

MINUTES OF THE 401st COMMISSION MEETING
Texas Animal Health Commission
August 7, 2018

The TAHC Commissioners met in the agency's headquarters, in Austin on Tuesday, August 7, 2018. Chairman Coleman Locke began the meeting at 8:36AM.

Item 1 – Welcome and Call to order by Chairman Locke

Commissioners Michael Vickers, Eric White, William Edmiston, Coleman Locke, Joe Leathers, Tommy Oates, Ken Jordan, Leo Vermedahl, Barret Klein, and Keith Staggs were present.

Item 2 – Approval of the minutes of the 400th Meeting

A motion to APPROVE the minutes of the 400th Commission meeting held on April 17th, 2018, was made by Commissioner Leathers and seconded by Commissioner Jordan. The motion carried.

Item 3 – Report of the Executive Director, Field Animal Health Program Activities and Approval of Waiver Requests for the Period 4/17/2018 to 8/16/2018

Dr. Schwartz presented the following:

- **Opening remarks**
 - Welcome new commissioners
 - Introduce Dr. Angela Daniels, Assistant Executive Director of Animal Health Programs

- **Agency Business**
 - Preparation for the 86th Legislative Session, January-May, 2019:
 - External Customer Survey:
 - 158 respondents
 - “TAHC has done an excellent job in promoting and assuring animal health, productivity, and marketability for the industry group it serves”
 - 81% agreed or strongly agreed
 - 13% were neutral
 - 4% disagreed or strongly disagreed
 - 2% responded “non-applicable”
 - Base Budget Reconciliation - done
 - Five Year Strategic Plan - done
 - Legislative Appropriations Request – due August 10, 2018
 - Baseline budget consistent with 2018-2019 levels
 - Must describe how the agency would make cuts to achieve 10% reduction, in 2.5% increments
 - Exceptional Items
 - Agency Modernization – IT Business Initiatives to improve enterprise capabilities- A total of approximately \$400,000 in additional funds is needed this biennium for an Animal Health Automated Information System – Animal Health Tracking System.
 - For the upcoming biennium, the TAHC is requesting additional general revenue funding in the amount of \$748,000 to be used to increase the salaries of Livestock Inspectors. If granted, the funds will be used to

increase the inspector salaries by \$3600 annually and would be applied across the board.

- Executive Director Salary - TAHC is requesting authority to reclassify the Executive Director's salary from Exempt Salary Group 4 to Exempt Salary Group 5 and authorization for the Commission to use the entire salary range, up to the maximum salary rate of \$197,415, as deemed appropriate by the Commission. The current executive director position is compensated at Salary Group 4 with a maximum salary of \$146,742.00 per year.

- **Disease considerations**

- Cattle Fever Ticks

- USAHA 2017 Resolutions

- #24: Urges USDA APHIS and ARS to collaborate with Mexican Animal Health Officials to develop and implement a fever tick control program on the Mexico side of the Rio Grande to reduce the threat to the US.

- Meeting scheduled for September 5-6, 2018, in Laredo. Funding provided in 2018 federal omnibus spending bill.*

- USAHA 2017 Resolutions

- #25: Urges that USDA and the National Assembly recognize the critical importance of developing new and innovative technologies and tools to assist in CFT eradication, and support funding efforts to achieve these objectives.

- 2018 federal omnibus spending bill provided \$5M for applied fever tick research*

- TAHC and CFTEP worked with ARS to identify 11 priority projects, to be completed by collaborators (ARS in Edinburg, Kerrville, and Washington State, TAMU Kingsville, TAMU College Station, UT-Rio Grande Valley)*

- Experimental cattle grazing on USFWS refuges – fence being built
 - Feeding ivermectin medicated corn to WTD – feeders deployed on refuge but feeding was paused on July 31 in advance of 2018-2019 hunting season
 - Response to infested deer and nilgai on Port Mansfield property
 - External Cattle Fever Tick Program Review Team assembled by USDA APHIS VS is continuing process. Expect preliminary report in December 2018.
 - Concerns over spray box utilization

- Trichomoniasis

- Chapter 51, Cattle Trichomoniasis - Rule up for adoption today would allow untested bulls to be moved from an out of state premises of origin directly to a specifically approved market on an owner-shipper statement. It also preserves the requirement for a permit and CVI on untested bulls moving from out of state markets and locations other than a premises of origin.

- **National Issues**

- Animal Disease Traceability (ADT) - Livestock Traceability Forum to be held in Kansas City on September 25-26, 2018.
 - Brucellosis and Bovine Tuberculosis - A federal rule proposed in 2015 would combine Brucellosis and Bovine Tuberculosis regulations in the CFR. Comments on the proposal were predominantly against its adoption, and no regulatory action was taken after the comment period closed. USDA APHIS is now considering action, and The National Assembly of State Animal Health Officials provided a summary of its recommendations to Dr. Jack Shere on April 11, 2018.

-USDA APHIS VS Cattle Health staff are tasked with setting up state-federal working groups to address Brucellosis and TB rules separately.
-The federal order issued in 2010 is being rewritten. This order allows states to retain free status after affected herds are disclosed, provided they implement a herd plan preventing spread of TB and conduct surveillance in area wildlife and other species. This rewrite could affect Texas' TB Free Status.

• **Waiver Report - April 17, 2018 to August 7th, 2018**

○ 4 waivers requested and 2 approved:

- Tuberculosis – **Approved** – allowed entry of deer from Florida before final results were returned from TB Tests. Deer were required to be isolated from susceptible species and easily accessible should a culture have come back positive.
- Tuberculosis – **Approved** – waived TB testing requirement for cattle to enter Texas. Cattle are originally from Texas and are kept on summer pasture in New Mexico. Cattle were tested before departure, were not comingled with untested cattle, were shipped back to Texas on a CVI with official ID, and were tested within 14 days of arrival at superior Texas facilities.
- Chronic Wasting Disease – **NOT Approved** – denied request that federal regulations on CWD fencing requirements be waived. TAHC has no jurisdiction to waive federal program requirements.
- Brucellosis – **Not Approved** – did not allow waiver of Brucellosis testing requirement into Texas from the San Diego Zoo Safari Park for 3 Sudan Barbary Sheep. Shipper had adequate time to re-test sheep and meet entry requirements.

A motion to APPROVE the actions of the Executive Director for the period from April 17, 2018 through August 7, 2018 was made by Commissioner Jordan and seconded by Commissioner Leathers. The motion carried.

Item 4 - Presentation of Epidemiology, and Animal Disease Traceability (ADT) Activities

Dr. Susan Rollo, State Epidemiologist, presented the following report:

I. CATTLE

A. Tuberculosis:

1. Status of the infected Herds in Parmer County and Lamb County, Texas: Both dairies & the feed yard (~11,000 head) have undergone an assessment test in April 2015 then 9 removal tests in (2015: July, September, December), (2016: March, October), (2017: Feb, April-June, Oct-Nov) and (2018: Jan-Feb & one currently ongoing in April). Last positive culture was disclosed in Feb 2017 removal test. Have been 66 confirmed MB compatible animals from this group including the original 6 steers that traced to this herd. The dairy continues to pursue “test out” option.

2. Other TB cases in the FY2018: To date, five slaughter trace investigations were initiated in FY2018. Two traces are Mexican origin. One US origin slaughter steer traced to a positive herd in S. Dakota. Other 2 traces are still under investigation. One had a tag were DNA did not match the lesion & the other trace was for an animal with no official ID.

B. Trichomoniasis: From January to March 2018, there were 82 positive bulls disclosed in 12,384 bulls tested (0.7% test positive).

Year	TVMDL Grand Total		Total Test Prevalence
	Total Bulls	Total Positive Bulls	
2013	5,272	122	2.3%
2014	31,613	777	2.5%
2015	41,162	592	1.4%
2016	48,420	493	1.0%
2017	48,126	443	0.9%
2018	12,384	82	0.7%

C. Cattle Fever Tick: The Cattle Fever Tick Eradication Program is a cooperative activity between TAHC and USDA-VS. The number of newly discovered infested premises in South Texas (in Permanent and Temporary Preventive Quarantine Areas) has increased from 86 in October 2016 to currently 193 total infestations disclosed.

Trace cattle are cattle that were either sold to or sold from the infested premise/producer in the year prior to the identification of the infestation. The number of traces by county since November 2016 are listed below:

County	# of Traces	# Head	# Open (% complete)
Live Oak	488	1186	10 (98% complete)
Zapata	124	146	20 (84% complete)
Starr	164	164	4 (98% complete)
Webb	51	189	1 (98% complete)
Hidalgo	83	210	4 (95% complete)
Total	910	1895	39 (96% complete)

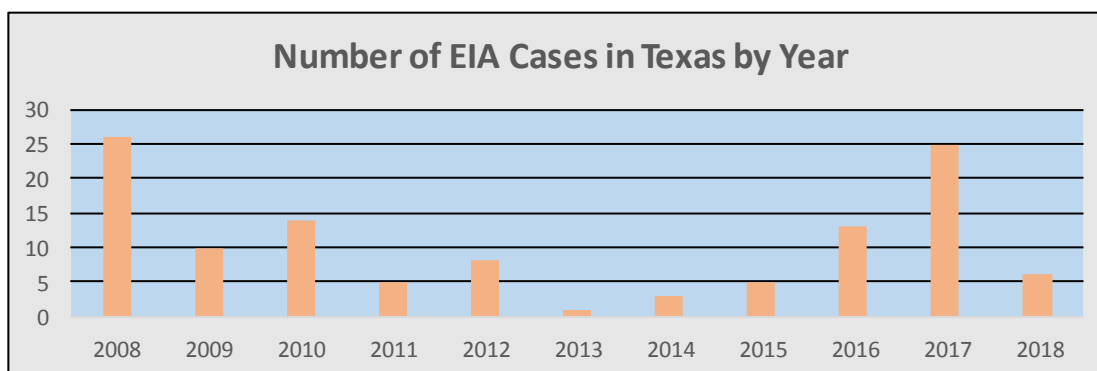
II. SWINE

A. Brucellosis: Currently, no herds are under quarantine for swine brucellosis.

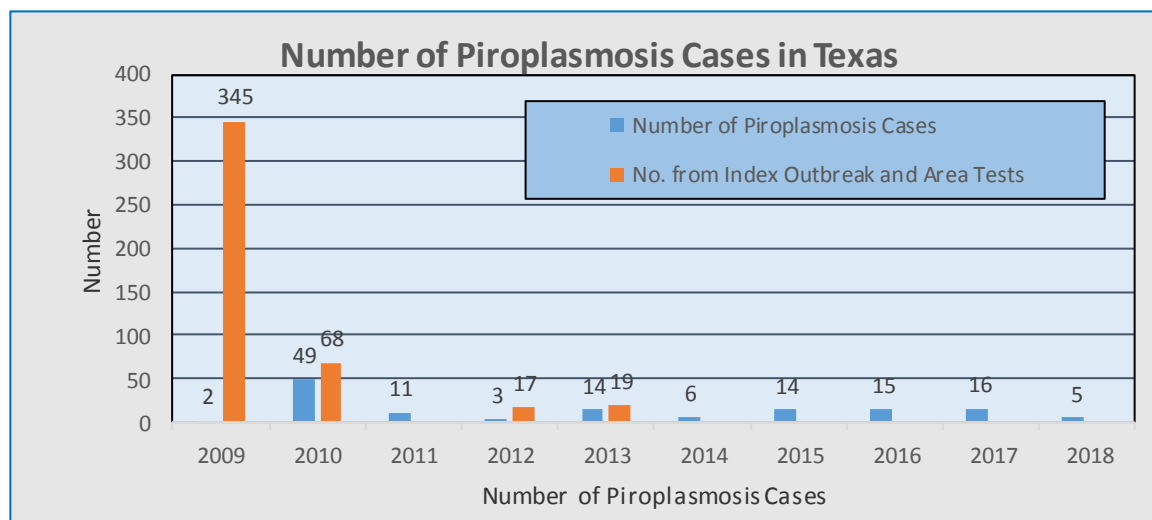
B. Pseudorabies (PRV): One swine herd is under quarantine in Rusk County for pseudorabies.

III. EQUINE

A. Equine Infectious Anemia (EIA):



B. Equine Piroplasmiasis (EP):



History of Piroplasmosis in Texas: In October 2009, a quarter horse was diagnosed with Equine Piroplasmosis (EP), *Theileria (Babesia) equi*. The horse originated on a large South Texas ranch. This case started a multi-state investigation. As a result of the lengthy investigation, 413 horses were located in Texas that were positive either in the index herd, adjacent herds, or trace outs from the index herd. In 2012, an area test was conducted in Kennedy County which yielded 17 positive equids. In 2013, an area test was conducted in Kleberg County which yielded 19 positives. In 2014-2015, an area test in Brooks County yielded no positives. Normally Piroplasmosis is transmitted through several tick vectors including *Amblyomma cajennense*, *A. mixtum*, *Dermacenter nitens*, or *D. albipictus*. In addition to tick-borne transmission, iatrogenic spread can occur by the use of unsterilized or contaminated medical instruments, or through a blood transfusion. In Texas, the majority of recent EP and Equine Infectious Anemia (EIA) cases have been in racing quarter horses and the number is on the rise. By TAHC rule, equine entering a Texas racetrack facility must have a negative EP (*T. equi* only) test and negative EIA test within the past 12 months.

IV. POULTRY

Avian Influenza Incident:

Laboratory detection and confirmation: On 3/6/2018, TAHC was notified by TVMDL of 22/16 AI-ELISA/AGID positives from a commercial broiler breeder flock in Hopkins County Texas. The birds were tested for preslaughter movement and were destined to an out of state slaughter plant. TAHC Region 4 placed the premise on hold order on 3/6. TAHC immediately initiated area surveillance and verified that additional samples were expedited to the TVMDL Center Lab for confirmation. On 3/7, TVMDL detected influenza A H7 subtype by PCR and NVSL further confirmed the presence of Influenza A low-pathogenic H7N1. Whole genome sequencing was completed on 3/21/2018 and the virus is >99% similar across the entire genome to the H7N1 from the Missouri commercial turkey flock. Phylogenetic analysis indicates a high probability that the introductions arose from wild birds in the Central/Mississippi flyway (no single wild bird virus ancestor was identified). Results suggested an active infection with variable viral shedding and incomplete seroconversion.

Response: TAHC responded by creating a 3km Affected Zone (AZ) and a 10km Surveillance Zone (SZ) around the index premises and by surveying the area for all commercial and backyard chicken flocks. Backyard flock surveillance teams were deployed from an incident command post in Sulphur

Springs on 3/8 and all surveillance and sampling was completed late on 3/9. Samples were sent to TVMDL in College Station and all results were negative. The commercial response consisted of identifying other dangerous contact flocks which includes adjacent flocks. The other commercial premises in the 10km zone were a group of 4 pullet houses adjacent to the index and an empty broiler breeder house. The adjacent 4 pullet houses were tested weekly for 4 weeks and all tests were negative. In addition, a group of company owned houses that the service technician sampled after the index were tested and all were negative. The company depopulated both index houses and disposed the birds by burial on site on 3/8. The cleaning and disinfection process started shortly on 3/9. Virus elimination using heat was completed on 3/23. TAHC and USDA APHIS conducted environmental sampling on 3/26. Virus isolation was negative. The company plans to repopulate the houses with the adjacent pullets. The pullets will be tested prior to repopulation and then 10-15 days after entering the index houses. As a part of the Texas response plan, the Department of State Health Services was notified of the incident. DSHS provided assistance to contractors and company employees on proper precautions to take for personal safety when potentially exposed to avian influenza. This low pathogenic influenza incident was an example of quickly stomping out active virus to prevent spread and potential of mutation to high pathogenic strains. OIE was notified on 3/9 of the incident by USDA APHIS. Most LPAI restrictions are limited to the affected county or the 10 km area immediately surrounding the infected premises. Situation reports were provided to USDA poultry staff in a timely manner in order to fulfill OIE requirements and TAHC was notified on 4/12 that the case is closed domestically and CEAH filed a final report with OIE. Overall, TAHC worked very closely with TVMDL, USDA APHIS state and poultry health groups as well as the company to detect, control, and contain the disease by using the most recent science and risk based protocols in order to protect the whole Texas poultry industry.

V. SHEEP AND GOATS

A. Scrapie: The first positive scrapie case in Texas since 2008 was identified in the Panhandle in April 2016 and the flock and premises remains under quarantine.

VI. CERVIDS

A. Chronic Wasting Disease (CWD) in white-tailed deer (WTD): There are 5 positive WTD breeding facilities in Texas. The total number of positive WTD and current status of each facility is listed below:

Facility	Current Status	Number Positive
1	Depopulated in 2015	4
2	Depopulated in early 2016	5
3	Quarantined January 2016, managed on herd plan	28, 12 suspects, 2 elk
4	Quarantined March 2016, recently depopulated ~100 does and managed on a herd plan,	25
5	Quarantined May 2017, depopulated herd October 2017	2

In late FY 2017, USDA informed TAHC that some end of year CWD indemnity funds were designated to Texas for the current positive herds. USDA required complete depopulation of the newest facility (Facility #5) based on the smaller size. The herd was depopulated in October and one additional positive doe was disclosed. The remaining available funds were allocated to use on facility 4 to

ANIMAL DISEASE TRACEABILITY ACTIVITIES

TAHC continues to work with USDA and industry to achieve ADT cooperative program goals and objectives. One big improvement is in traceability from GVL CVIs to StateVet.com. This improvement eliminates manual data entry.

Item 5 – Presentation of Animal Health Program Activities

Dr. Angela Daniels, Assistant Executive Director of Animal Health Programs, was introduced to the commissioners and provided the following report:

- **Report Items**
 - Background
 - Areas of Responsibility
 - Animal Health Programs
 - Region Directors
 - Deputy Director of Animal Health Programs
 - Authorized Personnel
 - Emergency Management
 - Focus: Accountability, Uniformity, Sunset Review
 - Goals: lead and support well trained staff to conduct mission of agency, integrate emergency management into daily routines to better prepare for emergency situations, interact with Texas accredited veterinarians to strengthen disease surveillance, provide reliable and informed assistance to the ED
 - Region Mergers
 - June 1, Regions 2 and 7 consolidated following retirement of R2 Director. Dr. Tommy Barton resumed management of what is now the Rockdale Region
 - June 29, Regions 3 and 6 consolidated following retirement of R3 Director. Dr. Pete Fincher resumed management of Lampasas Region
 - Removed number system for the regions, implemented city name system. Prevents future need to re-number, ties office location to the region name, and is descriptive to those outside the agency.
 - Field Manuals
 - Existing manuals are: EIA, Scrapie, Swine, Poultry
 - Revision: Organize by disease rather than species, Standardize layout and format, policy to update as part of any change and biennial review
 - Developing or putting into electronic form: TB, Brucellosis, Trich, CEM, EIA, Piro, Scrapie, CWD, Pseudorabies, CSF, Ticks
 - Inspector conferences
 - Supervising Inspector Correlation, June 2018, discussed issues and solutions, set plan for Inspector work conferences
 - Inspector work conferences set for Sept. 2018, will outline expectations, serve as a disease school, include field manual presentation
 - Region Administration Conferences
 - Update region office SOP, cross train on all duties, standardize data input procedures, set expectations

Item 6 – Presentation of USDA VS Update

Dr. Mike Pruitt presented an update of USDA VS activities. Full audio of the presentation can be found at <http://www.tahc.texas.gov/agency/meetings.html>.

Item 7 – Presentation of Program Records

Mrs. Erin Burges presented a report on the accomplishments of Program Records:

Ms. Burges provided a brief presentation of the work the Program Records (PR) department has done with the databases that have been acquired; Square 9 database, StateVet.com and the SCS database.

In November 2016, PR started using Square 9 to house all paper and electronic documents. It can also convert paper documents into an electronic form that can be easily searched and from which reports can be developed. This database is used for CWD program forms; which include the Movement Records, Test Submission Forms, Mortality Records, and Inventory Records. However, largest task that Program Records uses it for is for Certificates of Veterinary Inspection. So far, the department has received and processed into Square 9: 68,116 incoming CVIs and 54,523 Texas outgoing CVIs. All of these documents are easily searchable and staff is able to gather information from them and run reports on the data taken off a CVI much more efficiently. Examples of fields indexed from a CVI is the CVI number, issue date, received date, species, number of animals, type of movement, permit numbers if any, consignor and consignee information, TX origin issuing veterinarian and their National Accreditation Number. All of these indexed fields can be download onto an excel spreadsheet from which reports can be created. The department receives hundreds of Certificates a day, and all Program Records Staff have some part in putting information into Square 9. One specific report pulled from Square 9 is the electronic vs. paper use of CVIs by TX vets and out of state vets. The good news is there has been a slight increase in the use of electronic CVIs by TX veterinarians since last year. So far for 2018, PR has received 22,639 incoming CVIs, 8,442 of those were electronic or 37%. And we have received 18,524 outgoing CVIs, 8,933 of those were electronic or 48% from TX Vets. One of the biggest benefits gained from using Square 9 is that staff are able to gather any information requested much easier, such as what types of animal imports came into Texas during a specific period and what were they coming in for. For example, what animals came into the state of TX from Montana in the last month? In 1 minute, the following information was located: 1 cattle certificate coming in for breeding, 31 equine certificates, for change of ownership, moving, or shows and 1 goat CVI that was a change of ownership. Square 9 has also helped the ADT Department with traces because the CVIs are readily available as opposed to being stored in boxes in a warehouse. Time spent on open records requests have been reduced also, because those reports can be run in a fraction of the time in which they were run before the implementation of Square 9.

Another traceability tool utilized is the StateVet.com subscription. This allows staff to take official ID information from CVIs and put them into our SCS/Core One database. This makes every official ID from any CVI, paper or electronic searchable. Since using StateVet in August of 2015, over 36,000 movements with over 1 million animals are now searchable in SCS. The Permits Department

also issues permit numbers for specific species coming into the state of Texas. Last month the department permitted 181 cattle movements with a total head count of 10,366, most of these were dairy calves, 8 Equine movements, with a total head count of 35 horses, 13 exotic movements, with a total head count of 67, and 24 poultry movements, with a total head count of 69,888 animals.

Item 8 – Administration/Budget Status Report

Mr. Steven Luna, Director of Finance, gave a report on the agency's budget status:

- **FY 2017**
 - Encumbered Funds – Various purchases still outstanding
 - \$20,000 remaining
- **FY 2018**
 - **Methods of Financing (MOF's):** Projected available funds by fiscal year end are \$17.1M. Year to Date funds available are \$16.9M
 - **Objects of Expense (OOE's):** Anticipated Known Expenditures - \$15.3M
 - Total anticipated/projected Funding less the total anticipated/projected known Expenditures:

○ Total Funding	\$17,144,749
○ Total Expenditures	\$15,381,410
○ Total Difference	\$ 1,763,339
 - **Federal Funds:** Federal Funds \$2.06M Spendable. Federal Funds Received Year to Date \$1.9M
- **Fee Revenue** Fee Revenue is used solely on Field vehicle expenses:
 - Fuel, Maintenance/Repairs, Parts, Insurance, Lease
 - Projected Fee Revenues - \$520K. Fees Received Year to Date - \$522K
- **FTEs (Full Time Equivalents – the State's way of saying employees)**
 - FY 2018 FTE cap – 220.2
 - As of July 27th, 2018 –
 - 193.2 FTEs filled
 - 27 FTEs vacant
- The TAHC has Unexpended Balance (UB) Authority to move unspent appropriations from FY 2018 to FY 2019. Any appropriations unspent will be moved to continue to assist with the Cattle Fever Tick effort.
 - Anticipated UB of \$1.7M.
- The TAHC Financial Services requests authority for budgetary transfers for the FY 2018 budget as needed for the following:
 - Authority to move up to \$25,000 from Field to Epidemiology/Lab
 - Authority to move up to \$7,500 from Compliance to Animal Emergency Mgmt
 - Authority to move up to \$25,000 from Information Resources to Other Support Services
 - Authority to move up to \$5,000 from Central Administration to Other Support Services
 - At the next Commission meeting, the exact amounts will be reported.
- The TAHC is also seeking authority from the Commission to exceed our Capital Budget Authority for the purchase of Laptops and for software licensing. The funding was appropriated

for the Cattle Fever Tick work in the last session for the addition of the 36 FTE's. This was included in their equipment cost but was accidentally excluded from the Capital Budget IT Hardware and Software request. With the Commission's approval a request will be submitted to the Legislative Budget Board and the Governor's Office for approval.

- **FY 2019**

- **Methods of Financing (MOF's):** Projected available funds are \$14.9M. September 1st funds available are \$12.7M. This amount does not factor any funds that will be UB'ed from FY 2018.
- **Objects of Expense (OOE's):** Anticipated Known Expenditures - \$14.9M
- **Federal Funds:** Federal Funds \$2.06M Spendable. Federal Funds Received Year to Date \$1.65M
- **Fee Revenue:** Fee Revenue is used solely on Field vehicle expenses:
 - Fuel, Maintenance/Repairs, Parts, Insurance, Lease
 - Projected Fee Revenues - \$520K.

- **FTEs**

- FY 2019 FTE cap – 220.2
 - Estimate for September 1st, 2018 – 201.2 FTEs filled, 19 FTEs vacant
- The TAHC has does not have authority to move unspent appropriations from FY 2019 to FY 2020. All unobligated appropriated funds will be returned to the state.

FY 2020-21 Legislative Appropriations Request (LAR)

- **Appropriations Requests**

- These funds are requested in the LAR, but not guaranteed
 - \$14M General Revenue per year;
 - \$1.6M Federal Funds per year (estimated);
 - Total \$15.8M per year
- One Time Expenses (estimate \$1.2M) will be removed:
 - 28 trucks - \$1M;
 - Work Barge - \$121K;
 - 36 Laptops - \$65K
- FTE's – 220.2 per year
- Riders –
 - Fee Revenue Authority and - \$520K per year
 - Capital Budget Request
 - IT Software & Hardware - \$150K per year
 - Fleet - \$150K per year
 - Livestock Equipment - \$200K, FY 2020 only
 - Biennial UB Authority
- Exceptional Items
 - Priority 1 – Agency Modernization (IT Business Initiatives)

- Requesting additional funding for Animal Health Automated Information System
 - \$269K FY 2020 for cloud storage and project expenses
 - \$131K FY 2021 for annual maintenance and cloud storage
 - \$131K for each additional year thereafter
 - Purpose – current method outdated and in multiple systems, this will consolidate and improve efficiency and effectiveness over current method
- Priority 2 – Inspector Salary Equity Increase
 - Requesting additional funding of \$374K per year for Inspector Salary Equity Increase
 - \$300 increase per month per inspector for 104 inspectors
 - Inspector salaries are on average less than salaries of inspectors at TDA, DSHS, and USDA APHIS VS
 - Allows TAHC to be more competitive in acquiring talented/knowledgeable staff
 - 20% Turnover rate amongst inspectors for FY 2018
- Priority 3 – Executive Director Salary
 - Not requesting funding
 - Requesting to move from Group 4 to Group 5
 - Group 4 range - \$106,500 to \$171,688
 - Group 5 range - \$122,500 to \$197,415
 - Requesting Authority for Commission to set salary in Group 5
 - Allows TAHC to be more competitive in acquiring talented/knowledgeable Executive Director/State Veterinarian
 - Current Salary set (by Congress) at \$146K

A motion to APPROVE the Administration/Budget Status Report and to approve the Legislative Appropriations Request was made by Commissioner Jordan and seconded by Commissioner Vermedahl. The motion carried.

Item 9 – Audit Sub-committee Report

Commissioner Leathers provided an overview of the audit sub-committee meeting.

A motion to APPROVE the actions of the Audit-subcommittee was made by Commissioner Edmiston and seconded by Commissioner Vickers. The motion carried.

Item 10 – Consideration of and Possible Action on Agency Contracts and Purchases

Mr. Freddy Garcia presented contracts and purchases for the consideration of the commissioners for FY 2018.

A motion to APPROVE the contracts and purchases request was made by Commissioner Leathers and seconded by Commissioner Edmiston. The motion carried.

Item 11 – Consideration of and Possible Action on Rule Review Proposals Regarding:

Gene Snelson then discussed the following REGULATION REVIEW PROPOSALS:

Because the items propose the review of existing rules, and are not amendments or new rules, the items were discussed and then voted on as a group.

- (a) Chapter 32, Hearing and Appeal Procedures
- (b) Chapter 36, Exotic Livestock and Fowl
- (c) Chapter 45, Reportable Diseases
- (d) Chapter 56, Gifts, Grants, Donations
- (e) Chapter 59, General Practices and Procedures
- (f) Chapter 60, Scrapie

The motion to PROPOSE the rule reviews of Chapters 32, 36, 45, 56, 59, and 60 was made by Commissioner Edmiston and seconded by Commissioner Vickers. The motion carried.

The notice of these proposed reviews will be published in the Texas Register with a 30 day comment period. Comments regarding the review proposals may be submitted to Amanda Bernhard, Texas Animal Health Commission, 2105 Kramer Lane, Austin, Texas 78758, by fax at (512) 719-0719 or by email at "comments@tahc.state.tx.us".

Item 12 – Consideration of and Possible Action on REGULATION ADOPTIONS

Gene Snelson then discussed the following REGULATION ADOPTION:

Each Regulation Adoption was reviewed and voted on individually.

- (a) Chapter 51, Entry Requirements, Cattle Trichomoniasis
 - (b) Chapter 59, Educational and Training Assistance
- (a) The Texas Animal Health Commission (Commission) ADOPTS amendments to Chapter 51, entitled "Entry Requirements." The purpose of these amendments to Chapter 51 is to modify Bovine Trichomoniasis requirements to enter the state.

Bovine Trichomoniasis (Trich) is a venereal disease of cattle. The Trich organism causes abortion and extended calving seasons. Bulls will remain persistently infected and spread infection from cow to cow.

The Commission works with a stakeholder group called the Bovine Trichomoniasis Working Group (TWG), which meets annually to discuss programmatic changes and identify rule actions. The TWG held their annual review meeting on March 20, 2018, to evaluate the effectiveness of current rules. The TWG discussed the program overview to date, the management of infected herds, entry requirements, and the need for possible revisions to the program.

The TWG recommended that the commission change its existing rules to provide an exception to the certificate of veterinary inspection and permit requirements for bulls entering the state directly from a premises where the bull was maintained to approved livestock market. This proposal is consistent with the federal interstate movement requirements, which, under certain circumstances, allow cattle to move from federally approved livestock facilities without official identification.

The motion to ADOPT amendments to Chapter 51, Entry Requirements, was made by Commissioner Jordan and seconded by Commissioner Leathers. The motion carried.

- (b) The Texas Animal Health Commission (commission) ADOPTS new §59.14, concerning Educational and Training Assistance, in Chapter 59, which is entitled “General Practices and Procedures.” The new rule implements procedures for employee education and training assistance.

The new rule is proposed pursuant to the Texas Government Code §656.048, which requires a state agency to adopt rules relating to the eligibility, obligations and reimbursement of the agency's administrators and employees for training and education supported by the agency.

The commission puts a high priority on training and educating its staff to ensure continuity and growth in agency knowledge, skills, and abilities. The proposed rule will provide sound guidelines for employees and administrators to follow for training and educational reimbursement requests and ensures the commission maintains fiscal accountability and transparency.

The motion to ADOPT amendments to Chapter 59, Educational and Training Experience, was made by Commissioner Leathers and seconded by Commissioner Edmiston. The motion carried.

Item 13 – Public Comment/Recognition

There was no public comment during the 401st commission meeting.

Item 14 – Closed Executive Session to Receive Legal Advice, Discuss Pending or Contemplated Litigation, and Settlement Offers as Permitted by Section 551.071 of the Texas Government Code.

Item 15 – Closed Executive Session to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of Specific Commission Employees as Permitted by Section 551.074 of the Texas Government Code

Adjourned for Special Session at 11:38AM.

Item 15 – Reconvene to Consider Any Action Needed Following Closed Executive Session

Reconvened regular session at 11:40AM. No action was taken from the brief special session.

Item 17 – Set Date for 402nd Commission Meeting

The date for the 402nd Commission Meeting was not set at the time of the meeting, but is tentatively scheduled for December 2018. Notice will be posted on the agency's website when the next Commission meeting date has been set.

Item 18 – Adjournment

The meeting adjourned at 11:43AM.