

BEFORE THE DEPARTMENT OF LIVESTOCK
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PROPOSED
ARM 32.3.225 pertaining to) AMENDMENT
importation of camelids)
) NO PUBLIC HEARING
) CONTEMPLATED

TO: All Concerned Persons

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

2. The Department of Livestock will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact Department of Livestock no later than 5:00 p.m. on June 6, 2022, to advise us of the nature of the accommodation that you need. Please contact Executive Officer, Department of Livestock, 301 N. Roberts St., Room 304, P.O. Box 202001, Helena, MT 59620-2001; telephone: (406) 444-9525; TTD number: 1 (800) 253-4091; fax: (406) 444-4316; e-mail: MDOLcomments@mt.gov.

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

32.3.225 CAMELIDS (1) Camelids may enter the state of Montana provided they enter in conformity with ARM 32.3.201 through 32.3.211.

~~(2) Camelids must be officially tested negative to brucellosis within 30 days of entry into the state.~~

~~(3) Sexually intact camelids two months of age and older originating from a tuberculosis accredited free or tuberculosis modified accredited advanced U.S. state or zone require a negative axillary test within 60 days prior to importation.~~

~~(4) Sexually intact camelids two months of age and older originating from a tuberculosis modified accredited U.S. state or zone require one of the following:~~

~~(a) two negative axillary tests on all animals 60-120 days apart, with the second test occurring within 60 days prior to importation; or~~

~~(b) one negative single cervical test on all animals within 60 days prior to importation and part of a whole herd test within the previous 12 months; or~~

~~(c) one negative single cervical test on all animals within 60 days prior to importation and originate directly from an accredited tuberculosis free herd.~~

~~(5) Animals less than two months of age originating from a tuberculosis modified accredited U.S. state or zone must be quarantined for testing between two and four months of age.~~

~~(6) All test results and dates, including herd accreditation numbers, shall be recorded on or attached to all copies of the animal's health certificate.~~

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

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

REASON: The department is proposing to eliminate import testing requirements for brucellosis and tuberculosis for camelids entering Montana. This proposed change is based on the lack of documented risk of either disease in camelids, the lack of validated tests for camelids for tuberculosis, and the value of aligning Montana's import requirements with other states.

4. Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to: Department of Livestock, P.O. Box 202001, Helena, Montana, 59620-2001; telephone (406) 444-9321; fax (406) 444-1929; or e-mail MDOLcomments@mt.gov, and must be received no later than 5:00 p.m., June 10, 2022.

5. If persons who are directly affected by the proposed action wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing and submit this request along with any written comments to Executive Officer at the above address no later than 5:00 p.m., June 10, 2022.

6. If the agency receives requests for a public hearing on the proposed action from either 10 percent or 25, whichever is less, of the persons directly affected by the proposed action; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those directly affected has been determined to be 3 persons based on estimated number of llama producers in Montana and potential exhibitors of show llamas that may visit yearly.

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

8. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sosmt.gov/ARM/Register>.

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

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

/s/ Darcy Alm
Darcy Alm
Rule Reviewer

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

Certified to the Secretary of State May 3, 2022.