

BEFORE THE DEPARTMENT OF LIVESTOCK  
OF THE STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF PROPOSED  
ARM 32.2.401 pertaining to Animal ) AMENDMENT  
Health Division Fees )  
) 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 accommodation for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require accommodation, contact the Department of Livestock no later than 5:00 p.m. on November 13, 2023, 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, Montana, 59620-2001; telephone (406) 444-9525; fax (406) 444-4316; TDD/Montana Relay Service 1 (800) 253-4091; or e-mail MDOLcomments@mt.gov.

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

32.2.401 DEPARTMENT OF LIVESTOCK ANIMAL HEALTH DIVISION

<u>FEES</u>	(1) Certifications:	
	(a) Brucella ovis-free flocks certification - new	\$40.00
	(b) Brucella ovis-free flocks certification - renewal	18.00
	(2) Licenses:	
	<del>(a) Garbage feeder license - new</del>	<del>\$170.00</del>
	<del>(b) Garbage feeder license - renewal</del>	<del>50.00</del>
	<del>(c) (a) Licensed equine-approved feedlot</del>	<del>\$1450.00</del>
	<del>(d) (b) Montana bull stud service</del>	<del>350.00</del>
	<del>(e) (c) Rendering or disposal plant license</del>	<del>5.00</del>
	<del>(f) (d) Trichomoniasis feedlot license - new</del>	<del>100.00</del>
	<del>(g) (e) Trichomoniasis feedlot license - renewal</del>	<del>12.00</del>
	<del>(h) (f) Pullorum <u>NPIP</u> authorized testing agent license</del>	<del>50.00</del>
	(3) Permits:	
	<del>(a) Annual <u>NPIP</u> poultry permit</del>	<del>\$4.00</del>
	<del>(b) (a) Biologics, conditional - new</del>	<del>\$30.00</del>
	<del>(c) (b) Biologics, conditional - renewal</del>	<del>10.00</del>
	<del>(d) Biologics, unconditional</del>	<del>10.00</del>
	<del>(e) (c) Bovine semen, annual - domestic</del>	<del>4.00</del>
	<del>(f) (d) Bovine semen, annual - international</del>	<del>42.00</del>
	<del>(g) (e) Cross border grazing - new</del>	<del>37.00</del>

(h) <del>(f)</del> Cross border grazing - renewal	14.00
<del>(i) Equine permit, annual</del>	<del>5.00</del>
<del>(j) <u>(g)</u> Equine semen, annual</del>	<del>7.00</del>
<del>(k) Six-month horse passport</del>	<del>5.00</del>
(4) Forms and tags:	
<del>(a) Alternative livestock tags - deer (small)</del>	<del>\$27.50</del>
<del>(b) <u>(a)</u> Alternative livestock tags - elk (medium)</del>	<del>64.50</del> <u>\$1.68 each</u>
<del>(c) <u>(b)</u> SV-7 - large animal cvi book</del>	<del>32.00</del> <u>1.50 each</u>
<del>(d) SV-7A - cvi convoy replica book</del>	<del>38.00</del>
<del>(e) SV-7B - cvi continuation pages</del>	<del>37.00</del>
<del>(f) <u>(c)</u> SV-7GF - alternative livestock cvi book</del>	<del>20.00</del>
<del>(g) <u>(d)</u> SV-7GFc - alternative livestock continuation</del>	<del>15.00</del>
<del>(h) SV-7HP - 6-month horse passport book</del>	<del>55.00</del>
<del>(i) SV-69A - trichomoniasis test report</del>	<del>37.00</del>
<del>(j) <u>(e)</u> Trichomoniasis tags (50)</del>	<del>8.35</del> <u>83.50</u>
<del>(k) Trichomoniasis tags (10)</del>	<del>16.70</del>
<del>(l) Trichomoniasis tags (25)</del>	<del>41.75</del>

AUTH: 81-2-102, MCA

IMP: 81-1-102, 81-2-502, 81-2-704, MCA

REASON: The department proposes to amend the above-stated rule to remove licenses, permits, and forms that are no longer offered by the department and to update available quantities and pricing of some remaining forms and tags. Per 81-1-102, MCA, all fees are commensurate with costs and no fiscal impacts are expected.

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., November 17, 2023.

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 Director at the above address no later than 5:00 p.m., November 13, 2023.

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 zero persons based on the amended items being no longer offered by the department or are simply updates to available quantities of items for purchase.

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 rules will not significantly and directly impact small businesses.

/s/ Darcy Alm  
Darcy Alm  
Rule Reviewer

/s/ Michael S. Honeycutt  
Michael S. Honeycutt  
Executive Director  
Department of Livestock

Certified to the Secretary of State October 10, 2023.