

SENATE BILL REPORT

SB 6204

As Reported By Senate Committee On:
Agriculture & Environment, February 5, 1998

Title: An act relating to livestock identification.

Brief Description: Increasing the efficiency of registering and identifying livestock.

Sponsors: Senator Morton.

Brief History:

Committee Activity: Agriculture & Environment: 1/27/98, 2/5/98 [DPS].

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

Majority Report: That Substitute Senate Bill No. 6204 be substituted therefor, and the substitute bill do pass.

Signed by Senators Morton, Chair; Swecker, Vice Chair; Newhouse and Oke.

Staff: Paul Mabrey (786-7412)

Background: Washington's Livestock Identification program is administered by the Department of Agriculture. The department maintains official recordings of livestock brands and inspects livestock at mandatory inspection points to verify ownership. The department licenses certified feed lots as well as bonded public livestock markets. The livestock identification program is funded entirely by fees paid by the livestock industry.

The registration fee for issuance of a brand is \$35 for a two-year period. The renewal fee is \$25 for a two-year period.

The three major functions of the program, brand maintenance and recording, livestock inspection, and enforcement of livestock identification and inspection rules, have been carried out by the department exclusively.

Summary of Substitute Bill: The Director of the Department of Agriculture with the advice of the state veterinarian must establish a procedure for livestock identification. The director must establish a training and certification program for livestock identification agents. Training is not required for veterinarians or current brand inspectors.

The department's brand registration and record maintenance responsibilities are maintained. The fees for brand registration and renewal are set at \$70 for a five-year period. The initial issuance of a recorded brand is allowed to be less than five years in order for the department to be able to stagger the number of renewals in any given year. The brand recording fee is prorated for issuance for less than five years. A centralized location for the office of livestock identification is established in Ellensburg, Washington. The director is authorized

to receive gifts, grants, endowments, and the like from public or private sources for the use and benefit of the program.

Livestock identification is made voluntary for animals moved within the state or moved out of the state or country unless the animals are cattle offered for sale, excluding all female dairy cattle and all male dairy cattle under the age of four months. The livestock identification agent is authorized to inspect the animal(s) and issue a certificate of inspection on a form developed by the department.

The State Patrol is designated as the law enforcement agency responsible for inspection of ownership documentation of nonresident livestock at established border crossings between this state and any other state or country. The sheriff of each county is designated as the law enforcement agency responsible for investigation and enforcement of livestock theft. High priority is given to the investigation of livestock theft. The sheriff is given the responsibility of resolving livestock ownership disputes, disposing of unbranded and unclaimed animals, and holding livestock shipped or moved into this state which do not have a proper official brand inspection or required certificates.

Certain sections of the livestock identification chapter are repealed.

Technical and language changes are made.

Substitute Bill Compared to Original Bill: The substitute bill makes brand inspection mandatory for all cattle offered for sale excluding all female dairy cattle and all male dairy cattle less than four months old. The substitute bill provides for a training program for all livestock identification agents except veterinarians and current brand inspectors. The substitute eliminates the fee schedule for inspection. A central location for the office of livestock identification is established in Ellensburg, Washington. The director is authorized to receive gifts, grants, endowments, and the like from public or private sources for the use and benefit of the program. The State Patrol is responsible for checking ownership documentation at border check points and not required to inspect the animals.

Appropriation: None.

Fiscal Note: Requested on January 15, 1998.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: There is support for the concept of livestock identification program. The horse industry supports voluntary basis of inspection for horses. Compliance is currently low because horses are not checked at border crossings or anywhere else other than the sale yard. This is unnecessary for horses because it is redundant in many ways « horses are required to have a health certificate and a coggins test before leaving or entering the state. The majority of horses are not branded. The dairy industry is supportive. Traceback is accomplished in other ways in the dairy business.

Testimony Against: The beef cattle industry is opposed to voluntary testing stating that for the program to work, all cattle must be inspected. Fees should be the same for all. Without mandatory inspection, Washington's credibility is compromised and would face loss of

federal programs. Banks will not loan money to businesses who cannot prove ownership. The bill is in conflict with the Federal P & S Act. Concerns were voiced about animal health issues with no mandatory inspection. Range permits would be compromised without brand inspection. Mandatory brand inspection results in a deterrent to theft. Concerns were expressed about legal liability of inspectors and whether they would be considered employees of the state or private contractors. Many expressed a desire for a commission to handle livestock ID.

Testified: Greg Hanon, Washington State Veterinary Medical Association; Everett Macomber, Washington State Veterinary Medical Association practitioner; Rick Williams, WSVMA, Washington State Horse Council; Mary Beth Long, WSDA; Mike Schwisow, Washington Cattle Feeders Association (pro); Ed Armstrong, WSHC; Chris Cheney, Washington State Dairy Federation (pro); Neil Kayser, WCA (con); Mary Burke, president, Washington Cattlemen's Association (con); Debbie Pabst, Washington TB Breeders Association; E.E. Heindselman, WCA (con); Bruce Cameron, rancher (con); Jim Sizemore, rancher (con); Rick Nelson, Rod Nuckolls, Washington Cattlemen's Association (con); Art Stoltman, Washington Cattlemen's/Livestock Marketing Association (con); Ron Worsham, Mike Wieseler, Franklin County Cattlemen (con). [All CON testifiers were against the original bill.]