

HOUSE BILL REPORT

SSB 6605

As Passed House:

March 5, 1998

Title: An act relating to artificial insemination procedures and reproductively viable semen.

Brief Description: Creating lien rights for owners of sires providing semen for artificial insemination.

Sponsors: Senate Committee on Agriculture & Environment (originally sponsored by Senators Morton and Rasmussen).

Brief History:

Committee Activity:

Agriculture & Ecology: 2/26/98 [DP].

Floor Activity:

Passed House: 3/5/98, 96-0.

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass. Signed by 11 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, 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: Lien on Animal Bred by a Sire. The period during which the owner of a sire has a lien on an animal bred by the sire is extended by six months. The lien on the resulting offspring remains a one-year lien.

Artificial Insemination. When an owner of a sire or of semen from sires provides reproductively viable semen from the sire for the insemination of a female animal, the owner of the sire semen has a lien on the female animal to which the semen is delivered by artificial insemination procedures, or has a lien on the offspring of that female. The lien is provided without the owner having to obtain from the county auditor the certificate regarding services offered. The lien attaches upon the delivery of the semen by artificial insemination procedures.

The lien on the female animal is for a period of 18 months from the date of the insemination procedure. The lien on the offspring is for a period of one year from the date of birth of the resulting offspring. The owner of the sire or semen must file for record with the county auditor of the county where the insemination procedure was provided a statement of account indicating the amount due to the owner for the reproductively viable semen, along with a description of the female or the name and address of the person for whom the procedure was provided. The statement of account must be filed within 10 months of the date of the insemination procedure or the date of birth and must be verified by affidavit. The lien on either the female or the offspring is a preferred lien.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect July 1, 1998.

Testimony For: The bill updates the lien provision.

Testimony Against: None.

Testified: Dan Coyne, Washington State Council of Farmer Cooperatives (in favor).