

2019 HOUSE AGRICULTURE COMMITTEE

HB 1166

2019 HOUSE STANDING COMMITTEE MINUTES

Agriculture Committee
Peace Garden Room, State Capitol

HB 1166
1/17/2019
Job #30962

- Subcommittee
 Conference Committee

Committee Clerk: ReMae Kuehn

Explanation or reason for introduction of bill/resolution:

Relating to freeze branding

Minutes:

Attachment #1

Chairman Dennis Johnson, Co-Sponsor: This is to recognize a freeze brand like a hot brand.

Julie Ellingson, North Dakota Stockmen's Association: (Attachment #1)

(3:17)

Nevada Miller: We have used freeze brands for ten years. The reason we use freeze brands is when selling purebred registered cattle, it gives a permanent identification. Hot irons are harder to read. The hair from a freeze brand stays white and shows up in pictures better in promotional catalogs.

It is allowed in horses and mules. It costs more to do it and more time consuming. Now it will be recognized in cattle.

Chairman Dennis Johnson: What gets the iron cold?

Nevada Miller: You can use liquid nitrogen, clip the animal and wash it with denatured alcohol or any alcohol. The other way is to use dry ice and alcohol in a 50/50 solution and then hold for a minute on the animal. If you are using the liquid nitrogen, you would hold for about 30 seconds. Cost wise liquid nitrogen is cheaper than dry ice.

Opposition: none

Representative Satrom: Moved Do Pass

Representative Skroch: Seconded the motion.

A Roll Call vote was taken: Yes 12, No 0, Absent 2.

Do Pass carries.

Representative Fisher will carry the bill.

Date: 1/17/2019

Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1166**

House Agriculture Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation

- Adopt Amendment
- Do Pass Do Not Pass Without Committee Recommendation
- As Amended Rerefer to Appropriations
- Place on Consent Calendar

Other Actions: Reconsider _____

Motion Made By Rep. Satrom Seconded By Rep. Skroch

Representatives	Yes	No	Representatives	Yes	No
Chairman Dennis Johnson	X		Rep. Ruth Buffalo	X	
Vice Chairman Wayne Trottier	AB		Rep. Gretchen Dobervich	X	
Rep. Jake Blum	X				
Rep. Jay Fisher	X				
Rep. Craig Headland	X				
Rep. Dwight Kiefert	X				
Rep. Aaron McWilliams	X				
Rep. David Richter	X				
Rep. Bernie Satrom	X				
Rep. Cynthia Schreiber Beck	AB				
Rep. Kathy Skroch	X				
Rep. Bill Tveit	X				

Total **Yes** 12 **No** 0

Absent 2

Floor Assignment Rep. Fisher

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

REPORT OF STANDING COMMITTEE

HB 1166: Agriculture Committee (Rep. D. Johnson, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1166 was placed on the Eleventh order on the calendar.

2019 SENATE AGRICULTURE

HB 1166

2019 SENATE STANDING COMMITTEE MINUTES

Agriculture Committee
Roosevelt Park Room, State Capitol

HB 1166
2/28/2019
JOB # 32966

- Subcommittee
 Conference Committee

Committee Clerk: Florence Mayer

Explanation or reason for introduction of bill/resolution:

Relating to freeze branding.

Minutes:

Attachment # 1

Chairman Luick: Opened the hearing on HB 1166. All members were present, except Senator Osland. Representative Johnson was supposed to introduce this bill, but he's busy, so any others in favor?

Julie Ellingson, ND Stockmen's Association (NDSA): Testified in support of HB 1166 and provided attachment #1.

Senator Klein: Is this new technology, we haven't implemented anything up to this point? Why now?

Julie Ellingson: It's not new, but the technique has been perfected. The speaker to follow me will provide more information on that. There had been concern that the brand could be altered or messed with. But we can still have consistency with this, without those concerns. We have some standardization.

Vice Chair Myrdal: The bill talks about hot branding or freeze branding. Which is more common now?

Julie Ellingson: I think hot iron branding is and will be more common. Freeze branding has more steps and is more costly. But freeze branding is still a viable option, and should be afforded that opportunity.

(4:27) Nevada Miller, farmer & beef producer with NDSA: I have been freeze branding cattle for over 10 years. Freeze branding has been around 20-30 years, a lot of producers use it as a numbering system for black or dark red cattle. It is a little more expensive, and takes more time. People use this for identification and marketing, as it is more legible on photos and permanent. It takes longer, but it is less harmful than hot iron. There won't be a lot of producers that will switch, but there are those of us who will continue to use that.

Chairman Luick: Is the size similar to that of a hot iron?

Nevada Miller: You can choose any size you want. I have made smaller irons for calves. If people would want to steal them, you'd still be able to spot it. You can't hide it.

Chairman Luick: The procedure just uses liquid nitrogen?

Nevada Miller: Liquid Nitrogen is more harsh and burns harder, but cheaper. We also use dry ice, which costs more, but is more forgiving with scaring. The technique is you clip the animal, wash them down with alcohol, the irons are placed in whichever you decide to use, then apply it for the designated time for the fluid you use. It would take 2 minutes per animal.

Chairman Luick: What about the hot iron? How long is that?

Nevada Miller: 10-15 seconds.

Vice Chair Myrdal: What is the breakdown of cost per animal?

Nevada Miller: \$3-4 per animal, depending.

Chairman Luick: What animals are you branding?

Nevada Miller: Just Black Angus cattle.

Chairman Luick: Asked for further testimony then closed the hearing on HB 1166.

Vice Chair Myrdal: Moved a Do Pass on HB 1166.

Senator Hogan: Seconded

Senator Larsen: Maybe we should have someone talk about all the different types of brands since we have so much time.

Senator Klein: Why do we specifically put in code, methods for branding. Why do we specify, why not just allow branding? What is the reason?

Chairman Luick: Does the humane society get involved in branding? Julie can you answer that? Also what animals get branded?

Julie Ellingson: Our brand recording program record many brands for many different animals.

Chairman Luick: Are horses branded?

Julie Ellingson: Yes, more commonly freeze branding though. Why it specifies hot versus freeze is the difference in species, I would assume. Cattle up to this point were only allowed hot iron.

Vice Chair Myrdal: I have seen brands with numbers in the ear of animals. What is that?

Julie Ellingson: I think you mean tattoos in ears. Breed associations or registered cattle will often have a tattoo in the ear with an identification number. We have different positions for different species.

Vice Chair Myrdal: Dogs and cats have tracking chips now. Does that happen with livestock and horses?

Julie Ellingson: Yes, there are many ways to identify livestock with traceability at the national level. Legal proof of ownership in ND for cattle, horse, and mule relates to the brand though.

Chairman Luick: Further discussion? (There was none.)

A Roll Call Vote Was Taken: 5 yeas, 0 nays, 1 absent.

Motion Carried.

Senator Hogan will carry the bill.

Chairman Luick: Committee will stand at ease.

(Committee continued with discussion of preference of branding on high quality show horses.)

2019 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. HB 1166

Senate Agriculture Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Myrdal Seconded By Hogan

Senators	Yes	No	Senators	Yes	No
Chairman Luick	✓		Senator Hogan	✓	
Vice Chair Myrdal	✓				
Senator Klein	✓				
Senator Larsen	✓				
Senator Osland <u>absent</u>					

Total (Yes) 5 No 0

Absent 1

Floor Assignment Senator Hogan

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

REPORT OF STANDING COMMITTEE

HB 1166: Agriculture Committee (Sen. Luick, Chairman) recommends **DO PASS**
(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1166 was placed on the
Fourteenth order on the calendar.

2019 TESTIMONY

HB 1166

#1
1/17/19

North Dakota Stockmen's Association
Testimony to the House Agriculture Committee on HB 1166
Jan. 17, 2019

Good morning, Chairman Johnson and House Agriculture Committee members. For the record, my name is Julie Ellingson and I represent the North Dakota Stockmen's Association. For those of you who are new to this committee, the NDSA is an 89-year-old beef cattle trade organization representing 3,000 North Dakota cattle-ranching families. It also has some statutorily assigned responsibilities, including the administration of the state's brand inspection and brand recording programs.

We appear in support of HB 1166, a bill initiated by our organization following a member-generated resolution at a recent annual convention. The bill is very simple: it allows freeze brands to be used as legal proof of ownership on cattle in North Dakota, just as they are now for horses and mules. When applied properly, freeze brands yield easy-to-read, permanent identification on animals and can be used effectively.

A majority of the brand states and provinces in North America already allow freeze brands as legal proof of ownership for cattle. HB 1166 would make our state's law consistent with other brand states and give cattle producers another option to choose from when identifying their animals.

I have also attached an excerpt from an Extension flyer that explains the freeze brand process, for your information.

Our brand inspection team has reviewed this proposal and supports the change, and our brand recording program would be able to capture this information just the same as it does for hot-iron brands.

For these reasons, we urge your support of HB 1166.

/

#1
1/17/19
HB 1166

How does freeze branding work?

Freeze branding kills the pigment-producing cells in the hair follicle. Therefore, when the hair regrows where the brand was applied, it is white. Freeze branding is done with special copper or bronze irons cooled to -100° to -300° F. The area must be prepared so the iron touches the skin, freezing it during the branding process. The first day after branding, the skin swells producing a welt in an outline of the brand. In two to three weeks, the brand will form a scab and peel. Six to eight weeks after branding, healthy unpigmented hair (white in color) will replace the scab.

Freeze brands work best on black, dark red or red animals. However, satisfactory results on lighter colored animals can be achieved by leaving the irons in place for a longer period of time, which will completely kill the hair follicle. This results in a brand similar to a hot brand.

HB 1166
2/28/19
1 pg. 1

North Dakota Stockmen's Association
Testimony to the Senate Agriculture Committee on HB 1166
Feb. 28, 2019

Good morning, Chairman Luick and Senate Agriculture Committee members. For the record, my name is Julie Ellingson and I represent the North Dakota Stockmen's Association, an 89-year-old beef cattle trade organization representing 3,000 North Dakota cattle-ranching families. It also has some statutorily assigned responsibilities, including the administration of the state's brand inspection and brand recording programs.

We appear in support of HB 1166, a bill initiated by our organization following a member-generated resolution at a recent annual convention. The bill is very simple: it allows freeze brands to be used as legal proof of ownership on cattle in North Dakota, just as they are now for horses and mules. When applied properly, freeze brands yield easy-to-read, permanent identification on animals and can be used effectively.

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I have attached an excerpt from an Extension flyer that explains the freeze brand process, for your information.

Our brand inspection team has reviewed this proposal and supports the change, and our brand recording program would be able to capture this information just the same as it does for hot-iron brands.

For these reasons, we ask for your support of HB 1166.

HB 1166
2/28/19
1 pg. 2

How does freeze branding work?

Freeze branding kills the pigment-producing cells in the hair follicle. Therefore, when the hair regrows where the brand was applied, it is white. Freeze branding is done with special copper or bronze irons cooled to -100° to -300° F. The area must be prepared so the iron touches the skin, freezing it during the branding process. The first day after branding, the skin swells producing a welt in an outline of the brand. In two to three weeks, the brand will form a scab and peel. Six to eight weeks after branding, healthy unpigmented hair (white in color) will replace the scab.

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