



**Annual Report to
Senate and House Committees
2016 Legislature**

Agricultural and Natural Resources Committee
Government Operations and Audit Committee

Compiled January 8, 2016

By

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SD Brand Board

Brand Board Legislative Report for Calendar Year 2015

This report is compiled to meet the requirements for SDCL 40-18-18. The South Dakota Brand Board operates on funds generated from the brand registration program and brand inspection program. The Brand Board does not receive general fund appropriations. The livestock inspection area in South Dakota is west of the Missouri River. Any livestock leaving this inspection area must have a livestock inspection prior to leaving. The registration and use of brands apply state wide. Members of the Brand Board are appointed by the Governor and confirmed by the Senate. Current Brand Board members are Wanda Blair, Vale; Bart Blum, Reliance; Scott Vance, Faith; Lyla Hutchison, Wounded Knee; and Myron Williams, Wall.

Livestock Inspections and Fees Collected

In CY2015, a total of 1,581,415 head of livestock were inspected. A breakdown of the inspections is as follows: Livestock Markets – 1,028,561 head, Local Inspections – 547,169 head, Locker Plants – 4,632 head. This compares with CY2014 inspections of 1,503,607 head. The CY2014 inspections were the following: Livestock Markets – 994,144 head, Local Inspections – 505,084 head, Locker Plants - 4,379 head. The number of holds decreased in 2015 to 22,512 compared with 24,807 holds in 2014. Twenty-seven holds were submitted to the Brand Board office following the 60-day period in which the inspectors work to clear the holds. Table 1 shows the inspections by month for each category. Table 2, which lists CY2014 information, is included for comparison purposes. Some of the reported numbers are subject to change as data may be received in the brand office after the completion of this report.

Table 1. SD Brand Board Livestock Inspections and Holds by Month for CY 2015.

CY 2015 Month	Livestock Markets	Locker Plants	Local Inspections	Horse Lifetime Permits	Total # Inspected	Holds
January	78,561	359	43,851	55	122,826	2,846
February	111,300	484	28,753	47	140,584	3,680
March	81,692	332	38,022	46	120,092	1,389
April	62,561	605	25,657	55	88,878	2,074
May	63,755	441	40,399	75	104,670	1,890
June	35,360	361	49,609	104	85,434	2,230
July	38,648	403	23,787	134	62,972	1,990
August	20,904	247	14,946	81	36,178	939
September	26,161	313	27,137	117	53,728	295
October	51,893	258	75,817	57	128,025	1,374
November	259,248	536	102,630	35	362,629	2,488
December	198,478	293	76,561	67	275,399	1,317
Total	1,028,561	4,632	547,169	873	1,581,415	22,512

Table 2. SD Brand Board Livestock Inspections and Holds by Month for CY 2014.

CY 2014 Month	Livestock Markets	Locker Plants	Local Inspections	Total # Inspected	Holds
January	81,367	408	39,472	121,247	1,027
February	119,388	488	24,103	143,979	2,714
March	86,670	412	25,301	112,383	2,680
April	56,487	386	28,612	85,485	1,501
May	50,301	443	45,469	96,213	1,789
June	42,046	377	35,289	77,712	3,218
July	36,151	357	24,046	60,554	3,314
August	18,604	262	16,021	34,887	418
September	29,219	328	26,445	55,992	364
October	57,217	283	84,639	142,139	1,734
November	243,897	369	82,417	326,683	2,486
December	172,797	266	73,270	246,333	3,562
Total	994,144	4,379	505,084	1,503,607	24,807

Table 3 shows the total number of inspections per month for 2011 through 2015 and an average inspection for each month for CY2011 – CY2015.

Table 3. Total Livestock Inspected Per Month and Monthly Average for Inspections in years 2011-2015.

Month	2011	2012	2013	2014	2015	Average
January	118,129	116,233	127,529	121,247	122,826	121,193
February	127,925	134,261	132,891	143,979	140,584	135,928
March	108,540	104,140	105,568	112,383	120,092	110,145
April	86,006	104,219	112,104	85,485	88,878	95,338
May	97,648	102,018	105,914	96,213	104,670	101,293
June	64,023	75,350	130,931	77,712	85,434	86,690
July	51,748	77,080	80,262	60,554	62,972	66,528
August	52,657	69,997	33,969	34,887	36,178	45,538
September	76,044	107,690	62,903	55,992	53,728	71,271
October	168,772	193,143	118,480	142,139	128,025	150,112
November	340,172	403,624	299,542	326,683	362,629	346,530
December	245,356	234,511	264,176	246,333	275,399	253,155
Total	1,537,020	1,722,266	1,574,269	1,503,607	1,581,415	

Monthly inspection receipts for livestock markets and local inspections are shown in Table 4. Fees collected for locker plants and feedlot inspections, which are not provided on a local inspection, are included in the livestock market totals. As of July 1, 2013, the brand inspection fee is a \$1.00 per head. The inspection receipts listed below do not include the mileage fees collected for local inspections. The CY2014 fees are included for comparison purposes.

Table 4. Inspection Receipts Deposited for Calendar Years 2014 and 2015.

Month	2014 Market Inspections	2014 Local Brand Insp	2014 Brand Insp Total	2015 Market Inspections	2015 Local Brand Insp	2015 Brand Insp Total
Jan	\$72,848	\$41,972	\$114,820	\$50,721	\$36,922	\$87,643
Feb	\$98,832	\$17,053	\$115,885	\$125,107	\$39,537	\$164,644
Mar	\$113,549	\$37,559	\$151,108	\$80,147	\$28,339	\$108,486
Apr	\$57,038	\$32,196	\$89,234	\$67,361	\$37,340	\$104,701
May	\$50,299	\$31,342	\$81,641	\$26,080	\$9,800	\$35,880
Jun	\$42,185	\$50,851	\$93,036	\$62,692	\$83,351	\$146,043
July	\$32,574	\$20,138	\$52,712	\$50,554	\$25,039	\$75,593
Aug	\$17,181	\$19,763	\$36,944	\$20,607	\$16,759	\$37,366
Sept	\$25,803	\$24,737	\$50,540	\$26,242	\$23,369	\$49,611
Oct	\$53,692	\$81,554	\$135,246	\$57,162	\$84,715	\$141,877
Nov	\$212,945	\$77,174	\$290,119	\$188,089	\$69,898	\$257,987
Dec	\$201,432	\$89,140	\$290,572	\$252,289	\$105,177	\$357,466
	\$978,378	\$523,479	\$1,501,857	\$1,007,051	\$560,246	\$1,567,297

Missing or Stolen Livestock

The number and type of livestock, which were reported missing or stolen in CY2015, are listed in Tables 5 and 6. When missing or stolen livestock are recovered either by investigators or law enforcement officials, the recovery is recorded. In most cases, if livestock are recovered by the owner, the recovery is not reported to the Brand Board. As a service to livestock producers, the *Tri-State Livestock News*, *Cattle Business Weekly*, *The Aberdeen News Farm Forum Green Sheet* and *Tri-State Neighbor* publish the Livestock Missing or Stolen Report at no cost to the Brand Board.

Table 5. Number and Type of Livestock Reported Strayed or Stolen in 2015.

Month	Cows	Calves	Yearlings	Bulls	Horses	Sheep	Buffalo
Jan	18	6	0	0	5	0	0
Feb	0	0	0	0	0	0	0
Mar	0	0	2	1	0	0	0
Apr	2	3	7	1	0	0	0
May	1	0	2	0	0	0	0
June	0	0	0	0	0	0	0
July	4	2	2	0	0	0	0
Aug	0	0	2	0	0	0	0
Sept	2	15	7	0	0	0	0
Oct	94*	124*	11	2*	0	0	0
Nov	56	24	6	0	0	0	0
Dec	2	2	17	0	0	0	0
Total	179	176	56	4	5	0	0

*24 cows, 24 calves and 1 bull missing since the fall of 2014 were not reported missing to the Brand Board until October 2015.

Table 6. Number and Type of Livestock Reported Strayed or Stolen in 2014.

Month	Cows	Calves	Yearlings	Bulls	Horses	Sheep	Buffalo
Jan	2	3	4	1	0	0	0
Feb	0	12	2	0	0	0	0
Mar/Apr	3	4	0	1	12	0	0
May	1	0	0	3	0	0	1
June	26	23	4	0	2	0	0
July	0	0	0	0	0	0	0
Aug	40	42	0	6	0	0	0
Sept	7	13	6	0	0	1406	0
Oct	9	36	1	0	0	0	0
Nov	33	36	7	1	0	0	0
Dec	6	11	23	0	0	0	0
Total	127	180	47	12	14	1406	1

Recovered Strays

Strays are also recovered by brand inspectors either performing a local inspection or while inspecting livestock at a livestock market. Table 7 shows the number and type of livestock recovered during inspections completed from 2011 thru 2015.

Table 7. Number and Type of Livestock Recovered by Brand Inspection, 2011 thru 2015.

Year	Cow	Heifer	Calf	Steer	Bull	Horse	Total
2011	90	85	80	31	18	5	194
2012	41	134	64	96	23	3	361
2013	178	91	172	87	10	2	540
2014	87	85	62	48	16	0	298
2015	85	63	107	44	12	8	319

Brand Board Holds

The number of holds implemented at the livestock markets, feedlots, locker plants and in local inspections are included in Tables 1-2. The number of holds submitted to the Brand Board office, following the 60 day period, is shown in Table 8. The brand inspectors are doing an outstanding job in clearing holds so they are not sent to the brand office. This is a result of a close working relationship between the chief brand inspector, inspectors, investigation staff, office staff, and brand offices from surrounding states. A detailed listing of Holds Pending, Paid, and escheated to the Theft and Prevention Fund is included in the Appendix of this report.

Table 8. Number and Type of Livestock Holds Received, Paid to Livestock Owners and Transferred to Theft & Prevention Fund by Board Action in 2014 and 2015

	Holds	Cow	Heifer	Calf	Steer	Bull	Horse	Amount
Holds Received CY2015*	27	25	21	1	28	17	4	\$107,549
Paid to Livestock Owner	11	12	7	0	1	2	0	\$27,5276
To T&P** by Board Action	14	6	1	5	4	1	21	\$16,779
Holds Received CY2014	24	14	3	7	4	3	21	\$31,648
Paid to Livestock Owner	24	17	4	0	0	2	4	\$23,031
To T&P** by Board Action	10	3	2	0	2	2	2	\$8,009

*One pending hold, in the amount of is \$56,064, is awaiting a decision by a States Attorney due to a dispute over ownership between two producers.

**Theft and Prevention Fund

Livestock Investigations

Livestock investigators are under the authority of the Attorney General's Office and supervised by the Division of Criminal Investigation. Currently there are two DCI livestock investigators. The Brand Board reimburses the AG's office for a majority of the expenses incurred by the investigators. The dollar amount of expenses reimbursed by the Brand Board in Fiscal Year 2015 and Fiscal Year 2014 were \$131,809 and \$138,203 respectfully. Livestock recovered by investigators in 2015 were 98 head of cattle and 1 horse. Table 9 lists investigation information for 2015 and 2014.

Table 9. Number of Investigations Conducted and Disposition, 2014 & 2015.

Item	2014	2015
Cases	30	27
Cases Closed	10	13
Cases Open/Under Investigation	30	27
Convictions	6	4
Arrests	7	5
Cases pending-turned over to State's Attorneys	22	9
Outstanding Warrant	0	1
Road Checks	2	12
Information Reports	15	13

Other Information

The Brand Board office is also responsible for brand registration, transfers, and brand renewals. Table 10 shows the brand activity for 2013, 2014, and 2015. Brands are renewed every five years. If a brand owner does not renew their brand by May 1st of the renewal year, the brand owner has two years to re-record their brand. The last renewal year was 2015 with the re-record period ending May 1, 2017. After May, 1, 2017 brands that were not recorded are available for the public to apply for. Applications for these brands must also go through the conflict check process. The next renewal period is January 1 - May 1, 2020. The brand book is online and can be found on the Brand Board's website www.sdbbrandboard.com.

Table 10. Brand Registration Activity.

Activity	2013	2014	2015
Re-Recorded Brands	N/A	N/A	44
New Brands	269	415	212
Transferred Brands	556	624	1415
Applications Received	850	928	964
Brand Books Sold	26	20	72

Appendix

South Dakota Brand Board

Disposition Detail of Brand Board Holds

Calendar Year 2015

Brand Board Holds										
HOLD HEARING										
Date Rec	Hold Number	Cow	Heifer	Calf	Steer	Bull	Horse		Date Paid	Paid to
10/5/13	BB229						2	\$21.00	7/1/15	Hold hearing - T&P Fund - Estray - No Ownership Established
12/30/13	BB234			3				\$2,441.94	7/1/15	Hold hearing - T&P Fund - Estray - No Ownership Established
1/7/14	BB235				1			\$1,219.83	7/1/15	Hold hearing - T&P Fund - Estray - No Ownership Established
2/4/14	BB236				2			\$2,266.72	7/1/15	Hold hearing - T&P Fund - Estray - No Ownership Established
3/4/14	BB239			2				\$1,539.23	7/1/15	Hold hearing - T&P Fund - Estray - No Ownership Established
3/4/14	BB240	1						\$1,042.63	7/1/15	Hold hearing - T&P Fund - Estray - No Ownership Established
5/8/14	BB246	1						\$975.09	7/1/15	Hold hearing - T&P Fund - Estray - No Ownership Established
6/4/14	BB248						6	\$130.23	7/1/15	Hold hearing - T&P Fund - Estray - No Ownership Established
8/18/14	BB252						13	\$2,156.40	7/1/15	Hold hearing - T&P Fund - Estray - No Ownership Established
8/5/14	BB255				1			\$1,209.31	7/1/15	Hold hearing - T&P Fund - Estray - No Ownership Established
9/5/14	BB258	1						\$1,195.87	7/1/15	Hold hearing - T&P Fund - Estray - No Ownership Established
9/19/14	BB259	3						\$1,624.49	7/1/15	Hold hearing - T&P Fund - Estray - No Ownership Established
4/16/14	BB244		1					\$416.37	9/16/15	Hold hearing - T&P Fund - Estray - No Ownership Established
1/7/15	BB260					1		\$539.94	10/28/15	Hold hearing - T&P Fund - Estray - No Ownership Established
CY 2015 Hold Hearing		6	1	5	4	1	21	\$ 16,779.05		

Brand Board Holds										
PAID		Number of Livestock								
Date Rec	Hold Number	Cow	Heifer	Calf	Steer	Bull	Horse	Amount Held	Date Paid	Paid To
3/7/13	BB198				1			\$814.90	3/9/15	Blake Wilson & Pioneer Bank and Trust
12/17/13	BB233	1						\$976.25	3/9/15	Blake Wilson & Pioneer Bank and Trust
6/27/13	BB216	2						\$1,904.15	3/17/15	Zane Maliske
3/13/15	BB269	1						\$1,109.68	4/9/15	Marilyn Kutz
3/4/15	BB265		1					\$1,631.96	4/27/15	McKitrick Ranch Inc & Dakota Western Bank
3/4/15	BB266		4					\$2,580.91	4/27/15	McKitrick Ranch Inc & Dakota Western Bank
3/4/15	BB267		1					\$1,657.75	4/27/15	McKitrick Ranch Inc & Dakota Western Bank
3/13/15	BB270	1						\$1,038.18	6/15/15	Michael Solberg
3/19/14	BB242					1		\$757.23	8/19/15	Kurtis & Kevin Heinrich and Dakota Western Bank
7/29/15	BB278	9						\$9,511.99	12/29/15	Mark & Tyler Wieseler & Heartland State Bank
7/29/15	BB279	1	1		1	1		\$5,543.71	12/29/15	Mark & Tyler Wieseler & Heartland State Bank
HOLDS PAID		15	7	-	2	2	-	\$ 27,526.71		

Brand Board Holds												
	PENDING	Number of Livestock										
Date Rec	Hold Number	Cow	Heifer	Calf	Steer	Bull	Horse	Amt Held	Market	Date Sold	Description / Area	
2/2/15	BB261	1						\$1,301.15	Faith L/S	1/5/15	1 Black Cow / Dupree, SD	
3/1/15	BB262	1						\$1,553.69	Fort Pierre L/S	12/19/14	1 Black Cow / Lower Brule, SD	
3/4/15	BB263					1		\$1,046.11	Belle Fourche L/S	11/21/14	1 Jersey Cross Bull / Newell, SD	
3/4/15	BB264				1			\$1,804.21	Belle Fourche L/S	11/21/14	1 Black Yearling Steer / Belle Fourche, SD	
3/13/15	BB268					1		\$2,100.86	Winner L/S	1/23/15	1 Black Bull /	
4/2/15	BB271					1		\$2,280.95	Faith L/S	11/4/14	1 Black Bull / Eagle Butte, SD	
5/14/15	BB272		1					\$476.27	Burke L/S	4/25/15	1 Black Baby Heifer Calf /	
5/29/15	BB273		13		22	11		\$53,064.03	Philip L/S	3/10/15	Mixed Heifers/Steers/Bulls / Manderson, SD *	
6/17/15	BB274						1	\$242.30	Gordon L/S	3/31/15	1 Paint Mare / Batesland, SD	
7/6/15	BB275				3			\$3,025.25	Belle Fourche L/S	2/27/15	3 Black steers / Pierce, NE	
7/6/15	BB276				1			\$1,423.34	Belle Fourche L/S	1/8/15	1 Steer / Newell, SD	
7/20/15	BB277						3	\$488.79	Gordon L/S	5/2/15	2 Mares and 1 Colt / Manderson, SD	
8/3/15	BB280	1						\$1,668.03	Belle Fourche L/S	12/18/14	1 Cow /	
8/5/15	BB281	1						\$615.78	Winner L/S	5/15/15	1 Charlois Cow / Ideal, SD	
11/16/15	BB282			1				\$886.47	St Onge L/S	11/8/13	1 Black Calf / Newll, SD	
11/16/15	BB283	1						\$577.66	St Onge L/S	11/9/12	1 Black Cow / Sturgis, SD	
11/16/15	BB284					1		\$1,352.88	St Onge L/S	9/19/14	1 Yearling Black Bull / Newell, SD	
11/16/15	BB285	4						\$4,136.29	St Onge L/S	11/8/13	4 Cows / Bowman, ND	
12/30/15	BB286	4						\$5,890.95	Ft Pierre L/S	10/17/15	4 Black Cows / Murdo, SD	
2015 Pending		13	14	1	27	15	4	\$83,935.01				
											* Awaiting decision from State's Attorney as dispute over ownership between two producers.	