

Revenuer busts pumpkin peddlers

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By Brad W. Gary of the Tribune

Idaho tax agent cracks down on two Lewiston kids

The Idaho State Tax Commission wants Jacob Charais, 6, and his little sister Sami-Lou, 4, to start c...
Bruce Wyatt - State Farm

Dan Charais viewed his kids' pumpkin stand as a great way for his son and daughter to learn entrepreneurship and raise money for school sports.

The Lewiston man never dreamed the tax man would intervene.

A representative from the Idaho State Tax Commission stopped by the family's Normal Hill home Friday and told Dan's wife, Kami Charais, to shut down the jack-o'-lantern operation, the couple said.

"They're basically trying to snuff out 4- and 6-year-olds' opportunity and enthusiasm to start a business," Dan Charais said. "I can't believe they would waste their time with something like this."

The couple's children, Jacob, 6, and Sami-Lou, 4, are utilizing sales of the orange Halloween staple to raise money to take part in wrestling, T-ball and dance programs.

"It's their deal, totally," Dan Charais said. The kids are set to split the profits from the pumpkins 50-50 with their supplier.

Dubbed Farmer Phil's Pumpkins, the stand at 1012 Eighth St. is named after a friend in the Lewiston Orchards who grows the gourds and offered to split the money raised if the kids peddled them from their front porch.

The siblings began selling the pumpkins at 25 cents per pound a few weeks ago, and have added corn stalks to their inventory as Oct. 31 draws near.

"It just blew me away that the state would mess with kids trying to raise money to play their sports," Dan Charais said.

A representative for the state tax commission in Coeur d'Alene said when reached by phone Friday it has no intention to shut down such stands but to educate people about state tax policies.

But Kami Charais said tax commission compliance officer Patrica Gilmore came to her door Friday morning with paperwork telling the family to purchase a license and pay sales tax or be closed by the state. It wouldn't matter if the family was selling pumpkins, or lemonade, she was told.

"She told me I was in direct competition with A&B foods who is paying the sales tax," Kami Charais said. The grocery store is one block from the family's home.

Gilmore said she was not at liberty to discuss the issue and referred questions to her supervisor Friday.

Diana Nottage, a field office manager for the tax commission in Coeur d'Alene, said it's not the state's intention to squash such operations. Nottage said her compliance officer stopped by while the children were at school. She had seen activity at the home over the last few days and wanted to discuss their permitting process.

"I think it was an educational stop that just got blown out of proportion," Nottage said.

Everything in Idaho is taxable unless it is specifically exempt, she said. The state has a temporary sales tax program for people who sell goods at farmers markets or roadsides. Yard sales are specifically exempted from the code but other types of sales stands aren't, Nottage said.

"By the letter of the law there's a fine for operating without a sales tax permit," Nottage said. "I can't tell you the last time we enforced it, we operate from an educational standpoint."

Kami Charais said her interaction with the tax commission was more stringent. She was told it didn't matter who was selling the pumpkins, the family needed a permit.

"She said we were breaking the law and had to pay the consequence," Kami Charais said.

John Schweiter, a friend of the Charais family who came by the home after the incident, called the turn of events "disgusting." All the parents were trying to do was encourage their kids to be self-reliant.

"They're shutting down kids because they don't have a sales tax permit," Schweiter said. "Sales tax would be \$10."

But the family hasn't been spooked by the potential for closure. Jacob and Sami-Lou have already raised a few hundred dollars to pay the fees for sports and dance programs. And Kami Charais said they plan to continue selling pumpkins from their front yard.

"We're still open," she said.

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