

Sixty-fourth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2301

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 commission for each public warehouse in  
8 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, so that one-half of all the licenses issued  
11 expire on July 31, 2016, and one-half of all the licenses issued expire on July 31,  
12 2017. Thereafter, all licenses issued under this section must be for a period of  
13 two years and terminate on the thirty-first day of July in the year of expiration.

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

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

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

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

22 (1) ~~Three~~ hundred dollars for a warehouse ~~of a bushel~~ having a maximum  
23 capacity of two hundred thousand ~~bushels~~ [7047.8 cubic meters] ~~or less,~~  
24 four;

- 1           (2) ~~Four hundred fifty dollars for a warehouse of a bushel~~having a capacity of  
2                                   more than two hundred thousand ~~and bushels [7047.8 cubic meters]~~ but not  
3                                   more than five hundred thousand ~~bushels [7047.8 to not more than-~~  
4                                   17619.54 cubic meters];~~;~~ and five
- 5           (3) ~~Five hundred fifty dollars for a warehouse of a bushel~~having a capacity of  
6                                   more than five hundred thousand ~~bushels [17619.54 cubic meters].~~
- 7           b. The biennial license fee for a public warehouse is:
- 8                                   (1) Six hundred dollars for a warehouse having a maximum capacity of two  
9                                   hundred thousand bushels [7047.8 cubic meters];
- 10                                  (2) Nine hundred dollars for a warehouse having a capacity of more than two  
11                                  hundred thousand bushels [7047.8 cubic meters] but not more than five  
12                                  hundred thousand bushels [17619.54 cubic meters]; and
- 13                                  (3) One thousand one hundred dollars for a warehouse having a capacity of  
14                                  more than five hundred thousand bushels [17619.54 cubic meters].
- 15           c. ~~A license renewal~~An application for an annual license renewal that is received  
16                                  after July fifteenth ~~must be assessed~~include an additional one hundred dollar fee  
17                                  per warehouse. ~~An application for a biennial license renewal that is received after~~  
18                                  July fifteenth must include an additional two hundred dollar fee per warehouse.
- 19           4. If a public warehouseman operates two or more warehouses in the same city or  
20                                  siding, in conjunction with each other and with the same working force, and keeps one  
21                                  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  
24                                  warehouses. When two or more warehouses are operated under one license, the  
25                                  license fee is based upon the combined bushel capacity of the warehouses.~~If the~~  
26                                  ~~commission employs fewer than two full-time equivalent warehouse inspectors, each~~  
27                                  ~~annual fee under this section is reduced by one hundred dollars.~~
- 28           5. If required to obtain United States department of agriculture approval of the  
29                                  commission's warehouse inspection program, the commission may require that the  
30                                  applicant submit a current financial statement prepared in accordance with generally

- 1           accepted accounting principles. A financial statement furnished under this
- 2           section subsection is a confidential trade secret and is not a public record.
- 3       **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.