

WAREHOUSING AND DEPOSITS

CHAPTER 566

SENATE BILL NO. 2195

(Committee on Agriculture)

(At the request of the Public Service Commission)

WAREHOUSE RATES FOR GRAIN

AN ACT to amend and reenact section 60-02-17 of the 1973 Supplement to the North Dakota Century Code, relating to storage, receiving, and redelivery charges for grain, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 60-02-17 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

60-02-17. WAREHOUSE AND STORAGE CONTRACT - STORAGE RATES - TERMINAL DELIVERY.) A warehouse receipt shall contain, either on its face or reverse side, the following warehouse and storage contract:

"This grain is received, insured, and stored subject to the following charges: one-fifteenth of one cent net bushel per day, provided, however, that no storage shall be charged for grain so stored for fifteen days from date of delivery if such grain is sold within such fifteen-day period; however, if such grain is not sold within the fifteen days, storage charges shall commence from the date a warehouse receipt was issued. All grain received for storage will be subject to a charge of six cents per net bushel except for flax which will be subject to a charge of six cents per gross bushel. Grain purchased by the warehouseman shall be exempt from the receiving and redelivery charges. Upon surrender of this receipt and payment or tender of a delivery charge per gross bushel of four cents on flax, and four cents per net bushel on all other grains and all other stated lawful charges accrued up to the time of said surrender of this receipt, the above amount, kind, and grade of grain will be delivered to the person named above or his order as rapidly as due diligence, care, and prudence will permit. At the option of the holder of this receipt, the amount, kind, and grade of grain for which this receipt is issued, on his demand, shall be

delivered back to him at any terminal point customarily shipped to, or at the place where received, upon the payment of the above charges for receiving, handling, storage, and insurance and in case of terminal delivery, the payment in addition to the above of the regular freight charges on the gross amount called for by this ticket or in lieu thereof, a receipt issued by a bonded warehouse or elevator company doing business at such terminal point. Nothing in this receipt shall be construed to require the delivery of the identical grain specified herein, but an equal amount of grain of the same kind and grade shall be delivered to him."

SECTION 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 and approval.

Approved April 8, 1975

CHAPTER 567

SENATE BILL NO. 2363
(Jones)

GRAIN INSURANCE BY WAREHOUSEMEN

AN ACT to amend and reenact section 60-02-35 of the North Dakota Century Code, relating to insurance on grain by warehouseman.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 60-02-35 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

60-02-35. GRAIN TO BE KEPT INSURED FOR BENEFIT OF OWNER BY WAREHOUSEMAN - PROOF FILED WITH COMMISSION.) All grain, whether on storage ticket or deposit with the warehouseman, shall be kept insured at the expense of such warehouseman for the benefit of the owner. No insurance policy covering grain in a public warehouse shall be transferred or assigned to any person for any purpose whatever, except insofar as the same shall cover grain in the warehouse which is not kept on storage ticket or deposit. Proof of such insurance shall be filed with the public service commission annually.

Approved March 19, 1975