

HOUSE BILL REPORT

HB 2516

As Passed House:
February 10, 1998

Title: An act relating to liens for artificial insemination service or materials.

Brief Description: Providing a lien for artificial insemination or materials.

Sponsors: Representatives Chandler, Linville and Schoesler.

Brief History:

Committee Activity:

Agriculture & Ecology: 1/26/98, 1/28/98 [DP].

Floor Activity:

Passed House: 2/10/98, 96-0.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass. Signed by 11 members: Representatives Chandler, Chairman; Schoesler, Vice Chairman; Parlette, Vice Chairman; Linville, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Cooper; Delvin; Koster; Mastin; Regala and Sump.

Staff: Kenneth Hirst (786-7105).

Background: An 1890 law establishes liens regarding animal breeding services. If the owner of a sire charges a fee for its breeding services, the owner may have a lien against the animal bred or against any resulting offspring. To have the lien, the owner must file a statement with the county auditor of the county where the sire is kept giving the name, age, description, and pedigree of the sire and the terms and conditions for the service. A lack of possession of a pedigree does not bar such a lien. Upon receiving such a statement, the county auditor is to issue a certificate to the owner restating the information provided and stating that the filing requirement has been complied with.

By complying with these procedures, the owner of the sire obtains a lien upon the animal bred for a period of one year, or upon the offspring for the period of one year from the date of its birth. The owner must file a statement with the county auditor identifying the amount due and the animal bred within 10 months. The lien on the offspring is a preferred lien. The lien is foreclosed in the same manner as a lien on personal property.

Summary of Bill: A provider of artificial insemination services or materials for animals has the same lien as the lien provided currently for the owner of a sire, except that the provider need not secure a certificate from the county auditor regarding the service. A statement identifying the service or materials provided, the animal bred or the address of the person for which materials were provided, and the amount due must be filed with the county auditor.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The lien established for the owner of a sire regarding breeding services reflected the way business was done at the turn of the century. The practices of the industry have since changed. Most of the breeding services now provided are provided through artificial insemination. The bill updates the lien law to reflect this change in the industry practices.

Testimony Against: None.

Testified: Dan Coyne and Troy Anderson, All West Insemination Services and Council of Farmer Cooperatives (in favor).