

Introduced by

Agriculture Committee

(At the request of the Public Service Commission)

1 A BILL for an Act to amend and reenact sections 60-02-07 and 60-02.1-07 of the North Dakota
2 Century Code, relating to submission of public warehouse and grain buyers financial
3 information.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 60-02-07 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **60-02-07. Public warehouse license - How obtained - Fee - Financial statement.**

8 An annual license must be obtained from the commission for each public warehouse in
9 operation in this state. The license expires on July thirty-first of each year. An initial license
10 application that becomes effective on or after June first does not expire until July thirty-first of
11 the following calendar year. No license may describe more than one public warehouse nor grant
12 permission to operate any public warehouse other than the one described. The annual license
13 fee for a public warehouse is three hundred dollars for a warehouse of a bushel capacity of two
14 hundred thousand [7047.8 cubic meters] or less, four hundred fifty dollars for a warehouse of a
15 bushel capacity of more than two hundred thousand and not more than five hundred thousand
16 [7047.8 to not more than 17619.54 cubic meters], and five hundred fifty dollars for a warehouse
17 of a bushel capacity of more than five hundred thousand [17619.54 cubic meters]. A license
18 renewal application that is received after July fifteenth must be assessed an additional one
19 hundred dollar fee per warehouse. If a public warehouseman operates two or more warehouses
20 in the same city or siding, in conjunction with each other and with the same working force, and
21 keeps one set of books and records for all such warehouses, and issues one series of scale
22 tickets, warehouse receipts, checks, and credit-sale contracts for the grain stored and
23 purchased therein, only one license is required for the operation of all such warehouses. When
24 two or more warehouses are operated under one license, the license fee is based upon the

1 combined bushel capacity of the warehouses. If the commission employs fewer than two
2 full-time equivalent warehouse inspectors, each annual fee under this section is reduced by one
3 hundred dollars.

4 ~~If required to obtain United States department of agriculture approval of the commission's~~
5 ~~warehouse inspection program, the~~The commission may require that the applicant submit a
6 current financial statement prepared in accordance with generally accepted accounting
7 principles. A financial statement furnished under this section is a confidential trade secret and is
8 not a public record.

9 **SECTION 2. AMENDMENT.** Section 60-02.1-07 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **60-02.1-07. Grain buyer license - How obtained - Fee - Financial statement.**

12 Grain buyers must obtain an annual license from the commission. Except as provided in
13 this section, each license expires on July thirty-first of each year. When a licensee's initial
14 license is issued effective after May thirty-first, that license expires on July thirty-first of the
15 following year. A facility-based grain buyer must obtain a license for each receiving location
16 operated in the state. If a grain buyer operates two or more facilities in the same city or siding,
17 in conjunction with each other and with the same working force, and where but one set of books
18 and records is kept for all such facilities, and scale tickets and checks of but one series are
19 issued for the grain, purchased, only one license is required for the operation of all such
20 facilities. The annual license fee for a facility-based grain buyer is three hundred dollars and a
21 license renewal application that is received after July fifteenth must be assessed an additional
22 one hundred dollar fee per receiving location.

23 ~~If required to obtain United States department of agriculture approval of the commission's~~
24 ~~grain buyer inspection program, the~~The commission may require that grain buyers submit a
25 current financial statement prepared in accordance with generally accepted accounting
26 principles. A financial statement furnished under this section is a confidential trade secret and is
27 not a public record.