

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 407

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

1 RELATING TO GOAT ASSESSMENTS; AMENDING SECTION 25-131, IDAHO CODE, TO PRO-
2 VIDE THAT GOATS MAY BE ASSESSED BY THE IDAHO SHEEP AND GOAT HEALTH BOARD
3 ON A PER HEAD BASIS AND TO REMOVE THE CONDITION THAT SUCH ASSESSMENT BE
4 COMPARABLE TO THE ASSESSMENT ON WOOL.
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 25-131, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 25-131. IDAHO SHEEP AND GOAT HEALTH ACCOUNT -- ASSESSMENT -- FIRST
10 PURCHASER TO MAKE REPORT -- PENALTY FOR FAILURE TO MAKE REPORT -- APPROPRIA-
11 TION. (1) In order for the board to carry out the provisions of this chapter,
12 the board shall assess, levy and collect an assessment established by the
13 board, not to exceed twelve cents (12¢) per pound on all wool, in the grease
14 basis, sold through commercial channels, and from the effective date of this
15 act through June 30, 2019, two cents (2¢) of the assessment shall be consid-
16 ered a wolf control assessment pursuant to section 22-5306, Idaho Code. In
17 the event that a sheep, which produces wool subject to this assessment, shall
18 be located outside the state of Idaho during a part of the assessment year,
19 the amount of the assessment shall be reduced on a pro rata basis. Such as-
20 sessment shall be levied and assessed to the producer at the time of the first
21 sale of wool and shall be deducted by the first purchaser from the price paid
22 to the producer at the time of such first sale. The assessment provided in
23 this section shall not be levied or collected on any casual sale. In addition
24 to the assessment provisions of this section related to wool, the board may
25 by rule establish an assessment on goats that would assess goats on a per head
26 basis and at a rate that is comparable to the assessment on wool.

27 (2) The assessment provided by this section shall constitute a lien
28 prior to all other liens and encumbrances upon such wool except liens which
29 are declared prior by operation of a statute of this state.

30 (3) If the first purchaser lives or has his principal office in another
31 state, the producer shall make the reports and pay the assessments to the
32 board as required under this section unless the first purchaser agrees in
33 writing to make such reports and pay such assessments.

34 (4) The first purchaser shall specify the amounts of assessments with-
35 held in any written statements made to the producer.

36 (5) The first purchaser shall make reports to the board on forms pre-
37 scribed by the board, and no first purchaser shall fail to make such reports
38 or falsify any such reports. The assessment deducted and withheld by a first
39 purchaser, as required in subsection (1) of this section, shall be paid to
40 the board on a quarterly calendar year basis, and shall be due and payable
41 within thirty (30) days after the end of the quarter. All moneys collected
42 by the board under the provisions of this chapter shall be paid to the state

1 treasurer. All moneys received from the assessment pursuant to this section
2 shall be deposited in the state treasury by the state treasurer to the credit
3 of a special account in the state operating fund hereby created to be known as
4 the "Idaho sheep and goat health account."

5 (6) A first purchaser who delays transmittal of reports and payments of
6 assessments beyond the time stated in subsection (5) of this section shall
7 pay five percent (5%) of the amount due for the first month of delay and one
8 percent (1%) of the amount due for each month of delay thereafter. Such mon-
9 eys shall be deposited in the Idaho sheep and goat health account.

10 (7) In addition thereto, the said account shall consist of any appro-
11 priations made by the legislature for the use of and expenditure by said
12 board. All fees of every kind collected under the provisions of this chap-
13 ter, or under any rules and regulations made pursuant to the provisions of
14 this chapter, shall be deposited in the state treasury in the manner herein-
15 above described. The moneys in said special account are hereby appropriated
16 for the use and expenditure of said board carrying out the provisions of this
17 chapter and the rules and regulations made herein and said account is hereby
18 declared to be a continuing account.

19 (8) All moneys appropriated to the board for the purposes of sheep dis-
20 ease prevention, abatement, suppression, control or eradication shall be
21 expended by the board only for those purposes, in accordance with the duties
22 specified in section 25-128(1), Idaho Code.

23 (9) All moneys received by the board from that portion of the special
24 assessment which is made to carry on the work for prevention and control
25 of damage caused by predatory animals and other vertebrate pests shall be
26 expended by the board in the respective districts comprising the counties
27 where the assessment was collected less the actual and necessary adminis-
28 trative costs for carrying out the provisions of this chapter. All moneys
29 received by such account for work for prevention and control of damage caused
30 by predatory animals and other vertebrate pests except as herein otherwise
31 provided shall be expended by the board within the district or districts
32 specified by the party or agency providing such funds and any trust fund must
33 be held inviolate for the purposes of the trust.

34 (10) The right is reserved to the state of Idaho to audit the funds of the
35 board at any time.