

MINUTES

## HOUSE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** Wednesday, March 06, 2013  
**TIME:** 1:30 or Upon Adjournment  
**PLACE:** Room EW42  
**MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representatives Bolz, McMillan, Batt, Bell, Agidius, Dayley, Miller, Romrell, Stevenson, VanOrden, Pence, Erpelding  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** Larry A Hayhurst, State Brands Inspector; Sean Ellis, Capital Press

**Chairman Andrus** called the meeting to order at 2:47 p.m.

In regard to **H 208**, which was presented on March 4th, 2013, **Reps. Van Orden, Boyle, Batt, and Dayley** requested to be recorded as voting **Nay**. **Chairman Andrus** reviewed the intent of the bill, and stated some opinions have changed since the bill was presented. He said there are things in the works to get alternative funding, and there is a possibility the bill will be held until alternatives are presented. In answer to a question, Chairman Andrus clarified the bill gives the Cattle Association authority to raise fees on brand inspections, not to exceed twenty-five cents.

**Chairman Andrus** reviewed the status of **H 111**, which amends Section 25-3502, Idaho Code, to revise a definition , and amends Section 25-3504, Idaho Code, to provide a felony penalty relating to the torture of animals. He said he has requested to leave the bill on General Orders and not amend it, explaining the Senate refuses to hear animal welfare legislation this year. Chairman Andrus stated the Humane Society of the United States has expressed if legislation does not do something about animal torture, they will come with money, hire people, and there will be a ballot initiative.

**Chairman Andrus** said the "One of Three" organization collected signatures last summer, for a ballot initiative to be placed on the November ballot, and they received 8,000 more signatures than what was needed. They did not turn it in to the Secretary of State, as the signatures needed to be validated through their respective counties. Chairman Andrus said the "One of Three" organization is now waiting to see what the legislature will do. The Humane Society has recommended to Chairman Andrus that a task force meet this summer to further discuss this issue.

**Larry Hayhurst**, State Brands Inspector, presented an update on the Idaho State Brand Board. He stated the mission of the Idaho Brand Board is to serve and protect the Idaho livestock industry, by creating a deterrent to theft, illegal transportation, and slaughter of livestock. Their mission is accomplished through livestock identification/brand inspections and the ongoing maintenance of a brand recording system. Mr. Hayhurst reviewed the history of brand recording, which began in 1905 under the state auditor. Since that time it has moved to the state veterinarian, the Idaho Department of Lands, and the 1939 legislature established a State Brand Inspector. In 1943 the duties were transferred to the Idaho Department of Law Enforcement, and in 1947 the State Brand Board was established. Presently, the State Brand Inspector and the Idaho Brand Board are a self-governing agency within the Idaho State Police.

**Mr. Hayhurst** presented statistics for FY 2012, stating total inspections were over two million, up almost one hundred thousand from 2011. He reviewed the schedule of fees and other assessments collected at the time of brand inspection. Other assessments include the Idaho Beef Council, Idaho Horse Board, Idaho State Department of Agriculture/animal disease, and the United States Department of Agriculture/Predator. Mr. Hayhurst clarified a brand inspection is required when ownership changes in any manner. The brand inspection is good for 96 hours before leaving the state, and before shipping or at time of slaughter. Due to the number of brands recorded in Idaho, brand recording and brand renewals are now staggered based alphabetically by last name or company name.

**Mr. Hayhurst** said the Brand Board has developed a Police Officer Standardized Training (POST) certified brands/animal health class, which is designed for law enforcement agencies and port of entry officials. The law enforcement officers get POST credit for taking the class. Mr. Hayhurst stated the Brand department outreaches training and education to any horse, cattle association, or club by invitation, across the State of Idaho. They also conduct "town hall" type meetings around the state, especially in problem areas.

In response to questions, **Mr. Hayhurst** explained when registered, not only is the brand owned but the location of the brand as well. A cow can be branded on the hips, shoulders, and ribs. A horse can be branded only on the hips and shoulders. A brand can be kept forever as long as it is renewed every five years. Mr. Hayhurst stated a brand placed on an animal is "prima facie" proof of ownership.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 3:53 p.m.

---

Representative Andrus  
Chair

---

Lynn Walker  
Secretary