

CHAPTER 336.

[S. B. 520.]

LIENS FOR SEED.

AN ACT relating to seed liens; providing for liens on crops and for preservation and enforcement thereof; preserving existing rights; adding new sections to chapter 60.12 RCW; and amending sections 3 and 7, chapter 256, Laws of 1927 and RCW 60.12.030 and 60.12.080.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. There is added to chapter 60.12 RCW a new section to read as follows: New section.

Every person who, at the request of the owner of real property or his agent, furnishes seed for growing crops upon such real property shall have a lien for the agreed price or the reasonable value thereof upon any or all crops grown from such seed during the calendar year in which such seed was furnished. If such seed is furnished and the crop therefrom is to be grown and harvested in the following calendar year, the lien shall attach to such crop. Person furnishing seed to have lien upon crops grown from such seed.

SEC. 2. Section 3, chapter 256, Laws of 1927 and RCW 60.12.030 are each amended to read as follows: Amendment.

The liens provided for in this chapter shall be preferred to any other encumbrance upon the crops to which they attach. The seed lien provided for in this chapter shall be superior to any lien except a labor lien. Such a lien or right of lien and the right of action therefor shall be assignable so as to vest in the assignee all rights and remedies of the assignor, subject to all defenses thereto that might be made if the assignment had not been made. Lien priority.

Lien assignable.

SEC. 3. There is added to chapter 60.12 RCW a new section to read as follows: New section.

A person claiming a seed lien shall, within sixty days after delivering the seed to the owner purchasing the seed, or his agent, file in the manner required for filing chattel mortgages a claim of lien subscribed Claim of lien filed; time, manner and place of filing.

and verified by the claimant or someone on his behalf, to the effect that affiant believes the claim to be just. Such filing shall be with the county auditor of the county in which the real property is situated and the crop is to be grown or is growing. The county auditor shall file and index the claims of lien on the crop in a book kept for that purpose and for the same fee as required for chattel mortgages.

Claim of lien; necessary contents of.

SEC. 4. The claim of lien for seed shall state the name of the claimant; if the claim has been filed, the name of the assignee; the demand of the claimant and the amount thereof, after deducting all just credits and offsets; the contract price or reasonable value of the seed sold; the kind and amount thereof; the date of delivery of the seed; the description of the land and the crop to be charged, giving the kind of crop, a description of the land upon which the crop is to be planted or is growing.

Amendment.

SEC. 5. Section 7, chapter 256, Laws of 1927 and RCW 60.12.080 are each amended to read as follows:

Limitation on liens effect.

No lien shall bind a crop for a longer period than eight calendar months after the claim was filed, unless an action is commenced within that time to enforce it: *Provided*, That if the claim of lien is upon a crop to be grown and harvested in the following calendar year, after the work of preparing the ground or planting or sowing the crop is done, the lien shall bind the crop for a period of twelve calendar months after the claim was filed, if an action is commenced within that time to enforce it: *Provided further*, That a lien for seed shall not expire until six months after the crop from said seed has been harvested or until after two years from filing, whichever is the shorter time: *Provided further*, That if an action to enforce a lien is nonsuited or dismissed for any cause other than the merits, the lien shall continue for an additional month, to per-

Claim of lien on crop to be grown.

Expiration of lien.

Prosecution of action to enforce lien.

mit the commencement of another action thereon. If action to enforce a lien is not prosecuted to judgment within two years after its commencement, the court may dismiss it for want of prosecution, and the dismissal or judgment that no lien exists, shall constitute a cancellation of the lien.

SEC. 6. Nothing contained in this act shall affect Existing rights
or lessen any existing rights. unaffected.

Passed the Senate March 3, 1955.

Passed the House March 8, 1955.

Approved by the Governor March 21, 1955.

CHAPTER 337.

[S. B. 282.]

CITIES AND TOWNS—COUNCIL-MANAGER PLAN—FINANCES.

AN ACT relating to the council-manager plan for municipal corporations; and amending sections 4, 6, 8, 12 and 17, chapter 271, Laws of 1943 and RCW 35.18.010, 35.18.020, 35.18.040, 35.18.050, 35.18.060, 35.18.090, 35.18.100, 35.18.190, 35.18.200, 35.18.210 and 35.18.270; section 19, chapter 271, Laws of 1943 and RCW 35.18.110 and 35.18.150; section 14, chapter 271, Laws of 1943 and RCW 35.18.120 through 35.18.140; section 7, chapter 271, Laws of 1943 and RCW 35.18.170; sections 2 and 5, chapter 271, Laws of 1943 and RCW 35.18.240 and 35.18.250; sections 1 and 5, chapter 61, Laws of 1929 and section 1, chapter 27, Laws of 1941 and RCW 35.27.420, 35.27.450, 35.27.460, 35.27.470 and 35.27.480; section 6, chapter 158, Laws of 1923 and RCW 35.33.080, 35.33.090, 35.33.100 and 35.33.150; and adding a new section to chapter 35.18 RCW.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Sections 4, 6, 8, 12 and 17, chapter 271, Laws of 1943, and sections 1, 2 and 3, chapter 84, Laws of 1949 (heretofore divided, combined and codified as RCW 35.18.010, 35.18.020, 35.18.040, 35.18.050, 35.18.060, 35.18.090, 35.18.100, 35.18.190, 35-

Amendment.