

Introduced by

Senators Unruh, Miller

Representative Seibel

1 A BILL for an Act to amend and reenact section 60-02-07 of the North Dakota Century Code,  
2 relating to public warehouse licenses; and to declare an emergency.

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

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

6 **60-02-07. Public warehouse license - ~~How obtained~~ - Fee - Financial statement.**

7 ~~An annual~~ A license must be obtained from the The commission ~~for~~ shall license each public  
8 warehouse in operation in this state. ~~The license expires on July thirty-first of each year.~~

9 1. a. The commission shall stagger by lot the expiration date of all licenses issued for  
10 the period beginning August 1, 2015, ~~and ending July 31, 2016,~~ so that one-half  
11 of all the licenses issued expire on July 31, 2016, and one-half of all the licenses  
12 issued expire on July 31, 2017. Thereafter, all licenses issued under this section  
13 must be for a period of two years and terminate on the thirty-first day of July in  
14 the year of expiration.

15 b. (1) Notwithstanding the provisions of subdivision a, the commission shall  
16 license a warehouse annually, for the first six years of the warehouse's  
17 operation.

18 (2) An initial ~~annual~~ license application that becomes effective on or after June  
19 first does not expire until July thirty-first of the following calendar year.

20 2. No license may describe more than one public warehouse nor grant permission to  
21 operate any public warehouse other than the one described.

22 3. a. The annual license fee for a public warehouse is ~~three~~;

- 1           (1) ~~Three~~ hundred dollars for a warehouse ~~of a bushel~~ having a maximum  
2           capacity of two hundred thousand bushels [7047.8 cubic meters] ~~or less,~~  
3           ~~four~~;
- 4           (2) ~~Four~~ hundred fifty dollars for a warehouse ~~of a bushel~~ having a capacity of  
5           more than two hundred thousand ~~and~~ bushels [7047.8 cubic meters] ~~but not~~  
6           more than five hundred thousand bushels [7047.8 to not more than  
7           17619.54 cubic meters]; ~~i~~; and five
- 8           (3) ~~Five~~ hundred fifty dollars for a warehouse ~~of a bushel~~ having a capacity of  
9           more than five hundred thousand bushels [17619.54 cubic meters].
- 10          b. The biennial license fee for a public warehouse is:
- 11           (1) Six hundred dollars for a warehouse having a maximum capacity of two  
12           hundred thousand bushels [7047.8 cubic meters];
- 13           (2) Nine hundred dollars for a warehouse having a capacity of more than two  
14           hundred thousand bushels [7047.8 cubic meters] but not more than five  
15           hundred thousand bushels [17619.54 cubic meters]; and
- 16           (3) One thousand one hundred dollars for a warehouse having a capacity of  
17           more than five hundred thousand bushels [17619.54 cubic meters].
- 18          c. ~~A license renewal~~ An application for an annual license renewal that is received  
19           after July fifteenth ~~must be assessed~~ include an additional one hundred dollar fee  
20           per warehouse. An application for a biennial license renewal that is received after  
21           July fifteenth must include an additional two hundred dollar fee per warehouse.
- 22          4. If a public warehouseman operates two or more warehouses in the same city or  
23           siding, in conjunction with each other and with the same working force, and keeps one  
24           set of books and records for all such warehouses, and issues one series of scale  
25           tickets, warehouse receipts, checks, and credit-sale contracts for the grain stored and  
26           purchased therein, only one license is required for the operation of all such  
27           warehouses. When two or more warehouses are operated under one license, the  
28           license fee is based upon the combined bushel capacity of the warehouses. ~~If the~~  
29           ~~commission employs fewer than two full-time equivalent warehouse inspectors, each~~  
30           ~~annual fee under this section is reduced by one hundred dollars.~~

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

6        **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.