Cosmetic Act;

(e) it bears or contains a color additive that is unsafe as provided in the Federal Food, Drug and Cosmetic Act; however, the meat that is not otherwise considered adulterated under subsection (1)(c), (1)(d), or (1)(e) is considered adulterated if use of the pesticide chemical, food additive, or color additive in or on the article is prohibited by rule of the board;

(f) it consists in whole or in part of any filthy, putrid, or decomposed substance or is for any other reason unsound, unhealthful, unwholesome, or otherwise unfit for human food;

(g) it has been prepared, packed, or held under unsanitary conditions whereby it may have become contaminated with filth or rendered injurious to health;

(h) it is in whole or in part the product of an animal, including poultry, that has died otherwise than by slaughter;

(i) its container is composed in whole or in part of any poisonous or deleterious substance that may render the contents injurious to health;

(j) it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to 21 U.S.C. 348; or

(k) any valuable constituent has been in whole or in part omitted or abstracted from the meat, any substance has been substituted wholly or in part for meat, damage or inferiority has been concealed in any manner, or any substance has been added to it or mixed or packed with it so as to increase its bulk or weight or make it appear better or of greater value than it is.

(2) "Cell-cultured edible product" means the concept of meat, including but not limited to muscle cells, fat cells, connective tissue, blood, and other components produced via cell culture, rather than from a whole slaughtered animal.

(3) "Chief" means the chief meat inspector appointed as provided in **81-9-226**.

(4) "Federal Food, Drug and Cosmetic Act" means 21 U.S.C. 301 through 392, as that law read on October 1, 1987.

(5) "Livestock" means cattle, buffalo, sheep, swine, goats, ~~rabbits~~, horses, ~~and~~ mules or other equines, ~~and alternative livestock, as defined in 87-4-406~~, whether alive or dead.

(6) "Livestock product" or "poultry product" means a product capable of use as human food that is wholly or partially made from meat and is not specifically exempted by rule of the board.

(7) "Meat" means the edible flesh of livestock or poultry and includes livestock and poultry products. This term does not include cell-cultured edible products as defined in this section.

(8) "Misbranded" means the term applied to meat:

(a) if its labeling is false or misleading in any particular;

(b) if it is offered for sale under the name of another food;

(c) if it is not entirely derived from the edible flesh of livestock or poultry or livestock and poultry products. A cell-cultured edible product derived from meat muscle cells, fat cells, connective tissue, blood, or other meat components is not considered to be misbranded if it is labeled in accordance with **50-31-103** to indicate it is derived from those cells, tissues, blood, or components.

(d) if it is an imitation of a meat product, unless its label bears, in type of uniform size and prominence, the word "imitation" and immediately thereafter the name of the food being imitated;

(e) if its container is so made, formed, or filled as to be misleading;

(f) if it does not bear a label showing:

(i) the name and place of business of the manufacturer, packer, or distributor; and

(ii) an accurate statement of the quantity of the product in terms of weight, measure, or numerical count. The board may adopt rules exempting small meat packages, meat not in containers, and other reasonable variations.

(g) if any word, statement, or other information required by **81-9-216** through **81-9-220** and **81-9-226** through **81-9-236** to appear on the label is not prominently placed on the label, as compared with other words, statements,

designs, or devices in the labeling, and is not stated in terms that render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

(h) if it is represented as a food for which a definition and standard of identity or composition has been prescribed by the rules of the board, unless:

(i) it conforms to the definition and standard; and

(ii) its label bears the name of the food specified in the definition and standard and, if required by the rules, the common names of optional ingredients present in the food, other than spices, flavoring, and coloring;

(i) if it is represented as a food for which a standard of fill of container has been prescribed by rules of the board and it falls below the standard of fill of container applicable to the food, unless its label bears, in the manner and form that the rules specify, a statement that it falls below the standard;

(j) if it is not subject to the provisions of subsection (8)(h), unless its label bears:

(i) the common or usual name of the food, if any; and

(ii) in case it is fabricated from two or more ingredients, the common or usual name of each ingredient, except that spices, flavorings, and colorings may, when authorized by the board, be designated as spices, flavorings, and colorings without naming each. To the extent that compliance with the requirements of this subsection (8)(j)(ii) is impracticable or results in deception or unfair competition, exemptions must be established by rules promulgated by the board.

(k) if it purports to be for special dietary uses, unless its label bears information concerning its vitamin, mineral, and other dietary properties as the board, after consultation with the U.S. secretary of agriculture, by rule prescribes as necessary in order to fully inform purchasers as to its value for those uses;

(l) if it bears or contains an artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact, provided that to the extent that compliance with the requirements of this subsection (8)(l) is impracticable, exemptions must be established by rules promulgated by the board; or

(m) if it fails to bear directly on the meat and on its containers, as the board may by rule prescribe, the official inspection legend and establishment number of the establishment where the product was prepared and other information that the board may require to ensure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the meat in a wholesome condition.

(9) (a) "Mobile slaughter facility" means a mobile unit that is operated by a person licensed by the board to slaughter livestock or poultry, that is capable of providing onsite slaughter services for the owner of the livestock or poultry, and at which inspection of the slaughter of livestock or poultry or the preparation of meat food products is regulated under **81-9-216** through **81-9-220** and **81-9-226** through **81-9-236**.

(b) The term does not mean a person engaged in custom slaughtering as provided in **81-9-218(2)**.

(10) "Official establishment" means an establishment licensed by the board at which inspection of the slaughter of livestock or poultry or the preparation of meat food products is maintained under **81-9-216** through **81-9-220** and **81-9-226** through **81-9-236**. The term includes a mobile slaughter facility.

(11) "Pesticide chemical", "food additive", "color additive", and "raw agricultural commodity" have the same meanings as provided in 21 U.S.C. 321.

(12) "Poultry" means any domesticated bird, whether alive or dead.

(13) "Prepared" means slaughtered, canned, salted, stuffed, rendered, boned, cut up, or otherwise manufactured or processed.

### Reason:

Current state law requires inspection of species not currently required under federal law. The intent is to limit regulation to those species required by federal law and allow the department to establish fees if processors want to voluntarily have inspection for species such as alpacas and rabbits that are not required to be inspected by law.

*Requested changes to Montana Code Annotated  
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<p><i>Title 81 Chapter 2 Part 2 Indemnity</i></p>	<p><u>Requested Change:</u></p> <p>Revision to Title 81, Chapter 2, Part 2 updating the process by which the state will pay indemnity for animals destroyed due to disease and creating an indemnity fund to be used for claims.</p> <p><u>Content with proposed language:</u></p> <p><b>81-2-201. Classification of animals as to compensation for slaughter.</b> Animals slaughtered under the direction of the department <u>due to disease and</u> by order of the board <u>may be paid for at 100% of the appraised value.</u></p> <p><u>(1) Eligible animals include cattle, domestic bison, sheep, goats, swine, alternative livestock, and poultry.</u></p> <p><u>(2) Diseases for which animals are eligible for indemnity include foreign animal diseases as classified by the United States Department of Agriculture, bovine tuberculosis, brucellosis, and Chronic Wasting Disease.</u></p> <p><del>are divided into two classes for the purposes of compensation:</del></p> <p><del>(1) Animals determined by the department to be affected with an incurable disease that are destroyed by order of the board are designated as animals of class 1, and unless otherwise provided, each of the animals must be paid for on the basis of 75% of its appraised value. The county in which the animal was owned at the time it was determined to be affected with an incurable disease is liable in part, as later provided, for an indemnity to be paid for the animal. The ownership and county are determined by an affidavit of the owner of the animal or the owner's agent. Each animal directed to be destroyed must be appraised by a representative or an authorized agent of the department with the owner agreeing in writing as to the value of the animal. When appraised, due consideration must be given to its breeding value as well as its dairy or meat value and the condition of the animal as to the disease and the present and probable effect of the disease on the animal. In the absence of an agreement, there must be appointed three competent, disinterested parties, one appointed by the department, one by the owner, and a third by the first two, to appraise each animal, taking into consideration its breeding value as well as its dairy or meat value and the condition of the animal as to the disease and the present probable effect of the disease on the animal. The judgment of the majority is the judgment of the appraisers and is binding on both parties as the final determination of indemnity to be paid for each animal. The total compensation of each group of appraisers is limited to \$5 for the group appraisal, one half of which must be paid by the department. The total amount of indemnity paid by the state and a county for an animal may not exceed the actual sound value of an animal of its class, and the total combined amount of indemnity paid for the animal by the state and a county may not exceed the sum of \$100 for a registered purebred animal or the sum of \$50 for a grade animal. Animals presented for appraisal as purebreds must be accompanied by their registration papers at the time of appraisal, or they must be appraised as grades. If purebreds are less than 3 years old and not registered, the department may grant a reasonable time for their registration and presentation of their registration</del></p>
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~~papers to the appraiser. Registration papers must accompany the claim for indemnity.~~

~~(2) Animals of class 1 must be paid for on the basis of their full appraised value as determined in this section if no evidence of incurable disease is disclosed by autopsy, bacteriologic, serologic, microscopic, or other findings. The total combined amount of indemnity paid by the state and a county for an animal may not exceed the actual sound value of an animal of its class. The total combined amount of indemnity paid by the state and a county for the animal may not exceed \$100 for a registered purebred animal or \$50 for a grade animal.~~

~~(3) Animals that are determined by the department to be affected with or exposed to foot and mouth disease, rinderpest, contagious pleura pneumonia, surra, or other infectious, contagious, communicable, or dangerous disease, which is not of its nature necessarily fatal, and that are destroyed by order of the department as a sanitary safeguard are designated as animals of class 2, and each animal must be paid for on the basis of its full appraised value. The appraised value must be determined in the manner set out in subsection (1). The appraisal of the animals must be based on the meat, dairy, or breeding value of the animal, but when appraisal is based on breeding value of the animal, an appraisal may not exceed three times its meat or dairy value. The total amount of indemnity paid by the state for an animal may not exceed the actual sound value of an animal in its class. An indemnity for a class 2 animal may not be paid by a county. In the case of destruction of an animal afflicted with brucellosis, also known as Bang's disease, an indemnity may not be paid for the animal unless the board, in its discretion, determines the best interests of this state will be served by payment of an indemnity. In this event, the board shall set out standards of indemnity by rules and may not pay in excess of \$100 for a registered purebred animal or \$50 for a grade animal. In all cases in which the federal government or an agency other than the state compensates the owner in whole or in part for livestock destroyed as a sanitary safeguard, the amount of compensation from the state must be determined under **81-2-210**.~~

~~(4) Animals that are injured or killed while they are being inspected or tested under an order of the department or its agent **and that do not come within either class 1 or class 2** may be paid for at their full appraised value if the claim for the animal is recommended for payment at a meeting of the board **when**. ~~When~~ it is shown that the injury or death of the animal was not proximately due to the negligence of the owner or the owner's agent, ~~the whole claim, when approved, must be paid out of department funds.~~ The limit of indemnity for an animal paid for by the state may not exceed that fixed by this section for class 2 animals.~~

**81-2-202. Payment for other personal property. REPEAL**

**81-2-203. Indemnity -- ~~from what funds paid.~~ Indemnity funds will be set aside by the state in a separate fund. The Department may contribute up to \$10,000 per year to the fund, up to a fund total of \$100,000 dollars. The fund will be allowed to accrue interest beyond \$100,000 and cannot be diverted for other purposes. In ~~payment for animals or property destroyed by order of the department, the state shall pay one half of the indemnity out of the money at the disposal of the department. The county liable in part for the indemnity shall pay one half of the total indemnity out of the general fund of the county.~~**

**81-2-204. Presentation of claims for indemnity.** Claims against the state ~~and county~~ that arise from the destruction of animals or property by order of the department ~~must be made on forms provided by the department. They~~ must contain an affidavit by the owner or the owner's agent with knowledge of the animal or property, certifying to the ownership of the animal or property, ~~the county in which they are owned,~~ and that the animal or property has been destroyed under the law and the rules of the department. ~~These claims must be accompanied by a certificate from the department that the animal or property was ordered destroyed.~~ The claims must ~~also~~ be accompanied by a certificate of appraisal ~~as appraisal is determined under 81-2-201,~~ together with an account of sale showing the net proceeds from the sale of the animal, if any, paid to the owner of the animal.

**81-2-205. Indemnity for class 2 animals in state less than 120 days.** ~~REPEAL~~

**81-2-206. Verification and payment of claims.** ~~REPEAL~~

**81-2-207. Payment from county funds.** ~~REPEAL~~

**81-2-208. Sale of condemned carcasses -- disposition of proceeds.** When the carcass of an animal ordered destroyed under this chapter is found on official postmortem inspection to be fit for human consumption, the owner must receive the net proceeds from the sale of the carcass. The proceeds must be deducted from the owner's claim against the state and county for the slaughter. ~~A representative of the department may, when considered advisable or necessary or when it is desired by the owner, sell the carcass on terms that the representative considers to be in the best interests of this state, and the net proceeds obtained from the sale must be paid to the owner. This procedure does not invalidate the owner's claim for indemnity for any balance due the owner.~~

**81-2-209. When no indemnity.** (1) The owner of an animal or property destroyed under this chapter is entitled to indemnity, except in the following cases:

- (a) animals belonging to the United States;
- (b) animals brought into this state that violate this chapter or rules of the department;
- (c) animals that the owner or claimant knew to be diseased or had notice of the disease at the time they came into the owner's or claimant's possession;
- (d) animals that had the disease for which they were slaughtered or that were destroyed because of exposure to the disease at the time of their arrival in this state. ~~However, a class 2 animal shipped into this state under department rules and accompanied by the proper certificate of health from a recognized state or federal veterinarian may be paid for when payment is authorized by the department.~~
- (e) animals that have not been in this state for at least 120 days before the discovery of the disease. ~~However, class 2 animals that have not been in the state for 120 days may be paid for when payment is authorized by the department.~~
- (f) when the owner or agent has not used reasonable diligence to prevent disease or exposure to disease;

(g) when the owner or agent has not complied with the rules of the department with respect to animals condemned;

(h) when animals condemned are not destroyed within 60 days after they are determined to be affected with or exposed to a disease that requires them to be destroyed by order of the department.

(2) Compensation or indemnity will not be paid for the destruction of livestock affected with tuberculosis or other infectious, contagious, communicable, or dangerous disease unless the entire herd or band of affected livestock is under the supervision of the department for the eradication of the disease.

**81-2-210. Compensation from federal government or other agency.** (1) If the federal government or an agency other than the state ~~or county~~ compensates the owner for livestock or property destroyed by order of the department, the amount of the compensation from the federal government or other agency shall be deducted from the owner's claim as filed against the state ~~and county~~, that is, from the balance that remains after the net salvage price received from the sale or other disposal of the condemned animal has been deducted from the appraised value.

(2) If the owner or agent of the livestock or property destroyed by order of the department forfeits an indemnity, which the owner would otherwise be entitled to from the federal government or compensating agency other than the state ~~or county~~, by violation of the rules of the federal government or other agency, an amount equal to the indemnity which would have been paid by the federal government or other indemnifying agency but for the forfeiture shall also be deducted from the owner's claim; that is, the balance that remains after the net salvage price received from the sale or other disposal of the condemned animal has been deducted from the appraised value.

**Reason:**

The Department of Livestock is requesting that MCA Title 81, Chapter 2, Part 2 be revised from current language and that new language be implemented that creates an indemnity fund reserved exclusively for indemnity for depopulation associated with Foreign Animal Diseases or USDA program diseases. The fund would be isolated, would allow the Department of Livestock to contribute a fixed amount to the fund on an annual basis, and would have a monetary cap, excluding interest, that could be added to the fund. As an example, an annual accrual of \$10,000 per year with a limit of \$100,000 to the fund.

Payment of indemnity from the fund would be based upon an assessed fair-market value of an animals. Indemnity would be restricted to cattle, sheep, goats, poultry, and alternative livestock.



*Requested changes to Montana Code Annotated  
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<p><i>Title 81 Chapter 2 Part 1 General Administration</i></p>	<p><u>Requested Change:</u></p> <p>Revision to MCA 81-2-109 to require livestock producers to present their animals for inspection, testing, or other treatment as required by the Department of Livestock. Presenting animals should entail rounding up animals and confining them in an appropriate space for the prescribed activity.</p> <p><u>Content with proposed language:</u></p> <p><b>81-2-109. Expenses, how paid -- lien and foreclosure.</b> (1) If there is no violation of law or department rule, the expense of inspecting, testing, supervision of quarantine, supervision of dipping, supervision of disinfection, and supervision of other treatment of diseased or exposed livestock by the department and the sanitary inspection of dairies, packinghouses, meat depots, slaughterhouses, milk depots, and other premises must be paid for by the department. <u>Livestock must be contained in a space appropriate for the required regulatory action. The Department is not responsible for roundup of livestock but will provide chute and alley as needed to complete inspection or testing.</u> However, the owner of the livestock or property is liable for all expenses, except the salary of the designated supervising officer representing the department, when the owner, agent, or person in charge of the livestock or property has violated the law or rules of the department.</p> <p>(2) The expenses for which an owner, agent, or person in charge is liable under subsection (1) include:</p> <p>(a) all investigatory expenses, including travel, meals, and lodging of all investigating officers representing the department; and</p> <p>(b) all other expenses, extraordinary or otherwise, that in the judgment of the department are reasonably necessary to ensure that there has been or will be compliance with all applicable laws and rules.</p> <p>(3) The department, at the conclusion of an investigation of a violation, shall serve notice on the violator, informing the violator of all expenses for which the violator is liable. The notice must state that if a response is not sent within 30 days of receipt of the notice, the notice is prima facie evidence of the reasonableness of the expenses and of the violator's liability for them.</p> <p>(4) A showing by the department that a response to the notice required by subsection (3) was not received within 30 days of receipt of the notice is prima facie evidence of the reasonableness of the expenses stated and of the liability of the violator for those expenses.</p> <p>(5) These expenses are a lien on the livestock or other property, and the department may retain possession of the livestock until the charges and expenses are paid. The lien is not dependent on possession and may be foreclosed in the name of the agent of the department by sale at public auction of the stock or as many as may be necessary to pay the sum of the</p>
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costs, after 10 days' notice by posting in three public places in the county. The lien may also be foreclosed by an action in a court of competent jurisdiction against the owner of the livestock to recover the amount of charges and expenses.

### Reason:

The Department of Livestock is requesting that MCA Title 81, Chapter 2, Part 1 be revised to ensure that Department resources are focused on the completion of regulatory tasks. The Department is a small agency and securing crews for roundup and corral of animals is a substantial tax on resources. Having cattle corralled for testing ensures that crews of 2-3 individuals are able to complete required tasks in a timely manner. The Department can provide chute, alley, and panels as needed.

*Requested changes to Montana Code Annotated  
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<p><i>Title 81 Chapter 2 Part 5 Treatment of Garbage Fed to Swine</i></p>	<p><b><u>Requested Change:</u></b> Revision to Title 81, Chapter 2, Part 5 to make the act of feeding garbage to swine illegal in Montana.</p> <p><b><u>Content with proposed language:</u></b></p> <p><b>81-2-501. Definitions.</b> When used in this part, the following definitions apply: (1) "Garbage" means wastes resulting from the handling, preparation, cooking, and consumption of animal products, including animal carcasses or parts of animal carcasses, or other refuse of any character that has been associated with any animal products, including animal carcasses or parts of animal carcasses. (2) "Garbage feeder" means a person who handles, prepares, cooks, or otherwise treats garbage to feed to swine or other animals, as well as a person who feeds garbage to swine or other animals. (3) "Person" means the state, any municipality, political subdivision, school district, institution, public or private corporation, individual, partnership, or other entity.</p> <p><b>81-2-502. <u>Illegal to Feed Garbage to Swine Licenses.</u></b> (1) It is unlawful to handle, prepare, cook, or otherwise treat garbage to feed to swine or other animals or to feed garbage to swine or other animals. <del>without first securing a license for that purpose from the department. One license issued to the entrepreneur, corporation, or individual responsible for a particular garbage feeding enterprise covers all garbage feeders concerned with the enterprise. The license provided for in this section expires on December 31 of the year in which it is issued. The department shall establish a fee to be charged for all licenses issued under this part. All license fees collected must be paid into the state special revenue fund for the use of the department.</del></p> <p>(2) This part does not apply to a person who feeds only the person's own household garbage to swine or other animals <u>under their ownership</u>.</p> <p><b>81-2-503. Applications for licenses. REPEAL</b></p> <p><b>81-2-504. Power to adopt rules.</b> The department shall administer and enforce this part and may adopt and enforce rules or orders necessary <del>for the supervision, control, and inspection of persons who handle, prepare, cook, or otherwise treat garbage to feed to swine or other animals or who feed garbage to swine or other animals.</del> The rules or orders shall apply to and govern the method of applying for a license, standards and methods of operation, sanitary conditions of premises where garbage is treated for feeding or fed, the control and inspection of equipment used to store, treat, or feed garbage, and equipment, including vehicles, used for the transportation of garbage.</p> <p><b>81-2-505. Entry of premises for inspection -- keeping of records. REPEAL</b></p>
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**81-2-506. Power to administer oaths, subpoena witnesses, and receive evidence.** The department or its agent may administer oaths, subpoena witnesses, and receive evidence in order to carry out this part.

**81-2-507. Power of department and board to restrain operation of garbage feeder.** **REPEAL**

**81-2-508. Power to revoke license of garbage feeder.** **REPEAL**

**81-2-509. Cooking or other treatment of garbage.** **REPEAL**

**81-2-510. Garbage originating on or removed from airplanes not to be treated or fed.** Garbage originating on or removed from airplanes landing in this state may not ~~be treated for feeding or be~~ fed to swine or other animals. ~~The powers granted in 81-2-505 to the department to enter on private or public property for the purpose of inspecting and investigating conditions relating to the treating of garbage to be fed to swine or other animals or the feeding of garbage to swine or other animals include the inspection and investigation of garbage disposal methods employed at airports and all facilities at airports and aircraft.~~

**81-2-511. Penalties.** Any person who shall violate any of the provisions of or who fails to perform any duty imposed by this part shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$50 or more than \$250 or by imprisonment for a term of not more than 6 months or by both such fine and imprisonment. In addition thereto, such person may be enjoined from continuing such violation. Each day upon which such violation occurs shall constitute a separate violation.

**Reason:**

The Department of Livestock is requesting the content of this rule be changed to prohibit garbage feeding in the state of Montana, except for the feeding of one's own household garbage to animals owned by them.

Garbage feeding is a practice that can contribute to the spread of disease if contaminated meat products are fed to pigs. The Swine Health Protection Act requires owners to be licensed to feed garbage to pigs. The Act also allows states to determine whether garbage feeding is allowed within their state. Currently 23 states prohibit the feeding of garbage.

With the recent impact of African Swine Fever across Asia and Europe, the United States has been working diligently to prevent the introduction of the virus into the United States. Within Montana, the Department has worked on education of swine producers about good biosecurity practices and has also worked to educate the public about the potential risk materials that could be brought back into the US and Montana from international travel.

Montana has not had a licensed garbage feeder within the state since 2013. As this change would not impact any current livestock producers in the state and it would address one area of potential disease introduction, the Department is requesting this change.

*Requested changes to Montana Code Annotated  
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<p><i>Title 81 Chapter 9 Part 218 Regulate Custom Exempt facilities as required by Federal Meat Inspection Act</i></p>	<p><b><u>Requested Change:</u></b> Revision to Title 81, Chapter 9, Part 218 to match day to day practices with applicable laws.</p> <p><b><u>Content with proposed language:</u></b> <b>81-9-218. Exemptions.</b> (1) The following persons are exempt from 81-9-201, 81-9-216 through 81-9-220, and 81-9-226 through 81-9-236:</p> <p>(a) a person who slaughters livestock or poultry or prepares or processes livestock or poultry products for the person's own personal or household use;</p> <p>(b) a person who transports dead, dying, or diseased animals or poultry for the purpose of treatment, burial, or disposal in a manner that would prevent the carcasses from being used as human food; and</p> <p>(c) a producer as defined in 50-49-202 who sells homemade food or slaughters fewer than 1,000 poultry birds a year pursuant to 50-49-303 except that the producer is subject to the requirements of 9 CFR 381.10(c) and the recordkeeping requirements of 9 CFR 381.175.</p> <p>(2) A person engaged in the custom slaughtering of livestock or poultry delivered by the owner for custom slaughter or a person engaged in the preparation of the carcasses and parts and meat food products of the livestock or poultry when slaughtered or prepared for exclusive use in the owner's household by the owner or members of the owner's household or the owner's nonpaying guests or employees is exempt from 81-9-216, <del>through 81-9-220 217, 81-9-220</del>, and 81-9-226 through 81-9-236 if the carcasses, parts, or meat food products or containers of the articles are:</p> <p>(a) kept separate from carcasses, parts, or meat food products prepared for sale;</p> <p>(b) plainly marked "Not for Sale" immediately after being slaughtered or prepared and remain plainly marked until delivered to the owner; and</p> <p>(c) prepared and packaged in a sanitary manner and in a sanitary facility.81-2-503. Applications for licenses.</p> <p><b><u>Reason:</u></b> To operate a state meat inspection program, the Department of Livestock must have a state meat inspection law at least equal to the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601-695). The FMIA only exempts custom operations from the requirements for day-to-day inspection but MCA 81-9-218 currently exempts custom operations from all regulatory oversight. To meet the "at least equal to" standard,</p>
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the Department of Livestock does currently regulate custom exempt operations, so this statutory change would update code to match existing practices."

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Livestock 56030-04-007F / LC0378  
September 2022*

<p><i>Title 81 Chapter 9 Part 226, Repeal Chief Meat Inspector language</i></p>	<p><u>Requested Change:</u> Revision to Title 81, Chapter 9, Part 226 updating Chief Meat Inspector Language.</p> <p><u>Content with proposed language:</u> <b>81-9-226. Chief meat inspector -- deputies -- qualifications.</b> <del>(1) There is a chief meat inspector, who must be appointed by the board and shall serve at its pleasure.</del></p> <p><b>(12)</b> The chief shall supervise the state meat inspection program established in <b>81-9-216</b> through <b>81-9-220</b> and <b>81-9-226</b> through <b>81-9-236</b> and shall enforce the provisions of <b>81-9-216</b> through <b>81-9-220</b> and <b>81-9-226</b> through <b>81-9-236</b> to assure the public that only pure, wholesome, and unadulterated meat or meat food products are offered for sale.</p> <p><b>(23)</b> Upon recommendation of the chief, the board shall appoint veterinary meat inspectors and lay meat inspectors, who must be responsible to the chief and who shall conduct antemortem and postmortem inspections, enforce sanitary requirements, and perform other necessary meat inspection duties.</p> <p><b>(34)</b> An inspector assigned to an official establishment may not be related to the management of the establishment or have any financial interest therein.</p> <p><u>Reason:</u> "The FMIA does not require designation of a single position with the cooperating agency as the chief meat inspector."</p>
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*Requested changes to Montana Code Annotated  
Livestock 56030-06-008F / LC0379  
September 2022*

<p><b>Title 81</b> <b>Chapter 8</b> <b>Part 213,</b> <b>251, 264</b> <b>Revise</b> <b>and</b> <b>Modernize</b> <b>Language</b> <b>for</b> <b>Livestock</b> <b>Markets</b> <b>and</b> <b>Satellite</b> <b>Video</b> <b>Auctions</b></p>	<p><u><b>Requested Change:</b></u> Revision to Title 81, Chapter 8, Part 213,251 and 264, to more align with Federal Packers and Stockyards language, modernize definitions and reduce undue regulation on certain activities.</p> <p><u><b>Content with proposed language:</b></u> <b>81-8-213. Definitions.</b> As used in this part, the following definitions apply:</p> <p>(1) "Board" means the board of livestock provided for in <b>2-15-3102</b>.</p> <p>(2) "Custodial account for shippers' proceeds" or "custodial account" means a separate account established and maintained by a market agency or <del>a satellite</del> video livestock auction market engaged in selling livestock on a commission or agency basis. The account must be maintained in a Montana bank insured by the federal deposit insurance corporation and used to maintain and disburse all funds due to consignors from livestock sold on a commission basis. All checks or banking instruments to consignors in payment of the net proceeds from the sale of consigned livestock must be issued on the custodial account. This account must disclose that the depositor is acting as a fiduciary and that the funds in the account are trust funds.</p> <p>(3) "Department" means the department of livestock provided for in Title 2, chapter 15, part 31.</p> <p>(4) "Immediate resale" means a sale of livestock within 60 days of the purchase of the livestock.</p> <p>(5) "Livestock" means cattle, calves, hogs, pigs, horses, mules, sheep, lambs, and goats.</p> <p>(6) (a) "Livestock dealer" means <del>a person engaged in the business of purchasing livestock</del> <u>any person, not a market agency, engaged in the business of buying or selling in commerce livestock either on his own account or as the employee or agent of the vendor or purchaser (7 USC 201):</u></p> <p style="padding-left: 20px;"><del>(i) for immediate resale;</del></p> <p style="padding-left: 20px;"><del>(ii) for interstate shipment; or</del></p> <p style="padding-left: 20px;"><del>(iii) on a commission or fee basis;</del></p> <p style="padding-left: 20px;"><del>(A) for the account of others; or</del></p> <p style="padding-left: 20px;"><del>(B) for or on behalf of a dealer or a market.</del></p> <p>(b) The term does not include a farmer or rancher who buys or sells livestock in the ordinary course of a farming or ranching operation.</p> <p>(7) "Livestock market" <del>means a place where a person for compensation assembles livestock for sale, means any person engaged in the business of (1) buying or selling in commerce livestock on a commission basis, (2) furnishing stockyard services or (3) any person who engages in the business of buying or selling livestock or on a commission or other fee basis, through the use of</del></p>
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online, video, or other electronic methods when handling or providing the means to handle receivables or proceeds from such sales except:

(a) a place used solely for a dispersal sale of the livestock of a farmer, dairy producer, livestock breeder, or feeder who is discontinuing business and at which other livestock is not sold or offered for sale;

(b) a farm, ranch, or place where livestock either raised or kept for the grazing season or for fattening is sold and to which other livestock is not brought for sale or to be offered for sale;

(c) the premises of a butcher, packer, or processor who receives animals exclusively for immediate slaughter;

(d) the premises of a person engaged in the raising of livestock for breeding purposes only, who limits sale to livestock of the person's own production;

(e) a place where a breeder or an association of breeders of livestock of any class assembles and offers for sale and sells under the breeder's or the association's own management any livestock, when the breeder or association of breeders assumes all responsibility for the sale and the title of livestock sold.

(8) "Person" means an individual, firm, association, partnership, or corporation.

~~(9) "Satellite video livestock auction market" or "video auction market Livestock Video Auction" means a place or establishment operated or conducted for compensation or profit as a public market where livestock located in this state are sold or offered for sale at a facility within the state through the use of a satellite video at a public auction person who conducts the business of buying or selling livestock on a commission or fee basis through use of online, video, or other electronic means, and provides the means for handling receivables or proceeds from such sales~~

(10) "Test station sale" means the sale of livestock from a place where livestock is taken to measure rates of gain under uniform feeding conditions when that place is not owned by the owner of the livestock.

**81-8-264. ~~Satellite Video livestock auction market Livestock Video Auction~~ -- license to transact business -- license fee -- contract -- renewal.**

(1) A ~~satellite video livestock auction market Livestock Video Auction~~ may transact business in this state only through a licensed livestock dealer or through a livestock market that is domiciled in the state and are subject to the same regulation as a livestock market.

(2) A livestock dealer or a livestock market that proposes to transact business with a video auction market shall file an application for a license with the department on a form prescribed by the department with the following information:

- (a) the nature of the business for which a license is requested;
- (b) the name and address of the livestock dealer or the livestock market;
- (c) the name and address of the ~~video auction market Livestock Video Auction~~; and
- (d) any additional information that the department may require.

(3) The application must be accompanied by:

- (a) a fee established by the department commensurate with the costs of administering **81-8-265** and this section;

- (b) evidence that the department may require indicating that the ~~video-auction market~~ Livestock Video Auction is financially responsible and bonded to transact business and has established a custodial account for shippers' proceeds; and
- (c) a copy of the contract between the licensed livestock dealer or the livestock market and the ~~video-auction market~~ Livestock Video Auction. The contract must provide:
  - (i) for reasonable access by the department to all records and documents relating to the activities of the ~~video-auction market~~ Livestock Video Auction; and
  - (ii) that the livestock dealer or the livestock market and the ~~video-auction market~~ Livestock Video Auction are jointly and severally liable, with the right of contribution, for all business transacted within the state.
- (4) If the contract described in subsection (3)(c) is terminated, rescinded, breached, or materially altered, the livestock dealer or the livestock market shall immediately notify the department. Failure to notify the department is considered to be:
  - (a) a failure to keep and maintain suitable records with the department; and
  - (b) a false entry or statement of fact in an application filed with the department.
- (5) On or before May 1 of each year, a livestock dealer or a livestock market shall renew the license by fulfilling the requirements of subsections (1) through (4).
- (6) The license fee must be remitted to the state treasurer to the credit of the department.

**81-8-251. Certificate to operate livestock market required --**

**application.** (1) A person may not operate a livestock market unless the person first obtains from the department a certificate declaring that public convenience and necessity require the operation.

(2) The application for a certificate of public convenience must be in writing, verified by the applicant, and filed with the department. The application must specify the following:

- (a) the names of the persons applying for a certificate together with their permanent addresses. If the applicant is a firm, association, partnership, or corporation, the names of its directors, officers, and members, if applicable;
- (b) the place where the applicant proposes to operate a livestock market;
- (c) a complete description of the property and facilities proposed to be used for the livestock market;
- (d) the commissions or charges the applicant proposes to impose on the consignors' livestock for services rendered by the applicant in the operation of the livestock market;
- ~~(e) the location of other livestock markets within a radius of 200 miles of the proposed livestock market and the names and addresses of the operators of those markets;~~
- (f) a detailed statement of the facts upon which the applicant relies to show public convenience and necessity for the livestock market, including the trade area to be served, the economic benefits to the livestock industry, the services to be offered; ~~and the anticipated revenue from inspection that may be derived by the state;~~
- (g) if the applicant is a foreign corporation, its principal place of business outside the state, the state in which it is incorporated, and a showing that it is in

compliance with the laws relating to foreign corporations doing business in this state;

(h) a detailed financial statement showing that current assets exceed current liabilities and that long-term assets exceed long-term liabilities;

(i) any additional information the department may require.

### Reason:

Beginning on October 7, 2016, the Federal Packers and Stockyards was updated to include more modern terms and definitions on online, video and other electronic sales. The Department of Livestock is revising existing definitions and language to more align with federal statutes. The Department is also proposing to eliminate undue regulation for those proposing to operate a new livestock market.

*Requested changes to Montana Code Annotated  
Livestock 56030-06-010F / LC0380  
September 2022*

<p><b>Title 81</b> <b>Chapter 4</b> <b>Part 203 and 301</b> <b>Open Range</b></p>	<p><b><u>Requested Change:</u></b></p> <p>Revision to Title 81, Chapter 3, Part 203 and 301 to clarify the definition of a herd district and where open range applies.</p> <p><b><u>Content with proposed language:</u></b></p> <p><b>81-4-203. Open range defined.</b> In <b>81-4-204</b>, <b>81-4-207</b>, and <b>81-4-208</b>, the term "open range" means all lands in the state of Montana not <del>enclosed by a fence of not less than two wires in good repair</del> <u>incorporated as a city, town or herd district.</u> The term "open range" includes all highways outside of private enclosures and used by the public whether or not the same have been formally dedicated to the public.</p> <p><b>81-4-301. Herd districts -- creation, size, and location.</b> <u>(1) A herd district means a specified area designated by the board of county commissioners where cattle and horses are grazed, shall be enclosed by a lawful fence and not allowed to run at large, within the interior of the proposed district.</u></p> <p><del>(1)</del> <u>(2)</u> Herd districts may be created in any county in the state of Montana:</p> <p style="padding-left: 20px;">(a) upon petition of owners or possessors of 55% of the land in the district and providing that 25% or more of the land in the district is in actual cultivation or being used for residential purposes; or</p> <p style="padding-left: 20px;">(b) upon petition of owners or possessors of 75% of the land in the district.</p> <p><del>(2)</del> <u>(3)</u> Herd districts must contain 12 square miles or more, lying not less than 1 mile in width, outside of the incorporated cities, except that herd districts may be created containing not less than 6 or more than 54 square miles, lying not less than 2 miles in width, when the territory joins and is contiguous with the boundaries of a city having a population of 10,000 or more and the territory to be created in a herd district has a suburban population of not less than 200 people.</p> <p><del>(3)</del> <u>(4)</u> In formation of a herd district the entire holding of any owner or lessee must be included unless the owner or lessee consents that less than the owner or lessee's entire contiguous holdings be included in the petition.</p> <p><del>(4)</del> <u>(5)</u> The petition must designate the months of the year when the herd district is effective, and upon presentation and filing of the petition, properly signed, giving the outside boundaries and description of the proposed district and the post-office address of the petition signers, with the clerk and recorder in the county in which the district is being created, the county commissioners of that county, upon receipt of the petition, shall set a date for hearing protests and verifying the petition signatures and shall give not less than 20 days' notice of the hearing by three publications in a newspaper of general circulation in the county of the proposed district. At the hearing held pursuant to the notices, the county commissioners shall examine the petition and shall cause a map to be made in order to determine the shape and regularity of the boundaries of the proposed district. The commissioners may then establish the district, but the district shall be established only in a manner that the district will be reasonably regular and symmetrical in shape or practicable</p>
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in relation to the geographical features of the district. It is not required that the boundaries of a district follow section lines to meet the requirement of reasonably regular and symmetrical boundaries.

~~(5)~~(6) Should it appear to the county commissioners after the hearing that the signatures attached to the petition were genuine, they shall immediately declare the herd district created and established. After making the declaration, the county commissioners shall give notice by four weekly publications in a newspaper nearest the district of the creation of the district, also stating the period that the district will be in effect. A district may not be in effect until 30 days have expired after the order.

~~(6)~~(7) If the signature of lessee appears on the petition creating or abolishing any herd district, the owner or owners of the land may appear either in person or by agent and enter their protest and the board of county commissioners shall remove the name of the lessee from the petition, and a person may not withdraw the person's name after the hour set for hearing the protest.

**Reason:**

The Department of Livestock sees the need to provide better clarity to citizens and other government agencies on the establishment of herd districts and where open range applies.

*Requested changes to Montana Code Annotated  
Livestock 56030-06-012F / LC0381  
September 2022*

<p><i>Title 81</i></p> <p><i>Chapter 3</i></p> <p><i>Part 203</i></p> <p><i>Duties of</i></p> <p><i>state</i></p> <p><i>stock</i></p> <p><i>inspectors</i></p> <p><i>and</i></p> <p><i>deputy</i></p> <p><i>stock</i></p> <p><i>inspectors</i></p>	<p><b><u>Requested Change:</u></b></p> <p>Revision to Title 81, Chapter 3, Part 203 to remove legal requirements for paper triplicate forms so that the department may use technology to move toward being more efficient</p> <p><b><u>Content with proposed language:</u></b></p> <p><b>81-3-203. Duties of state stock inspectors and deputy stock inspectors.</b> (1) State stock inspectors and deputy state stock inspectors, upon the application of the owner or the authorized agent of the owner of livestock, shall inspect livestock that are intended for sale, removal, shipment, or slaughter at a licensed slaughter plant and issue a certificate of inspection for the livestock if it appears with reasonable certainty that the applicant is the owner of the livestock or has the lawful right to possess the livestock.</p> <p>(2) The inspection must include an examination of the livestock and all marks and brands on the livestock to identify ownership of the livestock. The certificate of inspection <del>must be made in triplicate and</del> must specify the date of inspection, the place of origin and place of destination of the shipment, the name and address of the owner of the livestock or of the applicant for inspection and the purchaser or transferee, if applicable, the class of the animal, the marks and brands, if any, on the animal, and any other information on the certificate that the department may require. <del>One A</del> copy of the certificate must be retained by the inspector, <del>one a</del> copy must be furnished by the inspector to the owner or shipper of the livestock, and <del>one a</del> copy must be filed by the inspector with the department within 5 days.</p> <p>(3) If it appears with reasonable certainty that the applicant is the owner of the livestock or has the lawful right to possess the livestock, the state stock inspectors or deputy state stock inspectors, upon application of an owner or the owner's agent of the livestock to be consigned and delivered directly to a licensed livestock market or licensed livestock slaughterhouse located in another county of the state or delivered directly to a shipping point approved by the department where a livestock inspector is available for inspection in an adjoining county, shall issue to the person a separate market consignment permit or transportation permit for each owner when the owner or owners or their authorized agents sign the permit certifying the brands, description, and destination of the livestock. The market consignment permit or transportation permit <del>must be made in triplicate and</del> must specify the date and time issued, the place of origin and place of destination of the shipment, the name and address of the owner of the livestock and the name and address of the person actually transporting the livestock if different from the owner, the kind of livestock, the marks and brands, if any, on the livestock, a description of the vehicle or vehicles to be used to transport the livestock, including the license number of the vehicles, and any other information on the permit that the department may require. A permit issued is good for shipment within 36 hours from the date and time of issue. However, permits not used within this time limitation must be returned to the issuing officer to be canceled and to release the permittee from performance. <del>One A</del> copy of the permit must be retained by the inspector, <del>one a</del> copy must be filed by the inspector with the department within 5 days of the date of issue, and <del>one a</del> copy must be furnished by the inspector to the owner or shipper of the livestock. The owner's or shipper's copy of the permit</p>
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must accompany the shipment and be delivered to the state stock inspector at the livestock market or shipping point where the livestock are delivered.

(4) Upon application of an owner or the owner's agent, when it appears with reasonable certainty that the applicant is the owner of the livestock or has lawful right to possess the livestock, a state stock inspector shall issue a transportation permit that will allow the movement of the livestock for purposes of grazing. The transportation permit must state the breed, description, marks and brands, if any, head count, and description of land to and from which the livestock will be moved. The permit is valid as provided in and subject to **81-3-211(6)(e)**. A state stock inspector may enter the premises where livestock have been transported and inspect any livestock moved under the transportation permit or any livestock commingled with the transported livestock.

(5) A person transporting strays or livestock not lawfully under that person's control is guilty of a misdemeanor and is punishable as provided in **81-3-231**.

### Reason:

Removing outdated legal requirements for paper triplicate forms and allow the use of modern technology to increase efficiency.

*Requested changes to Montana Code Annotated  
Livestock 56030-06-013F / LC0382  
September 2022*

<p><i>Title 81 Chapter 6 Part 3 &amp; Title 2 Chapter 15 Part 3104 Definitions &amp; Livestock Crimestoppers Commission</i></p>	<p><u>Requested Change:</u></p> <p>Revision to Title 81, Chapter 6, Part 3 to remove Livestock Crimestoppers administrative commission and manage the program through the Department of Livestock and board of livestock.</p> <p><u>Content with proposed language:</u></p> <p><b>81-6-302. Definitions.</b> As used in this part, the following definitions apply: <del>(1) "Commission" means the livestock crimestoppers commission created in 2-15-3104.</del> <del>(2)(1)</del> "Department" means the department of livestock created in Title 2, chapter 15, part 31. <del>(3)(2)</del> "Livestock" includes ostriches, rheas, and emus in addition to other livestock. <del>(4)(3)</del> "Program" means the livestock crimestoppers program created under <b>81-6-313</b>.</p> <p><del><b>81-6-312. Compensation.</b> Members of the commission may receive no salary but must be paid expenses incurred while on official business, as provided for in 2-18-501 through 2-18-503.</del></p> <p><b>81-6-313. Powers and duties of department -- rules.</b> (1) The department <del>may</del> shall:</p> <ul style="list-style-type: none"><li>(a) create, maintain, and promote a statewide livestock crimestoppers program in order to assist law enforcement agencies in detecting and combating livestock-related crimes; and</li><li><del>(b) consider the commission's recommendations and take action on them.</del></li><li>(2) The department may:<ul style="list-style-type: none"><li>(a) advise and assist in the creation and maintenance of local programs;</li><li>(b) encourage the channeling of information from the programs to law enforcement agencies;</li><li>(c) foster the detection of livestock-related crimes by the public;</li><li>(d) encourage the public, through a reward program or otherwise, to provide information that assists in the prosecution of livestock-related crimes;</li><li>(e) promote the state and local programs through the media;</li><li>(f) accept gifts, grants, or donations for the furtherance of the program and spend these in compliance with the conditions of the gifts, grants, or donations; and</li></ul></li></ul>
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(g) adopt rules necessary to administer the provisions of this part.

~~2-15-3104.— Livestock crimestoppers commission. (1) There is a livestock crimestoppers commission.~~

~~(2) The commission consists of five members appointed by the presiding officer of the board of livestock. The members are:~~

~~(a) the administrator of the brands enforcement division, or the administrator's designee;~~

~~(b) a member of the board of livestock, or the member's designee;~~

~~(c) a law enforcement official; and~~

~~(d) two members of the public, appointed at large.~~

~~(3) The commission shall elect a presiding officer from its members.~~

~~(4) A member must be appointed for a term of 2 years and may be reappointed.~~

~~(5) (a) A vacancy must be filled within 14 days of occurrence in the same manner as the original appointment.~~

~~(b) A vacancy does not impair the right of the remaining members to exercise the powers of the commission.~~

~~(6) The commission is allocated to the department of livestock for administrative purposes only as provided in 2-15-121.~~

**Reason:**

Livestock Crimestoppers adds an unnecessary administrative commission and layer. The Department of Livestock and board of livestock can manage the same program without the added need of another commission.

*Requested changes to Montana Code Annotated  
Livestock 56030-01-014F / LC0383  
September 2022*

<p><i>Title 81 Chapter 7 Parts 503 and 505 Aerial Hunting of Predatory Animals</i></p>	<p><b>Requested Change:</b> Removal to Title 81, Chapter 7, Part 503 and revision to Part 505 are proposed to increase the number of registered aerial hunters.</p> <p><b>Content with proposed language:</b></p> <p><del><b>81-7-503. Residency requirement.</b> No person not having residence and domicile in Montana may be issued a permit provided for in <b>81-7-501</b> except when authorized by the board of livestock. Permits issued to nonresidents may be used only:</del></p> <p style="padding-left: 40px;"><del>(1) in Montana counties adjacent to the state line that the department of livestock has determined are inadequately serviced by resident permittees; or</del></p> <p style="padding-left: 40px;"><del>(2) on real property in Montana owned by the nonresident permittee.</del></p> <p><b>81-7-505. Resident landowners authorized to aerially hunt over their own lands without permit -- conditions.</b> Any landowner having residence and domicile in Montana may engage in the aerial hunting of predatory animals, as defined in 81-7-101, over that person's own land without a permit, <del>provided the landowner annually notifies the department in writing that the landowner will be engaged in aerial hunting and gives an adequate description of the location of the land over which the landowner will aerially hunt. Aerial hunting must be in accordance with all rules of the department of livestock.</del></p> <p><b>Reason:</b> The department is seeking to remove the residency requirements for permitting aerial hunters of coyotes and foxes as well as remove the requirement for landowners to report when hunting over their own property.</p>
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*Requested changes to Montana Code Annotated  
Livestock 56030-01-016F / LC0387  
September 2022*

<p><b>Title 81</b> <b>Chapter 23</b> <b>Part 102</b> <b>Policy</b></p>	<p><u>Requested Change:</u> Revision to Title 81, Chapter 23, Part 102 removes outdated language.</p> <p><u>Content with proposed language:</u> <b>81-23-102. Policy.</b> (1) It is hereby declared that:</p> <p>(a) milk is a necessary article of food for human consumption;</p> <p>(b) the production and maintenance of an adequate supply of healthful milk of proper chemical and physical content, free from contamination, is vital to the public health and welfare;</p> <p>(c) the production, transportation, processing, storage, distribution, and sale of milk in the state of Montana is an industry affecting the public health and interest;</p> <p>(d) <del>unfair, unjust, destructive, and demoralizing trade practices have been and are now being carried on in the production, transportation, processing, storage, distribution, and sale of milk and products manufactured from milk, which trade practices constitute a constant menace to the health and welfare of the inhabitants of this state and tend to undermine the sanitary regulations and standards of content and purity of milk;</del></p> <p><del>(e)</del>—health regulations alone are insufficient to prevent disturbances in the milk industry and to safeguard the consuming public from further inadequacy of a supply of this necessary commodity;</p> <p><del>(f)</del> it is the policy of this state to promote, foster, and encourage the intelligent production and orderly marketing of milk <del>and cream</del> and products manufactured from milk <del>and cream, to eliminate speculation and waste,</del> and to make the distribution of milk <del>and cream and products manufactured from milk and cream</del> between the producer and consumer as direct as can be efficiently and economically done, and to stabilize the marketing of those commodities;</p> <p><del>(g)</del> <del>investigations have revealed and experience has shown that, due to the nature of milk and the conditions surrounding the production and marketing of milk and due to the vital importance of milk to the health and well-being of the citizens of this state, it is necessary to invoke the police powers of the state to provide a constant supervision and regulation of the milk industry of the state to prevent the occurrence and recurrence of those unfair, unjust, destructive, demoralizing, and chaotic conditions and trade practices within the industry which have in the past affected the industry and which constantly threaten to be revived within the industry and to disrupt or destroy an adequate supply of pure and wholesome milk to the consuming public and to the citizens of this state;</del></p> <p><del>(h)</del>—milk is a perishable commodity that is easily contaminated with harmful bacteria, that cannot be stored for any great length of time, that must be produced and distributed fresh daily, and the supply of which cannot be regulated from day</p>
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to day but, due to natural and seasonal conditions, must be produced on a constantly uniform and even basis;

(~~ig~~) the demand for this perishable commodity fluctuates from day to day and from time to time making it necessary that the producers and distributors shall produce and carry on hand a surplus of milk in order to guarantee and ensure to the consuming public an adequate supply at all times, ~~which surplus must of necessity be converted into byproducts of milk at great expense and often at a loss to the producer and distributor;~~

(~~j~~)—this surplus of milk, though necessary and unavoidable, unless regulated, tends to undermine ~~and destroy~~ the milk industry, ~~which causes producers to relax their diligence in complying with the provisions of the health authorities and often to produce milk of an inferior and unsanitary quality;~~

(~~kh~~) ~~investigation and experience have further shown that,~~ due to the nature of milk and the conditions surrounding its production and marketing, unless the producers are guaranteed and ensured a reasonable profit on milk, ~~both~~ the supply and quality of milk are affected to the detriment of and against the best interest of the citizens of this state ~~whose health and well-being are thereby vitally affected;~~

(~~li~~) where no supervision and regulation are provided for the orderly and profitable marketing of milk, past experience has shown that the ~~credit economic~~ status of both producers and distributors of milk is adversely affected ~~to a serious degree,~~ thereby entailing loss and hardship upon all within the community with whom these producers and distributors carry on business relations;

(~~m~~) due to the nature of milk and the conditions surrounding its production and distribution, the natural law of supply and demand has been found inadequate to protect the industry in this and other states and in the public interest it is necessary to provide state supervision and regulation of the milk industry in this state.

(2) The general purpose of this chapter is to protect and promote public welfare and to eliminate unfair and demoralizing trade practices in the milk industry. It is enacted in the ~~exercise of the police~~ powers of the state.

### Reason:

This Milk Control policy statute contains inflammatory and old language that does not accurately reflect the current state of milk production in the state or the department's role therein. In consultation with state milk industry stakeholders, the department is proposing to update these declarations.

*Requested changes to Montana Code Annotated  
Livestock 56030-01-017F / LC0384  
September 2022*

<p><b>Title 81</b> <b>Chapter 7</b> <b>Parts 101, 102, and 104</b> <b>Predatory Animal Control</b></p>	<p><u>Requested Change:</u> Revisions to Title 81, Chapter 7, Parts 101, 102, and 104 are proposed to cleanup outdated language.</p> <p><u>Content with proposed language:</u></p> <p><b>81-7-101. Definition.</b> For the purpose of this part, the term "predatory animal" includes coyote, red fox, and any other individual animal causing depredations upon livestock <u>and "control" refers to systematic means by which predatory animals are removed from the landscape.</u></p> <p><b>81-7-102. Department to supervise destruction of predatory animals -- cooperation with other agencies -- administration of money.</b> (1) The department shall <del>conduct</del> <u>provide state oversight and administer funding for the destruction and control</u> of predatory animals capable of killing, destroying, maiming, or injuring domestic livestock or domestic poultry and the protection and safeguarding of livestock and poultry in this state against depredations from these animals. The department shall <del>formulate</del> <u>cooperate with other agencies on</u> the practical programs for accomplishing these objectives in this state and for carrying out the programs in an efficient and practical manner responsive to the need for control in each area of this state.</p> <p>(2) The department may adopt rules applicable to predatory animal control.</p> <p>(3) The department shall cooperate with authorized representatives of the federal government, including the biological survey and the fish and wildlife service, the department of fish, wildlife, and parks, boards of county commissioners, voluntary associations of stockgrowers, sheepgrowers, ranchers, farmers, hunters, and anglers, and corporations and individuals, in the <del>systematic destruction control</del> of predatory animals <del>by hunting, trapping and poisoning operations.</del></p> <p>(4) Section 81-7-103 and this section do not interfere with or impair the power and duties of the department of fish, wildlife, and parks in the control of predatory animals by the department of fish, wildlife, and parks as authorized by law or the obligation of the department of fish, wildlife, and parks to expend its funds in cooperation with the department for predatory animal control as required by law. Funds of the department of fish, wildlife, and parks for the cooperative predatory animal control must be administered and expended by the department of fish, wildlife, and parks.</p> <p><b>81-7-104. Predator control money -- use of proceeds.</b> (1) In addition to the transfer provided for in 15-24-925, the department <del>shall</del> <u>may</u> allocate a portion of the money from the fee under 15-24-921 for the purpose of protecting livestock in the state against destruction, depredation, and injury by predatory animals, whether the livestock is on lands in private ownership, in the ownership of the state, or in the ownership of the United States, including open ranges and all lands in or of the public domain. This protection may be by any means of effective</p>
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predatory animal ~~destruction and~~ control, including systematic hunting and trapping and payment of bounties.

(2) Money may be paid out only on claims presented to the department and approved by the department in accordance with the law applicable either to claims for bounties or for other expenditures for predatory animal control by methods other than payment of bounties, as determined by the department. Money designated for predator control must be available for the payment of bounty claims and for expenditures for planned, seasonal, or other campaigns directed or operated by the department in cooperation with other agencies for the systematic destruction and control of predatory animals, as determined by the department and its advisory committee. Claims may not be approved in excess of money available for that purpose, and warrants may not be registered against the money.

**Reason:**

This outdated language cleanup updates predator control management from "destruction" to control of predatory animals. This language cleanup reflects departmental responsibilities ongoing today while ensuring future flexibility to craft rules applicable to predatory animal control.

*Requested changes to Montana Code Annotated  
Livestock 56030-01-020F / LC0385  
September 2022*

<p><i>Title 81 Chapter 7 Part 401 Killing Of Dogs Harassing, Destroying, Or Injuring Stock -- Notice To Owner -- Penalty</i></p>	<p><u>Requested Change:</u> Revision to Title 81, Chapter 7, Part 401 updates Law for Killing of Dogs Harassing or Injuring Livestock.</p> <p><u>Content with proposed language:</u> <b>81-7-401. Killing of dogs harassing, destroying, or injuring stock -- notice to owner -- penalty.</b> (1) As used in this section, "harasses" means worries, chases, or runs after livestock, including ostriches, rheas, and emus, in a manner that may lead to subsequent injury to the livestock.</p> <p>(2) A dog, whether licensed or not, that, while off the premises owned or under control of its owner and on property owned, leased, or controlled by the livestock owner, harasses, kills, wounds, or injures livestock not belonging to the owner of the dog is considered a public nuisance and:</p> <p>(a) may be killed immediately by the owner of the livestock or an agent or employee of the owner; or</p> <p>(b) the owner of the dog, when reasonably notified after due process, shall kill the dog within 24 hours of notification. If the owner fails to do so, an officer may be notified and shall kill the dog or cause the dog to be killed.</p> <p>(3) A dog may not be killed in a manner that will endanger a person.</p> <p>(4) This section does not apply to a dog herding <b>or guarding</b> livestock under the direction of its owner or the agents or employees of its owner.</p> <p>(5) This section does not apply to a dog engaged in legitimate sport hunting or predator control activities under the direction of its owner or the agents or employees of its owner.</p> <p>(6) The owner of a dog that harasses, kills, wounds, or injures livestock is guilty of a misdemeanor and upon conviction shall be fined not more than \$500</p> <p><u>Reason:</u> The proposal for MCA 81-7-401 adds guard dogs to the exception list. Only herding dogs are exempt from killing under the current language.</p>
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*Requested changes to Montana Code Annotated  
Livestock 56030-01-021F / LC0386  
September 2022*

<p><b>Title 81</b> <b>Chapter 7</b> <b>Part 106</b> <i>(and associated statutes)</i> <b>Predatory Animal State Special Revenue Account</b></p>	<p><u>Requested Change:</u> Revisions to Title 81, Chapter 7, Part 106 (and associated statutes) extends the sunset of Department of Livestock Predatory Control Statutory Appropriation.</p> <p><u>Content with proposed language:</u></p> <p><b>81-7-106. Predatory animal state special revenue account.</b> (1) There is an account in the state special revenue fund established by 17-2-102 to be known as the predatory animal special revenue account. The account is administered by the department.</p> <p>(2) Money from per capita fees is transferred to the account pursuant to 15-24-925 for the purpose of protecting livestock in the state under the provisions of 81-7-101 through 81-7-104. The department is not required to spend all money allocated to this account by the end of each fiscal year.</p> <p>(3) The predatory animal special revenue account is statutorily appropriated, as provided in 17-7-502, to the department for the purpose of protecting livestock as provided in subsection (2) of this section. <i>(Subsection (3) terminates June 30, <del>2023</del>2029--sec. 5, Ch. 284, L. 2017.)</i></p> <p><b>15-24-925. (Temporary) Reimbursement to department -- transmission of fees to state.</b> (1) The department may withhold 2% of the money received under 15-24-921 as reimbursement for the collection of the fee on livestock unless a different percentage of money to be withheld is mutually agreed upon by the department and the department of livestock on an annual basis.</p> <p>(2) The department shall designate the amount received from the fee imposed on sheep and the amount received from the fee imposed on all other livestock and shall specify the separate amounts in the report to the department of livestock. The money, when received by the department, must be deposited in an account in the special revenue fund to the credit of the department of livestock. The money in the account must be kept separate from other funds received by the department of livestock. Interest earned on money in the account must be deposited in the account.</p> <p>(3) At least \$350,000 must be transferred from the state special revenue account in subsection (2) to the predatory animal special revenue account provided for in 81-7-106 in each fiscal year. <i>(Terminates June 30, <del>2023</del>2029--sec. 8, Ch. 284, L. 2017.)</i></p> <p><b>15-24-925. (Effective July 1, <del>2023</del>2029) Reimbursement to department -- transmission of fees to state.</b> (1) The department may withhold 2% of the money received under 15-24-921 as reimbursement for the collection of the fee on livestock unless a different percentage of money to be withheld is mutually agreed upon by the department and the department of livestock on an annual basis.</p>
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(2) The department shall designate the amount received from the fee imposed on sheep and the amount received from the fee imposed on all other livestock and shall specify the separate amounts in the report to the department of livestock. The money, when received by the department, must be deposited in an account in the special revenue fund to the credit of the department of livestock. The money in the account must be kept separate from other funds received by the department of livestock. Interest earned on money in the account must be deposited in the account.

(3) The amount of \$350,000 is transferred from the state special revenue account in subsection (2) to the predatory animal special revenue account provided for in 81-7-106 in each fiscal year.

**17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 5-13-404; 7-4-2502; 7-4-2924; 7-32-236; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-807; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-802; 10-3-1304; 10-4-304; 10-4-310; 15-1-121; 15-1-218; 15-31-165; 15-31-1004; 15-31-1005; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-130; 15-70-433; 16-11-119; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; [20-15-328]; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; [22-3-1004]; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-54-113; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 46-32-108; 50-1-115; 53-1-109; 53-6-148; 53-9-113; 53-24-108; 53-24-206; 60-5-530; 60-11-115; 61-3-321; 61-3-415; 67-1-309; 69-3-870; 69-4-527; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 75-26-308; 76-13-150; 76-13-151; 76-13-417; 76-17-103; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 80-11-1006; 81-1-112; 81-1-113; 81-7-106; 81-7-123; 81-10-103; 82-11-161; 85-2-526; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603; 87-5-909; 90-1-115; 90-1-205; 90-1-504; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-

2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on occurrence of contingency; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117 terminates June 30, 2025; pursuant to sec. 12, Ch. 55, L. 2017, the inclusion of 37-54-113 terminates June 30, 2023; pursuant to sec. 4, Ch. 122, L. 2017, the inclusion of 10-3-1304 terminates September 30, 2025; pursuant to sec. 1, Ch. 213, L. 2017, the inclusion of 90-6-331 terminates June 30, 2027; pursuant to secs. 5, 8, Ch. 284, L. 2017, the inclusion of 81-1-112, 81-1-113, and 81-7-106 terminates June 30, ~~2023~~2029; pursuant to sec. 1, Ch. 340, L. 2017, the inclusion of 22-1-327 terminates July 1, 2023; pursuant to sec. 10, Ch. 374, L. 2017, the inclusion of 76-17-103 terminates June 30, 2027; pursuant to sec. 5, Ch. 50, L. 2019, the inclusion of 37-50-209 terminates September 30, 2023; pursuant to sec. 1, Ch. 408, L. 2019, the inclusion of 17-7-215 terminates June 30, 2029; pursuant to secs. 11, 12, and 14, Ch. 343, L. 2019, the inclusion of 15-35-108 terminates June 30, 2027; pursuant to sec. 7, Ch. 465, L. 2019, the inclusion of 85-2-526 terminates July 1, 2023; pursuant to sec. 5, Ch. 477, L. 2019, the inclusion of 10-3-802 terminates June 30, 2023; pursuant to secs. 1, 2, 3, Ch. 139, L. 2021, the inclusion of 53-9-113 terminates June 30, 2027; pursuant to sec. 8, Ch. 200, L. 2021, the inclusion of 10-4-310 terminates July 1, 2031; pursuant to secs. 3, 4, Ch. 404, L. 2021, the inclusion of 30-10-1004 terminates June 30, 2027; pursuant to sec. 5, Ch. 548, L. 2021, the inclusion of 50-1-115 terminates June 30, 2025; pursuant to secs. 5 and 12, Ch. 563, L. 2021, the inclusion of 22-3-1004 is effective July 1, 2027; and pursuant to sec. 15, Ch. 574, L. 2021, the inclusion of 46-32-108 terminates June 30, 2023.

**Reason:**

The department seeks to extend the sunset on the statutory appropriation requiring the agency to allocate per capita funds to USDA Wildlife Services for predator animal control activities.

*Requested changes to Montana Code Annotated  
Livestock Loss Board 56030-01-022F / LC0388  
September 2022*

<p><b>Title 81 Chapter 1 Part 112, 113, Title 2 Chapter 15 Part 3114 (and associated statutes)</b></p> <p><b>Livestock Loss Mitigation Restricted Account,</b></p> <p><b>Livestock Loss Reduction And Mitigation Accounts,</b></p> <p><b>Funding Of Programs -- Contingency</b></p>	<p><u>Requested Change:</u> Revisions to Title 81, Chapter 1, Part 112, 113 and Title 2, Chapter 15, Part 3114 (and associated statutes) extends the sunset of Livestock Loss Board Statutory Appropriations.</p> <p><u>Content with proposed language:</u> <b>81-1-112. (Temporary) Livestock loss mitigation restricted account.</b> (1) There is an account in the state special revenue fund established by <b>17-2-102</b> to be known as the livestock loss mitigation restricted special revenue account. The account is administered by the department.</p> <p>(2) Each fiscal year, the amount provided in <b>15-1-122(3)</b> is transferred to the account from the state general fund and is restricted to the purpose of making payments to livestock producers for confirmed and probable livestock losses pursuant to <b>2-15-3112(2)</b>. Money in the account may not be expended for administrative expenses.</p> <p>(3) The livestock loss mitigation restricted special revenue account is statutorily appropriated, as provided in <b>17-7-502</b>, to the department for the purpose of making payments to livestock producers as provided in subsection (2) of this section.</p> <p>(4) On June 30 of each year, any unencumbered funds in the account in excess of \$300,000 must be transferred to the livestock loss reduction restricted special revenue account established in <b>81-1-113</b>. (<i>Terminates June 30, <del>2023-2029</del>--sec. 5, Ch. 284, L. 2017.</i>)</p> <p><b>81-1-112. (Effective July 1, <del>2023</del>2029) Livestock loss mitigation restricted account.</b> (1) There is an account in the state special revenue fund established by <b>17-2-102</b> to be known as the livestock loss mitigation restricted special revenue account. The account is administered by the department.</p> <p>(2) Each fiscal year, the amount provided in <b>15-1-122(3)</b> is transferred to the account from the state general fund and is restricted to the purpose of making payments to livestock producers for confirmed and probable livestock losses pursuant to <b>2-15-3112(2)</b>. Money in the account may not be expended for administrative expenses.</p> <p>(3) On June 30 of each year, any unencumbered funds in the account in excess of \$300,000 must be transferred to the livestock loss reduction restricted special revenue account established in <b>81-1-113</b>.</p> <p><b>81-1-113. (Temporary) Livestock loss reduction restricted account.</b> (1) There is an account in the state special revenue fund established by <b>17-2-102</b> to be known as the livestock loss reduction restricted special revenue account. The account is administered by the department.</p> <p>(2) Except as provided in subsection (6), the money transferred to the account is restricted to the purposes of reducing predation on livestock by</p>
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wolves and grizzly bears and reducing expenses incurred by livestock owners, including but not limited to veterinary bills, caused by wolves and grizzly bears.

(3) Money received by the state in the form of gifts, grants, reimbursements, or allocations from any source intended to be used for either or both of the purposes of subsection (2) must be deposited in the account provided for in subsection (1).

(4) Money in the account is statutorily appropriated, as provided in **17-7-502**, to the department for carrying out the purposes of this section.

(5) Except as provided in subsection (6), to reduce predation of livestock, the livestock loss board:

(a) shall use at least half of the money transferred into the account pursuant to subsection (2) on nonlethal, preventative measures; and

(b) may use half of the money transferred into the account pursuant to subsection (2) to contract with the United States department of agriculture wildlife services.

(6) Up to 10% of the money in the account may be used for administrative expenses. (*Terminates June 30, 20232029--sec. 8, Ch. 284, L. 2017.*)

**81-1-113.** (*Effective July 1, 20232029*) **Livestock loss reduction restricted account.** (1) There is an account in the state special revenue fund established by **17-2-102** to be known as the livestock loss reduction restricted special revenue account. The account is administered by the department.

(2) Except as provided in subsection (5), the money transferred to the account is restricted to the purposes of reducing predation on livestock by wolves and grizzly bears and reducing expenses incurred by livestock owners, including but not limited to veterinary bills, caused by wolves and grizzly bears.

(3) Money received by the state in the form of gifts, grants, reimbursements, or allocations from any source intended to be used for either or both of the purposes of subsection (2) must be deposited in the account provided for in subsection (1).

(4) Except as provided in subsection (5), to reduce predation of livestock, the livestock loss board:

(a) shall use at least half of the money transferred into the account pursuant to subsection (2) on nonlethal, preventative measures; and

(b) may use half of the money transferred into the account pursuant to subsection (2) to contract with the United States department of agriculture wildlife services.

(5) Up to 10% of the money in the account may be used for administrative expenses.

**2-15-3114.** (*Temporary*) **Funding of programs -- contingency.** The awarding of grants and reimbursements and the performance of duties pursuant to **2-15-3111** through **2-15-3113** are contingent upon the amount of money available in the accounts provided for in **81-1-110** through **81-1-113**. (*Terminates June 30, 20232029--sec. 8, Ch. 284, L. 2017.*)

**2-15-3114.** (Effective July 1, ~~2023~~2029) **Funding of programs -- contingency.** The awarding of grants and reimbursements and the performance of duties pursuant to **2-15-3111** through **2-15-3113** are contingent upon the amount of money available in the accounts provided for in **81-1-110** through **81-1-112**.

**17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 5-13-404; 7-4-2502; 7-4-2924; 7-32-236; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-807; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-802; 10-3-1304; 10-4-304; 10-4-310; 15-1-121; 15-1-218; 15-31-165; 15-31-1004; 15-31-1005; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-130; 15-70-433; 16-11-119; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; [20-15-328]; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; [22-3-1004]; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-54-113; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 46-32-108; 50-1-115; 53-1-109; 53-6-148; 53-9-113; 53-24-108; 53-24-206; 60-5-530; 60-11-115; 61-3-321; 61-3-415; 67-1-309; 69-3-870; 69-4-527; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 75-26-308; 76-13-150; 76-13-151; 76-13-417; 76-17-103; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 80-11-1006; 81-1-112; 81-1-113; 81-7-106; 81-7-123; 81-10-103; 82-11-161; 85-2-526; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603; 87-5-909; 90-1-115; 90-1-205; 90-1-504; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the

*last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on occurrence of contingency; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117 terminates June 30, 2025; pursuant to sec. 12, Ch. 55, L. 2017, the inclusion of 37-54-113 terminates June 30, 2023; pursuant to sec. 4, Ch. 122, L. 2017, the inclusion of 10-3-1304 terminates September 30, 2025; pursuant to sec. 1, Ch. 213, L. 2017, the inclusion of 90-6-331 terminates June 30, 2027; pursuant to secs. 5, 8, Ch. 284, L. 2017, the inclusion of 81-1-112, 81-1-113, and 81-7-106 terminates June 30, ~~2023~~2029; pursuant to sec. 1, Ch. 340, L. 2017, the inclusion of 22-1-327 terminates July 1, 2023; pursuant to sec. 10, Ch. 374, L. 2017, the inclusion of 76-17-103 terminates June 30, 2027; pursuant to sec. 5, Ch. 50, L. 2019, the inclusion of 37-50-209 terminates September 30, 2023; pursuant to sec. 1, Ch. 408, L. 2019, the inclusion of 17-7-215 terminates June 30, 2029; pursuant to secs. 11, 12, and 14, Ch. 343, L. 2019, the inclusion of 15-35-108 terminates June 30, 2027; pursuant to sec. 7, Ch. 465, L. 2019, the inclusion of 85-2-526 terminates July 1, 2023; pursuant to sec. 5, Ch. 477, L. 2019, the inclusion of 10-3-802 terminates June 30, 2023; pursuant to secs. 1, 2, 3, Ch. 139, L. 2021, the inclusion of 53-9-113 terminates June 30, 2027; pursuant to sec. 8, Ch. 200, L. 2021, the inclusion of 10-4-310 terminates July 1, 2031; pursuant to secs. 3, 4, Ch. 404, L. 2021, the inclusion of 30-10-1004 terminates June 30, 2027; pursuant to sec. 5, Ch. 548, L. 2021, the inclusion of 50-1-115 terminates June 30, 2025; pursuant to secs. 5 and 12, Ch. 563, L. 2021, the inclusion of 22-3-1004 is effective July 1, 2027; and pursuant to sec. 15, Ch. 574, L. 2021, the inclusion of 46-32-108 terminates June 30, 2023.*

**Reason:**

The Livestock Loss Board seeks to extend sunsets on statutory appropriations and funding statutes providing livestock death loss payments and livestock loss prevention grants to livestock producers.



*Requested changes to Montana Code Annotated  
Livestock Loss Board 56030-01-025F / LC0389  
September 2022*

<p><b>Title 2</b> <b>Chapter 15</b> <b>Part 3112</b></p> <p><b>Livestock Loss Mitigation Program Definitions</b></p>	<p><u>Requested Change:</u> Revisions to Title 2, Chapter 15, Part 3112, (1) guard animals changed to guard dogs, (5) confidentiality of claimant information, (7) limiting registered animal values to twice that of a commercial grade animal</p> <p><u>Content with proposed language:</u> <b>2-15-3112. Livestock loss mitigation program -- definitions.</b> The livestock loss board shall establish and administer a program to reimburse livestock producers for livestock losses caused by wolves, mountain lions, and grizzly bears, subject to the following provisions:</p> <p>(1) The board shall establish eligibility requirements for reimbursement, which must provide that all Montana livestock producers are eligible for coverage for losses by wolves, mountain lions, and grizzly bears to cattle, swine, horses, mules, sheep, goats, llamas, and livestock guard <del>animals</del> <u>dogs</u> on state, federal, tribal, and private land.</p> <p>(2) (a) Except as provided in subsection (2)(b), the board may reimburse confirmed and probable livestock losses at an amount not to exceed the fair market value of the livestock.</p> <p>(b) The board may reimburse confirmed and probable livestock losses by paying a multiplier of the fair market value of the livestock based on a board-determined region.</p> <p>(c) Before the board may issue a reimbursement for losses to a livestock producer eligible for coverage for losses, the department of revenue shall certify that the livestock producer has paid per capita fees as required by <b>15-24-921</b>. Except for a tribal member or tribal entity participating in an authorized agreement pursuant to <b>2-15-3113</b>, a livestock producer may not receive a reimbursement for losses until the producer has paid any delinquent per capita fees.</p> <p>(3) Other losses may be reimbursed at rates determined by the board.</p> <p>(4) A claim process must be established to be used when a livestock producer suffers a livestock loss for which wolves, mountain lions, or grizzly bears may be responsible. The claim process must set out a clear and concise method for documenting and processing claims for reimbursement for livestock losses.</p> <p><del>(4)</del><u>(5)</u> <u>All claimant information shall remain confidential and may not be released to anyone in accordance with similar federal law restrictions placed upon USDA Wildlife Services for investigation information.</u></p> <p><del>(5)</del><u>(6)</u> A process must be established to allow livestock producers to appeal reimbursement decisions. A producer may appeal a staff adjuster's decision by notifying the staff adjuster and the board in writing, stating the reasons for the appeal and providing documentation supporting the appeal. If the documentation is incomplete, the board or a producer may consult with the U.S. department of agriculture wildlife services to complete the documentation. The board may not</p>
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accept any appeal on the question of whether the loss was or was not a confirmed or probable loss because that final determination lies solely with the U.S. department of agriculture wildlife services and may not be changed by the board. The board shall hold a hearing on the appeal within 90 days of receipt of the written appeal, allowing the staff adjuster and the producer to present their positions. A decision must be rendered by the board within 30 days after the hearing. The producer must be notified in writing of the board's decision.

~~(6)~~(7) As used in this section, the following definitions apply:

(a) "Confirmed" means reasonable physical evidence that livestock was actually attacked or killed by a wolf, mountain lion, or grizzly bear, including but not limited to the presence of bite marks indicative of the spacing of tooth punctures of wolves, mountain lions, or grizzly bears and associated subcutaneous hemorrhaging and tissue damage indicating that the attack occurred while the animal was alive, feeding patterns on the carcass, fresh tracks, scat, hair rubbed off on fences or brush, eyewitness accounts, or other physical evidence that allows a reasonable inference of wolf, mountain lion, or grizzly bear predation on an animal that has been largely consumed.

(b) "Fair market value" means:

(i) for commercial sheep more than 1 year old, the average price of sheep of similar age and sex paid at the most recent Billings livestock sale ring or other ring as determined by the board;

(ii) for commercial lambs, the average market weaning value;

(iii) for registered sheep, ~~the average price paid to the specific breeder for sheep of similar age and sex during the past year at public or private sales for that registered breed;~~ twice the average value for commercial sheep value of the same age and sex;

(iv) for commercial cattle more than 1 year old, the average price of cattle of similar age and sex paid at the most recent Billings livestock sale ring or other ring as determined by the board;

(v) for commercial calves, the average market weaning value;

(vi) for registered cattle, ~~the average price paid to the owner for cattle of similar age and sex during the past year at public or private sales for that registered breed;~~ twice the average value for commercial cattle value of the same age and sex;

(vii) for other registered livestock, ~~the average price paid to the producer at public or private sales for animals of similar age and sex. A producer may provide documentation that a registered animal has a fair market value in excess of the average price, in which case the board shall seek additional verification of the value of the animal from independent sources. If the board determines that the value of that animal is greater than the average price, then the increased value must be accepted as the fair market value for that animal~~ twice the average value for commercial grade animals of the same breed, age and sex.

(viii) for other livestock, the average price paid at the most recent public auction for the type of animal lost or the replacement price as determined by the board.



(c) "Probable" means the presence of some evidence to suggest possible predation but a lack of sufficient evidence to clearly confirm predation by a particular species. A kill may be classified as probable depending on factors including but not limited to recent confirmed predation by the suspected depredating species in the same or a nearby area, recent observation of the livestock by the owner or the owner's employees, and telemetry monitoring data, sightings, howling, or fresh tracks suggesting that the suspected depredating species may have been in the area when the depredation occurred.

### Reason:

The Livestock Loss Board seeks to (i) change guard animals to guard dogs as the current definition is too broad, (ii) standardize claimant information to remain confidential matching the same requirement placed upon USDA Wildlife Services under federal law, (iii) limit payments for registered livestock which may deplete available funding needed to pay many other livestock producer claims. The board feels it is more important to be able to pay all loss claims to producers.



**DOL Board Meeting  
October 26, 2022**



## **Human Resource Update:**

- Telework Implementation**
- Staff Openings and Recruitment**
- Performance Check-ins and Evaluations**



# Telework Project Overview

-The state has conducted an enterprise-wide assessment—**the Remote and Office Workspace Study (ROWS)**—which leveraged an objective, data-driven process using direct feedback from state employees.

The goal of this project was to determine workforce eligibility and options for telework based on the nature of the work, the needs of the organization, and individual preferences.

❖ From that assessment—It has been determined **that there are positions within the Department of Livestock that are eligible to telework.**

## Eligible Positions

**CSD: 14**  
**Brands: 9**  
**Animal Health: 15**  
**Total: 38**

## Ineligible Positions

**Total: 95**

A majority of DOL's ineligible positions based on nature of the work (field work, needed equipment, duties, no office etc..)

# Livestock is currently in the process of implementing telework



## **WE ARE HERE**

Managers have received reference materials and guidance and are preparing for conversations with eligible staff to begin implementing telework.

### **HOW WILL THIS BE DIFFERENT?**

**1**

**Teleworking now will not look like teleworking in 2020 and 2021.**

- Workers will have continued access to the central worksite and its equipment.
- No cost to the agency, If a worker requires access to additional equipment beyond what is provided (laptop only), and the worker does not want to purchase it, employees may need to report to the central worksite to perform the job as necessary. The same is true if the telework location does not meet minimum standards for internet or system access.

**2**

**Telework is completely optional.**

- No one in the agency is permitted to telework 5 days per week, unless a predetermined business necessity exists.

**3**

**All managers and employees must review the updated State of Montana Telework Policy prior to teleworking.**

**4**

**All requests for telework must be filled out as a Telework Agreement, be reviewed and approved by management.**  
**-All Telework agreements are completed and tracked through SABHRS in the "employee self service" section.**



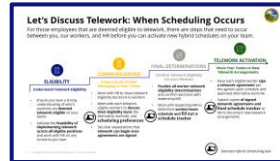
# We have new telework tools to support managers

Resources have been designed for managers to consistently communicate telework eligibility results, understand telework eligibility, and support telework implementation.

Additionally, training guidance modules have been created to support managers with scheduling, leading teams, improving culture, and supporting best practices.

## Scheduling Telework for Success

Learn how to optimize how time is spent virtually and in-person while considering the unique needs of your team.



## Managing Virtual Teams

Learn how to adapt your management style to the new virtual environment.



## Fostering a Strong Telework Culture

Learn how to build a strong, positive team culture by prioritizing inclusion, empathy, and well-being.



## Virtual and Remote Work Best Practices

Learn how to excel at virtual collaboration and equip your team for success in virtual work.





# Staff Openings and Recruitment

-Currently DOL is actively recruiting for 5 positions.

Job Title	Location
Food Safety, Assessment and Investigation Officer and Meat Inspection Trainer	Helena
Livestock Investigator- District 5 (Toole, Pondera, Liberty, Glacier Counties)	Multiple Locations
Meat Poultry Inspector 1 (Must live within 80 miles of Kalispell)	Multiple Locations
Meat Poultry Inspector- (Butte/Anaconda/Deer Lodge)	Multiple Locations
Meat Poultry Relief Inspector- Missoula or Kalispell	Multiple Locations

## **FOR THE MONTH OF OCTOBER**

- ✓ DOL had 5 new hires during the month of October.
- ✓ DOL has had 5 newly vacated positions; 1 was an internal transfer.
- ✓ Currently in the offer or interview stages for 3 positions in the agency.

## **WHAT'S NEW...**

- ✓ Updating Job Postings to be more competitive.
- ✓ Opportunities to update job postings, review classification of jobs prior to posting to ensure correct positions are being recruited for and filled.

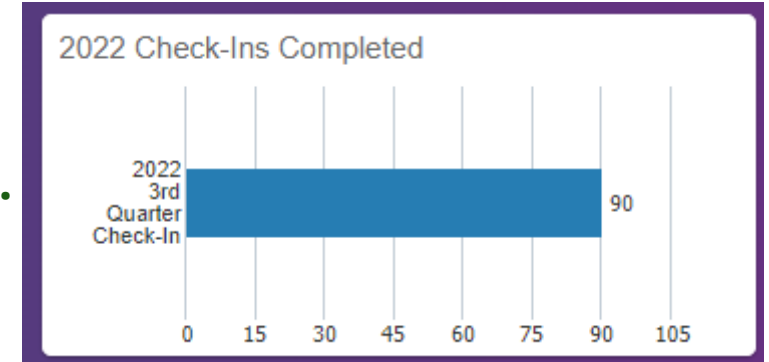


# Performance Check-ins and Year End Evaluations- Talent

As part of a state-wide initiative set in place in the beginning of 2022 to have all state of MT Employees access and complete quarterly check-ins within the SABHRS- Talent system. On September 30, 2022, Manager/employee check-ins within the agency were completed.

## Results:

- 1 DOL had a 77% completion rate on of 3<sup>rd</sup> Quarter Check-ins.**
- 2 Final Quarter Check-in will begin on November 1, 2022**
- 3 This process is in addition to the year end performance evaluations that DOL will conduct internally.**



\*Note: This process does not count for or deters conversations that managers are having with staff on a consistent basis.



# Board of Livestock Meeting

## Agenda Request Form

From: George Edwards	Division/Program: Livestock Loss Board	Meeting Date: 10/26/22
<b><u>Agenda Item:</u></b>		
<p>Background Info: Loss Statistics January through October 11<sup>th</sup></p> <p>Daily operations are normal with nothing unusual happening. Livestock loss claims are now coming in at a rate seen in prior years. If trends from past years occur, over half of the claims received will happen in November and December.</p> <p>One of two large sheep claims is reflected in the statistics. It was for 37 rams killed in Madison County. 2022 Miles City Ram &amp; Ewe sale averages were used for the payment. Ram values are \$1,275 and ewe values are \$309. The second large sheep claims has not been sent in yet.</p> <p>Recommendation:</p>		
Time needed:	Attachments:	Yes <input type="checkbox"/> No <input type="checkbox"/>
		Board vote required? <input type="checkbox"/> No <input type="checkbox"/>



October 2022 BoL

Montana LLB  
 PO Box 202005  
 Helena MT 59620  
[www.llb.mt.gov](http://www.llb.mt.gov)

George Edwards  
 Executive Director  
 (406) 444-5609  
[gedwards@mt.gov](mailto:gedwards@mt.gov)

Counties	Cattle	Sheep	Goats	Guard	Horse	Llama/Swine	Totals	Payments
Beaverhead	7						7	\$7,333.28
Carbon	2						2	\$2,093.08
Glacier	27						27	\$28,092.30
L&C	7	9					16	\$10,120.73
Lincoln	1						1	\$1,053.00
Madison	5	38					43	\$55,681.60
Missoula		11	1				12	\$1,741.26
Park	2						2	\$3,243.20
Phillips				1			1	\$1,030.00
Pondera	10						10	\$10,809.50
Powell	17						17	\$20,218.61
Ravalli	1						1	\$1,800.00
Sanders		11	2				13	\$1,998.16
Teton	7						7	\$10,664.67
<b>Totals</b>	<b>86</b>	<b>69</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>159</b>	<b>\$155,879.39</b>
2021	114	77	19	3	1	3	217	\$191,922.19

Wolves

Confirmed	24	1		1	
Probable	3	37			
Value	\$31,407.63	\$49,018.00		\$1,030	
Owners	17	1		1	

Grizzly Bears

Confirmed	41	2			
Probable	16				
Value	\$66,818.75	\$505.26			
Owners	34	2			

Mtn Lion

Confirmed	1	18	3		
Probable	1	11			
Value	\$2,093.08	\$4,423.66	\$583.01		
Owners	1	2	3		



# Board of Livestock Meeting

## Agenda Request Form

From: Jay Bodner		Division/Program: Brands Enforcement			Meeting Date: <b>10/26/22</b>		
<b><u>Agenda Item:</u> Request to Hire</b>							
Background Info: Brand Liens Compliance Technician							
Recommendation:							
Time needed: 10 minutes	Attachments:	Yes	No X	Board vote required?	Yes	No	
					X		
<b><u>Agenda Item:</u> Travel Request for FY23</b>							
Background Info: The Brands Enforcement Division would like approval to send Ty Thomas the National Cattlemen's Beef Association meeting Feb. 1-3, 2023(New Orleans, LA). The International Livestock Identification Association will reimburse Brands Division for travel expenses							
Recommendation: Approval of out of state travel request							
Time needed: 10 minutes	Attachments:	Yes	No X	Board vote required	Yes X	No	
<b><u>Agenda Item:</u> Brands Enforcement Update</b>							
Background Info: - Staffing update							
Recommendation:							
Time needed: 10 minutes	Attachments:	Yes	No X	Board vote required:	Yes	No	
						X	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	

Department of Livestock

1) Division  
Brands Enforcement**2) Employee(s) Traveling**

Ty Thomas

**3) Justification**

National Cattlemen's Beef Association annual convention. Attendance at this event will be utilized in preparation for the 2024 International Livestock Identification Association meeting that Montana DOL/Brands Enforcement will host. This convention will be a source of potential speakers, topics and sponsorships for the 2024 ILIA annual meeting.

**4) Itinerary**

The meeting is scheduled for Feb. 1- 3 in New Orleans, LA.

**5) Cost Estimate**

Initial costs include registration, flight and hotel will be approximately \$2000. All of these travel costs will be reimbursed by International Livestock Identification Association (ILIA).

**6) Submitted By**Requested By  
Jay BodnerTitle  
Brands Division AdministratorDate  
10/13/2022**Approval - to be Completed by Agency Authorized Personnel**

Date Approved by Board

Board Chair or EO

Title

Date

**NOTE: A travel expense voucher form must be filed within three months after incurring the travel expenses, otherwise the right to reimbursement will be waived.**



# Board of Livestock Meeting

## Agenda Request Form

From: Tahnee Szymanski, DVM	Division/Program: Animal Health Bureau	Meeting Date: 10/26/2022
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**Agenda Item: Request to Hire Brucellosis Compliance Position**

Background Info: The Brucellosis Compliance Position was recently vacated. AHB is requesting to backfill this position. This position analyzes animal movements and test data to evaluate compliance with Designated Surveillance Area regulations; processes reimbursement requests for producers and veterinarians; and handles the EPI data tracking for brucellosis positives, and suspects. The consequence of not filling this position is an inability to conduct regular and timely evaluation of compliance with DSA regs. Out of compliance movements and change of ownerships are followed up on by Animal Health and Brands enforcement staff. Montana's historical high rate of program compliance was recognized during the recent program review.

This position is funded through the General Fund.

Recommendation: Approve rehire.

Time needed: 5 minutes	Attachments:	<b>No</b>	Board vote required?	<b>Yes</b>
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**Agenda Item: Out of State Travel Request - USDA NPIP LBMS Working Group Meeting**

Background Info: The Live Bird Market Working Group is associated with the National Poultry Improvement Plan (NPIP). This meeting would offer an MDOL veterinarian multiple opportunities to strengthen their knowledge of the poultry industry and allow for networking opportunities with poultry industry resources from around the country. On the heels of the 2022 Highly Pathogenic Avian Influenza outbreak, the meeting will have substantial time committed to emergency response topics, including other state's response efforts, diagnostic testing, carcass disposal, and ISRCs.

Estimated cost of attendance: \$1334

Costs are paid for with Federal Cooperative Agreement (Avian Influenza) funding.

Recommendation: Approve travel.

Time needed: 5 minutes	Attachments:	<b>Yes</b>	Board vote required	<b>Yes</b>
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**Agenda Item: Out of State Travel Request - Mass Mortality Training/Tabletop**

Background Info: The Southwest Border Food Protection and Emergency Preparedness Center is working with NM state animal health officials to develop a large animal mass mortality carcass management plan in New Mexico. As part of the project, the center is also hosting a tabletop exercise in Las Cruces, NM on November 10th to test the newly developed plan. The scenario chosen is a mass mortality event resulting from anthrax. Prior to the tabletop, we are organizing an educational component to discuss some of the common methods and challenges related to large animal disposal. Montana was contacted due to our experience with both anthrax and large animal carcass management. Dr. Zaluski or Szymanski has been asked to present on carcass management.

The project is funded through the National Animal Disease Preparedness and Response Program with funds available to assist with travel if needed.

Recommendation:

Time needed: 5 minutes	Attachments:	<b>Yes</b>	Board vote required:	<b>Yes</b>
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<b><u>Agenda Item: Bovine Tuberculosis (TB) Update</u></b>					
Background Info: AHB will provide an update on the epidemiological investigation following the detection of bovine TB in a Blaine County herd.					
Recommendation: N/A					
Time needed: 10 minutes	Attachments:		<b><u>NO</u></b>	Board vote required?	<b><u>NO</u></b>

<b><u>Agenda Item: Out of State Travel - Written Report (USAHA)</u></b>					
Background Info: Drs. Zaluski, Szymanski, and DeGroot recently traveled to the USAHA annual meeting in Minneapolis, MN. The attached written report contains information from committee meetings and other sessions attended on topics such as traceability, brucellosis, tuberculosis, chronic wasting disease, HPAI, and trichomoniasis.					
Recommendation: N/A					
Time needed: N/A	Attachments:	<b><u>Yes</u></b>		Board vote required:	<b><u>No</u></b>

<b><u>Agenda Item: Out of State Travel - ASF review in EU</u></b>					
Background Info: National Pork Board has requested Dr. Zaluski to participate in a review of pork export programs in Poland, Germany and Belgium. These countries have addressed the threat of African Swine Fever (ASF) in European feral swine through various methods including isolating slaughter facilities, and construction of a physical barrier (wall). As Montana is an exporting state for livestock products, knowledge gained will also improve Montana's preparedness and resilience to export disruptions caused by animal health diseases.					
Costs of the trip with exception of salary are covered by the National Pork Board. A copy of the request is attached.					
Recommendation:					
Time needed: 5 minutes	Attachments:	<b><u>Yes</u></b>		Board vote required:	<b><u>Yes</u></b>

## Department of Livestock

1) Division  
Animal Health Bureau

## 2) Employees Traveling

Merry Michalski

## 3) Justification

The Live Bird Market Working Group is associated with the National Poultry Improvement Plan (NPIP). This meeting would offer an MDOL veterinarian multiple opportunities to strengthen their knowledge of the poultry industry and allow for networking opportunities with poultry industry resources from around the country. On the heels of the 2022 Highly Pathogenic Avian Influenza outbreak, the meeting will have substantial time committed to emergency response topics, including other state's response efforts, diagnostic testing, carcass disposal, and ISRCs.

Animal health is requesting permission for Michalski to attend the meeting which will be held February 22-23, 2023 in Arizona.

Estimated cost of attendance:

Travel (air/ground)	\$700
Lodging - \$150/night (X3)	\$450
Per Diem - \$46/day (X4)	\$184
Total	\$1334

Travel is covered under the Avian Influenza Cooperative Agreement.

## 4) Itinerary

Travel February 21, 2023.

Meeting February 22-23, 2023

Return travel February 24, 2023

## 5) Submitted By

Requested By

Tahnee Szymanski

Title

Assistant State Veterinarian

Date

10/18/2022

## Approval - to be Completed by Agency Authorized Personnel

Date Approved by Board

Board Chair / EO

Date

**NOTE: A travel expense voucher form must be filed within three months after incurring the travel expenses, otherwise the right to reimbursement will be waived.**

**Department of Livestock****1) Division**

Animal Health and Food Safety

**2) Employee(s) Traveling**

Tahnee Szymanski

**3) Justification**

The Southwest Border Food Protection and Emergency Preparedness Center is working with NM state animal health officials to develop a large animal mass mortality carcass management plan in New Mexico. As part of the project, the center is also hosting a tabletop exercise in Las Cruces, NM on November 10th to test the newly developed plan. The scenario chosen is a mass mortality event resulting from anthrax. Prior to the tabletop, we are organizing an educational component to discuss some of the common methods and challenges related to large animal disposal. Montana was contacted due to our experience with both anthrax and large animal carcass management. Dr. Zaluski or Szymanski has been asked to present on carcass management.

The project is funded through the National Animal Disease Preparedness and Response Program with funds available to assist with travel.

**4) Itinerary**November 9<sup>th</sup> - TravelNovember 10<sup>th</sup> - Tabletop and trainingNovember 11<sup>th</sup> - Travel**5) Cost Estimate**

Transportation - \$800

Hotel - \$300

Per Diem - \$150

Total ESTIMATED COST - \$1250

**6) Submitted By**

Requested By

Tahnee Szymanski

Title

Asst. State Veterinarian

Date

10/18/2022

**Approval - to be Completed by Agency Authorized Personnel**

Date Approved by Board

Board Chair or EO

Title

Date

**NOTE: A travel expense voucher form must be filed within three months after incurring the travel expenses, otherwise the right to reimbursement will be waived.**

# Summary of USAHA 2022

## Minneapolis, MN

### Subcommittee on Brucellosis

- Earlier this calendar year, I requested that Animal Health Bureau review interstate regulations on DSA cattle. Based on this analysis, we determined that approximately 12 states have import testing requirements and do not defer to the state of Montana's regulatory program.
  - Sponsored USAHA resolution of brucellosis to request standardization of brucellosis requirements and deferring to federal regulations. The resolution passed (attached).
  - Held conversations with several state veterinarians and verbal commitments from Texas, Colorado, Missouri, and Kansas to review/repeal destination state regulations on DSA. Will follow-up with others.
- Attended a presentation on the CEAH (USDA-Center for Epidemiology and Animal Health) analysis of quarantine length for Yellowstone bison.
- See Kevin Shea meeting below regarding indemnity ANPR

### USDA

- No affected dairies since 1998
- No affected herds outside the GYA since 2011
- All 50 states considered free status
- Affected herds per fiscal year since 2010 2.6 herds per year – 5 currently affected, 1 ID and 4 MT detected by DSA surveillance testing
- Slaughter surveillance target of 350,000 specimens to detect 1:100,000 prev at 95% confidence w/ system sensitivity of 0.83

### Subcommittee on Trichomoniasis

- Sensitivity of trich tests varies due to sample collection method, transport conditions, collection media, incubation protocols, and whether tested using a DNA vs. RNA detection protocol
- Colorado evaluated the IDEXX Real PCR with a goal of eliminating restrictions on transport time and media.
  - Tested multiple handling conditions and media (hot, cold, long, in pouch, transit tubes, PBS, saline, tap water)
  - Reliable detection @144 hours (6 days) after collection with concentration of 100 cells/tube.
  - Media did not have a significant impact.
  - Intrinsic positive control is bovine nucleic acid, allowing analysis of sample collection.
- Committee proposed guidelines for SAHOs to provide labs within their respective states in the absence of a national standard test validation process. Committee members to review.

### Subcommittee on Tuberculosis

#### USDA – National TB Update



- Currently 7 affected herds (TX, NM, MI, HI(4))
  - The New Mexico herd was detected through movement testing.
- Incidence of affected herds is 4.1/year (excluding Michigan and Hawaii)

## Committee on Cattle and Bison

### USDA

- Clarke 2014 JAVMA – Bison out of Park to Native American Tribes
- Stevens Creek facility – FPA or card testing for screening, tested 30-60 intervals with removal of positives
- Males tested 1m, 6m & 12m
- Females: test at calving and 6 months after calving
- Transported to off-sight facility for later assurance testing
- Transported to Fort Peck and then tested 6 & 12 months post-arrival
- No seropositives in quarantine or assurance phases – latest detections were 239 for females and similar for male

### Livestock Marketing Association CVIs vs. Alternative Movement Documents

- Dusty Oedekovan - Making Catfish Bait out of Government Boys – story of the early days of the cattle fever tick program – genesis of the SD Animal Industry Board – initial implementation of quarantine zones until cattle could be inspected – evidently preceded TB effort US Livestock Sanitary Association – 14<sup>th</sup> annual meeting in 1910
- Justin Smith
- Tony Frasier - Had the first CVI he wrote rejected – accreditation rescinded for veterinarian who signed a book of CVIs and dropped it off at the dairy – veterinary students expect to be generating revenue based on issuing CVIs – south exports feeder calves
- Opportunity to movement document for feeder animals – not breeding
- Aaron Scott – verifiable oversight required for international trade negotiations

## ~~Committee on Swine~~

~~Resolution Hour 73 – resumption of movement following the 72 hour hold order~~

~~Hour 73 any slaughter establishments in free areas are not included in any extended hold orders  
Operations in control areas need permits to move~~

~~Resolution Depop within 15 days of confirmation (currently no standard for time)~~

~~Resolution permitting – Establish movement permitting guidance (internet available) “Draft African Swine Fever National Standardized Permitting Guidance for Control Areas” and establish a sub-committee comprised of VS, Industry, State representatives~~

~~Resolution Harvest establishment guidelines~~

~~Resolution Japanese Encephalitis Virus response plan – current plan is outdated and has been removed, USAHA swine committee is urging the USDA to refine the plan and reimplement~~

~~Resolution Feed testing—Karyn Havas suggested that time and temp requirements might be better protection from import~~

~~Reesolution from 2019 diagnostic specimens (oral fluids, processing fluids, meat juice (purge) suggested as a resolution to resubmit. New work has shown promising results that perhaps warrant more than “consideration” by the USDA~~

~~Resolution 20 Foreign Animal Disease Prevention~~

- ~~1. Customs interdiction metrics~~
- ~~2. Travelers telling the truth~~
- ~~3. Travelers on farms~~
- ~~4. Travelers with exposure to packing, live markets, other sources of contact~~

~~Dusty suggested that we should regard Res 20 be market addressed and inactive~~

~~Resolution 21 Evaluating and Recognizing Compartments for international trade—industry is more focused on regionalization rather than compartmentalization and so committee voted to move this to inactive~~

## Committee on Poultry and other Avian Species

### USDA

- EMRS has dates for all events => time from confirmation to depopulation and from depopulation to disposal available. Times almost uniformly short 2022 compared to 2015 (layer depop to completion of disposal is longer)
- Containment between confirmation and virus elimination is frequent point of failure
- Figure out what can be sourced locally to support regional economy before looking to Vet Stockpile and national level contractors
- Permitting – don’t need to permit feed – might be worthwhile to track conveyances, but feed doesn’t need permitted
- Took too long to spin up employee resources for IMT: medical clearances took too long, took too long to hire contractors
- Have saved about 1/3 of the costs comparing 2022 to 2015
- 24 layers have taken 43% of the money

### Indiana

- 2015 first event all chickens and turkeys died and all the ducks looked fine
- In lessons learned reflections in 2015,
- In 2016, one of the companies d
- Housing systems for ducks are completely different and IN had to resort to cervical dislocation
- IN changed statute to allow quarantine notice delivery by electronic means
- 220 wildlife services specimens at the start only found HPAI in a single red-headed duck
- Brett had to issue public information messages admonishing backyard owners to keep their ducks at home
- IN #1 in commercial ducks, #2 in eggs – going to have to develop a different system to produce poultry products

- Brett has heard many stories of layer operations where the top row of the middle building is the first point where disease was recognized
- Brett says they are running producer-run incidents. Govt. can't come depopulate, dispose, and decontaminate a 5,000,000 head layer operation
- Industry has made tremendous progress in preparedness

#### Pennsylvania

- First recognized infection was located near a migratory waterfowl stopover site
- A Bald Eagle flew to the New Bolton Center and died – HPAI positive
- Black Vultures carried a lot of virus
- Certified poultry technician collected 30 specimens and got a non-neg, an experience veterinarian collected 5 times as many specimens and got all negative results. The same CPT went back the next day to collect premovement specimens for eggs and got another non-negative. Kevin made the decision to depopulate and that created some friction with the owner until 3 days later when the owner called begging for help with depop as deathloss spiked
- Need to keep money moving to the contracted farmers so they can keep their employees to have do the work on the ground as opposed to having all the money going to the company that owns the birds
- Permitting movement is a huge burden. Get EMRS specialist to help with permitting. Kevin relied on USDA for epidemiology.
- Lay out the ground rules at the start with the USDA Incident Management Team (IMT color teams)
- How do you want to handle an operation that has several different phases or types of production within close proximity of each other
- Advise farm owners that they have opportunities and are actually needed to
- Set up biosecure drop sites for specimens
- Kevin is convinced that keeping birds in the barns for 72 hours cuts down opportunity for
- PA had many multispecies sites and found ways to keep the milk moving which they killed, disposed and decontaminated the birds

#### Nebraska

- 2022/03/04 neurologic goose in a Walmart parking lot in Lincoln
- 03/14 first commercial site depopulated in 24 hours of confirmation, second site owned by same company found positive by a different virus
- First layer site 04/11, second layer site for same company by different virus 04/26
- NDA has decided that Wildlife Services will help any time they have to depopulate free-range waterfowl

#### Producer and Local Veterinary

- 2015 ~9 million birds 7 days to depop, 2022 ~3 million birds much shorter
- Companies/growers tested very early when they sensed something was different with the flock even before mortality or even clearly defined and well described clinical signs
- Early testing enabled much better containment
- Difficult to plan for depth of response to have multiple case identifications per day
- Jill Nezworski expects to see many growers exit the industry

- Local industry understands the barns, birds, growers, area, local resources and weather
- Foam has limitations, VSD+ overcomes some of these, CO<sub>2</sub> has serious availability problems
- Foam
  - Crews need to be trained - Turkeys vs Chickens – age has a big impact
  - Temp and water quality have huge impacts on foam generation
  - Sick birds difficult to crowd up to small areas to making foaming practical
- VSD+
  - Jill says only legitimate option for large layer depop
  - Efficient option for 20 week toms
  - Minimize traffic on/off farm
  - Much more efficient for sick birds
  - Need to share best practice forum
  - Need to circumvent temperature overrides on supplemental heaters
  - Young birds in large barns don't generate enough heat to accomplish VSD+
  - Cold, windy weather makes this difficult to accomplish
  - 1 million – 2.2 million BTU heaters are available
  - Additional moisture is helpful so turning misters on has been advantageous
  - Supplemental euthanasia is necessary regardless of methods
  - Growers sometimes have difficulty completing depopulation
  - Independent growers
  - Avoid laying out barriers without providing finding solutions

#### NVSL – 2015 vs. 2022

- Surveillance based on detection of Influenza A (not subtypes)
- 2015
  - initially less infectious
  - Entry into US via Bering Strait/Pacific Flyway
  - N reassortment initially, then virus relatively stable
  - 100 wild birds total
- 2022
  - Initially as infectious for poultry, diagnosed in several other mammals
  - Entry through Atlantic Flyway
  - Internal reassortments by February, but N reassortments did not appear till September (responsible for number of detections).
  - More than 85 species, detections in all states

## Committee on Emergency Animal Management

### backyard depop experiences

- Not affected in 2015
- 10 field veterinarians, and 15 animal health technicians
- Depopulated fowl cholera infected pheasants – tried different measures and preferred CO<sub>2</sub> (didn't say why)
- Used cervical dislocation, KEDS, CO<sub>2</sub>

- USDA trailer didn't work when they got it to the site, but the subject matter expert was able to cobble a solution together
- Disposal: incineration, burial, compost
- Always have back up plans for disposal (land fill backed out 10 minutes after teleconference)
- Equipment needs to be maintained
- Determine carwash locations and hours of operation
- Garbage bags are easy to overload
- Owners can video and post
- Most common concern was for human health but the state dept of health did a good job,
- Owners frequently refused on-site disposal
- Surveillance contacts in control zone often resented second call

#### Julie Wallin – NADPRP Program

- National Agricultural Veterinary Vaccine Concentrate/Countermeasures(?) Bank \$58.6M
- NADPRP \$22.1M
- NAHLN \$16.9m
- Joint NAHLN/NADPRP \$4.3M focused on developing FAD test kits
- Took a while to get geared up, 15M going to NAVVCB, 18M to NADPRP (0.5M Tribal opportunity, 0.5M to nationally coordinated, APHIS-led projects), \$5.25M in noncompetitive operational support
- \$30M per year keeps coming until Congress changes appropriation, if they manage to pass a farm bill in 2023, they might change it

## ADT (Animal Disease Traceability)

#### State Initiatives to Enhance ADT

- Mitch Fredin, Fredin Brothers Cattle, was one of the drivers for development of the Vet Sentry eICVI system as their buyers frequently find
  - Janemarie Hennebelle – Bilateral State Agreements to Move Salebarn Cattle on Alternative Shipment Documents
  - Andy Schwarz – 0-5 or 7-day-old dairy calves from specific operations to a ~75,000 calf ranch
  - David Hecimovich – Ground Up Support of Animal Disease Traceability
- 
- Rod Hall - all markets participating in GA interstate agreement program,
  - David: Resistance in WA about electronic? RFID tagged animals save \$2.79 at the markets.
  - What do you think about states with mandates to continue to offer paper CVIS? Continue to benchmark and work to sell value of electronic movement records and find ways to incentivize participation
  - Charlie Broadus calves added? Need reinspected
  - Janemarie - started out by asking to raise the price - leadership didn't like the price increase but we're happy to eliminate paper CVIS. Took 8 months and rollout, said they could use any paper

they had and said that's all you're going to get. ADT coordinator and vet show mixed practitioners how to use electronic CVIs. 95% of outgoing GA CVIs are electronic

- Dave - researched several systems and sat down with cattlemen's group and IT and decided to build their own. Savings of RFIDs at market is related to identification fee: \$4/hd for non-IDed vs. \$1.29 for RFIDed cattle. Scott asked about brand dept w/ IDs - Dave: producer calls and when brand inspectors can't get there for days so brand inspectors are at points of concentration and owners have to provide proof of ownership with ID
- Andy - how to reconcile death loss and get survivors TB tested - rely on dairies to record updates on receipt
- General Questions:
- Ethan Andreas: cow calf state and primarily an exporter - now feeding industry is developing and industry is looking to remove restrictions and wondering about preemption - Mr. Shea and VS is working to develop common sense policy regarding preemption
- Justin Smith: GA where is the accountability without the 3rd party there and how are additional requirements such as Trich enforced in alternative movement documents- GA is moving a lot of beef cows that don't have additional testing requirements, so that is working well. GA is also doing a better job now of auditing than they were with the paper system.
- Dave: SAHOs: what's more important paper document or the data on the document.
- Thach: CVIs are important but ... Rod : we need oversight and if we don't have that and leave it to the producers, they will not be held accountable. Tony
- Dee Ellis: mid level practitioner could serve a role here
- Res 2019Res34 – no substantive discussion – closed out
- 2019Res35 – no substantive discussion – closed out
- Ken ran through history and motivation for CattleTrace. Marty suggested that CattleTrace should not be named specifically in the resolution – Thach explained the line of reasoning supporting specific identification of CattleTrace in the resolution
- Rod said “departments” rather than officials was not a big deal so changed to “official”
- Funding – Packers are paying 76% of the current CattleTrace budget

## Global Animal Health and Trade

WOAH Delegates Meeting – [Paul.G.Egrie@usda.gov](mailto:Paul.G.Egrie@usda.gov)

- BSE chapter not adopted – Draft chapter is still on the internet site – might be tweaked based on recent discussions, we'll find out in November – Need to see what the African Union and European Union concerns are and then see if
- Americas Region: 32 countries from Canada to Chile – Rosemary Sifford is the Director General – Countries meet 3 times per year separate from WOAHA - WOAHA
- [United Nations Environment Program \(UNEP\)](#)
- Gary doesn't know what the implications of this are but thinks this could well have significant impacts on U.S. agriculture
- Possible to incorporate Bluetongue serology into WOAHA standards

Amy Delgado – CEAH Global Monitoring

High Consequence disease => assess hazards and strategies to prevent

ASF  
HPAI  
Japanese Encephalitis  
Lumpy Skin  
Sheep & Goat Pox  
Crimean-Congo Hemorrhagic fever  
Rift Valley  
Nipah  
FMD  
CSF

Methods for monitoring: WOA, WAHIS – CEAH is the focal point for reporting, FAO – NVSL and FADDL report to these, NAHLN, EMRS are all examples of reporting sources

Global monitoring is done using 1) foreign govt press release, 2) Global media reports, 3) identifying emerging disease

USDA APHIS International Services, FAO contact, and official govt sites used to verify information that comes up

Swine Health Information Center, Monitoring bird movement (Bird CAST – radar data on bird movement produces millions of birds in flight in a 24 hour period)

Much of the information is stored internally – WAHIS data used internally through a dashboard under development

External reports (from CEAH) go to APHIS VS executives and other sectors within the agency, NBIC liaison, factsheets

SHIC Megan Niederwerder - Swine Health Information Center

Formed in 2015 by funds from the Pork CheckOff

Tasked with monitoring and responding to global disease (surveillance), surveil U.S. data, targeting research funding

Monitoring endemic disease for drift in prevalence and pathogenicity

SDRS: monitor diagnostic laboratory data and produce timely reports IA-St, KS-St, U MN, SDSU, Perdue (IN) collecting data in the HL7 format

PRRS, IAV, PEDV, TGE, PDCoV seasonal fluctuations in submissions – dashboard updated daily

PRRS increases in fall & winter and the SDRS monitors realizations against expectations – e.g. 2020 increase motivated whole genome sequencing that identified the new PRRS strain 144C

Majority of PRRS virus infections seen in wean to market phase – when wean to market phase increases, increases in sow sector often follow – this motivated the wean to harvest biosecurity program

57 monthly reports, >500 events included from >50 countries, 6 immediate release reports

ASF in the Dominican Republic is an example of a strategic partnership that has picked up all 1615 outbreaks rather than the only 224 reported to WOAHA

H1N1 swine influenza A pandemic potential virus reported in China – SHIC gathered additional information for tempered perspective

SHIC investigated UK FMD false alarm

FMD Indonesia mapped by Sol's on-the-ground contacts

ASF in Italy immediate release report made the day ASF was reported in Italy

#### APHIS FAD Regionalization Agreements and Compartmentalization Efforts

– Joyce Boyling-Heyward (Joyce.W.Bowling-Heyward@usda.gov), Regionalization Evaluation Services / Trade Policy Group, Shanna Siegel (Shanna.Siegel@usda.gov) – National Director Live Animal Imports and Exports

#### Zoning

- a clearly defined region that contains a subpopulation with a distinct health status – relies on geographic boundaries to delineate the area defined for animal health
- Exporting region must demonstrate transparency in reporting, willingness to accept audits from importing regions, competence in traceability and movement controls, good track record in implementation, excellent surveillance in both free and affected areas
- Some countries are not comfortable with 10k control zones
- The goal is to negotiate restrictions to the smallest geographic area possible. Maintenance of Poultry trade in the face of HPAI is an example of the success of these efforts. Screw worm outbreak is another example, as is Vesicular Stomatitis outbreak
- Zoning implementation can be Country, State, County, 10k control zone, or premise level.
- What are outbreak response policies, how reliable is surveillance, how are borders policed to ensure compliance with policies, what are movement restrictions
- What is the laboratory capacity and what is the reliability of that laboratory capacity

#### Compartmentalization

- Common management system implementing biosecurity – this heavily relies on management practices to ensure exclusion of disease and support claims of freedom from disease
- Negotiations always start with zoning and regionalization and compartmentalization is an adjunct to this
- Currently, compartmentalization applies only to poultry nucleus and multipliers related to HPAI and Newcastle Disease
- Cost of additional biosecurity is justified by business imperatives – e.g. genetic nuclei and multipliers that have to move products that take much lead time to produce
- Hong Kong and Indonesia are the only countries that accept compartments – HPAI 2022 provides the test basis to claim proper functioning of compartments in the face of stern challenge

#### Protection Zones



- ASF presents a lot of risk – an outbreak in Puerto Rico or U.S. Virgin Islands could shut down pork exports from all of the U.S.
- The protection zone separates PR and the USVI from the rest of the U.S.
- Processes:
  - Restrict movement out
  - Implement surveillance sufficient to rapidly detect incursion
  - Increase lab capacity
  - Public education campaign to increase individual farm biosecurity
- 6 countries so far have accepted the protection zone to date – many are hanging back to see what other countries accept – HPAI is a distraction that actually provides an opportunity to demonstrate capabilities

## Committee on Farmed Cervidae

- FY22 – 23 new positive herds (18 deer, 3 elk, 2 mixed species)
- Of the 23, 6 were HCP certified, 2 enrolled but not certified, and 15 were not enrolled in an HCP
- 19 of the 23 herds are within 20 miles of detected wildlife cases
- 6 positive HCP herds in 1,837 enrolled HCP herds or a 0.3% positive rate
- Since 2016, 145,676 CWD tests of farmed Cervidae in 28 HCP states
- FY22 – 20,005 tests of the 285,589 animals in inventory

## Food Safety Symposium

### Mycobacterium tuberculosis complex

- TB responders 4.9% responders in 1917 down to basically the rate of false positive responses now
- 2007 M bovis in UK consuming unpasteurized dairy product
- PVM Ciabrone Locia 2020 slaughter house testing – not found in air filters and clothes, but found in meat approved for consumption, hands of one worker, carcass wash water, one other
- Acid-fast bacteria more resistant to disinfectants =>cleaning and disinfection must be separate steps
- In 2015, Israeli CVO decided to suspend skin testing of cattle and rely solely on slaughter surveillance – only positive cases were not picked up by intradermal tests but later found by slaughter surveillance –
- Devora case (first case in 19 years): 2017 import of 254 Portuguese calves, Aug 2018 imported to Israel and Palestinian territories, Dec 2018 M caprae infection with uncharacteristic biliary granuloma
- Portuguese herds had to be tested every 3 years and animals imported had to be test negative within 30 days
- Don't know whether it was local or imported infection
- 4 cases have shown up since then – some from Portugal and 1 from Romania (both M caprae and M bovis)
- WHO published 2017 Roadmap for Zoonotic Tuberculosis
- M bovis increasing in transnational residents along U.S.-Mexican border
-

- VS Bulletin 2022.1 Bovine Tuberculosis Testing Requirements for Mexican origin cattle coming into the U.S.
- Illegal imports of unpasteurized cheese, Ravel to Mex, Human to human trans
- Maoz Hayim
- March 2019 -> tested and slaughtered over and over
- TB in indoor cats fed commercial raw venison diet in UK in 2018, one owner tested positive
- Guidance issued for raw pet food, but that is not enforceable as regulation
- Hamat Geder – petting zoo with Chital deer sent to other zoos Feb-Mar 2021 – Culled all in July and 17 of 27 remaining deer were positive with M bovis on necropsy – subsequently tiger and lion died with M bovis infections picked up at slaughter – all the rest of the Chital deer were culled and many (80?) were found positive – was this really unforeseeable – positive dairy cattle in the area and positive beef cattle further to the south – wild boars roam the streets in Haifa area – preliminary results indicate wild boars can carry M bovis

## Veterinary Services Session

- Based upon comments received on the National List of Reportable Animal Diseases, the final rule will not require reporting to states due to confidentiality. Potential disease would be reported to the Feds, not the state. USDA will be reopening comments
- HPAI in 2022
  - 42 states vs. 15 in 15
  - 200 commercial premises and 12 backyard in 2015 vs. >200 backyard in 2022
  - Greater than 75% of cases are turkeys
  - Layers: 36.7M depopulations, 414.2M dozens of eggs decrease in supply, 26.4 increase in price on average
  - Broilers: 2.5M depopulations, 13.3M lbs decrease in supply, 0.1 percent increase in price per month on average
  - Turkeys: 7.1M depopulations, 88M lbs decrease in supply, 1.8 percent increase in price per month on average
- Lessons Learned from Industry
  - Test all unexplained mortalities (Rapid detection is key)
  - Need back up plans for depopulation and disposal
  - Continuous preparation needed

## Meeting with Administrator of USDA-APHIS, Kevin Shea

- With Szymanski met with USDA APHIS administrator and discussed several topics
  - Deployment of Montana-based USDA resources: A deployment of the only available USDA field staff in April left Montana without a federal VMO while HPAI was initially detected in the state.
  - Indemnity for brucellosis: currently, USDA aphis does not provide indemnity for brucellosis affected or suspected animals. The lack of indemnity is delaying diagnosis in a Montana herd because faced with a \$250 diagnostic purchase, the producer desires to salvage the meat for consumption. Logistical challenges are creating delays. Animal

Health Bureau will be submitting formal comments to USDA prior to the deadline on November 6th.

- Communication with USDA during disease events: USDA has strict policies to restrict IT systems to external parties including state partners. We requested that the ability to utilize teams chat that would include USDA and State personnel be allowed for a most efficient response.

## Other meetings

- Met with vendors of animal health management systems to discuss potential house Bill 10 submissions
- Met with National Pork Board staff on:
  - Depopulation exercise held in MT in August
  - Received invite to participate in a European Union mission on African Swine Fever response. Request for participation is based on:
    - State Animal Health official for Montana
    - Past President of the United States Animal Health Association
    - Ability to establish rapport with Polish representatives based on conversational fluency in Polish language
    - Relationships and competencies gained through this summer's National Pork Board exercise held in Montana
    - Long term advocacy against needless push for sampling premises in 2015-16 salmonella outbreak linked to roaster pigs and a slaughter facility in the state of Washington
    - Feral swine prevention activities in MT
    - Addressing disease risk from wildlife vector in MT

**STATE OF MONTANA**

**REQUEST AND JUSTIFICATION  
FOR OUT-OF-STATE TRAVEL**

<b>1) Agency Number/Name</b> Livestock		<b>2) Division</b> Animal Health & Food Safety	
<b>3) Org Number</b>	<b>4) Name of Person(s) Traveling/Employee ID#</b> Martin Zaluski		

**5) Justification**  
 National Pork Board has requested that Dr. Zaluski participate in a review of pork export programs in Poland, Germany and Belgium. These countries have addressed the threat of African Swine Fever (ASF) in European feral swine through various methods including isolating slaughter facilities, and construction of a physical barrier (wall). As Montana is an exporting state for livestock products, knowledge gained will also improve Montana’s preparedness and resilience to export disruptions caused by animal health diseases.

Costs of the trip with exception of salary is covered by the National Pork Board.

**6) Itinerary**  
**Destination:** Poland, Germany, Belgium  
**Travel Dates:** November 14-23

**7) Estimated Costs**

Transportation \$ 0	Meals \$ 0	Lodging \$ 0	Other \$
Total estimated cost \$			

Provide details to support estimated costs:  
 (Example: registration, taxi, etc. Provide Hotel Name and Phone Number if your Agency requires this information)

<b>8) Submitted By</b>	<b>Title</b>	<b>Date</b>
<i>Martin Zaluski</i>	Administrator	10/18/22

Approval of Authorized Agency Personnel per Department Policy			
Supervisor	Date	Administrator	Date
Dept. Head/Designee	Date		

**NOTE: A travel expense voucher form must be filed within three months after incurring the travel expenses, otherwise the right to reimbursement will be waived.**

## Zaluski, Marty

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**From:** Dustin Oedekoven <DOedekoven@pork.org>  
**Sent:** Thursday, October 13, 2022 10:16 AM  
**To:** Zaluski, Marty  
**Subject:** [EXTERNAL] Request for your participation - NPB funded EU ASF educational experience

Dear Dr. Zaluski,

Thank you for your interest in participating in an upcoming trip to learn about African Swine Fever (ASF) in Europe, as I have introduced to you via phone call. Restated, prevention and response preparedness for a potential ASF outbreak is a primary objective of the US pork industry. It has been estimated by ag economic research conducted at Iowa State University that an outbreak of ASF in the US could result in a \$50b impact to the economy over a 10 year period. The objective of this tour is to provide an opportunity for U.S. Pork producers and allied animal health professionals to learn from producers, veterinarians, and animal health officials in ASF affected countries in the EU including Poland, Germany, and Belgium. Producers will learn about the mitigation efforts that have been most effective in preventing further spread of ASF from the infected wild boar population, as well as controls preventing transmission between commercial producers. Lessons learned in biosecurity and disease control will also be an important takeaway. Participants will also gain an understanding of the extent to which ASF has impacted trade and domestic marketing. Participants will have a unique perspective from which to consider and provide input towards U.S. industry ASF priorities and future Pork Checkoff funded work that may be directed towards those priorities on behalf of the U.S. pork industry.

As the State Animal Health official for Montana, you were recently a key participant in a swine depopulation and disposal exercise last summer, designed to assist state and industry partners in MT to exercise foreign animal disease response plans. Additionally, I know that you understand the potential threat of disease transmission from feral swine, as we have discussed efforts in MT to prevent the introduction of these invasive animals via Montana's northern border. I'm also aware that your leadership experience as past president of the United States Animal Health Association has brought additional opportunities for you to interact with state and federal animal health officials, diagnosticians, academics, as well as industry professionals. As well, I am especially interested in your ability to establish rapport with our Polish representatives, based on your conversational fluency in the Polish language.

Dr. Zaluski, I sincerely hope you will join me and US pork producers on this educational experience. Please let me know if you have any questions.

Sincerely,

Dusty

**Dusty Oedekoven, DVM, DACVPM**

Chief Veterinarian  
P: 515-223-2634  
C: 605-280-6448  
[doedekoven@pork.org](mailto:doedekoven@pork.org)

**National Pork Board**



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# Board of Livestock Meeting

## Agenda Request Form

From: Alicia Love, MPH, RS, Bureau Chief		Division/Program: Animal Health/ Meat, Milk and Egg Inspection Bureau			Meeting Date: <b>October 26, 2022</b>			
<b><u>Agenda Item:</u> Hours of Operation Communication to meat &amp; poultry plants</b>								
As discussed in March of this year, certain plants not following their scheduled hours of operation continues to be a problem. Consequences of establishments not following their stated hours of operation include:								
<ol style="list-style-type: none"> <li>1. Cancelling operations with very little or no notice, leaving the bureau unable to adequately reschedule staff to other areas.</li> <li>2. An establishment may have staff on site but is not conducting activities related to their grant of inspection, and therefore travel costs and staff time are expended without providing inspection duties.</li> </ol>								
Therefore, the department is accruing unnecessary program costs through overtime, and travel. The bureau is proposing sending this letter to all licensed establishments to remind them of the regulatory requirement to operate during their listed hours and to provide adequate notice when their schedule needs modifications.								
Recommendation: APPROVE								
Time needed: 10 min		Attachments:	Yes	No X	Board vote required:		Yes X	No
<b><u>Agenda Item:</u> Request to hire 3 positions</b>								
Missoula/Kalispell relief position: employee resigned before completing training								
Billings position: new hire resigned								
Butte area position: Lori Mulcahy, who was with the department for several years, was offered and accepted a position with federal meat inspection.								
Recommendation: APPROVE								
Time needed: 5 min		Attachments:	Yes	No X	Board vote required:		Yes X	No
<b><u>Agenda Item:</u> Report from NASMFID conference</b>								
Recommendation: None								
Time needed: 5 min		Attachments:	Yes	No X	Board vote required:		Yes	No X
<b><u>Agenda Item:</u> FY 24 travel request - July 2023</b>								
Request to send Alicia Love to NEHA conference in New Orleans, LA, July 28 <sup>th</sup> – August 4 <sup>th</sup> , 2023, for a speaking engagement. The National Environmental Health Association Conference is an opportunity to network with other food safety professionals and gain Continuing Education Units. The Association has graciously offered to help cover some of the expenses associated with this travel.								
Recommendation: APPROVE								
Time needed: 5 min		Attachments:	Yes X	No	Board vote required:		Yes X	No
<b><u>Agenda Item:</u> FY 23 travel request - December 2022</b>								
Request to send Rosemary Hickey to required FDA training in Alameda, CA, December 5 – 9, 2022. This training is called Special Problems in Milk Protection and is required for State Ratings Officers.								

Recommendation: APPROVE						
Time needed: 5 min	Attachments:	Yes X	No	Board vote required:	Yes X	No
<b><u>Agenda Item:</u> Rule change proposal to ARM 32.8.202</b>						
The bureau has been made aware that two small, neighboring outlying communities have found themselves unable to procure properly dated milk due to the semi-retirement of the local jobber servicing their area, and unavailability of other jobbers or distributors to reach their area. This amendment would allow someone to petition the Board for an exemption to the "12-day rule" if they find themselves in such a predicament.						
Recommendation:						
Time needed: 15 min	Attachments:	Yes X	No	Board vote required:	Yes X	No



**STATE OF MONTANA**

**REQUEST AND JUSTIFICATION  
FOR OUT-OF-STATE TRAVEL**

<b>1) Agency Number/Name</b> Livestock		<b>2) Division</b> Meat, Milk & Egg Inspection	
<b>3) Org Number</b>	<b>4) Name of Person(s) Traveling/Employee ID#</b>  Alicia Love		

**5) Justification**  
 Alicia has been asked to speak at the National Environmental Health Association Conference in New Orleans, LA, July 29 - August 3, 2023. In addition to providing training, this will also count toward continuing education credits required to maintain her sanitarian license.  
  
 NEHA has offered to cover some of the expenses for this trip.

**6) Itinerary**  
**Destination:** New Orleans, LA  
**Travel Dates:** July 28 - August 4, 2023

**7) Estimated Costs**

Transportation \$ 600.00	Meals \$ 300.00	Lodging \$ 1,000.00	Other \$ 750.00
Total estimated cost \$ 2,650.00			

Provide details to support estimated costs:  
 (Example: registration, taxi, etc. Provide Hotel Name and Phone Number if your Agency requires this information)  
  
 Other is the registration fee for the conference.

<b>8) Submitted By</b>	<b>Title</b>	<b>Date</b>
<i>Alicia Love</i>	MPH, RS, Bureau Chief	10/17/22

Approval of Authorized Agency Personnel per Department Policy			
Supervisor	Date	Administrator	Date
Dept. Head/Designee	Date		

**NOTE: A travel expense voucher form must be filed within three months after incurring the travel expenses, otherwise the right to reimbursement will be waived.**  
 REVISED 11/17

**STATE OF MONTANA**

**REQUEST AND JUSTIFICATION  
FOR OUT-OF-STATE TRAVEL**

<b>1) Agency Number/Name</b> Livestock		<b>2) Division</b> Meat, Milk & Egg Inspection	
<b>3) Org Number</b>	<b>4) Name of Person(s) Traveling/Employee ID#</b> Rosemary Hickey		

**5) Justification**

As part of her requirements to maintain designation as our only State Ratings Officer, Ms. Hickey needs to attend FD577 SPECIAL PROBLEMS IN MILK PROTECTION, offered December 6-8 in Alameda, CA. The course was just announced October 14th.

Staff is working to secure training grant funds from AFDO to cover the cost of travel, registration for the course itself is free. Should grant funds not be available, funding would come from the milk program.

**6) Itinerary**

**Destination:** Alameda, CA

**Travel Dates:** December 5 - 9, 2022

**7) Estimated Costs**

Transportation \$ 500      Meals \$ 200      Lodging \$ 800      Other \$ 100

Total estimated cost \$ 1600

Provide details to support estimated costs:  
(Example: registration, taxi, etc. Provide Hotel Name and Phone Number if your Agency requires this information)

Flight Missoula to Oakland \$500  
4 nights lodging at discount rate of \$200/night - \$800  
Est baggage fees, parking fees, ground transportation \$100

<b>8) Submitted By</b>	<b>Title</b>	<b>Date</b>
<i>Darcy Alm for Rosemary Hickey</i>	Office Manager	10/17/22

**Approval of Authorized Agency Personnel per Department Policy**

Supervisor	Date	Administrator	Date
Dept. Head/Designee	Date		

**NOTE: A travel expense voucher form must be filed within three months after incurring the travel expenses, otherwise the right to reimbursement will be waived.**

BEFORE THE DEPARTMENT OF LIVESTOCK  
OF THE STATE OF MONTANA

In the matter of the amendment of	)	NOTICE OF PROPOSED
ARM 32.8.202 pertaining to TIME	)	AMENDMENT
FROM PROCESSING THAT FLUID	)	
MILK MAY BE SOLD FOR PUBLIC	)	NO PUBLIC HEARING
CONSUPTION	)	CONTEMPLATED
	)	

TO: All Concerned Persons

1. the Department of Livestock] proposes to amend the above-stated rule.

2. The Department of Livestock will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact Department of Livestock no later than 5:00 p.m. on December 12, 2022, to advise us of the nature of the accommodation that you need. Please contact Executive Officer, Department of Livestock, 301 N. Roberts St., Room 304, P.O. Box 202001, Helena, MT 59620-2001; telephone: (406) 444-9525; TTD number: 1 (800) 253-4091; fax: (406) 444-4316; e-mail: MDOLcomments@mt.gov.

3. The rules as proposed to be amended provides as follows, new matter underlined, deleted matter interlined:

32.8.202 TIME FROM PROCESSING THAT FLUID MILK MAY BE SOLD FOR PUBLIC CONSUMPTION (1) When 12 days or more have passed following pasteurization of a unit of grade A milk, there will be no quantities of that unit of milk sold as packaged.

(2) No grade A pasteurized milk may be put in any container marked with a sell-by date which is more than 12 days after pasteurization of the milk for sale in Montana.

(3) Unless otherwise agreed upon, the person who offers the milk for sale to the public is responsible for removing the milk at or before the expiration of the 12 days.

(4) Requests for exemption from this rule may be made to the Board of Livestock by entities in underserved locations that sell milk directly to end consumers or otherwise provide milk to the public.

(a) A request including supporting materials shall be submitted prior to a regularly scheduled board meeting.

(b) Exemptions granted by the board will expire after one year unless renewed by the board.

AUTH: 81-2-103, MCA  
IMP: 81-2-102, MCA

MAR Notice No. 32-22-333

REASON: The department proposes to amend the above rule to give outlying communities that are not serviced by licensed milk distributors or jobbers, or otherwise find themselves unable to procure properly dated milk for local stores and schools without significant expense and effort an avenue to request exemptions to the "12-day rule".

4. Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to: Department of Livestock, P.O. Box 202001, Helena, Montana, 59620-2001; telephone (406) 444-9321; fax (406) 444-1929; or e-mail MDOLcomments@mt.gov, and must be received no later than 5:00 p.m., December 16, 2022.

5. If persons who are directly affected by the proposed action wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing and submit this request along with any written comments to Executive Officer at the above address no later than 5:00 p.m., December 12, 2022.

6. If the agency receives requests for a public hearing on the proposed action from either 10 percent or 25, whichever is less, of the persons directly affected by the proposed action; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those directly affected has been determined to be [##] persons based on [reason for ##].

7. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in 4 above or may be made by completing a request form at any rules hearing held by the department.

8. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of this notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

9. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

10. With regard to the requirements of 2-4-111, MCA, the department has determined that the amendment of the above-referenced rules will not significantly and directly impact small businesses.

/s/ Darcy Alm  
Darcy Alm  
Rule Reviewer

/s/ Michael S. Honeycutt  
Michael S. Honeycutt  
Executive Officer  
Department Livestock

Certified to the Secretary of State [Month Day, 20##].



# Board of Livestock Meeting

## Agenda Request Form

From: Gregory Juda		Division/Program: MVDL			Meeting Date: 10/26/2022		
<b>Agenda Item: Request to hire replacement FTE recent resignation</b>							
Background Info: MVDL had a five-year employee in the clinical pathology section resign in September.							
Clinical Pathology Lab Technicians perform all diagnostic testing that includes blood cell counts and chemistry panels.							
MVDL is seeking Board approval to backfill this critical FTE laboratory position. The consequences of not filling this position include the possibility of operational disruption in the clinical pathology lab section and reduced testing and cross training redundancy.							
Recommendation: Approval to hire							
Time needed: 5 minutes		Attachments:	Yes	No X	Board vote required	Yes X	No
<b>Agenda Item: Operational update</b>							
Background info:							
<ul style="list-style-type: none"> <li>• Staffing update on molecular diagnostics hire and two front office receiving staff</li> <li>• Temporary worker in front office is doing an excellent job helping keep operations running smoothly</li> <li>• Combined lab facility <ul style="list-style-type: none"> <li>Next building design meetings are scheduled for week of November 7<sup>th</sup></li> <li>Max Grebe of LPW Architecture to provide update on interior and exterior of current lab design</li> </ul> </li> <li>• OOS travel request approved last meeting has been postponed until next year per NPIP staff request</li> </ul>							
Recommendation: N/A							
Time needed: 10 minutes		Attachments:	Yes	No X	Board vote required:	Yes	No X



# Board of Livestock Meeting

## Agenda Request Form

From: <b>Brian Simonson</b>		Division/Program: <b>Centralized Services</b>			Meeting Date: <b>10/26/2022</b>		
<b><u>Agenda Item:</u> September 30, 2022 State Special Revenue Report</b>							
Background Info: Report for month end comparisons of state special revenues.							
Recommendation: n/a							
Time needed: 10 min	Attachments:	Yes X	No	Board vote required:	Yes	No X	
<b><u>Agenda Item:</u> October 2022 through June 2023 Expenditure Projections</b>							
Background Info: Report expenditure projections by division and/or bureau and attached boards							
Recommendation: n/a							
Time needed: 15 min	Attachments:	Yes X	No	Board vote required	Yes	No X	
<b><u>Agenda Item:</u> September 30, 2022 Budget Status report</b>							
Background Info: Report expenditure to budget comparison report by division and/or bureau and attached boards. This report also compares current year expenditures to prior year expenditures.							
Recommendation: n/a							
Time needed: 5 min	Attachments:	Yes X	No	Board vote required:	Yes	No X	
<b><u>Agenda Item:</u> Follow-Up on Bison Per Capita Fee Requested Information</b>							
Background Info:							
Recommendation: n/a							
Time needed: 10 min	Attachments:	Yes	No X	Board vote required:	Yes	No X	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	

**MONTANA DEPARTMENT OF LIVESTOCK  
STATE SPECIAL REVENUE REPORT  
SEPTEMBER 30, 2022**



**DEPARTMENT OF LIVESTOCK  
STATE SPECIAL REVENUE COMPARISON FY 2023**

FY 2022 as of September 30, 2021	FY 2023 as of September 30, 2022	Difference September 30 FY22 & FY23	Budgeted Revenue FY 2023
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	A	B	C	D	E
Fund Description					
<b>02425 Brands</b>					
New Brands & Transfers	\$ 270,656	\$ 6,167	\$ (264,489)	\$ 34,760	
Re-Recorded Brands	116,176	207,878	91,702	831,500	
Security Interest Filing Fee	12,993	15,208	2,215	32,100	
Livestock Dealers License	8,050	4,500	(3,550)	103,000	
Field Inspections	38,273	31,011	(7,262)	310,000	
Market Inspection Fees	189,102	83,415	(105,687)	1,540,000	
Investment Earnings	604	51,830	51,226	20,000	
Other Revenues	8,910	9,634	724	99,473	
<b>Total Brands Division Revenue</b>	<b>\$ 644,764</b>	<b>\$ 409,643</b>	<b>\$ (235,121)</b>	<b>\$ 2,970,833</b>	
<b>02426 Per Capita Fee (PCF)</b>					
Per Capita Fee	\$ 231,645	\$ 139,411	\$ (92,234)	\$ 5,250,000	
Indirect Cost Recovery	-	48,659	48,659	444,930	
Investment Earnings	2,097	61,055	58,958	60,000	
Other Revenues	127	748	621	6,322	
<b>Total Per Capita Fee Revenue</b>	<b>\$ 233,869</b>	<b>\$ 249,873</b>	<b>\$ 16,004</b>	<b>\$ 5,761,252</b>	
<b>02701 Milk Inspection</b>					
Inspectors Assessment	\$ 71,855	\$ 73,205	\$ 1,350	\$ 325,000	
Investment Earnings	15	731	716	3,930	
<b>Total Milk Inspection</b>	<b>\$ 71,870</b>	<b>\$ 73,936</b>	<b>\$ 2,066</b>	<b>\$ 328,930</b>	
<b>02262 EGG GRADING</b>					
Inspectors Assessment	\$ 46,595	\$ 51,615	\$ 5,020	\$ 185,000	
<b>Total EGG GRADING</b>	<b>\$ 46,595</b>	<b>\$ 51,615</b>	<b>\$ 5,020</b>	<b>\$ 185,000</b>	
<b>06026 Diagnostic Lab Fees</b>					
*** Lab Fees	\$ 166,990	\$ 142,370	\$ (24,620)	\$ 1,500,000	
Other Revenues	352	3,223	2,871	4,000	
	<b>\$ 167,342</b>	<b>\$ 145,593</b>	<b>\$ (21,749)</b>	<b>\$ 1,504,000</b>	
<b>Combined State Special Revenue Total</b>	<b>\$ 1,164,440</b>	<b>\$ 930,660</b>	<b>\$ (233,780)</b>	<b>\$ 10,750,015</b>	
<b>Voluntary Wolf Donation Fund - per 81-7-123 MCA</b>					
** Donations	\$ 13,797	\$ 14,479	\$ 682	\$ 80,000	

\*\* Donations for the current fiscal year received as of September 30, 2022 is \$14,479. The total amount of donations received from inception of the voluntary wolf donation program is \$257,601 as of September 30, 2022. The Department has transferred \$243,124 of the voluntary wolf donations to Wild Life Services for predator control.

**MONTANA DEPARTMENT OF LIVESTOCK  
EXPENSE PROJECTION REPORT  
SEPTEMBER 30, 2022**

**MONTANA DEPARTMENT OF LIVESTOCK  
PROJECTED EXPENSE TO BUDGET COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION:** DEPARTMENT OF LIVESTOCK  
**PROGRAM:** DEPARTMENT OF LIVESTOCK

	Year-to-Date Actual Expenses September FY 2023	Projected Expenses October to June 2023	FY 2023 Projected Year End Expense Totals	FY 2023 Budget	Projected Budget Excess/ (Deficit)
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<b>BUDGETED FTE</b>	137.62
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	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
1	61100 SALARIES	\$ 1,262,996	\$ 5,767,736	\$ 7,030,732	\$ 7,129,014	\$ 98,282
2	61200 OVERTIME	27,267	201,143	228,410	205,399	(23,011)
3	61300 OTHER/PER DIEM	800	5,850	6,650	7,550	900
4	61400 BENEFITS	609,847	2,142,342	2,752,189	2,806,733	54,544
5	<b>TOTAL PERSONAL SERVICES</b>	<u>1,900,910</u>	<u>8,117,071</u>	<u>10,017,981</u>	<u>10,148,696</u>	<u>130,715</u>
<b>62000 OPERATIONS</b>						
7	62100 CONTRACT	246,115	1,484,630	1,730,745	1,791,815	61,070
8	62200 SUPPLY	328,168	801,688	1,129,856	1,124,018	(5,838)
9	62300 COMMUNICATION	26,718	213,370	240,088	234,538	(5,550)
10	62400 TRAVEL	34,370	138,206	172,576	166,447	(6,129)
11	62500 RENT	118,465	525,743	644,208	731,505	87,297
12	62600 UTILITIES	12,938	25,208	38,146	34,838	(3,308)
13	62700 REPAIR & MAINT	14,182	199,082	213,264	230,883	17,619
14	62800 OTHER EXPENSES	80,648	535,611	616,259	586,087	(30,172)
15	<b>TOTAL OPERATIONS</b>	<u>861,604</u>	<u>3,923,538</u>	<u>4,785,142</u>	<u>4,900,131</u>	<u>114,989</u>
<b>63000 EQUIPMENT</b>						
17	63100 EQUIPMENT	-	51,967	51,967	51,967	-
18	<b>TOTAL EQUIPMENT</b>	<u>-</u>	<u>51,967</u>	<u>51,967</u>	<u>51,967</u>	<u>-</u>
<b>68000 TRANSFERS</b>						
20	68000 TRANSFERS	-	342,481	342,481	342,481	-
21	<b>TOTAL TRANSFERS</b>	<u>-</u>	<u>342,481</u>	<u>342,481</u>	<u>342,481</u>	<u>-</u>
22	<b>TOTAL EXPENDITURES</b>	<u>\$ 2,762,514</u>	<u>\$ 12,435,057</u>	<u>\$ 15,197,571</u>	<u>\$ 15,443,275</u>	<u>\$ 245,704</u>
<b>23</b>						
<b>24 BUDGETED FUNDS</b>						
25	01100 GENERAL FUND	\$ 378,921	\$ 2,924,565	\$ 3,303,486	\$ 3,225,776	\$ (77,710)
26	02262 SHIELDED EGG GRADING FEES	33,986	138,585	172,571	343,891	171,320
27	02425 BRAND INSPECTION FEES	847,610	2,236,108	3,083,718	3,083,718	-
28	02426 PER CAPITA FEE	821,430	3,718,697	4,540,127	4,630,774	90,647
29	02427 ANIMAL HEALTH	-	5,721	5,721	5,721	-
30	02701 MILK INSPECTION FEES	70,582	267,146	337,728	353,176	15,448
31	02817 MILK CONTROL	50,820	127,955	178,775	279,900	101,125
32	03209 MEAT & POULTRY INSPECTION	185,172	940,435	1,125,607	1,125,607	-
33	03032 SHELL EGG FEDERAL INSPECTION FEES	1,777	10,563	12,340	14,403	2,063
34	03427 FEDERAL UMBRELLA PROGRAM	68,934	775,355	844,289	848,888	4,599
35	03673 FEDERAL ANIMAL HEALTH DISEASE GR	5,982	25,040	31,022	31,022	-
36	06026 DIAGNOSTIC LABORATORY FEES	297,300	1,264,887	1,562,187	1,500,399	(61,788)
37	<b>TOTAL BUDGETED FUNDS</b>	<u>\$ 2,762,514</u>	<u>\$ 12,435,057</u>	<u>\$ 15,197,571</u>	<u>\$ 15,443,275</u>	<u>\$ 245,704</u>

Due to the lag in timing that expenses are able to be posted to the accounting system, projected expenses are calculated using ten months to the end of the year instead of the anticipated nine months.

**MONTANA DEPARTMENT OF LIVESTOCK  
PROJECTED EXPENSE TO BUDGET COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION: CENTRALIZED SERVICES  
PROGRAM: CENTRAL SERVICES AND BOARD OF LIVESTOCK**

	Year-to-Date Actual Expenses September FY 2023	Projected Expenses October to June 2023	FY 2023 Projected Year End Expense Totals	FY 2023 Budget	Projected Budget Excess/ (Deficit)
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<b>BUDGETED FTE</b>	13.00
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	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
<b>61000 PERSONAL SERVICES</b>						
<b>1</b>	61100 SALARIES	\$ 157,590	\$ 675,384	\$ 832,974	\$ 801,109	\$ (31,865)
<b>2</b>	61300 OTHER/PER DIEM	600	3,650	4,250	4,500	250
<b>3</b>	61400 BENEFITS	66,539	225,380	291,919	280,107	(11,812)
<b>4</b>	TOTAL PERSONAL SERVICES	224,729	904,414	1,129,143	1,085,716	(43,427)
<b>5</b>						
<b>62000 OPERATIONS</b>						
<b>7</b>	62100 CONTRACT	36,359	127,819	164,178	179,414	15,236
<b>8</b>	62200 SUPPLY	59,335	32,694	92,029	131,380	39,351
<b>9</b>	62300 COMMUNICATION	4,505	41,581	46,086	46,447	361
<b>10</b>	62400 TRAVEL	2,195	11,163	13,358	22,384	9,026
<b>11</b>	62500 RENT	26,821	139,947	166,768	269,782	103,014
<b>12</b>	62700 REPAIR & MAINT	-	3,288	3,288	4,129	841
<b>13</b>	62800 OTHER EXPENSES	684	7,069	7,753	20,827	13,074
<b>14</b>	TOTAL OPERATIONS	129,899	363,561	493,460	674,363	180,903
<b>15</b>	<b>68000 TRANSFERS</b>					
<b>16</b>	68000 TRANSFERS	-	102,481	102,481	102,481	-
<b>17</b>	TOTAL TRANSFERS	-	102,481	102,481	102,481	-
<b>18</b>	<b>TOTAL EXPENDITURES</b>	<u>\$ 354,628</u>	<u>\$ 1,370,456</u>	<u>\$ 1,725,084</u>	<u>\$ 1,862,560</u>	<u>\$ 137,476</u>
<b>19</b>						
<b>20</b>	<b>BUDGETED FUNDS</b>					
<b>21</b>	02426 PER CAPITA	\$ 354,628	\$ 1,370,456	\$ 1,725,084	\$ 1,862,560	\$ 137,476
<b>22</b>	<b>TOTAL BUDGETED FUNDS</b>	<u>\$ 354,628</u>	<u>\$ 1,370,456</u>	<u>\$ 1,725,084</u>	<u>\$ 1,862,560</u>	<u>\$ 137,476</u>

Due to the lag in timing that expenses are able to be posted to the accounting system, projected expenses are calculated using ten months to the end of the year instead of the anticipated nine months.

**MONTANA DEPARTMENT OF LIVESTOCK  
PROJECTED EXPENSE TO BUDGET COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION: CENTRALIZED SERVICES  
PROGRAM: LIVESTOCK LOSS BOARD**

	Year-to-Date Actual Expenses September FY 2022	Projected Expenses October to June 2023	FY 2023 Projected Year End Expense Totals	FY 2023 Budget	Projected Budget Excess/ (Deficit)
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**BUDGETED FTE** 1.00

	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
<b>1</b>	61100 SALARIES	\$ 15,101	\$ 63,661	\$ 78,762	\$ 76,631	\$ (2,131)
<b>2</b>	61300 OTHER/PER DIEM	-	600	600	605	5
<b>3</b>	61400 BENEFITS	5,885	22,704	28,589	24,964	(3,625)
<b>4</b>	<b>TOTAL PERSONAL SERVICES</b>	<u>20,986</u>	<u>86,965</u>	<u>107,951</u>	<u>102,200</u>	<u>(5,751)</u>
<b>5</b>						
<b>62000 OPERATIONS</b>						
<b>7</b>	62100 CONTRACT	549	1,539	2,088	2,403	315
<b>8</b>	62200 SUPPLY	402	1,023	1,425	1,860	435
<b>9</b>	62300 COMMUNICATION	155	2,748	2,903	5,275	2,372
<b>10</b>	62400 TRAVEL	-	2,968	2,968	6,895	3,927
<b>11</b>	62500 RENT	567	2,833	3,400	8,494	5,094
<b>12</b>	62800 OTHER EXPENSES	-	1,101	1,101	1,434	333
<b>13</b>	<b>TOTAL OPERATIONS</b>	<u>1,673</u>	<u>12,212</u>	<u>13,885</u>	<u>26,361</u>	<u>12,476</u>
<b>14</b>	<b>TOTAL EXPENDITURES</b>	<u>\$ 22,659</u>	<u>\$ 99,177</u>	<u>\$ 121,836</u>	<u>\$ 128,561</u>	<u>\$ 6,725</u>
<b>15</b>						
<b>16 BUDGETED FUNDS</b>						
<b>17</b>	01100 GENERAL FUND	\$ 22,659	\$ 99,177	\$ 121,836	\$ 128,561	\$ 6,725
<b>20</b>	<b>TOTAL BUDGETED FUNDS</b>	<u>\$ 22,659</u>	<u>\$ 99,177</u>	<u>\$ 121,836</u>	<u>\$ 128,561</u>	<u>\$ 6,725</u>

Due to the lag in timing that expenses are able to be posted to the accounting system, projected expenses are calculated using ten months to the end of the year instead of the anticipated nine months.

**MONTANA DEPARTMENT OF LIVESTOCK  
PROJECTED EXPENSE TO BUDGET COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION:** CENTRALIZED SERVICES  
**PROGRAM:** MILK CONTROL BUREAU

	Year-to-Date Actual Expenses September FY 2023	Projected Expenses October to June 2023	FY 2023 Projected Year End Expense Totals	FY 2023 Budget	Projected Budget Excess/ (Deficit)
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**BUDGETED FTE** 0.00

	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
<b>1</b>	61100 SALARIES	\$ 24,051	\$ 70,814	\$ 94,865	\$ 168,661	\$ 73,796
<b>2</b>	61300 OTHER/PER DIEM	200	1,600	1,800	2,445	645
<b>3</b>	61400 BENEFITS	10,549	22,417	32,966	57,679	24,713
<b>4</b>	<b>TOTAL PERSONAL SERVICES</b>	<u>34,800</u>	<u>94,831</u>	<u>129,631</u>	<u>228,785</u>	<u>99,154</u>
<b>5</b>						
<b>62000 OPERATIONS</b>						
<b>7</b>	62100 CONTRACT	10,160	17,376	27,536	27,856	320
<b>8</b>	62200 SUPPLY	3,341	178	3,519	2,627	(892)
<b>9</b>	62300 COMMUNICATION	591	3,312	3,903	4,728	825
<b>10</b>	62400 TRAVEL	125	960	1,085	1,327	242
<b>11</b>	62500 RENT	1,394	8,371	9,765	11,080	1,315
<b>12</b>	62800 OTHER EXPENSES	409	2,927	3,336	3,497	161
<b>13</b>	<b>TOTAL OPERATIONS</b>	<u>16,020</u>	<u>33,124</u>	<u>49,144</u>	<u>51,115</u>	<u>1,971</u>
<b>14</b>	<b>TOTAL EXPENDITURES</b>	<u>\$ 50,820</u>	<u>\$ 127,955</u>	<u>\$ 178,775</u>	<u>\$ 279,900</u>	<u>\$ 101,125</u>
<b>15</b>						
<b>16 BUDGETED FUNDS</b>						
<b>17</b>	02817 MILK CONTROL	\$ 50,820	\$ 127,955	\$ 178,775	\$ 279,900	\$ 101,125
<b>18</b>	<b>TOTAL BUDGETED FUNDS</b>	<u>\$ 50,820</u>	<u>\$ 127,955</u>	<u>\$ 178,775</u>	<u>\$ 279,900</u>	<u>\$ 101,125</u>

Due to the lag in timing that expenses are able to be posted to the accounting system, projected expenses are calculated using ten months to the end of the year instead of the anticipated nine months.

**MONTANA DEPARTMENT OF LIVESTOCK  
PROJECTED EXPENSE TO BUDGET COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION:** ANIMAL HEALTH DIVISION - STATE VETERINARIAN  
**PROGRAM:** STATE VETERINARIAN IMPORT OFFICE

	Year-to-Date Actual Expenses September FY 2023	Projected Expenses October to June 2023	FY 2023 Projected Year End Expense Totals	FY 2023 Budget	Projected Budget Excess/ (Deficit)
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<b>BUDGETED FTE</b>	8.50
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	A	B	C	D	E	F
	61000 PERSONAL SERVICES					
<b>1</b>	61100 SALARIES	\$ 94,168	\$ 364,394	\$ 458,562	\$ 515,331	\$ 56,769
<b>2</b>	61400 BENEFITS	41,232	135,191	176,423	194,362	17,939
<b>3</b>	<b>TOTAL PERSONAL SERVICES</b>	<u>135,400</u>	<u>499,585</u>	<u>634,985</u>	<u>709,693</u>	<u>74,708</u>
<b>4</b>						
<b>5</b>	62000 OPERATIONS					
<b>6</b>	62100 CONTRACT	10,824	32,527	43,351	38,279	(5,072)
<b>7</b>	62200 SUPPLY	12,312	6,492	18,804	12,488	(6,316)
<b>8</b>	62300 COMMUNICATION	3,985	20,787	24,772	17,854	(6,918)
<b>9</b>	62400 TRAVEL	3,039	15,027	18,066	8,790	(9,276)
<b>10</b>	62500 RENT	1,649	9,262	10,911	6,444	(4,467)
<b>11</b>	62700 REPAIR & MAINT	777	3,445	4,222	2,326	(1,896)
<b>12</b>	62800 OTHER EXPENSES	4,679	19,444	24,123	14,079	(10,044)
<b>13</b>	<b>TOTAL OPERATIONS</b>	<u>37,265</u>	<u>106,984</u>	<u>144,249</u>	<u>100,260</u>	<u>(43,989)</u>
<b>14</b>	<b>TOTAL EXPENDITURES</b>	<u>\$ 172,665</u>	<u>\$ 606,569</u>	<u>\$ 779,234</u>	<u>\$ 809,953</u>	<u>\$ 30,719</u>
<b>15</b>						
<b>16</b>	<b>BUDGETED FUNDS</b>					
<b>17</b>	02426 PER CAPITA FEE	\$ 172,665	\$ 606,569	\$ 779,234	\$ 809,953	\$ 30,719
<b>18</b>	<b>TOTAL BUDGET FUNDING</b>	<u>\$ 172,665</u>	<u>\$ 606,569</u>	<u>\$ 779,234</u>	<u>\$ 809,953</u>	<u>\$ 30,719</u>

Due to the lag in timing that expenses are able to be posted to the accounting system, projected expenses are calculated using ten months to the end of the year instead of the anticipated nine months.

**MONTANA DEPARTMENT OF LIVESTOCK**  
**PROJECTED EXPENSE TO BUDGET COMPARISON REPORT**  
**SEPTEMBER 30, 2022**

**DIVISION:** ANIMAL HEALTH DIVISION - STATE VETERINARIAN  
**PROGRAM:** DESIGNATED SURVEILLANCE AREA (DSA) & FEDERAL ANIMAL HEALTH DISEASE GRANTS

	Year-to-Date Actual Expenses September FY 2023	Projected Expenses October to June 2023	FY 2023 Projected Year End Expense Totals	FY 2023 Budget	Projected Budget Excess/ (Deficit)
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**BUDGETED FTE** 5.75

	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
1	61100 SALARIES	\$ 35,048	\$ 295,264	\$ 330,312	\$ 330,634	\$ 322
2	61400 BENEFITS	17,717	106,082	123,799	123,907	108
3	<b>TOTAL PERSONAL SERVICES</b>	<u>52,765</u>	<u>401,346</u>	<u>454,111</u>	<u>454,541</u>	<u>430</u>
4						
<b>62000 OPERATIONS</b>						
6	62100 CONTRACT	73,912	966,805	1,040,717	1,041,673	956
7	62200 SUPPLY	9,014	16,698	25,712	26,399	687
8	62300 COMMUNICATION	693	10,383	11,076	11,498	422
9	62400 TRAVEL	1,620	5,222	6,842	7,222	380
#	62500 RENT	4,800	9,888	14,688	14,817	129
#	62700 REPAIR & MAINT	960	12,238	13,198	13,320	122
#	62800 OTHER EXPENSES	6,798	44,938	51,736	54,015	2,279
#	<b>TOTAL OPERATIONS</b>	<u>97,797</u>	<u>1,066,172</u>	<u>1,163,969</u>	<u>1,168,944</u>	<u>4,975</u>
#	68000 TRANSFERS	-	240,000	240,000	240,000	-
#	<b>TOTAL TRANSFERS</b>	<u>-</u>	<u>240,000</u>	<u>240,000</u>	<u>240,000</u>	<u>-</u>
#	<b>TOTAL EXPENDITURES</b>	<u>\$ 150,562</u>	<u>\$ 1,707,518</u>	<u>\$ 1,858,080</u>	<u>\$ 1,863,485</u>	<u>\$ 5,405</u>
#						
#	<b>BUDGETED FUNDS</b>					
#	01100 GENERAL FUND	\$ 81,628	\$ 932,163	\$ 1,013,791	\$ 1,014,597	\$ 806
#	03427 AH FEDERAL UMBRELLA	68,934	775,355	844,289	848,888	4,599
#	<b>TOTAL BUDGETED FUNDS</b>	<u>\$ 150,562</u>	<u>\$ 1,707,518</u>	<u>\$ 1,858,080</u>	<u>\$ 1,863,485</u>	<u>\$ 5,405</u>

Due to the lag in timing that expenses are able to be posted to the accounting system, projected expenses are calculated using ten months to the end of the year instead of the anticipated nine months.



**MONTANA DEPARTMENT OF LIVESTOCK  
PROJECTED EXPENSE TO BUDGET COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION:     DIAGNOSTIC LABORATORY  
PROGRAM:     DIAGNOSTIC LABORATORY**

	Year-to Date Actual Expenses FY 2023	Projected Expenses October 2022 to June 2023	Projected FY Expenses	FY 2023 Budget	Projected Excess/ (Deficit)
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<b>BUDGETED FTE</b>	22.00
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	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
<b>1</b>	61100 SALARIES	\$ 246,903	\$ 1,039,110	\$ 1,286,013	\$ 1,304,173	\$ 18,160
<b>2</b>	61400 BENEFITS	109,444	358,008	467,452	474,341	6,889
<b>3</b>	<b>TOTAL PERSONAL SERVICES</b>	<u>356,347</u>	<u>1,397,118</u>	<u>1,753,465</u>	<u>1,778,514</u>	<u>25,049</u>
<b>4</b>						
<b>62000 OPERATIONS</b>						
<b>6</b>	62100 CONTRACT	39,903	139,534	179,437	143,693	(35,744)
<b>7</b>	62200 SUPPLY	196,649	671,635	868,284	808,520	(59,764)
<b>8</b>	62300 COMMUNICATION	5,799	19,449	25,248	23,042	(2,206)
<b>9</b>	62400 TRAVEL	3,298	2,789	6,087	1,471	(4,616)
<b>10</b>	62500 RENT	24,039	72,463	96,502	87,997	(8,505)
<b>11</b>	62600 UTILITIES	7,938	24,708	32,646	29,338	(3,308)
<b>12</b>	62700 REPAIR & MAINT	4,835	149,038	153,873	184,814	30,941
<b>13</b>	62800 OTHER EXPENSES	17,920	55,369	73,289	69,654	(3,635)
<b>14</b>	<b>TOTAL OPERATIONS</b>	<u>300,381</u>	<u>1,134,985</u>	<u>1,435,366</u>	<u>1,348,529</u>	<u>(86,837)</u>
<b>63000 EQUIPMENT</b>						
<b>16</b>	63100 EQUIPMENT	-	51,967	51,967	51,967	-
<b>17</b>	<b>TOTAL EQUIPMENT</b>	<u>-</u>	<u>51,967</u>	<u>51,967</u>	<u>51,967</u>	<u>-</u>
<b>18</b>	<b>TOTAL EXPENDITURES</b>	<u>\$ 656,728</u>	<u>\$ 2,584,070</u>	<u>\$ 3,240,798</u>	<u>\$ 3,179,010</u>	<u>\$ (61,788)</u>
<b>19</b>						
<b>20 BUDGETED FUNDS</b>						
<b>21</b>	01100 GENERAL FUND	\$ 59,309	\$ 891,187	\$ 950,496	\$ 950,496	\$ -
<b>22</b>	02426 PER CAPITA FEE	294,137	402,956	697,093	697,093	-
<b>23</b>	03673 FEDERAL NATIONAL LAB NETWORK	5,982	25,040	31,022	31,022	-
<b>24</b>	06026 DIAGNOSTIC LABORATORY FEES	297,300	1,264,887	1,562,187	1,500,399	(61,788)
<b>25</b>	<b>TOTAL BUDGETED FUNDS</b>	<u>\$ 656,728</u>	<u>\$ 2,584,070</u>	<u>\$ 3,240,798</u>	<u>\$ 3,179,010</u>	<u>\$ (61,788)</u>

Due to the lag in timing that expenses are able to be posted to the accounting system, projected expenses are calculated using ten months to the end of the year instead of the anticipated nine months.

The Diagnostic Laboratory received additional NAHLN funding in the amount of \$156,178 for equipment purchases of \$134,700 and \$21,478 for equipment maintenance agreements.

**MONTANA DEPARTMENT OF LIVESTOCK  
PROJECTED EXPENSE TO BUDGET COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION: MILK & EGG BUREAU**  
**PROGRAM: MILK AND EGG / SHIELDED EGG GRADING**

	Year-to-Date				
	Actual	Projected	Projected FY	Projected	Projected
	Expenses	Expenses	2021	FY 2023	Excess/
	September	October to	2021	Budget	(Deficit)
	FY 2023	June 2023	Expenses		

**BUDGETED FTE** 6.75

	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
1	61100 SALARIES	\$ 52,421	\$ 242,960	\$ 295,381	\$ 351,130	\$ 55,749
2	61200 OVERTIME	288	3,070	3,358	-	(3,358)
3	61400 BENEFITS	27,531	86,826	114,357	147,102	32,745
4	TOTAL PERSONAL SERVICES	80,240	332,856	413,096	498,232	85,136
5						
<b>62000 OPERATIONS</b>						
7	62100 CONTRACT	11,118	37,990	49,108	132,713	83,605
8	62200 SUPPLY	6,604	2,825	9,429	6,216	(3,213)
9	62300 COMMUNICATION	149	5,699	5,848	6,049	201
10	62400 TRAVEL	1,684	11,751	13,435	20,261	6,826
11	62500 RENT	1,736	11,875	13,611	21,822	8,211
12	62700 REPAIR & MAINT	1,187	459	1,646	674	(972)
13	62800 OTHER EXPENSES	3,627	12,839	16,466	25,503	9,037
14	TOTAL OPERATIONS	26,105	83,438	109,543	213,238	103,695
15	<b>TOTAL EXPENDITURES</b>	<u>\$ 106,345</u>	<u>\$ 416,294</u>	<u>\$ 522,639</u>	<u>\$ 711,470</u>	<u>\$ 188,831</u>
16						
<b>17 BUDGETED FUNDS</b>						
18	02262 SHIELDED EGG GRADING FEES	\$ 33,986	\$ 138,585	\$ 172,571	\$ 343,891	\$ 171,320
19	02701 MILK INSPECTION FEES	70,582	267,146	337,728	353,176	15,448
20	03202 SHELL EGG FEDERAL INSPECTION	1,777	10,563	12,340	14,403	2,063
21	<b>TOTAL BUDGET FUNDING</b>	<u>\$ 106,345</u>	<u>\$ 416,294</u>	<u>\$ 522,639</u>	<u>\$ 711,470</u>	<u>\$ 188,831</u>

Due to the lag in timing that expenses are able to be posted to the accounting system, projected expenses are calculated using ten months to the end of the year instead of the anticipated nine months.

**MONTANA DEPARTMENT OF LIVESTOCK  
PROJECTED EXPENSE TO BUDGET COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION:** MEAT & POULTRY INSPECTION PROGRAM  
**PROGRAM:** MEAT INSPECTION

	Year-to-Date Actual Expenses September FY 2023	Projected Expenses October to June 2023	FY 2023 Projected Year End Expense Totals	FY 2023 Budget	Projected Budget Excess/ (Deficit)
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<b>BUDGETED FTE</b>	24.50
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	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
<b>1</b>	61100 SALARIES	\$ 176,326	\$ 885,640	\$ 1,061,966	\$ 1,093,867	\$ 31,901
<b>2</b>	61200 OVERTIME	17,213	49,147	66,360	67,228	868
<b>3</b>	61400 BENEFITS	97,924	368,085	466,009	468,265	2,256
<b>4</b>	TOTAL PERSONAL SERVICES	<u>291,463</u>	<u>1,302,872</u>	<u>1,594,335</u>	<u>1,629,360</u>	<u>35,025</u>
<b>5</b>						
<b>62000 OPERATIONS</b>						
<b>7</b>	62100 CONTRACT	19,652	54,231	73,883	69,167	(4,716)
<b>8</b>	62200 SUPPLY	9,646	10,142	19,788	26,146	6,358
<b>9</b>	62300 COMMUNICATION	1,101	21,573	22,674	20,719	(1,955)
<b>10</b>	62400 TRAVEL	11,925	67,565	79,490	65,304	(14,186)
<b>11</b>	62500 RENT	26,739	130,961	157,700	124,530	(33,170)
<b>12</b>	62700 REPAIR & MAINT	1,111	17,200	18,311	2,685	(15,626)
<b>13</b>	62800 OTHER EXPENSES	38,860	343,650	382,510	325,539	(56,971)
<b>14</b>	TOTAL OPERATIONS	<u>109,034</u>	<u>645,322</u>	<u>754,356</u>	<u>634,090</u>	<u>(120,266)</u>
<b>15</b>	<b>TOTAL EXPENDITURES</b>	<u>\$ 400,497</u>	<u>\$ 1,948,194</u>	<u>\$ 2,348,691</u>	<u>\$ 2,263,450</u>	<u>\$ (85,241)</u>
<b>16</b>						
<b>17 BUDGETED FUNDS</b>						
<b>18</b>	01100 GENERAL FUND	\$ 215,325	\$ 1,002,038	\$ 1,217,363	\$ 1,132,122	\$ (85,241)
<b>19</b>	02427 ANIMAL HEALTH FEES	-	5,721	5,721	5,721	-
<b>20</b>	03209 MEAT & POULTRY INSPECTION	185,172	940,435	1,125,607	1,125,607	-
<b>21</b>	<b>TOTAL BUDGET FUNDING</b>	<u>\$ 400,497</u>	<u>\$ 1,948,194</u>	<u>\$ 2,348,691</u>	<u>\$ 2,263,450</u>	<u>\$ (85,241)</u>

Due to the lag in timing that expenses are able to be posted to the accounting system, projected expenses are calculated using ten months to the end of the year instead of the anticipated nine months.

**MONTANA DEPARTMENT OF LIVESTOCK  
PROJECTED EXPENSE TO BUDGET COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION: BRANDS ENFORCEMENT  
PROGRAM: BRANDS ENFORCEMENT**

	Year-to-Date Actual Expenses September FY 2023	Projected Expenses October to June 2023	FY 2023 Projected Year End Expense Totals	FY 2023 Budget	Projected Budget Excess/ (Deficit)
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<b>BUDGETED FTE</b>	53.11
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	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
<b>1</b>	61100 SALARIES	\$ 461,388	\$ 2,130,509	\$ 2,591,897	\$ 2,487,478	\$ (104,419)
<b>2</b>	61200 OVERTIME	9,766	148,926	158,692	138,171	(20,521)
<b>3</b>	61400 BENEFITS	233,026	817,649	1,050,675	1,036,006	(14,669)
<b>4</b>	<b>TOTAL PERSONAL SERVICES</b>	<b>704,180</b>	<b>3,097,084</b>	<b>3,801,264</b>	<b>3,661,655</b>	<b>(139,609)</b>
<b>5</b>						
<b>62000 OPERATIONS</b>						
<b>7</b>	62100 CONTRACT	43,638	106,809	150,447	156,617	6,170
<b>8</b>	62200 SUPPLY	30,865	60,001	90,866	108,382	17,516
<b>9</b>	62300 COMMUNICATION	9,740	87,838	97,578	98,926	1,348
<b>10</b>	62400 TRAVEL	10,484	20,761	31,245	32,793	1,548
<b>11</b>	62500 RENT	30,720	140,143	170,863	186,539	15,676
<b>12</b>	62600 UTILITIES	5,000	500	5,500	5,500	-
<b>13</b>	62700 REPAIR & MAINT	5,312	13,414	18,726	22,935	4,209
<b>14</b>	62800 OTHER EXPENSES	7,671	48,274	55,945	71,539	15,594
<b>15</b>	<b>TOTAL OPERATIONS</b>	<b>143,430</b>	<b>477,740</b>	<b>621,170</b>	<b>683,231</b>	<b>62,061</b>
<b>16</b>	<b>TOTAL EXPENDITURES</b>	<b>\$ 847,610</b>	<b>\$ 3,574,824</b>	<b>\$ 4,422,434</b>	<b>\$ 4,344,886</b>	<b>\$ (77,548)</b>
<b>17</b>						
<b>18 BUDGETED FUNDS</b>						
<b>19</b>	02425 BRAND INSPECTION FEES	\$ 847,610	\$ 2,236,108	\$ 3,083,718	\$ 3,083,718	\$ -
<b>20</b>	02426 PER CAPITA FEES	-	1,338,716	1,338,716	1,261,168	(77,548)
<b>21</b>	<b>TOTAL BUDGET FUNDING</b>	<b>\$ 847,610</b>	<b>\$ 3,574,824</b>	<b>\$ 4,422,434</b>	<b>\$ 4,344,886</b>	<b>\$ (77,548)</b>

Due to the lag in timing that expenses are able to be posted to the accounting system, projected expenses are calculated using ten months to the end of the year instead of the anticipated nine months.

The Brands division had employee termination payouts of \$26,198 and \$50,721 for the period ending September 30, 2022 and 2021, respectively.

**MONTANA DEPARTMENT OF LIVESTOCK  
EXPENSE COMPARISON REPORT  
SEPTEMBER 30, 2022**

**MONTANA DEPARTMENT OF LIVESTOCK  
BUDGETARY EXPENSE COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION: DEPARTMENT OF LIVESTOCK  
PROGRAM: DEPARTMENT OF LIVESTOCK**

BUDGET TO ACTUAL EXPENSE COMPARISON REPORT	FY 2023	Year-to-Date Actual Expenses September FY 2023	Prior Year Actual Expenses September FY 2022	Year to Year Comparison	Balance of Budget Available
	Budget				

<b>BUDGETED FTE</b>	137.62
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	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
1	61100 SALARIES	\$ 7,129,014	\$ 1,262,996	\$ 1,337,861	\$ (74,865)	\$ 5,866,018
2	61200 OVERTIME	205,399	27,267	46,787	(19,520)	178,132
3	61300 OTHER/PER DIEM	7,550	800	400	400	6,750
4	61400 BENEFITS	2,806,733	609,847	648,871	(39,024)	2,196,886
5	TOTAL PERSONAL SERVICES	<u>10,148,696</u>	<u>1,900,910</u>	<u>2,033,919</u>	<u>(133,009)</u>	<u>8,247,786</u>
6						
<b>62000 OPERATIONS</b>						
8	62100 CONTRACT	1,791,815	246,115	133,831	112,284	1,545,700
9	62200 SUPPLY	1,124,018	328,168	281,485	46,683	795,850
10	62300 COMMUNICATION	234,538	26,718	14,520	12,198	207,820
11	62400 TRAVEL	166,447	34,370	34,370	-	132,077
12	62500 RENT	731,505	118,465	112,668	5,797	613,040
13	62600 UTILITIES	34,838	12,938	-	12,938	21,900
14	62700 REPAIR & MAINT	230,883	14,182	42,157	(27,975)	216,701
15	62800 OTHER EXPENSES	586,087	80,648	18,907	61,741	505,439
16	TOTAL OPERATIONS	<u>4,900,131</u>	<u>861,604</u>	<u>637,938</u>	<u>223,666</u>	<u>4,038,527</u>
17	<b>63000 EQUIPMENT</b>					
18	63100 EQUIPMENT	51,967	-	-	-	51,967
19	TOTAL EQUIPMENT	<u>51,967</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>51,967</u>
20	<b>68000 TRANSFERS</b>					
21	68000 TRANSFERS	342,481	-	-	-	342,481
22	TOTAL TRANSFERS	<u>342,481</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>342,481</u>
23	TOTAL	<u>\$ 15,443,275</u>	<u>\$ 2,762,514</u>	<u>\$ 2,671,857</u>	<u>\$ 90,657</u>	<u>\$ 12,680,761</u>
24						
<b>25 FUND</b>						
26	01100 GENDERAL FUND	\$ 3,225,776	\$ 378,921	\$ 608,915	\$ (229,994)	\$ 2,846,855
28	02262 SHIELDED EGG GRADING FEES	343,891	33,986	33,952	34	309,905
29	02425 BRAND INSPECTION FEES	3,083,718	847,610	873,444	(25,834)	2,236,108
30	02426 PER CAPITA FEE	4,630,774	821,430	486,681	334,749	3,809,344
31	02427 ANIMAL HEALTH	5,721	-	-	-	5,721
32	02701 MILK INSPECTION FEES	353,176	70,582	53,811	16,771	282,594
33	02817 MILK CONTROL	279,900	50,820	37,760	13,060	229,080
34	03209 MEAT & POULTRY INSPECTION-FE	1,125,607	185,172	190,421	(5,249)	940,435
35	03032 SHELL EGG FEDERAL INSPECTION	14,403	1,777	1,509	268	12,626
36	03427 AH FEDERAL UMBRELLA	848,888	68,934	107,836	(38,902)	779,954
37	03673 FEDERAL ANIMAL HEALTH DISEAS	31,022	5,982	2,500	3,482	25,040
38	06026 DIAGNOSTIC LABORATORY FEES	1,500,399	297,300	275,028	22,272	1,203,099
39	TOTAL BUDGET FUNDING	<u>\$ 15,443,275</u>	<u>\$ 2,762,514</u>	<u>\$ 2,671,857</u>	<u>\$ 90,657</u>	<u>\$ 12,680,761</u>

The Department of Livestock is budgeted for \$15,443,275 including \$210,064 in 2021 budget carryforward and 137.62 FTE in FY 2023. Personal services budget is 19% expended with 20% of payrolls complete. Personal services expended as of September 2022 was \$133,009 lower than September 2021. Operations are 18% expended with 17% of the budget year lapsed. Operation expenses as of September 2022 were \$223,666 higher than September 2021. Overall, Department of Livestock total expenditures were \$90,657 higher than the same period last year. As of September 30, 2022, 18% of the department's budget has been expended.

**MONTANA DEPARTMENT OF LIVESTOCK  
BUDGETARY EXPENSE COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION:** CENTRALIZED SERVICES  
**PROGRAM:** CENTRAL SERVICES AND BOARD OF LIVESTOCK

BUDGET TO ACTUAL EXPENSE COMPARISON REPORT	FY 2023 Budget	Year-to-Date	Same Period	Year to Year Comparison	Balance of Budget Available
		Actual Expenses September FY 2023	Prior Year Actual Expenses September FY 2022		

**BUDGETED FTE** 13.00

	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
1	61100 SALARIES	\$ 801,109	\$ 157,590	\$ 156,597	\$ 993	\$ 643,519
2	61300 OTHER/PER DIEM	4,500	600	300	300	3,900
3	61400 BENEFITS	280,107	66,539	65,180	1,359	213,568
4	TOTAL PERSONAL SERVICES	1,085,716	224,729	222,077	2,652	860,987
5						
<b>62000 OPERATIONS</b>						
7	62100 CONTRACT	179,414	36,359	8,750	27,609	143,055
8	62200 SUPPLY	131,380	59,335	(395)	59,730	72,045
9	62300 COMMUNICATION	46,447	4,505	859	3,646	41,942
10	62400 TRAVEL	22,384	2,195	1,844	351	20,189
11	62500 RENT	269,782	26,821	40,197	(13,376)	242,961
12	62700 REPAIR & MAINT	4,129	-	111	(111)	4,129
13	62800 OTHER EXPENSES	20,827	684	249	435	20,143
14	TOTAL OPERATIONS	674,363	129,899	51,615	78,284	544,464
15	<b>68000 TRANSFERS</b>					
16	68000 TRANSFERS	102,481	-	-	-	102,481
17	TOTAL TRANSFERS	102,481	-	-	-	102,481
18	<b>TOTAL EXPENDITURES</b>	<b>\$ 1,862,560</b>	<b>\$ 354,628</b>	<b>\$ 273,692</b>	<b>\$ 80,936</b>	<b>\$ 1,507,932</b>
19						
<b>20 BUDGETED FUNDS</b>						
21	02426 PER CAPITA	\$ 1,862,560	\$ 354,628	\$ 273,692	\$ 80,936	\$ 1,507,932
22	<b>TOTAL BUDGETED FUNDS</b>	<b>\$ 1,862,560</b>	<b>\$ 354,628</b>	<b>\$ 273,692</b>	<b>\$ 80,936</b>	<b>\$ 1,507,932</b>

Central Services And Board Of Livestock is budgeted \$1,862,560 and 13.00 FTE in FY 2023 and is funded with per capita fees. Personal services budget is 21% expended with 20% of payrolls complete. The personal services expended through September 2022 was \$2,652 higher than September 2021. Operation expenses are 19% expended as of September 2022 and were \$78,284 higher than September 2021. Overall, CSD total expenditures were \$80,936 higher than the same period last year. As of September 30, 2022, CSD has expended 19% of the its budget.

**MONTANA DEPARTMENT OF LIVESTOCK  
BUDGETARY EXPENSE COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION:** CENTRALIZED SERVICES  
**PROGRAM:** LIVESTOCK LOSS BOARD

BUDGET TO ACTUAL EXPENSE COMPARISON REPORT	FY 2023 Budget	Year-to-Date	Same Period	Year to Year Comparison	Balance of Budget Available
		Actual Expenses September FY 2023	Prior Year Actual Expenses September FY 2022		

BUDGETED FTE	1.00
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	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
<b>1</b>	61100 SALARIES	\$ 76,631	\$ 15,101	\$ 15,397	\$ (296)	\$ 61,530
<b>2</b>	61300 OTHER/PER DIEM	605	-	50	(50)	605
<b>3</b>	61400 BENEFITS	24,964	5,885	5,968	(83)	19,079
<b>4</b>	TOTAL PERSONAL SERVICES	102,200	20,986	21,415	(429)	81,214
<b>5</b>						
<b>62000 OPERATIONS</b>						
<b>7</b>	62100 CONTRACT	2,403	549	417	132	1,854
<b>8</b>	62200 SUPPLY	1,860	402	-	402	1,458
<b>9</b>	62300 COMMUNICATION	5,275	155	195	(40)	5,120
<b>10</b>	62400 TRAVEL	6,895	-	258	(258)	6,895
<b>11</b>	62500 RENT	8,494	567	850	(283)	7,927
<b>12</b>	62700 REPAIR & MAINT	-	-	-	-	-
<b>13</b>	62800 OTHER EXPENSES	1,434	-	67	(67)	1,434
<b>14</b>	TOTAL OPERATIONS	26,361	1,673	1,787	(114)	24,688
<b>15</b>	<b>TOTAL EXPENDITURES</b>	<u>\$ 128,561</u>	<u>\$ 22,659</u>	<u>\$ 23,202</u>	<u>\$ (543)</u>	<u>\$ 105,902</u>
<b>16</b>						
<b>BUDGETED FUNDS</b>						
<b>18</b>	01100 GENERAL FUND	\$ 128,561	\$ 22,659	\$ 23,202	\$ (543)	\$ 105,902
<b>19</b>	<b>TOTAL BUDGETED FUNDS</b>	<u>\$ 128,561</u>	<u>\$ 22,659</u>	<u>\$ 23,202</u>	<u>\$ (543)</u>	<u>\$ 105,902</u>

In FY 2023, the Livestock Loss Board is budgeted \$128,561 with 1.00 FTE funded with general fund. The budget includes \$137 of 2021 budget carryforward. The personal services budget is 21% expended with 20% of payrolls complete. Personal services expended as of September 2022 was \$429 lower than September 2021. Operations are 6% expended with 17% of the budget year lapsed. Operation expenses as of September 2022 were \$114 lower than September 2021. Overall, Livestock Loss Board total expenditures were \$543 lower than the same period last year. As of September 30, 2022, LLB has expended 18% of the its budget.



**MONTANA DEPARTMENT OF LIVESTOCK  
BUDGETARY EXPENSE COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION:** CENTRALIZED SERVICES  
**PROGRAM:** MILK CONTROL BUREAU

BUDGET TO ACTUAL EXPENSE COMPARISON REPORT	FY 2023 Budget	Year-to-Date	Same Period	Year to Year Comparison	Balance of Budget Available
		Actual Expenses September FY 2023	Prior Year Actual Expenses September FY 2022		

<b>BUDGETED FTE</b>	3.00
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	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
1	61100 SALARIES	\$ 168,661	\$ 24,051	\$ 24,237	\$ (186)	\$ 144,610
2	61300 OTHER/PER DIEM	2,445	200	50	150	2,245
3	61400 BENEFITS	57,679	10,549	9,535	1,014	47,130
4	TOTAL PERSONAL SERVICES	228,785	34,800	33,822	978	193,985
5						
<b>62000 OPERATIONS</b>						
7	62100 CONTRACT	27,856	10,160	772	9,388	17,696
8	62200 SUPPLY	2,627	3,341	819	2,522	(714)
9	62300 COMMUNICATION	4,728	591	103	488	4,137
10	62400 TRAVEL	1,327	125	-	125	1,202
11	62500 RENT	11,080	1,394	2,234	(840)	9,686
12	62700 REPAIR & MAINT	-	-	-	-	-
12	62800 OTHER EXPENSES	3,497	409	10	399	3,088
13	TOTAL OPERATIONS	51,115	16,020	3,938	12,082	35,095
14	<b>TOTAL EXPENDITURES</b>	<b>\$ 279,900</b>	<b>\$ 50,820</b>	<b>\$ 37,760</b>	<b>\$ 13,060</b>	<b>\$ 229,080</b>
15						
<b>16 BUDGETED FUNDS</b>						
17	02817 MILK CONTROL	\$ 279,900	\$ 50,820	\$ 37,760	\$ 13,060	\$ 229,080
18	<b>TOTAL BUDGETED FUNDS</b>	<b>\$ 279,900</b>	<b>\$ 50,820</b>	<b>\$ 37,760</b>	<b>\$ 13,060</b>	<b>\$ 229,080</b>

In FY 2023, The Milk Control Bureau is budgeted \$279,900 and has 3.00 FTE. The bureau is funded with milk industry fees. The personal services budget is 15% expended with 20% of payrolls complete. Personal services expended as of September 2022 were \$978 higher than September 2021. Operations are 31% expended with 17% of the budget year lapsed. Operation expenses as of September 2022 were \$12,082 higher than September 2021. Overall, Milk Control Bureau total expenditures were \$13,060 higher than the same period last year. As of September 30, 2022, the Milk Control Bureau has expended 18% of its budget.

**MONTANA DEPARTMENT OF LIVESTOCK  
BUDGETARY EXPENSE COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION:** ANIMAL HEALTH DIVISION - STATE VETERINARIAN  
**PROGRAM:** STATE VETERINARIAN IMPORT OFFICE

BUDGET TO ACTUAL EXPENSE COMPARISON REPORT	FY 2023 Budget	Year-to-Date	Same Period	Year to Year Comparison	Balance of Budget Available
		Actual Expenses September FY 2023	Prior Year Actual Expenses September FY 2022		

**BUDGETED FTE** 8.50

	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
<b>1</b>	61100 SALARIES	\$ 515,331	\$ 94,168	\$ 82,823	\$ 11,345	\$ 421,163
<b>2</b>	61400 BENEFITS	194,362	41,232	43,523	(2,291)	153,130
<b>3</b>	TOTAL PERSONAL SERVICES	709,693	135,400	126,346	9,054	574,293
<b>4</b>						
<b>62000 OPERATIONS</b>						
<b>6</b>	62100 CONTRACT	38,279	10,824	4,440	6,384	27,455
<b>7</b>	62200 SUPPLY	12,488	12,312	7,143	5,169	176
<b>8</b>	62300 COMMUNICATION	17,854	3,985	1,855	2,130	13,869
<b>9</b>	62400 TRAVEL	8,790	3,039	1,638	1,401	5,751
<b>10</b>	62500 RENT	6,444	1,649	1,463	186	4,795
<b>11</b>	62700 REPAIR & MAINT	2,326	777	135	642	1,549
<b>12</b>	62800 OTHER EXPENSES	14,079	4,679	1,667	3,012	9,400
<b>13</b>	TOTAL OPERATIONS	100,260	37,265	18,341	18,924	62,995
<b>14</b>	TOTAL	\$ 809,953	\$ 172,665	\$ 144,687	\$ 27,978	\$ 637,288
<b>15</b>						
<b>16 FUND</b>						
<b>17</b>	02426 PER CAPITA FEE	\$ 809,953	\$ 172,665	\$ 144,687	\$ 27,978	\$ 637,288
<b>18</b>	TOTAL BUDGET FUNDING	\$ 809,953	\$ 172,665	\$ 144,687	\$ 27,978	\$ 637,288

The State Veterinarian Office includes Import and Alternative Livestock. In FY 2023, the State Veterinarian Import Office is budgeted \$809,953 with 8.50 FTE and is funded with 02426 per capita fees. The personal services budget is 19% expended with 20% of payrolls complete. Personal services expended as of September 2022 was \$9,054 higher than September 2021. Operations are 37% expended with 17% of the budget year lapsed. Operation expenses as of September 2022 were \$18,924 higher than September 2021. Animal Health has spent \$27,978 more than the same period in FY 2022. As of September 30, 2022 the Animal Health Import Office has expended 21% of its budget.

**MONTANA DEPARTMENT OF LIVESTOCK  
BUDGETARY EXPENSE COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION:** ANIMAL HEALTH DIVISION - STATE VETERINARIAN  
**PROGRAM:** DESIGNATED SURVEILLANCE AREA (DSA) & FEDERAL ANIMAL HEALTH DISEASE GRANTS

BUDGET TO ACTUAL EXPENSE COMPARISON REPORT	FY 2023 Budget	Year-to-Date	Same Period	Year to Year Comparison	Balance of Budget Available
		Actual Expenses September FY 2023	Prior Year Actual Expenses September FY 2022		

**BUDGETED FTE** 5.75

	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
1	61100 SALARIES	\$ 330,634	\$ 35,048	\$ 61,161	\$ (26,113)	\$ 295,586
2	61400 BENEFITS	123,907	17,717	29,887	(12,170)	106,190
3	<b>TOTAL PERSONAL SERVICES</b>	<b>454,541</b>	<b>52,765</b>	<b>91,048</b>	<b>(38,283)</b>	<b>401,776</b>
4						
<b>62000 OPERATIONS</b>						
6	62100 CONTRACT	1,041,673	73,912	37,614	36,298	967,761
7	62200 SUPPLY	26,399	9,014	24,694	(15,680)	17,385
8	62300 COMMUNICATION	11,498	693	567	126	10,805
9	62400 TRAVEL	7,222	1,620	4,203	(2,583)	5,602
10	62500 RENT	14,817	4,800	6,434	(1,634)	10,017
11	62700 REPAIR & MAINT	13,320	960	4,543	(3,583)	12,360
12	62800 OTHER EXPENSES	54,015	6,798	2,015	4,783	47,217
13	<b>TOTAL OPERATIONS</b>	<b>1,168,944</b>	<b>97,797</b>	<b>80,070</b>	<b>17,727</b>	<b>1,071,147</b>
14						
15	68000 TRANSFERS	\$ 240,000	-	-	-	240,000
16	<b>TOTAL TRANSFERS</b>	<b>240,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>240,000</b>
17	<b>TOTAL EXPENDITURES</b>	<b>\$ 1,863,485</b>	<b>\$ 150,562</b>	<b>\$ 171,118</b>	<b>\$ (20,556)</b>	<b>\$ 1,712,923</b>
18						
<b>19 BUDGETED FUNDS</b>						
20	01100 GENERAL FUND	\$ 1,014,597	\$ 81,628	\$ 63,282	\$ 18,346	\$ 932,969
21	03427 FEDERAL FUNDING	\$ 848,888	68,934	107,836	(38,902)	779,954
22	<b>TOTAL BUDGETED FUNDS</b>	<b>\$ 1,863,485</b>	<b>\$ 150,562</b>	<b>\$ 171,118</b>	<b>\$ (20,556)</b>	<b>\$ 1,712,923</b>

The Designated Surveillance Area (DSA) is budgeted for \$1,014,597 and 2.00 FTE in FY 2023 and is funded with General Funds. The Federal Animal Disease Grants is budgeted for \$848,888 and 3.75 FTE in FY 2023 and is funded with Federal Funds. The personal services budget is 12% expended with 20% of payrolls complete. Personal services expended as of September 2022 was \$38,283 lower than September 2021. Operations are 8% expended with 17% of the budget year lapsed. Operation expenses as of September 2022 were \$17,727 higher than September 2021. Overall, total expenditures were \$20,556 lower than the same period last year with 8% of the budget expended.

**MONTANA DEPARTMENT OF LIVESTOCK  
BUDGETARY EXPENSE COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION:           DIAGNOSTIC LABORATORY  
PROGRAM:           DIAGNOSTIC LABORATORY**

BUDGET TO ACTUAL EXPENSE COMPARISON REPORT	FY 2023 Budget	Year-to-Date	Prior Year	Year to Year Comparison	Balance of Budget Available
		Actual Expenses September FY 2023	Actual Expenses September FY 2022		

BUDGETED FTE	22.00
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	A	C	D	E	F	
<b>1</b>	<b>61000 PERSONAL SERVICES</b>					
<b>2</b>	61100 SALARIES	\$ 1,304,173	\$ 246,903	\$ 246,945	\$ (42)	\$ 1,057,270
<b>3</b>	61400 BENEFITS	474,341	109,444	108,937	507	364,897
<b>4</b>	TOTAL PERSONAL SERVICES	<u>1,778,514</u>	<u>356,347</u>	<u>355,882</u>	<u>465</u>	<u>1,422,167</u>
<b>5</b>						
<b>6</b>	<b>62000 OPERATIONS</b>					
<b>7</b>	62100 CONTRACT	143,693	39,903	16,503	23,400	103,790
<b>8</b>	62200 SUPPLY	808,520	196,649	240,395	(43,746)	611,871
<b>9</b>	62300 COMMUNICATION	23,042	5,799	1,900	3,899	17,243
<b>10</b>	62400 TRAVEL	1,471	3,298	305	2,993	(1,827)
<b>11</b>	62500 RENT	87,997	24,039	1,185	22,854	63,958
<b>12</b>	62600 UTILITIES	29,338	7,938	-	7,938	21,400
<b>13</b>	62700 REPAIR & MAINT	184,814	4,835	33,569	(28,734)	179,979
<b>14</b>	62800 OTHER EXPENSES	69,654	17,920	8,613	9,307	51,734
<b>15</b>	TOTAL OPERATIONS	<u>1,348,529</u>	<u>300,381</u>	<u>302,470</u>	<u>(2,089)</u>	<u>1,048,148</u>
<b>16</b>	<b>63000 EQUIPMENT</b>					
<b>17</b>	63100 EQUIPMENT	51,967	-	-	-	51,967
<b>18</b>	TOTAL EQUIPMENT	<u>51,967</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>51,967</u>
<b>19</b>	TOTAL	<u>\$ 3,179,010</u>	<u>\$ 656,728</u>	<u>\$ 658,352</u>	<u>\$ (1,624)</u>	<u>\$ 2,522,282</u>
<b>20</b>						
<b>21</b>	<b>BUDGETED FUNDS</b>					
<b>22</b>	01100 GENERAL FUND	\$ 950,496	\$ 59,309	\$ 324,857	\$ (265,548)	\$ 891,187
<b>23</b>	02426 PER CAPITA FEE	697,093	294,137	55,967	238,170	402,956
<b>24</b>	03673 FEDERAL ANIMAL HEALTH DISEASE	31,022	5,982	2,500	3,482	25,040
<b>25</b>	06026 DIAGNOSTIC LABORATORY FEES	1,500,399	297,300	275,028	22,272	1,203,099
<b>26</b>	TOTAL BUDGET FUNDING	<u>\$ 3,179,010</u>	<u>\$ 656,728</u>	<u>\$ 658,352</u>	<u>\$ (1,624)</u>	<u>\$ 2,522,282</u>

The diagnostic laboratory is budgeted for \$3,179,010 and 22 FTE in FY 2023. It is funded with general fund of \$950,496, per capita fees of \$697,093, federal funds of \$31,022, and lab testing fees of \$1,500,399 which includes 2021 per capita fee carryforward of \$27,782. Personal services are 20% expended with 20% of payrolls complete. Personal services expended as of September 2022 were \$465 higher than September 2021. Operations are 29% expended with 17% of the budget year lapsed. Operation expenses as of September 2022 were \$2,089 lower than September 2021. Overall, Diagnostic Laboratory total expenditures were \$1,624 lower than the same period last year. As of September 30, 2022, the Diagnostic Lab has expended 23% of its budget.

**MONTANA DEPARTMENT OF LIVESTOCK  
BUDGETARY EXPENSE COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION: MILK & EGG INSPECTION BUREAU**  
**PROGRAM: MILK AND EGG / SHIELDED EGG GRADING**

BUDGET TO ACTUAL EXPENSE COMPARISON REPORT		Year-to-Date Actual Expenses September FY 2023	Same Period Prior Year Actual Expenses September FY 2022	Year to Year Comparison	Balance of Budget Available
FY 2023 Budget					

BUDGETED FTE	6.75
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	A	B	C	D	E	G
61000 PERSONAL SERVICES						
1	61100 SALARIES	\$ 351,130	\$ 52,421	\$ 46,573	\$ 5,848	\$ 298,709
2	61102 OVERTIME	-	288	256	32	(288)
3	61400 BENEFITS	147,102	27,531	24,587	2,944	119,571
4	TOTAL PERSONAL SERVICES	498,232	80,240	71,416	8,824	417,992
5						
62000 OPERATIONS						
7	62100 CONTRACT	132,713	11,118	8,942	2,176	121,595
8	62200 SUPPLY	6,216	6,604	1,181	5,423	(388)
9	62300 COMMUNICATION	6,049	149	255	(106)	5,900
10	62400 TRAVEL	20,261	1,684	3,950	(2,266)	18,577
11	62500 RENT	21,822	1,736	2,317	(581)	20,086
12	62700 REPAIR & MAINT	674	1,187	-	1,187	(513)
13	62800 OTHER EXPENSES	25,503	3,627	1,211	2,416	21,876
14	TOTAL OPERATIONS	213,238	26,105	17,856	8,249	187,133
15	TOTAL	\$ 711,470	\$ 106,345	\$ 89,272	\$ 17,073	\$ 605,125
16						
17	<b>BUDGETED FUNDS</b>					
18	02262 SHIELDED EGG GRADING FEES	\$ 343,891	\$ 33,986	\$ 33,952	\$ 34	\$ 309,905
19	02701 MILK INSPECTION FEES	353,176	70,582	53,811	16,771	282,594
21	03032 SHELL EGG INSPECTION FEES	14,403	1,777	1,509	268	12,626
22	TOTAL BUDGET FUNDING	\$ 711,470	\$ 106,345	\$ 89,272	\$ 17,073	\$ 605,125

The total Milk & Egg program is budgeted \$711,470 with 6.75 FTE in FY 2023 funded with milk inspection fees, egg grading fees and federal shell egg inspection fees. The personal services budget is 16% expended with 20% of payrolls complete. Personal services expended as of September 2022 was \$8,824 higher than September 2021. Operation expense budget is 12% expended with 17% of budget year lapsed. Operation expenses as of September 2022 was \$8,249 higher than September 2021. The Milk & Egg Inspection Bureau total expenditures were \$17,073 higher than the same period last year. As of September 30, 2022, the Milk & Egg program has expended 15% of its budget.

**MONTANA DEPARTMENT OF LIVESTOCK  
BUDGETARY EXPENSE COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION: MEAT & POULTRY INSPECTION PROGRAM**  
**PROGRAM: MEAT INSPECTION**

BUDGET TO ACTUAL EXPENSE COMPARISON REPORT	FY 2023 Budget	Year-to-Date	Prior Year	Year to Year Comparison	Balance of Budget Available
		Actual Expenses September FY 2023	Actual Expenses September FY 2022		

**BUDGETED FTE** 24.50

	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
1	61100 SALARIES	\$ 1,093,867	\$ 176,326	\$ 191,355	\$ (15,029)	\$ 917,541
2	61102 OVERTIME	67,228	17,213	22,132	(4,919)	50,015
3	61400 BENEFITS	468,265	97,924	105,390	(7,466)	370,341
4	TOTAL PERSONAL SERVICES	<u>1,629,360</u>	<u>291,463</u>	<u>318,877</u>	<u>(27,414)</u>	<u>1,337,897</u>
5						
<b>62000 OPERATIONS</b>						
7	62100 CONTRACT	69,167	19,652	17,098	2,554	49,515
8	62200 SUPPLY	26,146	9,646	1,727	7,919	16,500
9	62300 COMMUNICATION	20,719	1,101	2,346	(1,245)	19,618
10	62400 TRAVEL	65,304	11,925	15,827	(3,902)	53,379
11	62500 RENT	124,530	26,739	30,135	(3,396)	97,791
12	62700 REPAIR & MAINT	2,685	1,111	82	1,029	1,574
13	62800 OTHER EXPENSES	325,539	38,860	1,903	36,957	286,679
14	TOTAL OPERATIONS	<u>634,090</u>	<u>109,034</u>	<u>69,118</u>	<u>39,916</u>	<u>525,056</u>
15	<b>TOTAL EXPENDITURES</b>	<u>\$ 2,263,450</u>	<u>\$ 400,497</u>	<u>\$ 387,995</u>	<u>\$ 12,502</u>	<u>\$ 1,862,953</u>
16						
<b>17 BUDGETED FUNDS</b>						
18	01100 GENERAL FUND	\$ 1,132,122	\$ 215,325	\$ 197,574	\$ 17,751	\$ 916,797
19	02427 ANIMAL HEALTH FEES	5,721	-	-	-	5,721
20	03209 MEAT & POULTRY INSPECTION-FE	1,125,607	185,172	190,421	(5,249)	940,435
21	TOTAL BUDGET FUNDING	<u>\$ 2,263,450</u>	<u>\$ 400,497</u>	<u>\$ 387,995</u>	<u>\$ 12,502</u>	<u>\$ 1,862,953</u>

In FY 2023, Meat Inspection is budgeted \$2,263,450 with 24.50 FTE and includes \$54,842 of 2021 budget carryforward, \$30,953 general fund and \$23,889 in federal funds. The bureau is funded with general fund of \$1,132,122, federal meat & poultry inspection funds of \$1,125,607 and \$5,721 of animal health fees levied from licensing as per 81-9-201(1)MCA. Personal services budget is 18% expended with 20% of payrolls complete. Personal services expended as of September 2022 was \$27,414 lower than September 2021. Operations are 17% expended with 17% of the budget year lapsed. Operation expenses as of September 2022 were \$39,916 higher than September 2021. Overall, Meat Inspection total expenditures were \$12,502 higher than the same period last year. As of September 30, 2022 the Meat Inspection program expended 18% of its budget.

**MONTANA DEPARTMENT OF LIVESTOCK  
BUDGETARY EXPENSE COMPARISON REPORT  
SEPTEMBER 30, 2022**

**DIVISION: BRANDS ENFORCEMENT DIVISION  
PROGRAM: BRANDS ENFORCEMENT**

BUDGET TO ACTUAL EXPENSE COMPARISON REPORT	FY 2023 Budget	Year-to-Date	Same Period	Year to Year Comparison	Balance of Budget Available
		Actual Expenses September FY 2023	Prior Year Actual Expenses September FY 2022		

**BUDGETED FTE** 53.11

	A	B	C	D	E	F
<b>61000 PERSONAL SERVICES</b>						
<b>1</b>	61100 SALARIES	\$ 2,487,478	\$ 461,388	\$ 512,773	\$ (51,385)	\$ 2,026,090
<b>2</b>	61200 OVERTIME	138,171	9,766	24,399	(14,633)	128,405
<b>3</b>	61400 BENEFITS	1,036,006	233,026	255,864	(22,838)	802,980
<b>4</b>	TOTAL PERSONAL SERVICES	<u>3,661,655</u>	<u>704,180</u>	<u>793,036</u>	<u>(88,856)</u>	<u>2,957,475</u>
<b>5</b>						
<b>62000 OPERATIONS</b>						
<b>7</b>	62100 CONTRACT	156,617	43,638	39,295	4,343	112,979
<b>8</b>	62200 SUPPLY	108,382	30,865	5,921	24,944	77,517
<b>9</b>	62300 COMMUNICATION	98,926	9,740	6,440	3,300	89,186
<b>10</b>	62400 TRAVEL	32,793	10,484	6,345	4,139	22,309
<b>11</b>	62500 RENT	186,539	30,720	27,853	2,867	155,819
<b>12</b>	62600 UTILITIES	5,500	5,000	-	5,000	500
<b>13</b>	62700 REPAIR & MAINT	22,935	5,312	3,717	1,595	17,623
<b>14</b>	62800 OTHER EXPENSES	71,539	7,671	3,172	4,499	63,868
<b>15</b>	TOTAL OPERATIONS	<u>683,231</u>	<u>143,430</u>	<u>92,743</u>	<u>50,687</u>	<u>539,801</u>
<b>16</b>	TOTAL	<u>\$ 4,344,886</u>	<u>\$ 847,610</u>	<u>\$ 885,779</u>	<u>\$ (38,169)</u>	<u>\$ 3,497,276</u>
<b>17</b>						
<b>18 BUDGETED FUNDS</b>						
<b>19</b>	02425 BRAND INSPECTION FEES	\$ 3,083,718	\$ 847,610	\$ 873,444	\$ (25,834)	\$ 2,236,108
<b>20</b>	02426 PER CAPITA FEES	1,261,168	-	12,335	(12,335)	1,261,168
<b>21</b>	TOTAL BUDGET FUNDING	<u>\$ 4,344,886</u>	<u>\$ 847,610</u>	<u>\$ 885,779</u>	<u>\$ (38,169)</u>	<u>\$ 3,497,276</u>

In FY 2023, Brands Enforcement is budgeted for \$4,344,886 with 53.11 FTE and includes \$127,303 of 2021 budget carryforward, \$13,717 in brands fees and \$113,586 in per capita fees. It is funded with brand inspection fees of \$3,083,718 and per capita fees of \$1,261,168. Personal services budget is 19% expended with 20% of payrolls complete. Personal services expended as of September 2022 was \$88,856 lower than September 2021. Operations are 21% expended with 17% of the budget year lapsed. Operation expenses as of September 2022 were \$50,687 higher than September 2021. Overall, Brands Enforcement total expenditures were \$38,169 lower than the same period last year. As of September 30, 2022, the Brands Division has expended 20% of its budget.