

HOUSE BILL

2315

HOUSE BILL 2315

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HB0305

AN ACT to amend W.S. 11-20-104, 11-20-109, 11-20-110, 11-20-112, 11-20-221, 11-20-401(a)(i) through (iii) and 11-23-101; and to repeal W.S. 11-20-103(a)(iv), 11-20-116(d) and 11-20-402(a)(ii) and (iii) relating to agriculture and animals; providing amendments to the brand recording and inspection statutes as specified; providing for brand recording requirements; providing transportation of livestock requirements; imposing requirements and clarifying fees for carcass and hide inspection as specified; repealing conflicting provisions; and providing for an effective date.

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Introduced by:

HOUSE ACTION ON HOUSE BILL

- 1/26 [X] Introduced
Aye No Ex Ab
[4] Read First Time and Ref. to Committee No. 5
[] Failed Introduction
Aye No Ex Ab
1/31 Returned from Committee No. 5
with Recommendation:
[] Do Pass; [X] Amend & Do Pass; [] Do Not Pass; [] W/O Recomm; [] Re-Refer to Committee No.
Re-referred to Committee No.
Returned from Committee No.
with Recommendation:
[] Do Pass; [] Amend & Do Pass; [] Do Not Pass; [] W/O Recomm; [] Re-Refer to Committee No.
Considered in Comm. of Whole
[] Amended
[] Recommended Do Pass
[] Failed Comm. of Whole
[] Indefinitely Postponed
[] Other:
Read Second Time
[] Amended
[] Do Pass
[] Do Not Pass
[] Accelerated to 3rd Rdg.
Read Third Time
[] Amended
[] Passed [] Failed
Aye No Ex Ab
[] Held for Reconsideration
Motion to Reconsider
[] Passed [] Failed
Aye No Ex Ab
Third Reading Vote (On Reconsideration)
[] Passed [] Failed
Aye No Ex Ab
Sent to Senate (No Amendments)
Sent to LSO for Engrossing
ENGROSSED
Sent to Senate

SENATE ACTION ON HOUSE BILL

- Received. Read First Time.
Referred to Committee No.
Returned from Committee No.
with Recommendation:
[] Do Pass; [] Amend & Do Pass; [] Do Not Pass; [] W/O Recomm; [] Re-Refer to Committee No.
Re-referred to Committee No.
Returned from Committee No.
with Recommendation:
[] Do Pass; [] Amend & Do Pass; [] Do Not Pass; [] W/O Recomm; [] Re-Refer to Committee No.
Considered in Comm. of Whole
[] Amended
[] Recommended Do Pass
[] Failed Comm. of Whole
[] Indefinitely Postponed
[] Other:
Read Second Time
[] Amended
[] Do Pass
[] Do Not Pass
[] Accelerated to 3rd Rdg.
Read Third Time
[] Amended
[] Passed [] Failed
Aye No Ex Ab
[] Held for Reconsideration
Motion to Reconsider
[] Passed [] Failed
Aye No Ex Ab
Third Reading Vote (On Reconsideration)
[] Passed [] Failed
Aye No Ex Ab
Sent to House
Sent for Enrolling
HEA No.
Signed by Speaker
Signed by President
Approved by Governor
Chapter No.

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

HB 030511504

Cheyenne, January 30, 1995

Mr. Speaker:

Your Committee No. 5 on AGRICULTURE, PUBLIC LANDS & WATER RESOURCES

to whom was referred House Bill No. 0305

respectfully reports same back to the House with the recommendation that it

DO PASS with the following amendments

See attached Schedule A

<u>AYES</u>	<u>NOES</u>	<u>EXCUSED</u>
Anderson	0	0
Diercks		
Eyre		
Huckfeldt		
Moore		
Morrow		
Philp		
Selby		
Gans		

Sylvia S. Gans
 SYLVIA S. GANS Chairman

SW

INTRODUCED

1995

STATE OF WYOMING

95LSO-0606.01

HOUSE BILL NO. 0305

Brand recording.

Sponsored by: Representative(s) PHILP and EYRE

A BILL

for

1 AN ACT to amend W.S. 11-20-104, 11-20-109, 11-20-110,
2 11-20-112, 11-20-221, 11-20-401(a)(i) through (iii) and
3 11-23-101; and to repeal W.S. 11-20-103(a)(iv),
4 11-20-116(d) and 11-20-402(a)(ii) and (iii) relating to
5 agriculture and animals; providing amendments to the brand
6 recording and inspection statutes as specified; providing
7 for brand recording requirements; providing transportation
8 of livestock requirements; imposing requirements and clar-
9 ifying fees for carcass and hide inspection as specified;
10 repealing conflicting provisions; and providing for an
11 effective date.

12 Be It Enacted by the Legislature of the State of Wyoming:

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LEGEND: Underlined = New text added to existing statutes
Stricken = Text deleted from existing statutes

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1 Section 1. W.S. 11-20-104, 11-20-109, 11-20-110,
2 11-20-112, 11-20-221, 11-20-401(a)(i) through (iii) and
3 11-23-101 are amended to read:

4 11-20-104. BRANDS; RECORDING GENERALLY. Upon receipt
5 of the application and fee the brand shall immediately be
6 recorded in the state brand record, ~~unless it has already~~
7 ~~been recorded for another person for the same species of~~
8 ~~livestock.~~ If the brand has been previously recorded the
9 executive officer of the board may suggest a brand that
10 can be recorded. The executive officer of the board shall
11 not record any brand which in his opinion would conflict
12 with any brand of record in the same locality.

13 11-20-109. RECORDED BRAND; CONSIDERED AS PROPERTY;
14 SUBJECT TO SALE; WRITTEN INSTRUMENT REQUIRED; ACKNOWLEDG-
15 MENT AND RECORDING. Any brand recorded as required by law
16 is the property of the person in whose name it is
17 recorded, and is subject to sale, assignment, transfer,
18 devise and descent as personal property. Instruments of
19 writing evidencing sale, assignment or transfer shall be
20 acknowledged and recorded in the office of the board, ~~in a~~
21 ~~book kept and indexed for that purpose.~~ Acknowledgment and
22 recording of such instruments have the same effect as to
23 third parties as the acknowledgment and recording of

1 instruments affecting real estate.

2 11-20-110. RECORDED BRAND; BILL OF SALE; WHEN TITLE
3 VESTS. Any recorded brand may be conveyed to another by a
4 bill of sale executed by the vendor, properly acknowl-
5 edged, but the conveyance is not complete nor does title
6 to the brand vest in the vendee until the bill of sale is
7 filed for record in the office of the board. ~~The bill of~~
8 ~~sale shall not transfer the right to use the brand from~~
9 ~~the county in which it was originally recorded to any~~
10 ~~other county where the same brand or one in conflict is~~
11 ~~recorded in the name of another party.~~

12 11-20-112. BRAND BOOK; PUBLICATION; FORM AND CON-
13 TENTS; DISTRIBUTION OF COPIES; MONTHLY LISTS AND BIENNIAL
14 SUPPLEMENTS; COSTS; DISPOSITION OF PROCEEDS. The board
15 shall publish a brand book containing facsimiles or
16 descriptions of all brands recorded in Wyoming together
17 with the owner's name, post office and address, and the
18 ~~county or counties wherein the brand was originally~~
19 ~~recorded.~~ The names and brands shall be arranged in the
20 most convenient form for reference. Copies of the brand
21 book and copies of subsequent supplements shall be given
22 to the agency. At the end of each month, the board shall
23 prepare lists of the brands recorded during that month and

1 shall issue biennial supplements to the brand book which
2 shall supersede and cumulate the monthly lists issued dur-
3 ing the biennium. The board may publish and sell brand
4 books, lists and supplements, ~~at-a-price-not-less-than-the~~
5 ~~actual-cost-of-their-publication.~~ The proceeds from the
6 sales shall be deposited in the account created by W.S.
7 11-20-405.

8 11-20-221. COMMON CARRIERS NOT TO RECEIVE LIVESTOCK
9 FOR TRANSPORTATION WITHOUT CERTIFICATE. Except as other-
10 wise provided, it is unlawful for any railroad, trucker or
11 other common or contract carrier, or any person to receive
12 for transportation or to transport any horses, mules, er
13 cattle or sheep from any county in Wyoming to any other
14 county, state, territory or country, until furnished with
15 an official certificate of inspection, filled out and
16 signed by an authorized inspector, showing the horses,
17 mules, er cattle or sheep to be transported have been
18 inspected for brands and ownership.

19 11-20-401. BRAND INSPECTION FEES GENERALLY.

20 (a) Except as otherwise provided, each livestock
21 inspector shall at the time of inspecting for brands and
22 ownership collect inspection fees in an amount established

1 by the livestock board but not to exceed:

2 (i) One dollar (\$1.00) per head on all cattle
3 including unbranded animals, and including the hide or
4 carcass;

5 (ii) Twenty cents (\$0.20) per head on all sheep
6 including any hide or carcass, except unbranded and
7 undocked lambs running with their mothers; and

8 (iii) Seven dollars (\$7.00) per head for the
9 first ten (10) head of horses inspected, including any
10 hide or carcass and one dollar (\$1.00) for each additional
11 horse, hide or carcass inspected at the same time and
12 place;

13 11-23-101. SALE OF CARCASS WITHOUT INSPECTION PROHIB-
14 ITED; INSPECTION FEES; DISPOSITION THEREOF. It is unlawful
15 for any person to sell, offer for sale or possess for the
16 purpose of sale or disposal the carcass or any part
17 thereof of cattle without having the unmutilated hide
18 inspected and-tagged by an inspector. The person present-
19 ing the hide and carcass or any part thereof shall pay the
20 inspection fee prescribed by law for each hide inspected,
21 and-tagged, the fee to be remitted to the board.

Brand recording.

95LSO-0606.L1

FISCAL NOTE

Fiscal impact is undeterminable due to insufficient time to complete the fiscal note process.

HB 305

SCHEDULE A

Page 1-line 4 Delete "(iii)" insert "(iv)".

Page 6-line 2 Delete "(iii)" insert "(iv)".