

SENATE FILE NO. SF0018

Reimbursement for livestock.

Sponsored by: Joint Agriculture, State and Public Lands
and Water Resources Interim Committee

A BILL

for

1 AN ACT relating to livestock; amending provisions for
2 reimbursement to livestock producers; creating a
3 reimbursement account; conforming provisions; providing an
4 appropriation; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 11-19-106(a), (c) and by creating new
9 subsections (f) and (g), 11-19-214 and 11-19-406 are
10 amended to read:

11

12 **11-19-106. Removal of diseased animals; owner's**
13 **claims.**

14

15 (a) All claims against the state arising from the
16 ~~slaughter~~ ordered removal of animals by the state

1 veterinarian for diseases listed on the Wyoming livestock
2 board's reportable disease list as category A, together
3 with the order of the veterinarian, shall be submitted to
4 the state auditor who shall examine them without
5 unnecessary delay. For each claim he finds to be equitable
6 and entitled to indemnity under this chapter the auditor
7 shall issue his warrant on the state treasurer for the sum
8 named in the claim. All claims for indemnity arising under
9 the provisions of this chapter, before they are presented
10 for payment to the auditor, shall be submitted to the state
11 veterinarian who shall fully inform himself of the facts
12 connected with each claim. The state veterinarian shall
13 endorse on each claim his approval or rejection and shall
14 express in such endorsement the reasons for his approval or
15 rejection.

16
17 (c) ~~The indemnity granted shall be the fair market~~
18 ~~value of the~~ Prior to state veterinarian endorsing any
19 payment be made for any livestock ~~as determined by the~~
20 ~~department of agriculture~~ sold or removed under this
21 section, W.S. 11-19-214 or 11-19-406, the state
22 veterinarian shall ascertain that sufficient funds are
23 available from either state or federal sources to indemnify
24 the owner of the livestock. The indemnity granted shall be

1 the difference between the fair market value of the
2 livestock and the amount received for the sale, less any
3 amount of reimbursement provided for and paid under federal
4 law and regulation. Fair market value shall be determined
5 by using comparable sales data from state markets at the
6 time of removal or by the use of a qualified independent
7 livestock appraiser as designated by the state
8 veterinarian. If no sale is transacted, but an animal is
9 removed for diagnostic purposes or disposal, the
10 reimbursement provided shall be the fair market value minus
11 any other reimbursement. Unless otherwise reimbursed, the
12 cost of shipping or transportation and commission charges
13 shall be added to the amount provided to the producer for
14 livestock indemnification. It shall be paid to the owner
15 upon his application and presentation of proofs prescribed
16 herein within six (6) months of the date of ~~slaughter~~
17 removal for which payment is claimed. The claim shall be
18 barred if not presented within the time limited.

19

20 (f) The Wyoming livestock board, in consultation with
21 the state veterinarian, shall promulgate rules and
22 regulations for the processing of claims under this
23 section. The rules and regulations shall also specifically

1 identify the diseases and livestock for which claims may be
2 submitted.

3
4 (g) There is created the animal reimbursement program
5 account into which shall be deposited revenues as provided
6 by law. Interest on earnings from funds in the account
7 shall be credited to the account. Deposits into the account
8 shall only be expended pursuant to this section and the
9 rules and regulations as required by subsection (d) of this
10 section. Notwithstanding W.S. 9-2-1008 or 9-4-207,
11 unexpended funds shall not revert. The state veterinarian
12 shall report the balance of the account and the claims
13 endorsed and paid each fiscal year to the joint
14 appropriations interim committee and the joint agriculture,
15 state and public lands and water resources interim
16 committee on or before September 15 of the succeeding year.

17
18 **11-19-214. Sale of diseased livestock.**

19
20 All livestock in Wyoming lawfully found to be affected with
21 tuberculosis may be shipped or transported under the
22 direction of the state veterinarian in accordance with
23 federal regulations, to livestock markets and there sold
24 for salvage and destroyed or transferred to an approved

1 slaughter facility or veterinary diagnostic laboratory in
2 accordance with federal regulations. ~~Prior to directing~~
3 ~~that any affected livestock be sold under this section, the~~
4 ~~state veterinarian shall ascertain that sufficient funds~~
5 ~~are available from either federal or state sources to~~
6 ~~ensure that the owner of condemned livestock will be paid~~
7 ~~the difference between the market value at the time of~~
8 ~~quarantine and the amount received for the sale, less any~~
9 ~~amount of reimbursement provided for and paid under federal~~
10 ~~law or regulation, the cost of shipping or transportation~~
11 ~~and commission charges~~ Producers may be eligible for
12 indemnification as provided in W.S. 11-19-106 for any
13 livestock sold or removed pursuant to this section.

14

15 **11-19-406. Sale of diseased cattle or domestic bison.**

16

17 All cattle or domestic bison in Wyoming lawfully found to
18 be affected with brucellosis, including all sexually intact
19 cattle or domestic bison that are part of a herd found to
20 be affected with brucellosis, may be shipped or transported
21 under the direction of the state veterinarian to livestock
22 markets and sold for immediate slaughter or transferred to
23 an approved slaughter facility or veterinary diagnostic
24 laboratory in accordance with federal regulations. ~~Prior~~

1 ~~to directing that any cattle or bison that are part of an~~
2 ~~infected herd be sold under this section, the state~~
3 ~~veterinarian shall ascertain that sufficient funds are~~
4 ~~available from either federal or state sources to ensure~~
5 ~~that the owner of the condemned cattle or domestic bison~~
6 ~~will be paid the difference between the market value at the~~
7 ~~time of quarantine and the amount received for the sale,~~
8 ~~less any amount of reimbursement provided for and paid~~
9 ~~under federal law or regulation, the cost of shipping or~~
10 ~~transportation and commission charges.~~ Payments under this
11 section shall not be made by the state for any sexually
12 intact female cattle or bison which are over twelve (12)
13 months old and which are not official calfhood vaccinates
14 as provided in board rule and regulation. Producers may be
15 eligible for indemnification in accordance with W.S.
16 11-19-106 for any livestock sold or removed pursuant to
17 this section.

18

19 **Section 2.** W.S. 11-19-105 and 11-19-106(b) are
20 repealed.

21

22 **Section 3.** There is appropriated from the general fund
23 five hundred thousand dollars (\$500,000.00) to the animal
24 reimbursement program account created by W.S. 11-19-106(g).

1 Notwithstanding any other provision of law, this
2 appropriation shall not be transferred or expended for any
3 other purpose.

4

5 **Section 4.** This act is effective July 1, 2012.

6

7 (END)