

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1322

2001 HOUSE AGRICULTURE

HB 1322

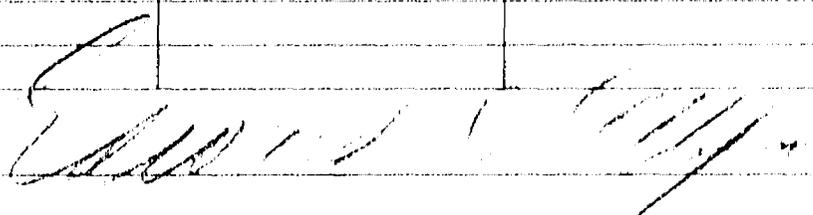
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1322

House Agriculture Committee

Conference Committee

Hearing Date Feb. 8, 2001

Tape Number	Side A	Side B	Meter #
1	X		23.52-53.58
Committee Clerk Signature 			

Minutes:

Rep Rachel Disrud: **Sponsor of bill.** Freeze branding is easier to see and has less hide damage.

Rep Dave Monson: **Cosponsor of bill.** I would also like to include computer chips into the bill.

Many new farms are using this to identify. All cattle in Canada will use this by law.

Wade Moser: *ND Stockman's Assoc.* I support as amended only. This is not recognized in any other state as a branding method. Hot branding is the only recognized brand. If the cattle are moved from ND, the branding isn't acknowledged. The only thing it changes is the hair color and it won't show up on white or other light colored cows. You won't know how good the brand turns out until the hair grows back.

Chairman Nicholas: We'll close the hearing on HB 1322.

10372.0102  
Title.

Prepared by the Legislative Council staff for  
Representative Nicholas  
February 7, 2001

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1322

Page 1, line 2, remove "methods of applying" and replace "brands" with "identification"

Page 1, replace lines 6 through 8 with:

**"Animal identification program - Administration.** The North Dakota stockmen's association shall serve as the state's administrator for any federally sponsored animal identification program."

Renumber accordingly

10372.0103  
Title.0200

Prepared by the Legislative Council staff for  
Representative Nicholas  
February 8, 2001

VRC  
2/9/01

HOUSE AMENDMENTS TO HB 1322

HOUSE AGR. 2-9-01

Page 1, line 2, remove "methods of applying" and replace "brands" with "identification"

Page 1, replace lines 6 through 8 with:

**"Animal Identification program - Administration.** The North Dakota stockmen's association shall serve as the state's administrator and allocator for any federally sponsored animal identification program."

Renumber accordingly

2-9-2011

Date:  
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.

HB 1322

House AGRICULTURE

Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

LEMIEUX - KOPPANG

Legislative Council Amendment Number

10372, 0100 - 103720103  
AM #  
1000 3200

Action Taken

100 PASS

Motion Made By

PIETSCHE

Seconded By

KINGSBURY

Representatives	Yes	No	Representatives	Yes	No
Eugene Nicholas, Chairman	✓		Rod Froelich	✓	
Dennis E. Johnson - Vice Chairman	✓		Doug Lemieux	✓	
Rick Berg	✓		Philip Mueller	✓	
Michael Brandenburg	✓		Kenton Onstad	✓	
Joyce Kingsbury	✓		Sally M. Slandvig	✓	
Myron Koppang	✓		Dennis J. Renner	✓	
Edward H. Lloyd	✓		Dwight Wrangham	✓	
Bill Pietsch	✓				

Total (Yes) 15 No 0

Absent 0

Floor Assignment PIETSCHE

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1322: Agriculture Committee (Rep. Nicholas, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1322 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "methods of applying" and replace "brands" with "identification"

Page 1, replace lines 6 through 8 with:

**"Animal Identification program - Administration.** The North Dakota stockmen's association shall serve as the state's administrator and allocator for any federally sponsored animal identification program."

Renumber accordingly

2001 SENATE AGRICULTURE

HB 1322

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1322

Senate Agriculture Committee

Conference Committee

Hearing Date March 16, 2001

Tape Number	Side A	Side B	Meter #
March 16	X		40.7 - End
		X	0.0 - 16.5
Committee Clerk Signature <i>[Signature]</i>			

Minutes:

REP. DISRUD; Sponsor, introduced the bill to the committee. In speaking with people who raise cattle, some of them came to me with the concern that they had limitations in the way they could do their branding. We put together a bill that addresses that issue, so that a person who raises cattle can have some flexibility in the way they identify their animals.

SENATOR URLACHER; Are you talking about freeze branding?

REP. DISRUD; Specifically this began as giving people raising cattle the option to freeze brand in addition to hot brand, since then the bill has been amended to include a variety of ways of branding.

WADE MOSER; ND Stockmen's Assoc., testified in support of this bill. Over the last few years there has been a lot of information about creating a nation livestock ID system for various reasons. Canada currently has a system in place that started out to voluntary and is now a mandatory ID system. I think we are moving towards a system that hopefully we can put into

place and make work. The reason for putting this into legislation is there is precedent for doing that in the fact that under Section 36-22.02 which identifies the brand inspection program that the federal government has approved the ND Stockmen's Assoc. To be the official brand inspection program for ND as well as the state has done that. Our responsibilities are to carry out that brand inspection program and we are supervised, overlooked by the Board of Animal Health and by the Legislature. There are six areas that this animal ID program look at. It will set a standard to establish a uniform nationally recognized numbering system for individual identification that may be utilized to identify animal for interstate and international movement, food safety, genetic evaluation, animal health purposes and ownership. The second thing they are looking at is to establish a uniform identification system for premise ID. The third standard would set a method to evaluate and approve these methods of official use and they do have some concerns about retention of a ID performance, fraud resistant. The fourth standard they are working on is to develop some basic information necessary to adequately trace the individual animals and that is where I think our system comes into play. The fifth standard is to eventually establish a standard official electronic device. I think the system they were looking at, at the very beginning is probably a metal ear tag very similar to what the Bang's tag is today. They may probably graduate into some other system which would have to be approved both nationally and statewide. An ear tag with a bar code on it is a potential system, the other is an electronic tag that is put into the ear. There are several other forms of electronic ID that eventually may be used as they perfect them and the systems are improved. The sixth standard they are looking at is to establish a data retrieval and messaging center. The duties and responsibilities are basically split into two to three areas one being the allocator and administrator and that is what we are asking you to look at today and designating the ND Stockmen's Association. The allocator and

administrator basically would run the program and distribute the tags or approve people to distribute the tags and we have worked and been in contact with some national and state breed associations that could work into that area. The third part of it is the oversight board which would be set up and they recommend that that be made up of animal health officials in the state and we feel that our current system that we have set up with the Board of Animal Health would be the most logical board to act as the oversight board which would monitor the allocator and administrator to make sure the job was getting done and they would give final approval to make changes to make the system work. One reason why the ND Stockmen's should be designated is that we already have a system in place with the brand inspection. We have a staff, we have the administration and the cooperation and working relationship with other states in place, especially in the western part where the brand inspection is. We think it would be a very smooth transition from the point where it turns from a voluntary to a mandatory system and that is expected, the that would be a smooth transition so if you wanted to replace the individual ID system and eliminate the brand system there would be a mechanism in place to do that. We would also be able to assure that the ownership change would be handled without duplication. We need to be proactive and have someone at the table in working with USDA to make sure that our concerns are heard. We also support the amendments to specifically address the cattle, horses and mules. We do have several producers that are concerned about the national ID system and they are concerned mainly because of the ownership change. The system that the federal government is proposing is that the ID will go in at birth or when the first owner makes the sale and that is the only thing they are concerned about. They are talking about a eleven or twelve digit or alphabet system where it would identify the state, the premise, and the animal.

SENATOR URLACHER: Will there is a problem with losing ear tags?

WADE MOSER; Yes, it is and that is one of the things that they are trying to get a handle on. The system that has been explained to us is that, that animal will receive a number and will not be able to receive any other number. I am not sure if you lose a tag if you would have to cross reference, which could get very complicated. The retention is a very important part of it. That is why I think they are looking at some form of an electric implant that will eliminate some of the problems but that hasn't been fool proofed yet.

SENATOR ERBELE; We transfer titles with the hot brands, are you looking down the future that we wouldn't be the hot brands anymore and we are going to electronic?

WADE MOSER; I think it will eliminate the hot brand, if they can perfect the electronic ID where you can as drive by a pasture be able read those for identification. There is going to be some that will not want to change, but I see it as something that something that is changing economically if their hide damage gets to the point there will some incentive not to brand.

SENATOR ERBELE; Chip in cattle's ears?

WADE MOSER; We expect that that is probably how the system will work as far as the transfer.

SENATOR WANZEK; Do you envision that there will come a day where it will be mandatory for all producers to have them identified.

WADE MOSER; Our understanding is that the direction that the federal government is going is that it will be mandatory at some point.

SENATOR WANZEK; As a cow calf producer would be required when that calf is born to give it it's own ID.

WADE MOSER; When you would be required to do that, I assuming that it would probably would be required at time that you market the animal.

SENATOR WANZEK; Would there be some potential economic benefits from being able to trace and document the cattle and breeds.

WADE MOSER; I believe so, that is one of the positives of doing this too is so that you can get information and feed back. We also feel that this could replace cattle registration number.

SENATOR URLACHER; This also identifies the residue intention of animals as they go through the system for slaughter as well?

WADE MOSER; Absolutely, it could.

SENATOR KLEIN; You as a producer are now tagged to you animals and somewhere along the line who will be liable?

WADE MOSER; That is why we feel that it is so important to have an ownership change, so that your liability ends and someone else has to take the responsibility. I think this is critical. This system has the potential to do better than the other if it is handled properly.

BURTON PFLIGER; ND Wool and Lamb Producers, testified in support of the amendments. We feel that if an administrative authority is created that the benefactor of that should be its own species that it identifies. The way the bill was currently written it would include all animals. One of the problems with the ear tags it that they don't make it on the carcass as they move through the slaughter plant. One thing we need to careful of is when the ownership changes and there are some drugs and residues that can be injected into an animal that remain after the sale of the animal.

PAUL THOMAS; ND Buffalo Association, testified in support of the amendments. With the amendments clarifying the Stockmen's Association administer in cattle, horses and mules will would have no issue with the bill.

Page 6

Senate Agriculture Committee  
Bill/Resolution Number HB 1322  
Hearing Date March 16, 2001

LARRY SCHULER; State Veterinarian and State Board of Animal Health, testified in support of the amendments. The State Board of Animal Health supports this bill as amended.

The hearing was closed.

Discussion was held.

SENATOR KLEIN moved the amendments(10372.0201).

SENATOR URLACHER seconded the motion.

Roll call vote: 6 Yeas, 0 No, 0 Absent and Not voting.

SENATOR NICHOLS moved a DO PASS.

SENATOR KROEPLIN seconded the motion.

Roll call vote: 6 Yeas, 0 No, 0 Absent and Not voting.

SENATOR NICHOLS will carry the bill.

10372.0201  
Title.

Prepared by the Legislative Council staff for  
Senator Wanzek  
March 12, 2001

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1322

Page 1, line 7, after "for" insert "that portion of"

Page 1, line 8, after "program" insert "which pertains to cattle, horses, and mules"

Renumber accordingly





**REPORT OF STANDING COMMITTEE (410)**  
March 16, 2001 2:39 p.m.

Module No: SR-46-5932  
Carrier: Nichols  
Insert LC: 10372.0201 Title: .0300

**REPORT OF STANDING COMMITTEE**

**HB 1322, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1322 was placed on the Sixth order on the calendar.**

Page 1, line 7, after "for" insert "that portion of"

Page 1, line 8, after "program" insert "which pertains to cattle, horses, and mules"

Renumber accordingly