

Introduced by

Agriculture Committee

(At the request of the Public Service Commission)

1 A BILL ~~for an Act to amend and reenact sections 60-02-07 and 60-02.1-07 of the North Dakota~~  
2 ~~Century Code, relating to submission of public warehouse and grain buyers financial~~  
3 ~~information.~~ for an Act to provide for a legislative management study of requirements for the  
4 submission of financial statements by public warehouses and grain buyers.

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

6 ~~— **SECTION 1. AMENDMENT.** Section 60-02-07 of the North Dakota Century Code is~~  
7 ~~amended and reenacted as follows:~~

8 ~~— **60-02-07. Public warehouse license -- How obtained -- Fee -- Financial statement.**~~

9 ~~— An annual license must be obtained from the commission for each public warehouse in~~  
10 ~~operation in this state. The license expires on July thirty first of each year. An initial license~~  
11 ~~application that becomes effective on or after June first does not expire until July thirty first of~~  
12 ~~the following calendar year. No license may describe more than one public warehouse nor grant~~  
13 ~~permission to operate any public warehouse other than the one described. The annual license~~  
14 ~~fee for a public warehouse is three hundred dollars for a warehouse of a bushel capacity of two~~  
15 ~~hundred thousand [7047.8 cubic meters] or less, four hundred fifty dollars for a warehouse of a~~  
16 ~~bushel capacity of more than two hundred thousand and not more than five hundred thousand~~  
17 ~~[7047.8 to not more than 17619.54 cubic meters], and five hundred fifty dollars for a warehouse~~  
18 ~~of a bushel capacity of more than five hundred thousand [17619.54 cubic meters]. A license~~  
19 ~~renewal application that is received after July fifteenth must be assessed an additional one~~  
20 ~~hundred dollar fee per warehouse. If a public warehouseman operates two or more warehouses~~  
21 ~~in the same city or siding, in conjunction with each other and with the same working force, and~~  
22 ~~keeps one set of books and records for all such warehouses, and issues one series of scale~~  
23 ~~tickets, warehouse receipts, checks, and credit sale contracts for the grain stored and~~  
24 ~~purchased therein, only one license is required for the operation of all such warehouses. When~~

~~two or more warehouses are operated under one license, the license fee is based upon the combined bushel capacity of the warehouses. If the commission employs fewer than two full-time equivalent warehouse inspectors, each annual fee under this section is reduced by one hundred dollars.~~

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

~~—~~ **SECTION 2. AMENDMENT.** Section 60-02.1-07 of the North Dakota Century Code is amended and reenacted as follows:

~~—~~ **60-02.1-07. Grain buyer license – How obtained – Fee – Financial statement.**

~~— Grain buyers must obtain an annual license from the commission. Except as provided in this section, each license expires on July thirty-first of each year. When a licensee's initial license is issued effective after May thirty-first, that license expires on July thirty-first of the following year. A facility-based grain buyer must obtain a license for each receiving location operated in the state. If a grain buyer operates two or more facilities in the same city 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 facilities, and scale tickets and checks of but one series are issued for the grain, purchased, only one license is required for the operation of all such facilities. The annual license fee for a facility-based grain buyer is three hundred dollars and a license renewal application that is received after July fifteenth must be assessed an additional one hundred dollar fee per receiving location.~~

~~— If required to obtain United States department of agriculture approval of the commission's grain buyer inspection program, the~~The ~~commission may require that grain buyers submit a current financial statement prepared in accordance with generally accepted accounting principles. A financial statement furnished under this section is a confidential trade secret and is not a public record.~~

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY -SUBMISSION OF FINANCIAL STATEMENTS BY PUBLIC WAREHOUSES AND GRAIN BUYERS.** During the 2015-16 interim, the legislative management shall consider studying requirements for the submission of

1 financial statements, to the public service commission, by public warehouses and grain buyers  
2 in this state, including the time and manner in which the statements must be submitted and  
3 confidentiality protections for the information contained therein. The legislative management  
4 shall report its findings and recommendations, together with any legislation required to  
5 implement the recommendations, to the sixty-fifth legislative assembly.