

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 39

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

1  
2 RELATING TO SEED CROPS; AMENDING SECTION 22-5118, IDAHO CODE, TO DELETE REF-  
3 ERENCE TO INSUFFICIENT FUNDS AND TO PROVIDE FOR PAYMENT FOR SEED CROPS;  
4 AND AMENDING SECTION 22-5126, IDAHO CODE, TO PROVIDE A LIMITATION RE-  
5 LATING TO PAYMENT FROM THE SEED INDEMNITY FUND FOR SPECIFIED SEED CROPS.

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

7 SECTION 1. That Section 22-5118, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 22-5118. ~~PAYMENT WITH INSUFFICIENT FUNDS A~~ AND VIOLATION. (1) A seed  
10 buyer shall pay the producer the purchase price for seed crops in legal ten-  
11 der within ninety (90) days of sale unless otherwise agreed to in writing.

12 (2) Any seed buyer that violates the provisions of section 18-3106,  
13 Idaho Code, in making payment to the producer for any seed crop without  
14 sufficient funds in, or credit with, such bank or other depository, also  
15 violates the provisions of this chapter. The word "credit" as used herein  
16 shall mean an arrangement or understanding with the bank or depository for  
17 such payment.

18 SECTION 2. That Section 22-5126, Idaho Code, be, and the same is hereby  
19 amended to read as follows:

20 22-5126. FAILURE TO FILE -- LOSS OF CLAIM ON FUND. No claim shall be  
21 paid from the fund to a producer who refuses or neglects to file a verified  
22 claim against a seed buyer:

23 (1) Within ninety (90) days from the date prescribed in the "notice  
24 of failure," or within the time limits of section 22-5125(1), Idaho Code,  
25 whichever is later; or

26 (2) If the claim is filed more than two (2) years from the date of trans-  
27 fer. Claims for seed crops used for lawns, turf and land reclamation includ-  
28 ing, but not limited to, bluegrass, ryegrass, native grasses, sagebrush and  
29 other native and nonnative shrubs, may not exceed two (2) years from the date  
30 of transfer or the date of sale, whichever occurs later.