

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 305

Introduced by Halloran, 33.

Read first time January 11, 2023

Committee: Agriculture

- 1 A BILL FOR AN ACT relating to grain warehouses; to amend section 88-541,
- 2 Reissue Revised Statutes of Nebraska; to change provisions relating
- 3 to storage rates and charges; and to repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 88-541, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 88-541 (1) A warehouse licensee shall post a schedule of rates and
4 charges in a conspicuous place at the warehouse licensee's warehouse, and
5 such rates and charges shall be full compensation for receiving,
6 handling, storing, delivering, and insuring grain. The warehouse licensee
7 may increase or decrease such rates and charges by (a) sending notice to
8 the commission and to all grain owners of record not less than thirty
9 days prior to such change of rates and charges and (b) posting notice of
10 such change of rates and charges in a conspicuous place at the warehouse
11 licensee's warehouse. The new rates and charges shall be charged on all
12 grain in storage at the time of, and all grain received for storage
13 after, the effective date of the change of rates and charges. Not less
14 than once each year, the commission shall by order fix reasonable storage
15 rates, and no warehouse licensee shall charge a lesser or greater rate,
16 except upon application to and a hearing before the commission. If, after
17 a hearing, the commission finds that a lesser or greater rate should be
18 ordered, it shall enter a supplemental order fixing a different rate for
19 such applicant. Such charges shall be full compensation for the
20 receiving, handling, storing, delivering, and insuring of grain.

21 (2) No discrimination shall be made between different customers by
22 any state-licensed grain warehouse either in facilities, rates, charges,
23 or handling of any grain, except that members of a cooperative may be
24 given preference in storage facilities in warehouses of the cooperative.
25 The rates charged to any governmental agency shall be exempt from
26 commission regulation.

27 Sec. 2. Original section 88-541, Reissue Revised Statutes of
28 Nebraska, is repealed.