



# Montana Board of Livestock Meeting Minutes

(This Meeting was Open to the Public & By ZOOM)

February 27, 2024

MT Department of Livestock Board Room #319  
301 N. Roberts, Helena, Montana

## Board Members Present

Gene Curry, Chairman (cattle producer)

William Kleinsasser (swine producer)

Nina Baucus (cattle producer)

Jake Feddes (cattle producer)

(Alan Redfield, Greg Wichman and Lily Andersen attended the meeting by ZOOM.)

Greg Wichman departed from the meeting at 11:39 AM)

## Staff Present

Mike Honeycutt, EO

Donna Wilham, Adm. Assistant to EO

Brian Simonson, Deputy EO

Dr. Tahnee Szymanski, MT State Vet

Evan Waters, Centralized Services

Dr. Greg Juda, Director, MVDL

Rick Corder, Centralized Services

Dr. Merry Michalski, AH Bureau

Tom Shultz, Centralized Services

George Edwards, LLB

Dale Haylett, Centralized Services

Jay Bodner, Brands Enforcement

Mike Spatz, Centralized Services

Alicia Love, Meat, Milk & Egg Inspection

## Public Present

Governor Greg Gianforte

Lt. Governor Kristin Juras

Les Graham, MALAM

Dalin Tidwell, USDA Wildlife Services

John W. Rauser

Elk Creek Colony

BLF

Luke Hofer

Ellie Kenagy

John Grande

Shorty

Eli

Jacki Pierson

Greg

Peter

Ben Wipf

Celia Rigler, Governor's Office

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## MEETING CALLED TO ORDER

(:06) 7:59 AM

Chairman Gene Curry called the meeting to order at 7:59 AM

## CALL TO ORDER AND INTRODUCTIONS

(:06) 7:59 AM

Chairman Gene Curry said the first order of business was Introductions:

- Nina Baucus, Cattle Representative, north of Helena
  - Ms. Baucus reported that the roads coming into Helena that morning were fairly good, but said she understood they were icy north and around their place
  - Heifer calving had begun, Ms. Baucus said, and shearing was scheduled to start the following day, adding that she hoped it would warm up and the wind would quit before shearing would begin
- William Kleinsasser, Swine Representative, Augusta
  - Mr. Kleinsasser reported that prices in the hog industry had been starting to go up and the futures were looking good
  - They were about  $\frac{3}{4}$  done with calving, Mr. Kleinsasser said
  - A lot of moisture had been received during February
- Jake Feddes, Cattle Representative, Manhattan
  - With only about 50 left to calve, Mr. Feddes reported they were on the downhill slide of calving
  - It was less than two weeks until their annual bull sale and Mr. Feddes said that was always stressful
  - Mr. Feddes said he had begun talking to producers about marketing cattle as there was excitement with the futures and the way the price was looking, going up during the last month or so adding that overall, there was a lot of optimism in the cattle industry after having gone through a dip in prices around the first of the year
- Lily Andersen, Dairy & Poultry Representative, south of Livingston
  - Ms. Andersen apologized for not attending the BOL meeting in person, saying that she and Alan Redfield had both decided to attend by ZOOM because the roads were “absolutely horrible”
  - There was a lot of snow on the ground, Ms. Andersen said, but things were going pretty good over at their place
- Alan Redfield, Cattle Representative, Paradise Valley
  - Mr. Redfield reported that they had about 8-10 inches of snow and that his wife was very glad he was home
  - Calving was just barely getting started, Mr. Redfield said, with a couple heifers calving during the night
- Greg Wichman, Sheep Representative, Hilger, North of Lewistown
  - Mr. Wichman had not logged into the meeting yet
- Gene Curry, Cattle Representative, Valier
  - Mr. Curry reported that he had come to Helena the day before and that the roads were pretty good except for some ice from Cascade to Wolf Creek
  - They had started calving heifers on Sunday, Mr. Curry said, and he hadn't yet checked in with his granddaughter that morning, as she was on duty the night before. He said that with the all the heifers being Als, he assumed they would come fairly rapidly once they started

## **BOARD ADMINISTRATIVE ITEMS**

**(5:32) 8:05 AM**

**(5:32) 8:05 AM – BOARD APPROVAL OF PAST MEETING MINUTES**

Gene Curry requested approval of the minutes of the last BOL meeting

**MOTION/VOTE**

**(5:43) 8:05 AM**

**Nina Baucus moved to approve the minutes from the Montana Board of Livestock January 25, 2024 meeting. Jake Feddes seconded. The motion passed.**

Gene Curry said that, just for the record, even though three of the BOL members were not present in the room that day, there was still a quorum present, with four present in the room and those present by ZOOM

**(6:28) 8:05 AM – GOVERNOR REMARKS ON STATE BOARD GOVERNANCE, ROLES, RESPONSIBILITIES**

Gene Curry reported that there were two special guests, Governor Greg Gianforte and Lt. Governor Kristin Juras attending the meeting:

- Mr. Curry said that there had been a lot speculation as to why the Governor was attending the BOL meeting, but, he explained that he had previously spoken to the Lt. Governor about getting some board training, especially with two new BOL members, and had also mentioned that to the Governor as well
- Governor Greg Gianforte thanked Mr. Curry for inviting him and the Lt. Governor, saying that he was happy to come, as the topic he would be presenting on was near and dear to his heart
- Governor Gianforte said that the State had 160 boards, many of them advisory boards, and that between 1500-2000 appointments had been made to those boards since he had been in office
  - Governor Gianforte explained that former Senate President Mark Blasdel, headed up the nominating process for the State boards and that they strove for finding board members who could follow the responsibilities of a good board member and also give geographic representation across the state. He added that if there were constituent groups involved, they also tried to make sure their interests were represented as well
- The slide deck used for the presentation, Governor Gianforte said, had been used many times in presentations he had given. The Governor's presentation addressed board governance, roles and responsibilities
- Lt. Governor Juras said that they were striving to do more board training across the 160 boards across the State agencies and reminded the BOL that they did have Roberts Rules of Order training available online and that they would also be making online training available on public meeting laws
- The BOL was the only agency, Lt. Governor Juras said, whose designated head was the board, but that statute allowed the board to delegate a lot of the management and agency head responsibilities to the Executive Officer
- It was important for board members, the Governor said, to bring forward issues that were important to their sector, but he would rely on the Executive Director to bring solutions to the table. The Executive Director, once presented the nature of

the problem, could go work with experts within the department and with industry advocates to figure out a range of options

- Lt. Governor Juras added that it was deliberate that each of the various components of the agricultural livestock industry were represented on the board, but that overarchingly, their statutory duty was to the whole livestock industry
- Jake Feddes commented that even though there was not always a room full of attendees at the BOL meetings, in talking to livestock producers, overwhelmingly, they had said the DOL was running great and were happy with what was being done in the DOL. He said that showed that the Governor's Office had made some great board appointments and with Mike Honeycutt being a great Executive Officer, the BOL was doing a good job
- Consternation among stock growers, the Governor said, might not come because of what the BOL did, but might come because of a Federal rule, and one of the BOL's roles was to be a pressure-relief valve to make sure those stock growers had a voice so that the BOL could take a position based on their views

**(54:13) 8:54 AM RECESS**

**(54:20) 9:04 AM RECONVENE**

Gene Curry called the meeting back to order, adding that there would be a change in the agenda, with the Executive Officer Evaluation being pulled until the next meeting, due to not every BOL member being present in the room

## **CENTRALIZED SERVICES DIVISION REPORTS**

**(54:58) 9:04 AM**

Gene Curry requested that Brian Simonson introduce himself, for the record

Brian Simonson, Chief Financial Officer for the DOL and Centralized Services Division Administrator, introduced himself

**(55:16) 9:05 AM – FISCAL BUREAU**

Brian Simonson expressed his appreciation for moving the agenda around. He was scheduled to be in attendance at a Cabinet Meeting at 10:00 am

**(55:23) 9:05 AM Aerial Hunting**

Brian Simonson reported on the DOL Aerial Hunting Summary Report, which came out annually in January:

- Mr. Simonson explained that pilots permitted with the DOL to do aerial hunting did harvest reports twice a year and this was the time of year they also registered to hunt for the following year
- Currently, there were 31 permitted pilots with the DOL, Mr. Simonson said. The harvest numbers he was presenting were taken from those pilots and had nothing to do with USDA Wildlife Services numbers

- Mike Honeycutt said that this report also did not show the number of coyotes taken by the property owners themselves
- The map that Mr. Simonson presented showed the number of registered pilots for each county, but it did not necessarily match the number of coyotes harvested, as some of the pilots may not have sent their reports in as of yet, even though it was past the reporting deadline. He added that they were still engaging, trying to get all of the pilots' reports
- To receive a permit, Mr. Simonson explained that the pilot had to give the DOL at least one landowner signature for approval to hunt coyotes
- Mr. Honeycutt explained there were penalty statutes for people who violated aerial hunting. He said that aerial hunting was Federally illegal except for certain exemptions and that's why Montana's aerial hunting program was limited to coyotes and fox, because they weren't game species
  - When the DOL had received reports from the public regarding possible violations of the aerial hunting laws, Mr. Honeycutt said that usually the best description they could get from someone was the color of the aircraft, even though the tail number from the aircraft would help track it down to a person

**(1:03:35) 9:13 AM 2027 Biennium Budget Timeline Highlights**

Brian Simonson reported on the 2025 Legislative Session OBPP calendar listing due dates for submissions to them or the Legislature. It was divided into three areas, Budget & Development, Long-Range Planning and Legislation. The 2025 Legislative Session was set to begin on January 6, 2025:

- Mr. Simonson said that the calendar showed that the deadline for the EPP process was June 6, 2024. Mike Honeycutt said that meant that the BOL would need to approve EPP requests by May so we would be ready to submit the next biennium budget on June 6, 2024
  - One issue of concern in the EPP process that Mr. Simonson shared was that the Lab Supplies and Repair & Maintenance were a category where the DOL needed more operating dollars as they were falling behind on a regular basis
  - Also in the EPP request Mr. Simonson said, was possibly a different funding request for Milk Inspection funding. Mr. Honeycutt explained that because of the difficulty to keep Milk Inspection staffed and at a proper capacity level, the industry was currently on the hook to pay the fees and those fees had been running short of what was needed to run the program. And so a request for a possible fund shift to general fund could be requested
  - In the Meat & Poultry inspection area of the DOL, Mr. Honeycutt said that there were concerns that USDA funding could be reduced from the 50/50 matching funds the DOL had been receiving and wasn't sure that the DOL would know by the June 6, 2024 EPP request deadline what those matching funds would be from USDA

- Alan Redfield said when the budget numbers were being “crunched” the Legislature really has to have that done by April to get everything lined up so they could make a case for the budget
- Regarding the Long-Rang Planning column, Mr. Simonson said that the new Lab construction had been listed in that area in 2019, 2021, and 2023. Also something that could be listed in that column would be the HB10 Long-Term IT projects. Mr. Simonson said that the deadline for HB10 submissions was May 31, 2024
  - Mike Honeycutt explained that for HB10 dollars previously received, even if the project hadn’t been completed or expired, the money was set aside and sat over there until it was used up. He said that for the next biennium, any new things would need to be listed for the HB10 requests that were due for submission on May 31, 2024
    - Brian Simonson said that the HB10 budget might need to be augmented because of a proposal for an Animal Health software system
- There was only one item listed in the Legislative column, Mr. Simonson said, and that was the deadline for Legislative proposals to be submitted to OBPP in concept form
- Although there would be some Red Tape issues discussed during today’s meeting, Mr. Honeycutt invited industry partners and the BOL as well to bring forward concepts of any potential Legislative changes that the DOL would initiate. He cautioned though, if you’re going to bring legislation, your probably needed to be working on it now because if it was brought forward the 2<sup>nd</sup> week of the Session, there would probably be 4,000 bills that had been introduced already

**(1:22:18) 9:32 AM January 31, 2024 State Special Revenue Report**

Brian Simonson reported that the month of January was pretty much a non-event for State Special Revenue numbers and there were no big changes or anomalies that had occurred:

- Mr. Simonson reported that Field Inspection numbers didn’t change from the previous month but Market Inspection numbers improved by \$68,000
- Investment Earnings were \$125,411 better than at this time last year. Mr. Simonson said that the STIP report showed that the interest rate for last year at this time was 4.19% and this year was 5.42%
- The Per Capita numbers showing on the report were pre-deadline numbers, Mr. Simonson said, and that next time, there would be a more detailed report given. Already though, revenue was having good signals with numbers up \$202,000 compared to last year, Mr. Simonson reported
  - Mr. Honeycutt pointed out that producers were probably more familiar with the online reporting system this year than last year, which was the first year of the Department of Revenue using the new system. He added that another factor to consider was that the deadline for when Per Capita payments were due had moved up from previous years, now being due by March 1<sup>st</sup> instead of by May

- Mr. Simonson said that Milk Inspection numbers look appropriate compared to this time last year even with a couple dairies shutting down operations
- Egg Grading numbers also looked fine, he said
- Although the Lab was a little down from last year, Mr. Simonson said that for the month of January, they were still \$11,823 ahead of where they were overall year-to-date
- Mr. Simonson reported that there hadn't been much movement in the Wolf Donation fund, but with fishing licenses due March 1<sup>st</sup>, he expected that to change

**(1:27:08) 9:37 AM February 2024 Through June 2024 Budget Projections Report**

Brian Simonson reported that even though there had not been a lot of change going on from month-to-month in Budget Projections, if there was a change, it had to do with Evan Waters and his crew doing a pretty good job of working with Animal Health to align some expenses to Animal Disease Transfer (ADT) funds:

- Mr. Simonson explained that even though Personal numbers were a little down mostly because of overtime due to Brands Op Tempo, a big request had been put in the last EPP request to up overtime for \$95,000 in Brands and \$70,000 in Meat & Poultry
  - The extra overtime requests, Mr. Simonson said, were ongoing expenditure requests which go on indefinitely going forward and would also get the benefit of some inflationary adjustments
- Mr. Simonson said that the \$100,000 number in Contacts was built in historically for the Egg Program and CSD had some Contract authority in there as well
- The \$513,672 total Expenditures projection listed was a \$43,000 positive increase over the month of December
- A \$245,000 deficit was projected for the VDL because they were running behind in supplies and repairs. But, there was some money in the proprietary funds that would be used to up their authority to get there, Mr. Simonson said

**(1:31:46) 9:41 AM January 31, 2024 Budget Comparison Report**

Brian Simonson reported that there was one big number in this report that might be a concern to some people:

- Personal Services were listed as \$459,774 more than this time last year-to-date. Mr. Simonson explained that with the pay increases and the additional four FTE received through the EPP process for Meat & Poultry and the Brands Op Tempo, there was a \$1 million budgetary increase. Mr. Simonson further explained that with a lot of vacancies that occurred at this time last year, that number also looked worse than it should be
  - Even with all those factors, Mr. Simonson said that they were still projecting to be \$362,000 under budget in Personnel
- Lily Andersen questioned why the VDL ran with a deficit but money could be moved around for them but why did Milk not get to have money moved around to help with a solution for their deficit
  - Mike Honeycutt explained that the VDL had 3 funding sources that were all the VDL's money, including general fund, proprietary funds and per

- capita fee. He said that the general fund monies were for zoonotic testing and the Milk Lab. The per capita funding was used for livestock diagnostic disease testing. The proprietary funds were fees collected
- Brian Simonson said that as Milk Inspection stood right now, the only fee revenue associated with that program was State Special Revenue fee for services. He said that Milk Inspection was getting close to running short of cash but had plenty of authority and that year-to-date, there were \$55,000 more expenses than was taken in revenue so far in that area of the DOL
  - Mike Honeycutt further explained that the excess cash for Egg could not be moved to Milk because the fees collected for Egg Shield Grading were supposed to be spent towards the purpose for which they were collected
  - Lily Andersen reported that there was a Montana Milk Producers Association (MMPA) meeting scheduled for the next week and they planned to look at producers solutions at that time, looping in herself and Darigold as well
    - Mike Honeycutt said that if the producers came forward with a solution on the fee side, the BOL could enact that and still be asking the Legislature to change funds. But that once the cash pot ran dry, something would have to be done to cover those expenses until the next budget cycle began, which started on July 1, 2025
  - A point that Mr. Honeycutt brought up was that per capita fee was a fund source restricted to be spent for the enforcement of livestock laws and he said he would say that Milk Inspection was an enforcement of livestock laws. But, if that would work as a fund source there would be more freedom with it because it was not restricted for a specific purpose. If the cash pot did run dry, Mr. Honeycutt said the DOL would have to continue to pay the bills because the DOL had to provide the Milk Inspection services, and per capita would probably have to be used to pay those bills because there was no other fund source the DOL had that could even come close to justifying using to pay for them
  - Mr. Honeycutt explained that history supported that the industry chose to fund the milk industry the way it currently was, but most programs like it at the State or Federal level would be paid for using some sort of general taxpayer revenue source. And so, he thought the DOL would need to have input from the milk industry that if they chose to fund it a different way, that the DOL know we have their support in doing it in a different way
  - Operations, Mr. Simonson said, were showing \$95,000 better than last year
  - The \$150,000 listed for the Livestock Loss Board was something new
  - Although the DOL spent roughly about \$850,000 more than last year, Mr. Honeycutt said that there was, basically, a 4% pay increase for all employees and basically about a 6% inflationary adjustment from the Legislature

## **OLD BUSINESS**

**(1:47:22) 9:57 AM**

Gene Curry said that we were going to get back on track with the agenda and return to Old Business. He turned the floor over to Mike Honeycutt



Mike Honeycutt said that he moved a lot of what would be considered “New Business” topics under Old Business this time around

**(1:48:02) 9:58 AM – UPDATE ON OGSM PROGRESS/UPDATE ON RED TAPE RELIEF ACTIVITIES**

Mike Honeycutt said that the ½-hour meeting the Governor mentioned he had each month with the DOL was the OGSM meeting that he would now be giving an update on to the BOL:

- The quarterly slaughter figures reported to the Governor for January were a very thin line, as this was the first month of the new quarter and there was not much done in that quarter as of yet
  - Mr. Honeycutt said that the DOL’s “Resident Meat Processor” expected those numbers to normalize or even pull back because of a lack of animals to process in the state. But, Mr. Honeycutt said it looked like the state would be on pace to stay on track with last year for the number of animals processed within the state
  - There was a lot of increase in the poultry sector, Mr. Honeycutt said, both through custom exempt and through the State Inspection Program
- The good news that Mr. Honeycutt was able to report to the Governor on the budget-side of the DOL, was that expenses were below budget
- Mr. Honeycutt explained that most of the revenue for the DOL would come within the next couple months with per capita payments arriving and he was hoping that we would see the revenue and expense line begin to get closer to each other as that happened
- Cash-wise, the DOL was in a very, very good position, Mr. Honeycutt said, with liquid sitting at about \$14 million on our cash balance, and more than half of that was per capita, but, there were still quite a bit of brands fees, other cash balances and State Special Revenue that were pretty strong. He added that the Egg side was strong because of the cash balance that had been building up there
- Regarding vacancies in the DOL, Mr. Honeycutt said he was able to report that was hanging at around 11, which was less than 10% of our FTE. The Legislature counted on the DOL to have a 5% vacancy rate, and so Mr. Honeycutt said it was good to be above that rate, but not too far above that rate because we did not want to overspend Personnel dollars
  - The Assistant State Veterinarian position was one of the positions that was still vacant
- It was a very strong year in Market Cattle Movement numbers, Mr. Honeycutt said, but once the numbers started being collected for Fiscal Year 2024, we would see if that changed. He added that Fall Run numbers were equal to last year’s numbers in terms of the numbers of animals that showed up at the markets
  - The numbers that Mr. Honeycutt collected were just the numbers that came from the 13 Commission Companies and did not include video sales. He said though, that the numbers at the markets were used as a

barometer of what was happening, because those numbers were more in real-time

- Once the AI project was completed in the Brands Division, Mr. Honeycutt said, and the backlog of inspections caught up, a more complete number of total inspections that had taken place could be shown
- 2022 was a year in the markets, Mr. Honeycutt said, where a lot of culls came through and where breeding stock was going into cull sales and going to slaughter rather than being sold to someone for breeding stock because people were just trying to reduce their cattle numbers because of the drought. He said, they weren't just leaving the state, they were leaving the system and being removed from our future breeding inventory
- Jake Feddes said that cattle were worth a lot of money right now and not nearly as many heifers were being retained, but sold instead. He didn't expect to see much herd growth until 2025 or even 2026 because of those high prices
- Mr. Honeycutt was able to report to the Governor that Lindsey Simon, the DOL Attorney, had been hired and started on February 26, 2024
- The new Brands software seemed to have gotten past the initial problems and with it being a slower time of year, they were now actually able to work through some enhancements
- Mr. Honeycutt said that the new public information requests system that had been put in place by Misty Giles from the Department of Administration had been really good for the DOL as those requests were being handled more consistently and the people requesting information were required to pay for it before they received it
- The Highland Mountain elk testing, just recently completed by FWP, Mr. Honeycutt said, did not produce any positive results
- The A concern was raised to the Governor regarding the potential Federal funding impacts on the DOL, not just the possible cuts in FSIS matching funding, but also the Federal Umbrella funds as well, which paid for animal disease traceability and Brucellosis testing and mitigation
- The Governor heard reports from Mike Honeycutt about some heightened regulatory issues in the Meat & Poultry Inspection area of the DOL, including humane slaughter, which required the DOL take some regulatory action on the issues
- The construction phases of the Combined Lab Complex project were put on a 90-day work stoppage that started in mid-January, Mr. Honeycutt said, but he was able to sign off on the final purchase of the incinerator the day before
  - Jake Feddes said that he had driven by the construction site the other day and there were big piles of dirt, excavators, plumbing and heating trailers, all kinds of construction trailers on the northeast corner of the lot and it was filled with metal beams
- Because the Market Auditor had taken another position in the DOL, Mr. Honeycutt said that market audits had been stopped, but once that job was filled those would get back going

- The potential CIS plant had its final walkthrough, Mr. Honeycutt said, and USDA did not clear them yet for CIS. But, we want to work with them so that one of our plants could get across that CIS threshold, as it has been two years the DOL had been given the ability to offer that license
- Financial data had been put together regarding the Milk Industry revenue issues
- Mr. Honeycutt brought up the DOL's streamlined organizational chart to the Governor, who had been pleased with what he called a pretty common sense structure

Mr. Honeycutt reported that the Governor's Office has started the Red Tape effort again as we headed towards another Legislative Session:

- Mr. Honeycutt said that the DOL had gone back to the list of items that had been discussed two years ago that did not get to the bill stage, but that the BOL had been supportive of at that time, and decided to just bring those back to the BOL for the Red Tape discussion. He encouraged that if there were any of those items that should not be brought back again, to let him know

**(2:12:18) 10:22 AM RECESS**

**(2:12:23) 10:38 AM RECONVENE**

Gene Curry called the meeting back to order

**OLD BUSINESS (Continued)**

**(2:12:29) 10:38 AM**

**(2:12:29) 10:38 AM – UPDATE ON ONGOING FEDERAL PROCESSES**

Mike Honeycutt said that there had been a storm of Federal processes and rulemaking that the DOL had been dealing with over the last 5-6 months and he said he would just point out the ones the DOL had some role in either providing comments or consultation to the Governor's Office and their legal staff or other agencies

**(2:13:34) 10:39 AM – BLM Sage Grouse Planning**

Mike Honeycutt reported that the BLM Sage Grouse Planning was still an ongoing issue:

- Although no EIS had yet been released, Mr. Honeycutt said that he received an email the day before that made him think that possibly in the next 30 days there would be a draft EIS coming out with draft alternatives
- Mr. Honeycutt said that Montana and the Dakotas had done well with recovery of sage grouse since the 2015 Sage Grouse Plan came out, and he hoped any alternatives listed in the new EIS would allow those states to continue managing that species in the same way

**(2:14:46) 10:41 AM – BLM Grazing Rules**

Mike Honeycutt reported that the BLM had abandoned the rulemaking regarding grazing rules and were now looking at policy changes:

- Mr. Honeycutt expressed concerns about the BLM changing policies versus doing Federal rulemaking, as the policies could get announced and be effective immediately, without public comment
  - Mr. Honeycutt said that policy changes could be appealed through the civil legal route in court if you didn't like what was in those policies
- There already had been two sessions with BLM, Mr. Honeycutt said, talking about flexibility and what BLM would permit: the types of species that could graze, the turn on-turn off date and response to fire
- Nina Baucus announced that in conjunction with the BLM Grazing Rules, if you were a grazer of livestock on BLM ground, to make sure that you still have your cattle water rights
- Mr. Honeycutt said that the BLM had also wanted to hone in on unauthorized use because of a belief that there was a lot of unauthorized use of BLM allotments. He said that the DOL wanted those BLM allotments to be used responsibly, but expressed concern about how stringent the enforcement might be
  - Mr. Honeycutt reported that there was a decision to change some BLM allotments in Phillips County from cattle to bison. An appeal to that decision had been filed by the DOL, FWP, DNRC and the Governor's Office along with some private sector organizations as well, including MSGA, the Phillips County Livestock Association and others. The appeal, with the Interior Board of Land Appeals, was not expected to have a decision made on it anytime soon, as that Board was understaffed
- As a Cooperator, Mr. Honeycutt explained that the DOL was able to be part of the planning discussions on these BLM issues and had been part of the BLM monthly meetings

**(2:24:25) 10:50 AM – EPA Effluent Standards for Meat Processors/EPA Animal Waste Emission Standards**

Mike Honeycutt reported that even though the DOL was not front on center on these two items, he wanted to make the BOL aware of them and that he was aware of them:

- Mr. Honeycutt said he had been conversing with DEQ and their Director to the fact that these two issues were important to our industry and that DEQ needed to be weighing in on them or be aware of them
- The EPA Effluent Standards to Meat Processors, Mr. Honeycutt said, looked like they really focused on very large-scale meat processing and the analyzing and assessing of what was discharged or emitted into water systems. He said it was brought up because it was a response to the lawsuits that they were not doing their job to look at those potential emitters and what damages they might cause
- Although Mr. Honeycutt thought these standards currently affect many of our small establishments in Montana, it was something to pay attention to as the regulations for the "big guys" might eventually work their way down to smaller scale businesses

- It would be difficult, Mr. Honeycutt said, for smaller establishments to, for example, hire an environmental sciences firm to put in monitoring systems on what was emitted from a plant or for feeding operations, what would be emitted into the air
- Mr. Honeycutt said it might be a good idea to get on the record and state our positions now because it would put us in a better position down the road when regulations might get widened
- Jake Feddes said his concern was not with the smaller processors or smaller feedlots in Montana, but because the majority of Montana cattle went to the bigger processors and bigger feedlots in the Midwest, it would ultimately affect the Montana industry, trickling down from them to Montana cattle and swine producers
- Nina Baucus shared that there was an attempt to put a law through in Denver, Colorado that there would be no kill plants within the city limits. She said if the big lamb kill plant was taken into that, it would shut down the sheep industry in the United States. William Kleinsasser said that the hog industry right now was facing problems because people didn't realize what they voted for when they voted the Prop 12 law in and now they're fighting different states' regulations
- The end result, Gene Curry said, was increased cost to the consumer. William Kleinsasser added that the production guy was left hanging

**(2:32:14) 10:58 AM – YNP Bison EIS/IBMP Operations**

Mike Honeycutt reported that we had still been waiting for the Yellowstone National Park Bison EIS, and he was not certain when a decision would be made on that:

- Mr. Honeycutt said he would expect that something should be decided on bison management via Yellowstone Park in the next couple months
- IBMP operations were very minimal this year, Mr. Honeycutt said, not having experienced a winter like last year's where there was a big out-migration of bison
- Dr. Tahnee Szymanski reported that there was a little movement of bison in the Park and that it was still well away from the Park boundary. Some had been close to the Lamar Valley at last report, and a set of them had come up towards Gardiner
- Hunt numbers, Dr. Szymanski said, were standing at 18, and the majority of those had been taken on the West side
- Dr. Szymanski also reported that 120 more bison had been shipped to Fort Peck that had cleared the initial quarantine process, but with the way the bison had been moving, she was not sure if they were going to get a shot at trapping any more bison to put into quarantine

**(2:34:40) 11:00 AM – USFWS Bison ESA Analysis**

Mike Honeycutt reported that the US Fish and Wildlife Service was looking at creating Yellowstone bison as a distinct population segment and potentially listing them under the Endangered Species Act:

- Mr. Honeycutt expressed concern that if Yellowstone Bison were considered a distinct species and listed as an Endangered Species, he could not foresee a

world where you would be able to track and quarantine or hunt an endangered species

- Also affected if this went through, Mr. Honeycutt said, would be the Bison Conservation Transfer Program because you would be foreclosing on the ability to get disease-free bison to repatriate to Tribal communities
- Even though most of this issue fell on the FWP side because it would become a wildlife matter, the DOL was a contributing State agency
- Mr. Honeycutt said that FWP was working with people on the actual genetics of Yellowstone bison to make the case that genetically, those bison were not as distinct as folks might want to make them out to be
- Mr. Honeycutt doubted that Yellowstone Bison that had left where they were now would automatically be covered by this because they would be outside of the actual geographic area that USFWS was looking at as a recovery area
- If the Yellowstone bison were listed as endangered, he said he did not feel the disease within the bison could be managed because they would be protected Federally. But, he thought the burden would be on the DOL as an industry to mitigate and manage the economic impacts
  - Dr. Szymanski said that USDA Veterinary Services would come into play as far as who would get the benefit of the Brucellosis and TB Free designation that states had
- There would be a challenge, Mr. Honeycutt said if you had wild bison migrate to domestic bison because most of the time wildlife was wildlife and livestock was livestock. He said that if those wild bison co-mingled with cattle and there were impacts to producers because of the disease issue, he didn't know if those disease impacts from an endangered species would be dealt with the same way by US Fish and Wildlife Services as predation impacts were dealt with from an endangered species

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### **(2:47:31) 11:13 AM – USFWS Wolverine ESA Analysis**

Mike Honeycutt reported on the US Fish and Wildlife Services ESA designation for wolverines in the lower 48 states. He said that comments were coming due regarding that designation just after the January BOL meeting:

- Mr. Honeycutt said that the DOL didn't expect there to be a lot of livestock impact from wolverines, because there was very little know predation of wolverines on livestock
- The DOL did comment on the designation raising their concerns about the fact that there was no livestock exemption provided in the USDA designation and that the DOL wanted that explicitly stated. Mr. Honeycutt said the DOL did not want grazing allotments shut down sometime in the future because of disturbing the habitat of the wolverines
- Mr. Honeycutt said that these types of reports would, sometime in the future, be given by Lindsay Simon, once she was schooled up on the issues the DOL had been dealing with

## **NEW/BUSINESS/EXECUTIVE OFFICER UPDATES**

**(2:50:17) 11:16 AM**

**(2:50:17) 11:16 AM – HUMAN RESOURCES UPDATES**

Mike Spatz, Human Resource Officer for the DOL, introduced himself and he thanked the BOL for moving around the meeting schedule, as he did not want to follow the Governor's presentation

**(2:50:55) 11:16 AM – Staff Openings, Recruitment and General Updates**

Mike Spatz updated the BOL on staff openings, recruitment and some general updates in the DOL:

- Mr. Spatz reported that there were currently 11 active positions that the DOL was recruiting for, a number very similar to the previous month
- Three of the listed recruitments had offers made to them. Two of the offers were accepted and one offer was still hanging. The open Assistant State Veterinarian position had been reposted. Lindsey Simon had been hired as the DOL Attorney. One position had been vacated since the last meeting, but word had been given of two future resignations. There also was another internal promotion
- Mike Honeycutt said that the DOL had planned to do an outreach back to former Assistant State Veterinarian candidates that were liked, just to see if anything had changed in their situation. Mike Spatz said he had not received a positive response from that yet
  - The review of applicants for the Assistant State Veterinarian was scheduled to happen in two days, Mr. Spatz said, but so far, no applications had been received
- Mike Honeycutt shared that Nina Baucus had put out the idea to possibly hire an entry level Veterinarian because of the problems with hiring an Assistant State Veterinarian. He reported that there had been some good candidates to fill a position like that and that maybe in time someone on the staff might emerge in the Assistant State Veterinarian position
  - Dr. Szymanski said that the job description for that entry level Veterinarian position would almost duplicate the job description of the two other Veterinarians on staff
- Mike Spatz said that he had not reach out to everyone that had applied for the Assistant State Veterinarian, but, Greg Wichman thought it would be a good idea to do so because he thought there were some good candidates who had been removed from the interview list for reasons other than ability or just because of some technical aspects
- Alan Redfield said he personally knew one applicant who had worked on his animals that had been rejected because of no cover letter
- Alan Redfield said, we need a Vet. Jake Feddes said we gotta find somebody

**(2:59:32) 11:25 AM PREDATOR CONTROL**

**Update on Activities of USDA Wildlife Services – (Presented by Dalin Tidwell, Montana State Director)**

Dalin Tidwell, State Director for USDA Wildlife Services introduced himself and said that the reason he was not attending in person was because of the weather:

- Mr. Tidwell thanked the DOL and BOL for the opportunity to speak and said that things were great
- All the parts and figures and things were set up for the helicopters, he said, but, they were waiting on a good day to fly and they would fly every good day that they could
- Mr. Tidwell said that they just came off of an MOU meeting with FWP the previous Friday and that the MOU with them was set. He said there was discussion of sharing the caller data that helped them with their monitoring program
- The grizzly bears were still asleep, Mr. Tidwell thought, although there was a little rumbling that one had possibly come out. The investigation into that, Mr. Tidwell said, turned out to be not confirmed or even probable
  - With things being pretty quiet in that realm, Mr. Tidwell said their main focus right now was on coyote work with lion work coming up as well
- Mr. Tidwell said that wolf numbers were significantly down on damage, with just a couple occurrences of wolf damage within the last week or two. He said that once calving started though, the whole world changed
- Mr. Tidwell explained that for help with coyotes, to check with your local Specialist and asked them who covered the coyote work in their particular county. Or, a person could contact their District Supervisor. The State Wildlife Services office could also dispatch for help as well
- Even with the weather situation, Mr. Tidwell said that they were maybe four days behind on the east side of the state for some flights that were scheduled, nothing that was out of the ordinary. He said there was nothing pressing right now, but if there was some killing that popped up, they would try to jump to that straight away
- Mike Honeycutt shared that in talking with a Blaine County Commissioner the previous week, he thought they got a petition across the finish line and were in the process of getting that set up. He added that in speaking with a member of the Carter County Predator Board, they were having what they considered big coyote problems that may be beyond their funding mechanism. Mr. Honeycutt said he encouraged them to determine their ideas for the situation and bring them to the BOL as most of their proposals would require rulemaking by the BOL

**(3:10:38) 11:36 AM LLB PREDATION CLAIMS REPORT AND GENERAL UPDATES**

George Edwards reported on predation claims received in the Livestock Loss Board office:

- Mr. Edwards reported that recently, there had been a lot of goat claims received out of Missoula County, with numbers increasing by 11 head more (7 goats and 4 sheep) than the report in the BOL packet, for the 2023 count, which now stood at 170 head
- The claim that Mr. Edwards said he received for a goat out of the Clinton area said that they had not paid their per capita fees and so he sent them out the per capita form
- Mr. Edwards said that everything he had been receiving for claims for the past month and a half had all been lion kills



- Greg Wichman announced that he would probably not be attending the meeting this afternoon because he had a few things to take care of, and so he said he could watch the rest of the meeting later. (Greg Wichman departed from the meeting at 3:13:57, 11:39 AM)

(3:13:58) **11:39 PM LUNCH**

(3:14:09) **12:44 PM RECONVENE**

Gene Curry called the meeting back to order

## **BRANDS ENFORCEMENT DIVISION**

(3:14:12) **12:44 PM**

Jay Bodner, Brands Enforcement Division Administrator, introduced himself for the record

(3:14:32) **12:44 PM – REQUEST FOR HIRE**

Jay Bodner said that he had two Requests for Hire he would be presenting to the BOL for their approval

(3:14:32) **12:44 PM – Assistant Market Supervisor-Billings/Market Inspector-Billings**

Jay Bodner said that the two positions he was requesting to hire were the Assistant Market Supervisor and Market Inspector positions, both out of Billings:

- Mr. Bodner explained that the Assistant Market Supervisor position was more in the Billings Livestock Commission, on the BLS side of things and was responsible for overseeing the market operations under the guidance of the Market Supervisor. That position had been held by an employee who resigned February 1st
- In anticipation of having internal applicants, Mr. Bodner said he was requesting that the BOL give approval to backfill a Market Inspector position if one of those internal applicants was successful in obtaining the Assistant Market Supervisor position

## **MOTION/VOTE**

(3:15:33) **12:45 PM**

**Nina Baucus moved to hire an Assistant Market Supervisor in Billings. If that position was filled by an internal candidate, it was also moved to hire a Market Inspector in Billings. William Kleinsasser seconded. The motion passed.**

(3:16:26) **12:46 PM ARM 32.15.102 – RECORDS TO BE KEPT**

Jay Bodner said that the changes made in ARM 32.15.102 had been born out of the passage of HB153 and had been discussed by the BOL at the last BOL meeting:

- Mr. Bodner reported that the public comment period for the rule's changes had ended on December 29, 2023 and that no comments had been received

- Mr. Bodner said that the changes made dealt with livestock auction. He said the rule originally included livestock dealers, but after BOL discussion, they were removed. He recommended adoption of the rule

## **MOTION/VOTE**

**(3:18:46) 12:49 PM**

**William Kleinsasser moved to accept the notice of the proposed amendments in ARM 32.15.102-Records to Be Kept, as presented by Jay Bodner. Jake Feddes seconded. The motion passed.**

## **(3:19:09) 12:49 PM LEGISLATIVE AND ARM REVISION PROPOSALS**

Jay Bodner presented some Red Tape Legislative and ARM proposed changes:

- Mr. Bodner said that no action would need to be taken on any of the changes that day and that some of the changes were not in finalized language. Some of the suggested repeals would simply be repeals
- Mike Honeycutt reminded the BOL that if they chose to move forward they would be moving forward with a concept, not the final written language. The process for changes in rules would need to begin by May, because this year, no rules could be adopted after September 1<sup>st</sup> and then begin again after the Legislative Session was over, but changes that required Legislative approval would have to be made by April to meet the May deadline to turn those into OBPP

## **(3:23:33) 12:55 PM MCA 81-3-211-*Inspection of Livestock Before Change of Ownership or Removal from County Transportation Permits – Proposed Revision***

Jay Bodner said that the portion of this statute he wanted to change had to do with transportation permits:

- Mr. Bodner said that currently, if a person was traveling with livestock across county lines or going to a market, the original inspection had to be in hand. And, he was looking at making changes in the statute's language that a person could travel with a digital copy of that inspection on a phone
- The example that Mr. Bodner used was with lifetime horse inspections. He said if you had 10 lifetime horse inspections but didn't know which horse to travel with one day, whichever one it was, you would have the inspection available on your phone if you got stopped. He said that FWP did the same with hunting and fishing licenses where you could have a digital copy of those
  - Mr. Bodner said that FWP had a video on their website of how to take a correct digital copy to make sure that people were doing it correctly and added that if this statute were to pass, he thought it would be good to pattern after that idea
- The sideboards that Mr. Bodner wanted to put in the language was that the digital copy would not be applicable for change of ownership, but only for transportation of animals
- If the changes in this statute were to move forward, market consignment permits that were made into a digital copies, Mr. Bodner explained, could actually be verified through the system if a person had difficulty in printing them

- Mr. Bodner said that if someone would falsify the documentation, the Investigator would be able to verify in the Brands' system if the information were correct. They could dial up into ServiceNow to see if the digital paperwork matched

**(3:38:21) 1:08 PM MCA 81-3-215-Inspection of Dead Animals in Feedlots: Proposed Repeal/MCA 81-3-232 – Penalty for Non-Inspection of Dead Animal in Feedlot – Proposed Repeal**

Jay Bodner said that the next two proposed statute changes dealt with inspection of dead animals in feedlots. He said they were tied together because one dealt with the inspection itself and one dealt with the penalty for not doing it:

- Mr. Bodner said that the statutes said that when an animal died in a feedlot that an Investigator was supposed to inspect that animal. He said that didn't play out today and he did not think a lot of people were even familiar with the statute or knew it was on the books. He recommended repeal of the statutes
- Mike Honeycutt reported that he had received one complaint in eight years about someone not doing this and that the majority of the industry was not going to do it this way. He added that there was also a danger in having a law that you couldn't enforce or weren't enforcing well, and so he recommended repeal as well

**(3:41:20) 1:11 PM MCA 81-9-112-Inspection and Marking of Hides and Meat of Slaughtered Cattle or Horses – Records – Bill of Sale – When Inspection Not Necessary – Proposed Amendment**

Jay Bodner said that he had intended to focus on some administrative rule changes regarding brand inspection stamps, but realized there was a statute that would need some changes made in it first:

- Jake Feddes questioned that at the slaughter facility the hide must be kept until an Inspector or Deputy State Stock Inspector came and inspected it. He said there was no plant in the state that was operating that way
- Mike Honeycutt said that the statute basically said that a person who killed livestock in good faith for a person's own use was not required to have inspection. That would cover custom exempts, he said because there was no change of ownership happening
- Jay Bodner said that he felt the statute bore looking at it in more detail and in more sections than what he had initially identified and that Mr. Feddes brought up some good points that maybe the statute needed to be modernized to meet what current industry practice was
- Mr. Honeycutt said that if the statute were not changed then the DOL should start beginning to put it in place, meaning that every time a plant slaughtered, a Brand Inspector better be on call and the hides held for that inspection and that the meat should be stamped and that even custom exempts should have people looking at bills of sale. Perhaps, he said, the statute might be shifted from an enforcement statute to a recordkeeping statute
- Alan Redfield said that in taking animals to Pioneer or Rawhide or to Jake Feddes' plant, each processor does it differently when taking the animals. Jake Feddes said, he didn't think a lot of people even understood the process

- Mike Honeycutt requested that Jake Feddes could possibly work with Jay Bodner, Alicia Love and Lindsey Simon to see if there was a concept that would tie the ends together on this statute because the limbo we were in was not helping anybody the way it was written now
- Jay Bodner said that the next two rules listed for repeal on the agenda were tied to the statute just discussed and would have to be reworked when the statute was made final. He said that in checking with Alicia Love, the Bureau Chief of the Meat, Milk & Egg Bureau, they did not deal with a brand inspection stamp. Dealing with those two rules, ARM 32.18.401 and ARM 32.18.403 was postponed
- Gene Curry shared a story about shipping some dry cows to Minneapolis many years ago. He said that another person included his cows on that load as well. Mr. Curry said his cows were fat cows and the other person's were thin cows. Because Minnesota was not a brand state and the cows were checked in with the other owner's name, Mr. Curry did not receive the full amount of pay for his fat cows but an average of the entire load of fat and thin cows

#### **(4:07:18) 1:37 PM BRANDS ENFORCEMENT UPDATE**

#### **(4:07:23) 1:37 PM Google AI**

Jay Bodner reported that he had a very short update to give on the status of the Google AI project:

- Mr. Bodner said that the meetings they usually had with the Google AI people had been cancelled for the past three weeks as they had still been working with their contractor on a new platform
- When Gene Curry voiced concern about Google having access to AI and other information, Mike Honeycutt explained that there were two types of Artificial Intelligence, Generative AI and Document AI. The Document AI, which is the AI that the DOL was working with Google on, was a machine learning tool that was moving items from paper form to computer form
- Mike Honeycutt explained that there was a trade-off when working with bigger companies, you get better service and more staying power but, you may not like other parts of it

#### **(4:12:42) 1:43 PM Staffing**

Jay Bodner updated the BOL on staffing in the Brands Enforcement Division:

- Mr. Bodner said that an offer had been made to a candidate for the District 16 Investigator position, but that it was turned down. The position had been reposted. This was the district that covered Chinook and the market up there
- A verbal offer had been made and accepted, Mr. Bodner said, for the District 25 District Investigator position. That district covered Deer Lodge, Granite, Jefferson, southern Lewis & Clark and Powell Counties
- Mr. Bodner said that both the District 16 and District 25 candidates that had been offered those positions were POST-certified
- Mike Honeycutt said that they had cycled through about three people for the District Investigator position in Glasgow until they found Bob Walden who was

more of a local person there. Jay Bodner said that Mr. Walden had been doing a good job for us

- An offer had been made, Mr. Bodner said, for the Market Inspector position in Billings

## **ANIMAL HEALTH & FOOD SAFETY DIVISION REPORTS**

**(4:16:08) 1:47 PM**

### **(4:16:08) 1:47 PM – MEAT, MILK & EGG INSPECTION BUREAU**

Alicia Love, Meat, Milk & Egg Inspection Bureau Chief, introduced herself

### **(4:16:50) 1:48 PM General Updates**

#### **(4:16:50) 1:48 PM Updates on Potential New Plants**

Alicia Love reported that they were cruising along at a pretty good rate for new businesses:

- Ms. Love said that they had received another plant inspection application earlier in the week and another plant in Darby had received their Grant of Inspection last week. She said she was anticipating that two more plants, one in Sidney and one in Glendive, would have their Grant of Inspection in March
- Receiving approval from the BOL to hire last month, Ms. Love said they did hire their Darby/Hamilton position and that candidate was set to start on March 11, 2024. She added that with training, it would be between 90-120 days before that person would be working independently
- Ms. Love said that she had one of the new Meat Inspector positions left that the Legislature had granted to the DOL and she was planning to ask that the BOL, probably the next month, request that position be in Eureka. She added that she was planning on asking for more Inspectors during the next Legislative Session
- Last year at this time, Ms. Love said they were hanging at about 24 potential new plants and that four or five of those actually came on. She said it appeared they were moving a lot in that same direction this year and that she planned to talk with Dr. Szymanski and Mr. Honeycutt about the possibility of a few more Inspector positions and another supervisory circuit for the State Meat Inspection
- Lily Andersen wondered if there was a possibility of having a combo position: A Milk Inspector/Meat Inspector
  - Ms. Love said that the additional Meat Inspection Supervisor position that she was hoping to ask for, she would like to integrate that as a Sanitarian position as well
  - Mike Honeycutt said that the criteria and requirements for those two positions were different, with a Milk Inspector or Sanitarian requiring professional certification, a Bachelor's Degree that included having some Microbiology and other course credits in their background. A Meat Inspector, basically, needed no post-secondary training or certifications upon hire but eventually would get trained to be a Meat Inspector. He added that another complication was that the Milk team was not part of the

collective bargaining agreement like the Meat Inspectors were. He applauded Ms. Love for her creative thinking

- Ms. Love said that they had done approximately 4,000 meat inspections in 2023 and with the upcoming Legislative Session, she was in conversation with Dr. Szymanski on a pretty regular basis and had been trying to keep in communication with industry about new plants coming on and she estimated around five/year. The geography of those plants would play a part in determining how many additional FTEs she would want to ask for from the Legislature
- The Montana Meat Processors Association (MMPA) conference was scheduled for April, and Ms. Love said she was hoping to talk with folks while there about any potential interests so what she requested for additional FTEs from the Legislature would not leave the State's Meat Inspectors spread too thin or with too many
- Mike Honeycutt said that with the USDA funding source situation still up in the air, it was hard to plan what to do budget-wise, and said that states might combine together to push USDA for some kind of remedy
  - Alicia Love said that at a conference she attended in October there was significant discussion and a letter put out to the USDA saying, hey, we can't budget or function like this. Although she was certain if a formal answer to that letter had been received, she said that group would be meeting again in June

#### **(4:35:19) 2:05 PM Progress Toward CIS Plants**

Alicia Love updated the BOL on CIS Plant progress in the state:

- A walkthrough with USDA was scheduled for the next Tuesday to get a formal list on what one Montana plant needed to join the CIS program, Ms. Love said, adding that there were four other plants that had expressed that they wanted to do CIS

#### **(4:36:11) 2:06 PM Status on New Positions**

Alicia Love updated the BOL on the status of the new positions that had been granted to the Meat & Poultry Inspection area by the last Legislature:

- Ms. Love reported that there was one vacancy actively being recruited for within the Bureau, but with that plant anticipated to go Federal, she did not want to hire someone and then lose them in a month, so, that of position was still not filled
- Ms. Love made a point of clarification that the current Inspector position in White Sulphur Springs was vacant and she was not recruiting for it right now, because of possibly needing to move it to Malta
- The Egg Grader positions in the DOL right now, Ms. Love said, were 1.5 FTE, and if egg production in the state increased to a point of needing more time, that part-time position could be made into a full-time position, adding that the demand seemed to go up and down and she had no indication that the DOL was moving in that direction at this time

**(4:39:29) 2:09 PM - VETERINARY DIAGNOSTIC LABORATORY**

Dr. Greg Juda, Director of the Montana Veterinary Diagnostic Lab in Bozeman, introduced himself to the BOL

**(4:40:1) 2:10 PM Out-of-State Travel Request – NVSL MAT Training Courses**

Dr. Greg Juda requested that the BOL approve out-of-state travel for Brian Eilers, a member of the Virology group at the MVDL, to attend NVSL MAT Training Courses:

- Dr. Juda explained that the National Veterinary Services Laboratory in Ames, Iowa was offering two courses for leptospire of microscopic agglutination test (MAT) training on May 13-14, 2024
- Sarah Horak, another Virologist at the MVDL, had already attended the training, which was largely in support of livestock producers. It was for imports/exports reasons, Dr. Juda said, that the training was being requested
- The funding source for the training would be from the Lab travel budget. Dr. Juda said that only about \$300 had been used year-to-date of their \$7,200 Lab travel budget

**MOTION/VOTE**

**(4:42:23) 2:12 PM**

**William Kleinsasser moved to approve out-of-state travel for Brian Eilers to attend National Veterinary Services Laboratory MAT Training Courses in May, 2024 in Ames, Iowa. Jake Feddes seconded. The motion passed.**

**(4:42:53) 2:13 PM Operational Update**

Dr. Greg Juda gave an Operational Update on some of the highest priority items going on at the MVDL

**(4:43:01) 2:13 PM Upcoming AAVLD Site Audit**

Dr. Greg Juda reported that the MVDL would be having an American Association of Veterinary Laboratory Diagnosticians (AAVLD) site audit coming up, an audit that occurred every five years:

- Dr. Juda explained that to maintain your status with NAHLN, the MVDL accreditation must either be provisional or fully-accredited and that was dependent on the AAVLD audit outcome. Currently, the MVDL was fully-accredited
- Much of the work being done for this audit fell on the shoulders of Quality Manager Tess Moore and on the Lab Section Heads. An application must be submitted by April 1, 2024 that included a lot of quality system documentation.
- The first week of June, Dr. Juda said, auditors would be sent to the MVDL for onsite, in-Lab audits
  - After the June audit, they would reconvene and issue a report to the MVDL and in August, they were scheduled to issue their accreditation level

- Dr. Juda said that the MVDL had been on a provisional accreditation at one time and that took about two years to address the deficiencies to get back to full accreditation
- The Lead Auditor, Dr. Juda said, was the Quality Manager from Michigan State, but Dr. Juda felt the Lab was in a good situation

**(4:47:49) 2:18 PM Status of State Procurement Agency Purchases**

Dr. Greg Juda discussed the new policy for State Procurement and its effect on the MVDL:

- Dr. Juda explained that the MVDL had a lot of purchases with a lot of purchases currently in front of the State Procurement Bureau. That Bureau had recently changed their policy, having a desire to review any purchase that were over \$10,000
- The policy change was a big deal to the MVDL, Dr. Juda said, compared to how they had been operating. Purchases would not only include instrument purchases, but service and maintenance agreements, along with other things, and with a lot of companies issuing a time-sensitive quote, if Procurement didn't give their okay on time and the quote expired, the next quote might be higher
  - Dr. Juda praised Brian Simonson and Evan Waters for their help for the MVDL in getting through this new policy. He said that the folks at State Procurement had also been very pleasant to work with and very responsive
- Mike Honeycutt said that the new policy came as a result of the fact that agencies had not been following or caring about policy and because of that the State had been wasting money. He added that he was supportive of it and that it probably would not change
- Dr. Juda discussed the issue they were having with the case work, a big-ticket item at the new MVDL and the funding process for that. Gene Curry said we don't want to hold up the building project and wondered if there was any other funding for that other than the EPP process
- Dr. Juda said that other items that were currently in State Purchasing right now were the Dimension Chemistry Analyzer, a service agreement for one of the thermocyclers in Molecular, a General Distributing gas contract for pricing, a slide scanner purchase and the VADDS annual service contract

**(4:55:44) 2:26 PM Status on New Positions – APHL Fellowship and Summer Intern Updates**

Dr. Greg Juda gave an update on the APHL Fellows at the MVDL:

- Dr. Juda said that currently, there were three Association of Public Health Laboratory Fellows (APHL) at the MVDL, scheduled to work for a year each. Dr. Juda said they do try to recruit them to say another year beyond that
- APHL Fellows were funded through the CDC and NIH Programs and worked on individual projects 50% of the time and the other 50% of the time, they supported general lab operations



- Dr. Juda reported that the MVDL already has another APHL lined up to start work in August. A summer intern who is in Pre-Vet at Montana State University would be doing some shadowing and internship at the MVDL this summer

**(4:55:44) 2:26 PM General Discussion**

Dr. Greg Juda discussed general items with the BOL:

- Dr. Juda reported that building materials continued to be delivered to the site of the new Lab. He said that with the two inches of snow per hour that they had been receiving in their area right before he left, he was not able to get any pictures taken for the BOL that day
- Gene Curry said he wanted the BOL to think about and work on trying to figure out ways to promote the MVDL to get more producers to use the facility
- Mike Honeycutt said it was on his plate to speak with MSU regarding Brucellosis research and that he had already been talking to Dr. Bajwas about it. He added that supposedly, there was a belief that the DOL and MSU historically had a negative relationship but that was a different history than what there is currently
- Dr. Juda said that some MSU students come over from time to time to observe necropsy at the MVDL. He said that there is a Veterinary Program in the works in Billings called Rocky Vista College and another possibility of a Vet school opening up in Great Falls
- Anytime there was an autopsy with a potential select agent or something of high risk involved, Dr. Juda said if the students were going to be at the MVDL in the presence of those, they would probably have to go through training on how to wear PPE or be fit tested as proper precautions would have to be taken in those cases
  - Dr. Tahnee Szymanski said that the necropsy floor in the new Lab would have an observation. Dr. Juda said that they were also planning for the observation to be on video
- One of the APHL Fellows' project was working on HPAI in mammals, Dr. Juda said, adding that NAHLN had a definite interest in the work, having sent out surveys asking all the labs across the country for info on testing done on mammals for HPAI and the results

**(5:07:27) 2:38 PM RECESS**

**(5:07:42) 2:48 PM RECONVENE**

Gene Curry called the meeting back to order

**ANIMAL HEALTH & FOOD SAFETY DIVISION REPORTS (Continued)**

**(5:07:54) 2:50 PM**

Dr. Tahnee Szymanski, Animal Health and Food Safety Division, introduced herself

**(5:08:12) 2:51 PM – ANIMAL HEALTH BUREAU**

Dr. Tahnee Szymanski said she would be reporting on a couple of requests for the BOL and also had a large number of administrative rules:

**(5:08:58) 2:51 PM Indemnity Request – Madison County Brucellosis Suspect**

Dr. Tahnee Szymanski reported that she had an indemnity request for a Brucellosis suspect out of Madison County:

- Dr. Szymanski said the animal was a four-year-old, pregnant, registered Black Angus cow that had been euthanized after some non-negative Brucellosis tests. Although the values on the tests were not substantially high, because she was two weeks from calving, should she be infected and calve on the property, a large amount of the organism could be introduced into the environment and that was not desired
- The owner was given a couple of options, Dr. Szymanski explained and this was what they selected. The animal was then euthanized on the farm and hauled to the MVDL a week ago the last Friday and cultures were collected and were now pending at NVSL
- Dr. Szymanski presented the BOL with a document showing the valuations for the animal on the date she was euthanized and also included numbers from the closest livestock market to where the animal was residing and had market sale prices from the entire state of Montana from bred cow prices. She said that the last time she presented to the BOL regarding indemnity, the USDA valuation for an animal of this class was \$1550.97. The owner of the animal valued her at about \$3900, based on historical sale data
  - Dr. Szymanski said she had reached out to the LLB and found that they value a registered animal at 2x the commercial value of the animal. She added that whatever the BOL decided to value the animal at, that the \$250 USDA diagnostic purchase that was already paid, would be subtracted off that value
  - Jake Feddes said that the Montana Weekly Livestock Auction Summary valued her at \$2401, \$2468 and \$2779, and 2x that because she was registered would value her at \$5200
  - Nina Baucus expressed concern regarding the value of registered animals and asked if maybe there should be a cap put on indemnity paid for registered animals. Jake Feddes said LLB paid for 2x the commercial value of the animal
- Mike Honeycutt reminded the BOL that the indemnity money would come out of the indemnity fund that had been set up. Dr. Szymanski said that in December \$1000 had come out of the \$10,000 indemnity fund to pay a producer for an animal

**MOTION/VOTE**

**(5:24:05) 3:06 PM**

**Nina Baucus moved to approve following the Livestock Loss Board's guidelines for payments for loss of registered animals, a payment equal to twice the commercial value of the animal on a market sale date as close as possible to the**

demise of the animal in question, minus the \$250 USDA Diagnostic Purchase (\$4859.55), as the indemnity payment to be made to a Madison County producer for a registered 4-year-old pregnant black angus cow, euthanized due to non-negative Brucellosis tests. William Kleinsasser seconded. The motion passed.

**(5:25:16) 3:07 PM Out-of-State Travel Request – Pacific Northwest Economic Region (PNWER)**

Dr. Tahnee Szymanski requested that the BOL approve out-of-county travel for her to attend the PNWER meeting:

- Dr. Szymanski said the meeting was scheduled for July 21 – 25, 2024 in Whistler, British Columbia
- Dr. Szymanski explained that Dr. Amber Itle, the State Veterinarian in Washington, had backfilled her role as Co-Chair of the Cross Border Livestock Committee of PNWER and she was working on plans for an FMD table-top exercise at PNWER that would simulate an FMD outbreak that spanned the international border
- The feral swine conversation would also be continuing at PNWER, Dr. Szymanski said, and she said it would give a chance to interact with our counterparts to the north to create opportunities to collaborate on management of feral swine

**MOTION/VOTE**

**(5:27:04) 3:09 PM**

**Jake Feddes moved to approve out-of-country travel for Dr. Tahnee Szymanski to attend the Pacific Northwest Economic Region annual meeting in Whistler, British Columbia in July, 2024. Nina Baucus seconded. The motion passed.**

**(5:27:41) 3:09 PM Request to Hire Program Veterinarian – emergency Preparedness**

Dr. Tahnee Szymanski reported that Dr. Merry Michalski was leaving the DOL on Thursday to take another position. Dr. Szymanski was requesting the BOL approve the hire of that vacancy:

- Dr. Szymanski explained that Dr. Michalski's position primarily dealt with emergency preparedness for the DOL, but also covered several other things attached to the Federal Cooperative Agreement. Dr. Michalski also had been the primary for Avian Influenza for the last year and a half and covered the b-Canis program within the state

**MOTION/VOTE**

**(5:29:53) 3:11 PM**

**Jake Feddes moved to approve the hire of a Program Veterinarian – Emergency Preparedness, in the Animal Health and Food Safety Division. William Kleinsasser seconded. The motion passed.**

**(5:30:24) 3:12 PM Red Tape Relief – Administrative Rule Changes**

Mike Honeycutt reminded the BOL that the administrative rule changes that Dr. Tahnee Szymanski would be presenting to them did not have to have decisions made on them today and could be moved forward at some future point when they were ready:

- Dr. Szymanski said that concepts for the changes on these rules had been discussed by the BOL about a year and a half ago

**(5:32:32) 3:14 PM ARM 32.3.104-Subject Disease or Conditions**

Dr. Tahnee Szymanski explained the changes requested in this rule were to add quarantine authority to three of the diseases listed in the reportable conditions list for the state – those three were Blue Tongue, Strangles and Brucella Canis:

- Dr. Szymanski further explained that the changes did not mean every time one of the conditions was diagnosed that a formal quarantine would have to be issued, but would give the State Veterinarian options to do so
- William Kleinsasser wondered how cattle would be affected if there was a quarantine put on them because of Blue Tongue
  - Dr. Szymanski said that it would be very unlikely to use quarantine authority with cattle, but said that quarantine authority could be used in the instance that happened a couple years ago when it had gotten into several flocks of sheep right before the ram sale and it was not wanted for it to spread into the marketing channels
- Mike Honeycutt said that the statute this rule comes from was very wide, giving the State Veterinarian broad and wide powers for controlling animal movements. The rule keeps the State Veterinarian from going crazy with that power
- Dr. Szymanski said that, regarding Brucella Canis, quarantine was very difficult to enforce when it was at a home facility, but that breeding facilities create some unique opportunities for transmission of that disease, and if someone in that case was not willing to spay or neuter a positive dog, this would be an instance where quarantine authority could be utilized

**(5:37:51) 3:19 PM ARM 32.3.108-Quarantine or Release of Quarantine/Indemnity for Animals Destroyed Due to Disease**

Dr. Tahnee Szymanski explained that the changes in this rule were to clean up some outdated language:

- Dr. Szymanski pointed out that in one section the current rule stated that the quarantine had to be delivered by registered mail or in person. She added that the numbering in some areas also needed to be corrected
- New language added, Dr. Szymanski said, was where a livestock herd designated as affected with a Federal program disease shall be officially identified with USDA 840 Series Radio Frequency ID Tags. She said that was something the DOL had already been consistently requiring, such as with a Brucellosis or TB affected herd. Nina Baucus requested that language be added that stated tags would be used to identify cows and sheep and chips for horses
- Also relatively common practice with herds under quarantine were that deaths of animals in a quarantined herd shall be reported in writing to the State Veterinarian, Dr. Szymanski said. She said that a couple sections were being

removed from this portion of the rule and being moved to a disease subsection, to avoid repeating the same language in more than one place

- New indemnity language was brought in stating that indemnity paid would be decided by the BOL and could include options for what options would be considered to place a value on the animal adding that if it were a registered animal, the value of that animal would be up to 2x the determined value of a commercial animal

**(5:43:51) 3:25 PM ARM 32.3.131-Vehicles used in Transporting Diseases Livestock to be Cleaned and Disinfected**

Dr. Tahnee Szymanski explained that this rule had initially been brought in front of the BOL for repeal, but the BOL requested to maintain some of the language, and so she had revised the language:

- The suggested language change, Dr. Szymanski said was that it would be the requirement to clean or disinfect the form of transportation for a livestock species based upon the specific pathogen of concern and existing Federal rules or regulations regarding disinfection. She could also add to the language an animal known to be infected with an infectious, contagious disease

**(5:46:22) 3:28 PM ARM 32.3.132-Cleaned and Disinfected Vehicles to be Placarded**

Dr. Tahnee Szymanski said that the DOL did not placard cleaned and disinfected vehicles and suggested that the BOL agree to repeal this rule

**(5:47:06) 3:29 PM ARM 32.3.140-Duties of Deputy State Veterinarian**

Dr. Tahnee Szymanski said that the changes made in this rule would modernize how Veterinarians were communicating to the office or things like reporting any reportable diseases, official forms and to allow the use of email:

- Mike Honeycutt clarified that this rule was talking about our accredited Veterinarians, not our present Veterinarian employed by the DOL

**(5:47:40) 3:29 PM ARM 32.3.201-Definitions**

Dr. Tahnee Szymanski explained that because the majority of the DOL's health certificates were issued through electronic platforms rather than an official health certificate form, she wanted to allow that electronic platform to be included in the definition of a health certificate in the rule

**(5:48:16) 3:30 PM ARM 32.3.207-Permits**

Dr. Tahnee Szymanski explained that language in this rule was requested to be changed because many of the permits listed in this rule were not issued anymore:

- Dr. Szymanski said that language was being changed that said permits were valid for no longer than 10 days from date of issuance because we want import permits to be good for the duration of the health certificate
- Dr. Szymanski said that some language was removed to avoid looping back and forth from another section of the rule

**(5:49:39) 3:31 PM ARM 32.3.216-Horses, Mules and Donkeys**

Dr. Tahnee Szymanski said that the language of this rule needed to be changed because the DOL did not participate in one of the programs anymore and she wanted current practice to be included in the rule:

- Dr. Szymanski explained that the rule stated that a condition for obtaining a permit was that animals had to be tested negative to come into Montana, not to get a permit, just to come into Montana
- The meat of the rest of the changes to this rule, Dr. Szymanski said was to do away with the language of equine passport because the DOL had sunsetted its participation in the 6-month Equine Passport program and was now part of an Extended Validity Equine Certificate of Veterinary Inspection that many states participated in at the current time

**(5:51:47) 3:33 PM ARM 32.3.402-Extension of Time Limits**

Dr. Tahnee Szymanski said that this section of rule was set for repeal because all of the existing language about quarantine and quarantine release allowed for all of these things to happen without stating it in administrative rule

**(5:52:35) 3:34 PM ARM 32.3.403-Use of Brucella Abortus Vaccine**

Dr. Tahnee Szymanski said that this change would remove Section #2 of the rule because we no longer have import requirements for animals to be vaccinated to enter the state

**(5:52:54) 3:34 PM ARM 32.3.407-Department-Ordered Brucellosis Testing of Animals**

Dr. Tahnee Szymanski said that she was proposing that this section of rule be repealed because there already was plenty of language giving the DOL the authority to require testing of any exposed animals in the section of administrative rule where the conditions that were reportable in Montana and quarantinable was discussed

**(5:53:25) 3:35 PM ARM 32.3.411-Procedure Upon Detection of Brucellosis**

Dr. Tahnee Szymanski said that this language specified the procedure upon detection of Brucellosis. She proposed instead to acknowledge that there was a Federal standard and to refer to that standard and that the State would follow suit

**(5:54:11) 3:36 PM ARM 32.3.412-Memorandum of Understanding**

Dr. Tahnee Szymanski said that this language specified the procedure upon detection of Brucellosis. She proposed instead to acknowledge that there was a Federal standard and to refer to that standard and that the State would follow suit

**(5:54:39) 3:36 PM ARM 32.3.416-Identification of Tested, Reactor and Other Animals**

Dr. Tahnee Szymanski said that the last time changes to this rule were presented to the BOL, there was a fair amount of discussion:

- The BOL at that time, Dr. Szymanski said, was not comfortable with removing the requirement for animals to be branded for Brucellosis reactors, and so she

proposed that instead that the animals be tagged if, in the judgement of the State Veterinarian there was concern about compliance with the provisions of quarantine or if the reactor animal was found outside the DSA. She said that this would apply only to cattle and domestic bison

**(5:56:27) 3:38 PM ARM 32.3.418-Indemnity Paid for Reactors**

Dr. Tahnee Szymanski said that this was indemnity within the Brucellosis subchapter of administrative rule and so she proposed to repeal this section and put a new section of indemnity in the all-reportable diseases category

**(5:56:51) 3:38 PM ARM 32.3.440-Certified Brucellosis-Free Bovine Herds**

Dr. Tahnee Szymanski said that this was already a Federal standard to apply to give a herd the certification and so there was no reason for it to be an administrative rule

**(5:57:12) 3:39 PM ARM 32.3.301-Definitions**

Dr. Tahnee Szymanski said that to be consistent with Brucellosis and Tuberculosis she proposed all sections of the administrative rule listed that follow in Pseudorabies be repealed and replaced with the statement that Pseudorabies in animals or Pseudorabies control shall be pursuant to the provision of Title 9CFR Pseudorabies Eradication Uniform Methods and Rules, which just defaults to the Federal program:

- Dr. Szymanski proposed that all of the sections of administrative rule that followed be repealed. She pointed out that there was a break, however, between 305 and 307 so that 306 could be retained that contained language about vaccination for Pseudorabies
  - **ARM 32.3.302-Reporting of Pseudorabies**
  - **ARM 32.3.303-Quarantine of Swine Herds – Use of Quarantine**
  - **ARM 32.3.304-Quarantine of Exposed Herds and Animals**
  - **ARM 32.3.305-Release of Quarantine**
  - **ARM 32.3.307-Department Ordered Pseudorabies Testing**
  - **ARM 32.3.308-Change of Premises Testing**
  - **ARM 32.3.309-Test Expenses and Duties**
  - **ARM 32.3.310-Disposal of Dead Animals**
  - **ARM 32.3.311-Procedure Upon Detection of Pseudorabies**
  - **ARM 32.3.312-Memorandum of Understanding**
  - **ARM 32.3.313-Extension of Time Limits**
  - **ARM 32.3.314-Movement of Swine Through Licensed Livestock Markets and Other Concentration Points**
  - **ARM 32.3.315-Herd Status Establishment**

**(5:58:52) 3:40 PM ARM 32.3.606-Identifying Infected Animals**

Dr. Tahnee Szymanski said that this rule was found within the Tuberculosis subchapter of administrative rule and the proposed changes would update the language about Tuberculosis reactors:

- Dr. Szymanski said that the rule change would say that Tuberculosis reactors would have to be identified with the serial number, USDA tag, and that would be the official identification. If there was, in the judgment of the State Veterinarian,

concern about compliance with the provisions of quarantine, that animal may be branded with the letter “T” on the right or left jaw. This would not make it a requirement, but not do away with it either

**(5:59:44) 3:41 PM ARM 32.3.608-Reporting Death of Animals from a Tuberculosis Quarantined Herd**

Dr. Tahnee Szymanski said that it was proposed to repeal this rule about reporting death, because in the new language in the provisions of quarantine, it would already be required in there reporting of death to account for herd reconciliation

**(6:00:11) 3:42 PM ARM 32.3.611-Duties of Veterinarians and Meat Inspectors Upon Finding Tuberculosis Lesions in Animals**

Dr. Tahnee Szymanski wondered if the BOL would want to add this rule to the conversation regarding Inspection of Hides:

- Dr. Szymanski said that it had already been proposed to do away with the section of language having to do with Meat Inspectors taking possession of hides because currently it was not being done. And, the language in this rule was not being done because she said she would call a suspected Tuberculosis and Tuberculosis lesion in animals anything that a Meat Inspector collected and submitted to the VDL for additional testing
- Mike Honeycutt said that the rule itself predates the reinstatement of the State Meat Inspection Program and it's being done through Meat Inspection not through Veterinary

**(6:02:24) 3:44 PM ARM 32.3.1202-Rabies Quarantine**

Dr. Tahnee Szymanski said that she was, at least for the time being, leaving this rule as it was, because when it was last discussed to do away with the 60-day quarantine of the county when diagnosed rabies, the BOL did not want to go away from that. She said she had spent a lot of time trying to refashion how to do this, and could not come up with a solution

**(6:03:06) 3:45 PM ARM 32.3.1305-Disclosure of Information**

Dr. Tahnee Szymanski said that the language in this rule just stated that livestock markets and packers may disclose records to appropriate authorities, which was a true statement, whether or not it was an administrative rule

**(6:03:36) 3:45 PM ARM 32.3.1505-Blood Testing With Salmonella Antigens**

Dr. Tahnee Szymanski said that this rule states that they have to be more than five months of age, but the program standard states it is four months of age

**(6:03:52) 3:45 PM ARM 32.3.1507-Exhibitions of Poultry**

Dr. Tahnee Szymanski reported that this rule goes back to 1972 and stated that anywhere poultry were exhibited, they had to be inspected and meet certain requirements. She said that none of this had been done in any of her time at the State.



She said with the import requirements for birds coming into the state, she proposed that this rule be repealed

**(6:04:52) 3:46 PM ARM 32.3.2006-Intrastate Movement of Cattle: Identification**

Dr. Tahnee Szymanski said she felt that if this administrative rule would be removed it would not change anything that happened in Montana as far as how animals moved through marketing channels. She said the portion of it that said when animals going to slaughter within the state be back tagged, that was not done and she felt that it not being done created any traceability or additional risk:

- Mike Honeycutt felt that because the entire rule was updated in 1972, he thought the rule might actually be much older than that

**(6:06:15) 3:48 PM ARM 32.3.2301-Control of Biologics**

Dr. Tahnee Szymanski said that this rule did not necessarily follow the manufacturer's specifications for those products and might actually be outside of those parameters and so she wanted to change the language to default to the manufacturer's specifications for serum virus and vaccine

**(6:06:52) 3:48 PM ARM 32.3.2303-Diagnostic Tests**

Dr. Tahnee Szymanski said that this rule could actually be repealed because the DOL already had a requirement for all Brucellosis, Trichomoniasis and CWD tests, whether positive or negative to be reported within their respective subchapters. She said that typically, any other disease, this was not required either

**(6:08:37) 3:50 PM Emergency Preparedness Update**

Dr. Tahnee Szymanski reported that Jake Feddes had requested at a previous meeting about information regarding foreign animal disease response. She said that Dr. Michalski had put this presentation together:

- Dr. Szymanski said that last year, in the Spring, Dr. Michalski and Dr. De Groot had held 10 meetings around the state on the Secure Beef Supply. The meetings were part of a National Animal Disease Preparedness and Response Program (NADPRP) grant that has been received pre-COVID and had been delayed until after COVID was concluded
  - Dr. Szymanski said that even though they wouldn't be funded through a specific NADPRP-funded proposal, she would like to continue conversations about Secure Beef Supply
- Although the poultry industry had some very good recent histories of severe disease that made conversations like that relevant and several years ago the swine industry had something like PEDs and we know how close African Swine Fever was, Dr. Szymanski said that at the USAHA meeting last fall there was a lot of conversation about how to get the cow/calf industry on board with the Secure Food Supply Plan, who hadn't seen a large-scale contagious disease issue

- According to Dr. Szymanski, the NCBA had a program for producers that she was hoping to work on over the next year with Veterinarians and producers for cattle producers
- Dr. Szymanski said that her goal was to write a response plan to be used during an outbreak for the state of Montana because the current one was very archaic
- A lot was supposed to happen within the first 72 hours of an outbreak, Dr. Szymanski said and that USDA had made the decision that there would be a 72-hour standstill if that happened, meaning shipments of animals enroute, would continue on to their destination, but after that, nothing new on the road
  - Also in the first 72 hours, the plan was to get your hands around the infected premises and once that was done, get your hands around an investigation. It might take more than 72 hours, Dr. Szymanski said
  - Once the 72-hour stop movement period was completed, the limited movement period stated where specific low-risk movements could happen. Once two incubation periods, or the 28-day mark was reached, such as with FMD, outside of that control zone, more movement could ramp up. But, if you didn't fall into that limited movement period, you might be sitting on animals for a month
  - Dr. Szymanski said that abandonment of loads of animals in transit was something that should be planned for. Jake Feddes said that he would not want to allow any animals coming into Montana from a state where the disease was detected. Gene Curry said that those sealed loads that cross the Canadian border would probably not go back and that it might be an interesting thing to talk about International Livestock Identification
    - Mike Honeycutt said that Montana was hosting the International Livestock Identification Conference in Billings this summer and that would be another item the audience would need to hear about and be thinking about
- Dr. Szymanski said for swine, you could not stop the flow of piglets and the options available to producers who didn't have the facilities would be variable for each one
  - William Kleinsasser shared about the Secure Pork Supply Plan and how their entire premise was mapped out and what to do if something like that happened
  - Mike Honeycutt said that the pork sector had been highly compliant and worked on emergency preparedness activities, but that we weren't quite there yet with the beef stock
- Dr. Szymanski said that if the outbreak epicenter was in Montana we would be on the most strict version of those controls. But, if the outbreak epicenter was in Georgia, Montana might be back to normal much more quickly
- Dr. Szymanski said that the intent of a 72-hour stop movement was that those animals already on the road go on to their destination, but, if their destination was Canada, the border would be closed and so there would be questions and challenges about those trucks not able to complete their destination or even return home

- Dr. Szymanski explained that in the case of a presumptive diagnosis where a report had been received of an animal with compatible clinical signs and we're in the process of doing an investigation, the visual of those animals may be alarming for a foreign animal disease, there were many things to be thinking about and to do, including how to plan, how to do contact tracing, movement records, inspection data, health certificate data, preparing a State and National Incident Management Team and setting up an ICS structure in the state
  - Once the diagnosis was received, the control area needs to be established, boundaries drawn, communicate with industry and, if in Montana, the VDL as well
- Dr. Szymanski said they had prioritized items for the coming year in regards to emergency preparedness for the DOL
  - Making sure that at both the State and Federal levels, there is agreement of what an Incident Command System (ICS) structure would look like
  - Because of the turnover in the DOL, Dr. Szymanski said we needed to get employees schooled up in ICS training
- If the NADPRP grant was received, Dr. Szymanski said it was written with the intent to spend the next year working with industry and statewide partners to devise a 72-hour standstill plan, what would it look like, which law enforcement agencies would help with that, along with Brand Inspectors. She added that MSGA had expressed an interest in working with the DOL and other state livestock groups that would be interested in participating could help as well
  - The plan would culminate in a tabletop exercise to test the plan that would help continue to promote the Secure Food Supply Plan
  - Dr. Szymanski said that depopulation and disposal were really important to consider as well in the plan
- Mike Honeycutt explained that there were levels of command structure training for dealing with emergency natural disasters. He said that he and several dozen people in the DOL had been through ICS 300 level certification training and that some had gone to a higher level training because of need
  - In an animal health emergency happening in Montana, Mr. Honeycutt said that the DOL planning had been to use a dual-Commander situation, including the State Veterinarian and the ADIC, along with other people, including a Communications Officer, logistics people, Liaison Officer, stakeholders, coordination with other State agencies, the Governor's Office, National Guard, Highway Patrol and the media
- There was a Veterinary Stockpile that would have resources to draw from, Mr. Honeycutt said, if Montana was the epicenter of the event. He said that Wildlife Services might get a call from him to have the DOL helicopters fly to the National Veterinary Stockpile and get those items distributed where they would need to be. National Guard trucks could also help with that transport of items
  - Mr. Honeycutt said that a big warehouse in Helena full of panels and vaccine and other animal diseases emergency items was not needed because the State had the ability to tap into finances and resources when needed

- Dr. Szymanski said that USDA also had Pre-Populated ICS Teams, and if you were the index state, you could get a full complement of all the ICS positions
- Dr. Szymanski reported that work had been done in and around Florida because of the proximity of African Swine Fever to the US border, and so any time an illegal lands on the shores of Florida, they do follow-up that pertains to the potential introduction of African Swine Fever. She said that not every person that comes into the US gets screened, but there were a lot of pieces in place to deal with that situation

**(6:41:47) 4:23 PM General Updates**

Dr. Tahnee Szymanski reported that she had two brief updates to share with the BOL:

- MSU Extension had scheduled a feral swine tour, Dr. Szymanski said, that would run from March 5-9, 2024. The tour would begin in Havre and then would go to Chinook, Malta, Fort Peck, Glasgow, Plentywood and end up in Sidney
  - The tour was through MSU Extension, Wildlife Services and the DOL, who would be present at those meetings
- A TB trace that touched Montana, Dr. Szymanski said was reported out of South Dakota. The animal did come out of a Montana source herd that had been dispersed since that animal had left the state
  - Dr. Szymanski said that she did not believe there would be any testing of herds in Montana, but maybe a couple isolated animals here and there, adding that Montana should be very minimally touched by this

**COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS/COMMENTS FROM PRODUCER ORGANIZATIONS**

**(6:43:08) 4:25 PM**

Gene Curry said he would not ask for comments from the public on non-agenda items as there was no one left in the room or online from the public or from any producer organizations

**SET DATE FOR THE NEXT BOARD MEETING**

**(6:43:38) 4:25 PM**

Gene Curry requested that a date be set for the next BOL meeting:

- Mike Honeycutt said that we should be considering long-range planning for the budget at the next BOL meeting in March
- Gene Curry said that we would be looking at the last week of March for the next BOL meeting
- On March 20, 2024, Mike Honeycutt said that he was scheduled to give a presentation to the Farm Bureau ACE program who would be in Helena. The week after that he said it was Spring Break
- Nina Baucus requested that the meeting be set for March 26, 2024 or thereafter. Mike Honeycutt said that was Holy Week, and so he would not be available on Thursday or Friday of that week, and William agreed to that
- Lily Andersen said that the 25<sup>th</sup> or 27<sup>th</sup> would be better, but she could make Tuesday, March 26, 2024 work. Wednesday, the 27<sup>th</sup> would not work for William

- The BOL set the next BOL meeting for Tuesday, March 26, 2024

**MEETING ADJOURNED**

(6:47:26) **4:29 PM**

  
Gene Curry, Chairman