

## HOUSE BILL NO. HB0099

Animal reimbursement program-amendments.

Sponsored by: Representative(s) Hunt and Sommers and  
Senator(s) Bebout, Driskill and Moniz

A BILL

for

1 AN ACT relating to agriculture; amending parameters of the  
2 animal reimbursement program account; allowing for claims  
3 for reimbursement for certain brucellosis containment  
4 efforts; requiring rulemaking; conforming provisions;  
5 providing an appropriation; and providing for an effective  
6 date.

7

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

9

10 **Section 1.** W.S. 11-19-103 by creating a new  
11 subsection (k) and 11-19-106(c) and (d) are amended to  
12 read:

13

14 **11-19-103. Quarantine of diseased animals generally;**  
15 **treatment, testing and vaccination thereof; effect of**

1 failure to obey order of state veterinarian; appeal; stay  
2 of action.

3  
4 (k) The owner or producer of animals quarantined for  
5 brucellosis containment efforts may submit a claim at any  
6 time during the quarantine, or within thirty (30) days  
7 after release from quarantine, for reimbursement for actual  
8 expenses incurred in mitigating or attempting to mitigate  
9 the effects of the quarantine. The Wyoming livestock board,  
10 in consultation with the state veterinarian, shall  
11 promulgate rules for the processing of claims under this  
12 section.

13  
14 **11-19-106. Removal of diseased animals; owner's**  
15 **claims.**

16  
17 ~~(c) Prior to the state veterinarian endorsing any~~  
18 ~~payment be made for the ordered disposal of any livestock~~  
19 ~~under this section, W.S. 11-19-214 or 11-19-406, the state~~  
20 ~~veterinarian shall ascertain that sufficient funds are~~  
21 ~~available. The state veterinarian shall utilize available~~  
22 ~~federal funds prior to state funds to pay the owner of the~~  
23 ~~livestock.~~ The indemnity granted under this section shall

1 be 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 ordered  
17 disposal for which payment is claimed. The claim shall be  
18 barred if not presented within the time limited.

19

20 (d) Payments shall be made by the state treasurer  
21 from funds appropriated to the animal reimbursement program  
22 account under W.S. 11-19-118 and as provided by  
23 W.S. 11-19-109. The right to indemnity is limited to

1 animals destroyed by reason of existence or suspected  
2 existence of some epizootic form of infectious or  
3 contagious diseases, generally fatal or incurable.

4

5 **Section 2.** W.S. 11-19-106(g) is amended and  
6 renumbered as 11-19-118 to read:

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8 **11-19-118. Animal reimbursement program account.**

9

10 ~~(g)(a)~~ There is created the animal reimbursement  
11 program account into which shall be deposited revenues as  
12 provided by law. Interest on earnings from funds in the  
13 account shall be credited to the account. Deposits into the  
14 account shall only be expended pursuant to this section,  
15 ~~and the rules and regulations as required by subsection (d)~~  
16 ~~of this section~~ W.S. 11-19-103, 11-19-106, 11-19-214,  
17 11-19-406 and Wyoming livestock board rules.  
18 Notwithstanding W.S. 9-2-1008 or 9-4-207, unexpended funds  
19 shall not revert.

20

21 ~~(b)~~ The state veterinarian shall report the balance  
22 of the account and the claims endorsed and paid each fiscal  
23 year to the joint appropriations ~~interim~~ committee and the

1 joint agriculture, state and public lands and water  
2 resources interim committee.

3

4 (c) Before the state veterinarian endorses any  
5 payment to be made from this account for the ordered  
6 disposal of any livestock under W.S. 11-19-106, 11-19-214  
7 or 11-19-406 or for brucellosis testing and containment  
8 efforts pursuant to Wyoming livestock board rules or under  
9 W.S. 11-19-103, the state veterinarian shall ascertain that  
10 sufficient funds are available in the account. The state  
11 veterinarian shall use available federal funds before using  
12 state funds to make any payment from this account.

13

14 (d) Not more than twenty-five thousand dollars  
15 (\$25,000.00) shall be paid for any single quarantine effort  
16 under W.S. 11-19-103(k). The reimbursement limit under this  
17 subsection does not include any indemnity payment for  
18 livestock disposal under W.S. 11-19-106, 11-19-214 or  
19 11-19-406. Payments from this account for quarantine  
20 efforts shall cease whenever the unexpended, unobligated  
21 account balance equals or is less than one hundred thousand  
22 dollars (\$100,000.00). Payments from this account for  
23 quarantine efforts may resume after the unexpended,

1 unobligated account balance exceeds one hundred thousand  
2 dollars (\$100,000.00).

3

4 (e) The Wyoming livestock board, in consultation with  
5 the state veterinarian, shall promulgate rules to carry out  
6 the purposes of this section.

7

8 **Section 3.** There is appropriated fifty thousand  
9 dollars (\$50,000.00) from the general fund to the animal  
10 reimbursement program account for purposes consistent with  
11 requirements of that account under W.S. 11-19-118. This  
12 appropriation shall not be transferred or expended for any  
13 other purpose. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and  
14 9-4-207, this appropriation shall remain in effect and not  
15 lapse or revert at the end of the fiscal period except upon  
16 further legislative action.

17

18 **Section 4.** This act is effective July 1, 2020.

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20

(END)