

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 172

Introduced by Agriculture Committee: Dierks, 40, Chairperson;
Chambers, 11; Cudaback, 36; Hilgert, 7; Schrock, 38;
Vrtiska, 1

Read first time January 8, 1999

Committee: Agriculture

A BILL

1 FOR AN ACT relating to grain warehouses; to amend section 88-527,
2 Revised Statutes Supplement, 1998; to change inspection
3 procedures; to repeal the original section; and to
4 declare an emergency.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 88-527, Revised Statutes Supplement,
2 1998, is amended to read:

3 88-527. (1) No person shall operate a warehouse nor act
4 as a warehouseman without a license issued pursuant to the Grain
5 Warehouse Act. Warehouses, except warehouses which are licensed
6 under the United States Warehouse Act, shall be licensed and
7 regulated by the commission. If the applicant is an individual,
8 the application shall include the applicant's social security
9 number. Such warehouses shall be inspected by the commission at
10 least once every ~~nine~~ twelve months.

11 (2) The commission may make available to the United
12 States Government or any of its agencies, including the Commodity
13 Credit Corporation, the results of inspections made and inspection
14 reports submitted by employees of the commission upon payment of
15 such fees as may be determined by the commission. The fees shall
16 cover the actual cost of the services rendered in regard to
17 providing the information.

18 (3) The commission may charge for inspections conducted
19 at the request of a warehouse licensee. The commission may assess
20 a surveillance fee against the assets of a warehouse licensee for
21 actual expenses incurred by the commission in suspending a license
22 or terminating the operations of a warehouse licensee. The
23 commission may enter into contracts for such purpose and shall keep
24 a record of all surveillance fees collected. All surveillance fees
25 collected by the commission shall be deposited in the Nebraska
26 Grain Warehouse Surveillance Cash Fund.

27 (4) The commission may enter into agreements and
28 contracts with regulators in states which border Nebraska for the

1 purpose of licensing or examining any public grain warehouseman
2 which operates facilities in such states. The commission shall
3 assume all jurisdiction over any warehouseman headquartered in
4 Nebraska regarding his or her warehouse activity. A warehouseman
5 headquartered and licensed in another state which acquires
6 facilities in Nebraska is under the jurisdiction of the headquarter
7 state under the terms of such agreement or contract.

8 Sec. 2. Original section 88-527, Revised Statutes
9 Supplement, 1998, is repealed.

10 Sec. 3. Since an emergency exists, this act takes effect
11 when passed and approved according to law.