

WAREHOUSING AND DEPOSITS

CHAPTER 413

H. B. No. 563
(Berg, Anderson (Richland))

WAREHOUSING DEFINITIONS

AN ACT

To amend and reenact subsections 4 and 5 of section 60-02-01 of the North Dakota Century Code, relating to the definitions of track buyer and grain under the public warehouse law, and declaring an emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. Amendment.) Subsections 4 and 5 of section 60-02-01 of the North Dakota Century Code are hereby amended and reenacted to read as follows:

4. "Track buyer" shall include any person, firm, or corporation, except a warehouseman, desiring to purchase grain from a producer for the purpose of loading the same in cars on the track of any railroad company or in trucks at any loading point in this state for shipment;
5. "Grain" shall include wheat, durum, oats, rye, barley, buckwheat, flaxseed, speltz, safflower, sunflower seeds, tame mustard, peas, beans, soybeans, corn, and any other commercially grown domestic grain;

§ 2. Emergency.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage.

Approved March 6, 1963.

CHAPTER 414

S. B. No. 316
(Kee, Thompson)

GRAIN WAREHOUSE LICENSE FEES

AN ACT

To amend and reenact section 60-02-07 of the North Dakota Century Code, relating to the fee schedule chargeable by the grain elevator division of the North Dakota public service commission.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 60-02-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

60-02-07. Public Warehouse License—How Obtained—Fee.)

A license must be obtained through the commission to expire on the first day of August of each year for each public warehouse in operation in this state. No license so issued shall describe more than one public warehouse in operation in this state. No license so issued shall describe more than one public warehouse nor grant permission to operate any public warehouse other than the one described therein. The license fee which must accompany the application shall be twenty dollars for a warehouse of a bushel capacity of 150,000 or less, thirty dollars for a warehouse of a bushel capacity of 150,001 to and including 300,000, forty dollars for a warehouse of a bushel capacity of 300,001 to and including 400,000, fifty dollars for a warehouse of a bushel capacity of 400,001 to and including 500,000, and sixty dollars for a warehouse of a bushel capacity of 500,001 or more. The fees collected under this section shall be paid into the state treasury and credited to the general fund of the state. If a public warehouseman operates two or more warehouses in the same city, village or siding, in conjunction with each other and with the same working force, and where but one set of books and records is kept for all such warehouses, and cash slips, scale tickets, storage tickets, and checks of but one series are issued for grain stored therein, only one license shall be required for the operation of all such warehouses. Where two or more warehouses are operated under one license the license fee shall be based upon the combined bushel capacity of said warehouses.

Approved March 6, 1963.

CHAPTER 415

S. B. No. 313
(Kee, Thompson)

PUBLIC WAREHOUSE LICENSE FEES

AN ACT

To amend and reenact section 60-07-01 of the North Dakota Century Code, relating to the fee schedule chargeable by the North Dakota public service commission.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 60-07-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

60-07-01. Licensing Storage Companies as Public Warehouses.) The public service commission may license any suitable person, firm, or corporation organized under the laws of the state, or authorized to do business within the state, to carry on the business of a public warehouse for the storage of any goods, wares, merchandise, or other general or special commodities, except grain in bulk. A license to engage in business of a public warehouseman may be obtained by filing an application with the public service commission showing:

- (1) The city and street address, or a description of the land, where each warehouse is located, together with the business name under which each such warehouse is operated; and
- (2) The kind of property stored in each warehouse.

Said application shall be accompanied by the bond required under section 60-07-02, and an annual fee of ten dollars for each warehouse, which fee shall be paid into the state treasury and credited to the general fund of the state. Such license shall be renewed annually and shall be issued for the calendar year.

Approved March 18, 1963.

CHAPTER 416

S. B. No. 73

(Brooks, Sinner, Holand, Morgan, Thompson)

DEPUTY WEIGHMASTERS

AN ACT

To create and enact section 60-09-06 and to amend and reenact section 60-09-05 of the North Dakota Century Code, relating to deputy weighmasters.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 60-09-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

60-09-05. Penalty for Wrongful Weighing or Issuing of a False Scale Ticket.) The wrongful weighing or the issuing of a false ticket by a weighmaster or deputy weighmaster shall be a misdemeanor punishable by imprisonment in the county jail for not more than thirty days or by a fine of not more than one hundred dollars or by both such fine and imprisonment.

§ 2.) Section 60-09-06 of the North Dakota Century Code is hereby created and enacted to read as follows:

60-09-06. Weighmaster May Appoint Deputy Weighmaster—Duties—Weighmaster Responsible for Negligence of Deputy.) A weighmaster, with the approval of the public service commission, shall have the authority to appoint any qualified person as a deputy weighmaster, to serve at the will of the weighmaster. He shall perform such duties as assigned by the weighmaster and such weighmaster shall be held responsible, under his bond, for all acts or omissions of the deputy weighmaster committed or omitted while in the course of his duties.

Approved March 9, 1963.