

SUMMARY MINUTES OF THE 416th COMMISSION MEETING
Texas Animal Health Commission
July 11, 2023

Item 1 – Welcome and Call to order by Chairman Locke

The Texas Animal Health Commission (TAHC) Commissioners met in person on Tuesday, July 11, 2023. Chairman Coleman Locke began the meeting at 8:33AM. The Pledge of Allegiance was recited.

Item 2 – Roll Call for Commission Members

The Chairman called the roll for the commission members. Commissioner Vermedahl was absent.

The motion to excuse the absence passed.

Item 3 – Approval of the minutes of the 415th Meeting

There was no public comment and no discussion concerning the minutes of the 415th Commission meeting. The motion to approve the minutes of the 415th Commission meeting passed.

Item 4 – Report of the Executive Director and Approval of Waiver and Variance Requests

Dr. Schwartz presented the following:

(A) AGENCY OPERATIONS & AFFAIRS

- Currently 185 of 215 FTEs are filled, up from 170 in the April 4, 2023 report. Please welcome Dr. Jessica Monday, our new State Epidemiologist! The Program Records Department is fully staffed again as well.
- Rural Veterinary Incentive Program (RVIP): HB1259, passed during the 87th Legislative Session. The Texas Animal Health Commission (TAHC) will administer the program in accordance with the rules adopted by the Rural Veterinarian Incentive Program Committee. *As of Friday, July 7th, the RVIP webpage was launched, and applications are now being accepted for the RVIP 2023 cycle. Applications may be submitted through September 5, 2023.*
- All audits of herds in the Texas CWD HCP have been completed. Of 287 herds total, TAHC completed audits of 208 active herds, with 79 herds closed, suspended, or dropped out of the program.
- Additional work is pending to frame up movement requirements for CWD susceptible exotic species, as well as enforcement of compliance with those requirements.
- Information on 2023 CWD affected breeder deer facilities will be provided under Agenda Item #6.
- Adoption of rules on CWD testing requirements for susceptible exotic species and the Texas CWD HCP are up for consideration under Agenda Item #13.
- Proposals to establish new and refine existing CWD Containment and Surveillance Zones are up for consideration under Agenda Item #14.

(B) National Update

- Cattle Fever Ticks:
 - Rio Bravo Buffer Zone: USDA APHIS is now directly funding pilot projects in Tamaulipas and Coahuila. Work on these projects is underway. *Update: Progress reports were shared in May at the BNC meeting in Chihuahua, Mexico. USDA is evaluating the outcome in light of possible continuation of the effort.*

- Animal Disease Traceability
 - The comment period has closed on USDA’s proposed rule to discontinue metal NUES tags and require that official identification devices be readable both visually and electronically. A total of 2004 comments were received. These comments are currently under consideration. USDA representatives tentatively predicted a final rule would be published after the first of the year.
 - Agency management is urging USDA to establish the capability to scan electronic identification devices on cattle imported from Mexico as they are loaded onto trucks leaving the import facilities.

- Asian Longhorn Tick (ALT)
 - Agency management is monitoring discoveries of ALT in other states and assessing the practicality of any regulatory action to protect our state. The Executive Director denied a request to allow feeder cattle to enter the state from a herd in Tennessee that is known to be affected by *Theileria orientalis*, a serious disease of cattle that is vectored by the ALT.

- Bovine Brucellosis
 - Agency management is monitoring a case of brucellosis in a Wyoming beef cattle herd outside of their Designated Surveillance Area (DSA), but with ties to the DSA.

- Bovine Tuberculosis
 - USDA is downgrading Nuevo Leon’s bovine TB status from Level IV to Level V, citing lack of traceability, not completing area tests, and not updating related TB regulations. No cattle from the state will be allowed to enter the US.
 - Sonora is now recognized as Level I for bovine brucellosis and is seeking to export sexually intact feeder cattle to the US. Sonora cattlemen are requesting that Texas and other states waive post-entry TB testing requirements.

(C) Legislative Update – 88th Session

Overall General Appropriations Bill for FY2024-2025 was approved

Currently TAHC budget does not include the monies for the 5% raises

- Went into effect July 1
- The budget will be adjusted to reflect additional monies
- 5% only applies to filled positions

HB2 Funds \$1.7M dollars (2 years ago)

- Received in response to exceptional items that we requested for FY 22-23 (trucks and monies to pay for TexCore yearly maintenance fee)
- this has been included in our base budget for 2024-2025. Now have \$1,750,000 to spend on vehicles each biennium and on-going costs for TexCore are paid

Fees – Herd Certification Program – CWD/CVIs/Fowl Registration

- Previously we were required to ensure that we collected \$560,000 in fees each year. This collection amount has been steadily increasing over the years
- For the upcoming budget cycle, the amount was increased to \$860,000
- Important because anything over the goal set that we collected we could use to pay for things such as fuel, vehicle maintenance, etc. We have not gone above \$620,000 in fee collection in a year. Extra monies no longer there for these items.
- Not sure of the impact at this time

Exceptional Items/Requests Approved for 2024-2025

Staff Raises – 5% in both 2024 and 2025

- All state agencies sent in requests to increase employee salaries across the board, including TAHC as an exceptional item. Due to this, the Legislature decided to review and determine the amount of increase for all state employees and settled on the 5% across the board.
- This 5% went into effect July 1 – will be reflected in the paycheck received August 1, 2023
- We are adjusting the Career Ladders for the months of July and August to reflect the 5% - still \$300 incremental changes within each level
- New career ladder forms will be rolled out and available on the intranet as each of the increases take effect.
- There is an additional 5% scheduled for next FY – no mention if it will occur September 1, 2024 or earlier.
- All postings currently reflect the 5% increase as they will not be filled until after July 1, 2023

Livestock Inspectors/Administrative Assistants – 10% in FY2024

- When the legislature took over and decided to work on across the board raises – we were contacted by the LBB and asked to revise or revisit our exceptional item of salary increases
- Went back with 10% for the larger part of our workforce the inspectors and the administrative assistants – this was approved and is included in our base budget going forward – wanted to ensure that we were still competitive with our salaries even after the 5%
- Currently working on the paperwork to ensure these payroll actions are in place for September 1 – will be reflected in paycheck received October 1
- Career Ladders will be adjusted to reflect the 10% change – once again \$300 increments in between – any that may take effect in September will take effect after the 10% as is a separate action
- New career ladder forms will be rolled out and available on the intranet as each of the increases take effect
- Postings beginning in late August will reflect the 10% increase

Executive Director Salary Changes

- Multiple state agencies sent in requests to increase their Executive Directors (ED) salaries across the board, including TAHC as an exceptional item. At the November 2022 meeting commissioners had determined an amount for this position which was submitted for approval. The intent was to increase retention/recruitment for this position
- OOG recommended withdrawing the request to await action by the Legislature

Summary Minutes of the 416th Commission Meeting – 7/11/2023

- The Legislature increased several state agency Director salaries such as TPWD, TCEQ, and TAHC, but not that of agencies headed by elected officials.
- The ED's salary is not included in the 5% - an amount was indicated as a line item in our budget for the salary for each year

Testing Fees/TVMDL

- \$350,000 budgeted annually after lab closed during last session
- First year bills were over \$350,000 so we requested additional funds - \$150,000 annually
- Legislature agreed and gave us the additional funds so we now show \$500,000 in Diagnostic Funds.
- Also, we requested that if there is a disaster/disease outbreak and the amount of testing overspends the budget – could we request additional funds. Received a rider in our budget that states if testing exceeds the budgeted amount agreed upon in the MOU between TVMDL and TAHC by 10% - the TAHC may submit the amount to the Comptroller for reimbursement (HPAI, ASF, TB, etc)

CVI Central/On-line Permitting

- Exceptional item approved for additional funds requested to pay for this software to assist Program Records in uploading CVIs from StateVet.com and with after-hours and online permits.
- Permits will be available 24/7 – issuing veterinarian can request entry permits online instead of calling or emailing. This will be their entry permit not a temporary number as currently done after hours and on weekends.
- Poultry and Cervidae permits will not apply these are only available 8-5 due to HPAI and CWD
- We have started using CVI Central during this FY and are seeing improvements in efficiency. This software is tied to GlobalVetLink, VSPS. Once approved the documents are uploaded and attach to the appropriate premise in TexCore.
- OCR is available for hand-written CVIs so it can read those without manual entry.

DPS – Law Enforcement/LSI

- Exceptional item – requested additional funds to pay for a DPS trooper or other law enforcement to assist with roadside stops when doing LSI
- Trooper present to assist with stopping vehicles
- Funds approved and an IAC is in place with DPS

Other Legislation

Rural Veterinary Incentive Program (RVIP)

- HB 2026 by Rep. Darby increased rural county qualification from 100,000 residents to 150,000 residents
- The Higher Education Coordinating Board to hold the promissory note rather than veterinary schools
- An adopted rider extends use of the program funds until December 2024.

HB 3257 by Rep. Kacal – Confidentiality bill

- This bill relates to maintaining confidentiality of certain biosecurity and other sensitive information shared with TAHC, such as that contained in a Secure Food Supply plan.

HR 1296 by Rep. Kitzman

- Congratulating Chairman Locke on his induction into the American Brahman Breeders Hall of Fame

TDA/DPS/TAHC Rider

- Not an exceptional item. During session TAHC was asked by Senator Nichols to join in discussion of a rider based on an exceptional item that was submitted by TDA to build (5) entry point stations at points on the state line to conduct stops for Plant/Seed Inspections in conjunction with DPS. TAHC would conduct livestock inspections at these facilities.
- Dr. Schwartz and Bob Young attended a meeting with DPS/TDA/TAHC and Senator Nichols' staff – all agreed good idea – all agencies asked to submit what their requests would be to do something like this working together
- TAHC submitted our request of \$2.4M for 10 additional staff, equipment, trucks, computers, roadside signs, etc
- TDA was approved for mobile stations and additional staffing. DPS was approved for additional staffing and funds to improve their roadside stations. TAHC was approved for additional staffing and funding for the staffing and equipment
- These 10 positions will also conduct additional work as needed to assist the Regions and LSI as appropriate for the TAHC

Cattle Fever Tick Treatment Field Trial

- Senator Perry put forth and the legislature passed a rider providing \$316,000 to support a two-year field trial of a cattle fever tick treatment for cattle. TAHC will be conducting this trial using eprinomectin in Cameron County

(D) WAIVERS and VARIANCES (Action Item)

There were six waivers requested, four of which were approved.

- Trichomoniasis – **Approved** – shipping issue caused samples for an official test to arrive outside of permitted window for testing. Testing was for herd management and not change of ownership. No test chart will be issued.
- Trichomoniasis – **Approved** – veterinarian used expired pouches for herd management test. No test chart will be issued.
- Tuberculosis – **Denied** – requested waiver of TB entry requirements for Giant Eland. Animal will be turned out with cattle upon arrival, making the risk unacceptable.
- Trichomoniasis – **Approved** – veterinarian used expired pouches for herd management test. No test chart will be issued.
- Trichomoniasis – **Denied** – veterinarian requested waiver of Trich test entry requirement to move to Texas after a bull sale. There was no hardship to justify the exception.
- Tuberculosis – **Approved** – feed yard requested waiver of TB entry requirements to return cattle to Texas due to feed availability. A veterinarian was not available to test the cattle in a timely manner in Kansas. Cattle are to be held under hold order and tested upon arrival in Texas.

The motion to approve the waiver requests passed.

Item 5 – Presentation of Field Animal Health Programs and Disease Traceability

Dr. Angela Lackie presented the following update:

- Staffing – back to pre-Covid levels
 - Of 144 total positions, 135.5 are filled, eight are posted, and 10 are vacant
- Inspections in the second quarter of 2023
 - 42 event inspections
 - 453 feed yard and 49 calf ranch inspections
 - 297 feral swine inspections
 - 679 fowl inspections
 - 1384 livestock market inspections
 - 606 livestock shipment inspections
 - 42 swine surveys
 - 157 head tested out of 1009 swine for first point testing
 - 231 slaughter plant inspections
 - 204 trichomoniasis inspections
 - 115 waste feeder inspections
- Internal Training and Preparedness:
 - State Hurricane Exercise/Hurricane Huddle -response partners met at AROCC Partnered with ASAR a national level NGO to help primarily with companion animal rescue and sheltering issues during major incidents
 - Composting SME's are working on a carbon sourcing project to identify carbon throughout the state
 - Planning for IMT HPAI scenario based discussion for August
 - Finalized updates to the COOP Plan, Animal Response Plan, & Field Guide
- Secure Food Supply Program Updates
 - 40 Secure Beef Supply plans
 - Created the SFS program to enroll producers in TexCore
 - Established the SFS maps in ArcGIS
 - HB3257 gave TAHC the ability to keep information contained in SFS plans confidential
 - Join bi-monthly meetings with SFS coordinators in other states to establish standards and consistency
- Outreach
 - Attended Texas Division of Emergency Management Conference (TDEM) in June
 - EM Specialist has visited 10 counties this year
 - Hosted another HPAI preparedness meeting with major commercial poultry company
 - EM Specialist spoke at TDEM Conference and Animal Control Health and Safety meeting in Kingsville
- Federal Level Participation
 - Director and EM Specialist attended Regional Ruckus Meeting in Charlottesville, NC (Multi-state Partnership and Southern Animal and Agricultural Disaster Response Association states) collaborated on future projects with member states

Summary Minutes of the 416th Commission Meeting – 7/11/2023

- Authorized Personnel: 2382 Accredited Authorized Vets in Texas
 - 241 CWD Antemortem Certified
 - 864 CWD Postmortem Certified
 - 893 Trich Certified
- ADT updates for the fourth quarter of 2023
 - 44,015 active premise identification numbers
 - 79,195 location identification numbers
 - 455 scrapie flock identification numbers
 - Distributed 950,810 total no-cost RFID tags to producers and veterinarians

Item 6 – Presentation of Disease Information and Epidemiology Activities

Dr. Jessica Monday presented the following update:

Bovine:

Tuberculosis: Bovine Quarantines May 2023				
Region	County	Disease	Quarantine Date	Release Date
AM	Sherman	TB Reactor	2/12/19	
AM	Randall	TB	7/29/22	

Tuberculosis Trace Investigations May 2023				
Fiscal Year	# Slaughter Traces Initiated	# Ongoing Slaughter Investigations	# Affected Facility Traces Initiated	# Ongoing Facility Investigations
FY 2020			92	2
FY 2021			66	43
FY 2022	2	1	2	1
Totals:	2	1	160	46

Brucellosis: TVMDL Bovine Brucellosis Testing May 2023							
	Total Tested	Negative	Positive	Suspect	*	Incomplete	Forwarded to NVSL
BAPA	4,237	4,192	37		8		
FPA	41	39	1	1			
Card Agglutination	807	806			1		
Plate Agglutination	2,316	2,108	163			45	
Tube Agglutination	68	47	1			20	
CF	59						59

Note: Brucellosis test results are obtained from TVMDL. Test results submitted by owners and/or veterinarians in Texas.

Trichomoniasis:

The annual Trichomoniasis Working Group Meeting was held May 25, 2023. The group agreed that the continued downward trend in numbers is a positive effect of efforts to address the disease. No regulatory actions would be suggested at this meeting but the group agreed that the program is needed, and the annual meetings should continue.

TVMDL Bovine Trichomoniasis Testing May 2023									
	Individual Bulls						Pooled PCR Tests		
	<i>Total PCR</i>	<i>Negative PCR</i>	<i>Positive PCR</i>	<i>Total Culture</i>	<i>Negative Culture</i>	<i>Positive Culture</i>	<i>Total</i>	<i>Negative</i>	<i>Positive</i>
Jan	1,509	1,493	16	304	304	0	450	448	2
Feb	2,508	2,487	21	378	378	0	482	476	6
Mar	2,893	2,871	22	349	349	0	1,014	1,006	8
Apr	2,014	2,001	13	541	540	1	683	677	6
May	1,652	1,645	7	377	377	0	426	423	3
2023	10,576	10,497	79	1,949	1,948	1	3,055	3,030	25
Totals:									
<i>Note: Trich test results are obtained from TVMDL. Test results submitted by owners and/or veterinarians in Texas</i>									

Fever Ticks:

TAHC Managed Fever Tick Quarantines May 2023						
<i>Region</i>	<i>County</i>	<i>Infested</i>	<i>Exposed</i>	<i>Adjacent</i>	<i>Check</i>	<i>Total</i>
LR	Willacy	27	1	78	423	529
LR	Cameron	12	2	8	0	22
LR	Webb	2	0	37	25	64
BV	Kenedy	1	0	6	2	9
BV	Brooks	0	0	2	4	6
BV	Jim Wells	0	1	0	0	1
Totals		42	4	131	454	631
For the complete monthly fever tick situation report, visit https://www.tahc.texas.gov/animal_health/feverticks-pests/FeverTickSituationReport.pdf .						

Fever Tick Trace Investigations Summary May 2023	
Originating County	Kenedy – Issued / Open
<i>FY 2023</i>	61 / 0
# of Open Traces	0

Ectoparasite Testing May 2023						
	Total Submissions	Number of Ticks				Total Ticks
		Fever	Amblyommas	Dermacentors	Other	
January	102	107	93	125	1	326
February	101	31	108	11	0	150
March	241	13	305	31	2	351
April	127	3	153	11	1	168
May	273	21	325	1	0	346
Totals:	844	175	984	179	4	1,341

Note: ID results are obtained from the region offices. Fever Ticks for the Month of April are from Willacy county.

Foreign Animal Disease:

FAD Investigations May 2023				
County	Suspected Disease	Species	Assign Date	Complete Date
Cooke	FMD / VSV	Bovine	5/27/23	

Equine:

Equine Quarantines May 2023				
Region	County	Disease	Quarantine Date	Release Date
GS	Limestone	Brucellosis	Verbal 12/17/21	
SV	Hamilton	EIA	10/7/93	
GS	Matagorda	EIA	9/24/98	
SS	Nacogdoches	EIA	6/2/04	
SV	Midland	EIA	1/24/23	
SV	El Paso	EIA	4/12/23	
SS	Grayson	EHV-1	4/19/23	5/2/23
GS	Brazoria	Piro	3/1/10	
SS	Panola	Piro	3/12/10	
BV	Kenedy	Piro	7/23/12	
BV	Kenedy	Piro	5/7/14	
SS	Dallas	Piro	10/17/19	
LR	Hidalgo	Piro	2/26/21	
SV	Ector	Piro	7/9/21	
SS	Tarrant	Piro	9/23/21	
GS	Harris	Piro	5/31/22	
BV	Medina	Piro	9/26/22	
GS	Harris	Piro	2/14/23	
GS	Jefferson	Piro	3/16/23	

Item 7 - Presentation of USDA Veterinary Services Program Update

John Picanso, Cattle Fever Tick Eradication Program (CFTEP) Director, presented:

Aphis Veterinary Services (VS) staff continue to serve on rotations to fill the Area Veterinarian in Charge (AVIC) duties due to the position vacancy. The position posting has closed and staff are reviewing candidates. There are currently no plans to fill other vacant positions due to funding. Fiscal Year (FY) 2024 funding is set to be the same as FY23. Animal Disease Traceability (ADT) might receive additional funds, but that will not be known until the farm funding bill is announced. CWD indemnity funds are currently depleted, and most positive herds have submitted requests for funds. HPAI deployments have slowed. The response to this outbreak was the largest in USDA history. The quarantine in Texas should be declared released at this point. The quarantine for the Vesicular Stomatitis (VSV) case was released on June 28th and there are no other confirmed cases at this point in time. There are currently 91 personnel on staff at the CFTEP. Administrative duties have been centralized, which can challenge accomplishing some tasks. CFTEP personnel have been supporting TAHC activities and port work and will not be allowed to fill any vacancies in the rest of FY 2023 and potentially FY 2024. Funding issues may require additional cuts in FY 2024. CFTEP will plan to cover treatment procurements such as corn, co-ral, and BM86 vaccines, at the same level as FY 2023. CFTEP will also still support North Arizona University's research project due to the benefit of being able to track tick incursions as well as ARS's acaricide resistance research. Due to programmatic reviews, CFTEP has been working from a strategic plan with four goals of addressing current challenges, safeguarding agriculture, analyzing work progress, and expanding capacity of treatments. The program has made great progress in these areas, and currently has two years left on this iteration of the plan. Currently, there is a federal bill asking the Secretary of Agriculture to enter a contract with a university who will review the program again. The review would include an evaluation of the effectiveness of the work, the burden of compliance, and use of fiscal funds. This review has been supported by legislators.

Item 8 - Audit Subcommittee Report

Commissioner Joe Leathers presented:

Commissioner Leathers outlined the audit subcommittee meeting. He praised the Communications Department for having no deficiencies found during the audit of that department. During the audit meeting, the FY2023 and 2024 Internal Audit Plans were outlined and approved by the committee.

The motion to approve the audit subcommittee reports passed.

Item 9 - Budget Status Report

Josh Splinter, Director of Finance, presented the following:

- FY 2023 Budgeted Revenue
 - \$13,522,684 from General Revenue
 - \$1,746,552 from Federal Funds
 - \$585,102 from Fee Revenue
 - \$150,000 from Capital Vehicles
 - \$200,000 from Capital Equipment
 - \$1,687,509 from HB 2

Summary Minutes of the 416th Commission Meeting – 7/11/2023

- FY 2023 Budgeted Expenditures total \$15,478,723
 - \$11,886,011 expended year to date
 - \$3,592,712 available
- Federal Cooperative Fund Summary:

Cooperative Award	Award End	Budget	Rcd \$\$	Need to Spend
21 CFT Fence Project	9/30/2022	\$200,000	\$200,000	\$0
21 CWD D4 TX Study	9/14/2022	\$429,598	\$375,032	\$54,566
22 D4 TX UMB	3/31/2023	\$1,939,830	1,309,005	\$630,825
22 D4 TX ADT	3/31/2023	\$537,838	\$537,838	\$0
22 D4 TX CFT	3/31/2023	\$350,000	\$350,000	\$0
22 CWD Long Rng/Lw Engy	8/31/2023	\$250,000	\$70,344	\$179,656
22 VS NADRP Program	12/15/2023	\$99,501	\$76,274	\$23,227
23 TX Swine Health Imp Plans	3/31/2024	\$9,852	\$9,852	\$9,852
23 TX CFT Fence Proj.	3/31/2024	\$90,000	\$0	\$90,000
23 D4 TX ADT	3/31/2024	\$516,469	\$0	\$516,469
23 D4 TX UMB	3/31/2024	\$1,939,830	\$0	\$1,939,830
23 D4 TX CFT	3/31/2024	\$350,000	\$0	\$350,000

- FY 2022-2023 Collected Fee Revenue:
 - \$520,352 from Health Certificates was projected, \$638,288 has been received year to date
 - \$55,250 from Fowl Registration was projected, \$71,626 has been received year to date
 - \$9,500 from CWD Inspection was projected, \$10,450 was received year to date
 - \$10,965 from Administrative Penalty has been received year to date
 - \$585,102 was projected, and \$731,329 has been received year to date

The motion to approve the budget status report carried.

Item 10 – Consideration of and Possible Action Fiscal Year 2024 Budget

Josh Splinter, Director of Finance, presented the following:

- Total Budgeted Revenues: \$21,679,880
 - Includes \$1,780,000 FY 2024 funds from SB 30 for 2-yr period beginning on bill effective date
 - \$1,400,000 for the purchase of Motor Vehicles
 - \$250,000 and \$150,000 previous Capital Budget for Motor Vehicles.
- Includes funding for 10 new FTEs and equipment to assist DPS/TDA with inspection points.
- Includes funding for Cattle Fever Tick Mitigation Clinical Trials to evaluate the effectiveness of eprinomectin.

- FY 2024 Budgeted Revenue
 - \$16,658,158 from General Revenue
 - \$615,00 from Capital Revenue
 - \$860,00 from Fee Revenue
 - \$1,766,722 from Federal Funds
- FY 2024 Projected Fee Revenue
 - \$770,000 from Health Certificates
 - \$75,000 from Fowl Registration
 - \$15,000 from CWD Inspection
- **88th Legislative Budget Impacts:**
 - TAHC received funding for 10 additional FTEs in the Compliance Department. These positions are to assist the Department of Public Safety and Department of Agriculture with inspection entry points.
 - TAHC received an increase in fee revenue to \$860,000. The impact of this increase is unknown and could result in a loss of additional revenue.
 - TAHC retained UB authority to move funds from FY 2024 to FY 2025 including funds distributed through SB 30 in the event all funds are not spent.
 - TAHC received additional funding for testing costs with TVMDL.
 - TAHC was also granted the authority to request additional funding in the event of an animal disease outbreak should the testing costs exceed the current contract with TVMDL.
 - TAHC received funding for Cattle Fever Tick Mitigation Clinical Trials to evaluate the effectiveness of eprinomectin.

Item 11 – Consideration of and Possible Action on Agency Contracts and Purchases

Myra Sines presented contracts and purchases for the consideration of the Commissioners, which included contracts, purchases, and leases for FY 2024.

The motion to approve the contracts, purchases, and leases passed.

Item 12 - Consideration of and Possible Action on Orders Related to Commission Rule Violations

Mr. Jabbar Fahim presented orders related to Commission rule violations for the consideration of the commission. The orders were approved.

Item 13 – Consideration of and Possible Action on Adoption of Proposed Rule

Mrs. Jeanine Coggeshall discussed the following proposed Rule:

- a) Chapter 40, Chronic Wasting Disease

The Texas Animal Health Commission (Commission) adopted amendments to Title 4, Texas Administrative Code, Chapter 40 titled “Chronic Wasting Disease.” Specifically, amendments to §40.1, concerning Definitions, §40.2 concerning General Requirements, and §40.5 concerning Surveillance and Movement Requirements for Exotic CWD Susceptible Species were, adopted without changes to the proposed text published in the May 12, 2023 issue of the Texas Register (48 TexReg 2433) and will not be republished. Amendments to §40.6 concerning CWD Movement Restriction Zones were adopted without changes to the

proposed text published in the June 2, 2023 issue of the Texas Register (48 TexReg 2789) and will not be republished. The Commission adopts amendments to §§40.1, 40.2, 40.5, and 40.6 to clarify, correct, and update information regarding CWD management to reduce the risk of interstate and intrastate transmission of CWD in susceptible cervid species.

The motion to ADOPT the amendments, repeal, and replacement to Chapter 40, Chronic Wasting Disease passed.

Item 14 – Consideration of and Possible Action on Proposed Rules

Mrs. Jeanine Coggeshall discussed the following Regulation Adoption Proposals:

a) Chapter 32, Hearing and Appeal Procedures

The Texas Animal Health Commission (Commission) proposes amendments to Title 4, Texas Administrative Code, Chapter 32 titled "Hearing and Appeal Procedures." The proposed amendments are the result of rule review prescribed by §2001.039 Government Code. Notice of the Commission's intention to review this chapter was published in the May 12, 2023 issue of the Texas Register (47 TexReg 2511). Chapter 32, concerning Hearing and Appeal Procedures, sets forth the process by which an individual may appeal an order or decision of the Commission. The Commission proposes amendments to this chapter to provide clearer guidance on the existing appeal process and to better align the appeal requirements with the statutory requirements set forth in the Texas Agriculture Code and the Administrative Procedure Act.

The motion to PROPOSE amendments to Chapter 32, Hearing and Appeal Procedures passed.

The notice of the proposed rule amendments will be published in the Texas Register with a 30-day comment period. Comments regarding the 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".

b) Chapter 40, Chronic Wasting Disease

The Texas Animal Health Commission (Commission) proposes amendments to Title 4, Texas Administrative Code, Chapter 40 titled "Chronic Wasting Disease." Specifically, amendments are proposed to §40.6 CWD Movement Restriction Zones. The purpose of this chapter is to prevent and control the incidence of chronic wasting disease (CWD) in Texas by seeking to reduce the risk of interstate and intrastate transmission of CWD in susceptible cervid species. The Commission proposes amendments to §40.6 to modify existing movement restriction zones to provided targeted surveillance and reduce the risk of CWD being spread from areas where it may exist.

The motion to PROPOSE amendments to Chapter 40, Chronic Wasting Disease passed.

The notice of the proposed rule amendments will be published in the Texas Register with a 30-day comment period. Comments regarding the 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".

c) Chapter 56, Grants, Gifts, and Donations

The Texas Animal Health Commission (Commission) proposes amendments to Title 4, Texas Administrative Code, Chapter 56 titled "Grants, Gifts and Donations." The proposed amendments are the result of rule review prescribed by §2001.039 Government Code. Notice of the Commission's intention to review this chapter was published in the May 12, 2023 issue of the Texas Register (47 TexReg 2512). Chapter 56 sets forth rules and guidelines by which the Commission may accept and solicit gifts. The chapter also includes standards of conduct on how commissioners and employees must conduct themselves when dealing with private donors. The Commission proposes amendments to this chapter to update the rule language to reflect the current preferred terminology, for ease of use and readability, and to bring the requirements of gift acceptance in better alignment with statutory requirements.

The motion to PROPOSE amendments to Chapter 56, Grants, Gifts, and Donations passed.

The notice of the proposed rule amendments will be published in the Texas Register with a 30-day comment period. Comments regarding the 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 15 - 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 16 - 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

Item 17 - Reconvene to Consider Any Action Needed Following Closed Executive Session

A motion was made to establish a committee of three commissioners to act as a selection committee to search for the next Executive Director. The motion passed.

Item 20 - Presentation of Awards and Recognition

Item 21 - Public Comment

No public comment was provided.

Item 22 - Set Date for 417th Commission Meeting

The date for the 417th Commission Meeting was not set at the time of the meeting. Notice will be posted on the agency's website when the next Commission meeting date has been set.

Item 23 - Adjournment

The meeting adjourned at 11:47AM.