

# WAREHOUSING AND DEPOSITS

## CHAPTER 631

HOUSE BILL NO. 1261  
(Peltier, Gorder, Hove)

### GRAIN WAREHOUSE AND STORAGE CONTRACT

AN ACT to amend and reenact section 60-02-17 of the North Dakota Century Code, relating to the grain and seed warehouse contract printed on warehouse receipts as it pertains to the amount charged for handling and delivery of grains and seeds.

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

SECTION 1. AMENDMENT.) Section 60-02-17 of the 1977 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, except for dry edible beans which shall be subject to a daily storage rate fixed at the time of delivery no greater than one-half of one cent per net hundredweight 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~~ shall be subject to a charge of ~~six~~ seven cents per net bushel, except for flax which ~~will~~ shall be subject to a charge of ~~six~~ seven cents per gross bushel and, dry edible beans which shall be subject to a charge of ten cents per net hundredweight. 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~~ five cents on flax, three dollars per net hundredweight on dry edible beans, and ~~four~~ five 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."

Approved March 15, 1979

## CHAPTER 632

HOUSE BILL NO. 1265

(Committee on Industry, Business and Labor)

(At the request of the North Dakota Public Service Commission)

## WAREHOUSE CLOSURE REQUIREMENTS

AN ACT to amend and reenact section 60-02-41 of the North Dakota Century Code, relating to voluntary closing or failure to renew warehouse license.

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

SECTION 1. AMENDMENT.) Section 60-02-41 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

60-02-41. GOING OUT OF BUSINESS - REDEMPTION OF RECEIPTS.) When a public warehouseman ceases business through the destruction of a warehouse by fire or other cause, or through insolvency, such warehouseman shall redeem all outstanding storage receipts at the price prevailing on the date the warehouse was destroyed or closed because of insolvency. The holder of such receipts, upon due notice, must accept this price and surrender the receipts. Any public warehouseman who voluntarily ceases business or fails to renew an existing warehouse license on its expiration shall notify the commission and all warehouse receipt holders of such closing and redeem all outstanding storage receipts at the price prevailing on the date the warehouse closed or at the option of the owner of the warehouse receipt redeliver the kind, grade, and quantity of grain called for by the warehouse receipt. On commingled grain the value of over and under deliveries in quantity, grade and protein shall be settled in cash and priced on the market on the day of closing.

Approved March 7, 1979

## CHAPTER 633

HOUSE BILL NO. 1286  
(Committee on State and Federal Government)  
(At the request of the  
North Dakota Public Service Commission)

## ACCOUNTING SYSTEM EXAMINATION FEE

AN ACT to amend and reenact section 60-05-04 of the North Dakota Century Code, relating to fees paid to an examiner for installing and examining the accounting system of an elevator or public warehouse.

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

SECTION 1. AMENDMENT.) Section 60-05-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

60-05-04. FEES OF EXAMINER FOR INSTALLING AND EXAMINING ACCOUNTING SYSTEM.) For making installation of a uniform accounting system and examining the financial accounts of an elevator or public warehouse, and association, copartnership, or corporation shall pay the examiner a reasonable fee, as determined by the commission.

1. ~~A fee of ten dollars per day for each day or fraction thereof that the examiner is absent from the capitol for the purpose of making such examination,~~

2. ~~His actual traveling and hotel expenses, and~~

3. ~~The actual cost of such books and blanks as may be necessary for the installation of a complete system of uniform accounting.~~

In case any such association, copartnership, or corporation shall wrongfully refuse or neglect to pay such fees, then the commission may cancel the license to do business. All such fees shall be paid into the state treasury. The expenses incurred by the examiner under the provisions of this chapter shall be paid out of the appropriations made by the legislative assembly for this purpose and such expenses shall be audited and paid in the same manner as other expenses are audited and paid.

Approved March 3, 1979

## CHAPTER 634

HOUSE BILL NO. 1620  
(Gerl, Fleming)

### LEASEHOLDS ON RAILROAD RIGHTS OF WAY

AN ACT to create and enact a new section to chapter 60-06 of the North Dakota Century Code, relating to the determination of the fair rental terms of existing leaseholds on railroad rights of way.

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

SECTION 1.) The provisions of this chapter shall apply to the renewal of existing leaseholds on railroad rights of way.

Approved March 19, 1979