

## LEGISLATIVE BILL 137

Approved by the Governor March 18, 1986

Introduced by Scofield, 49

AN ACT relating to warehouses; to amend section 88-517, Reissue Revised Statutes of Nebraska, 1943, and section 88-502, Revised Statutes Supplement, 1984; to create a fund for the surveillance of grain warehouses; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. There is hereby created in the state treasury a fund to be known as the Nebraska Grain Warehouse Surveillance Cash Fund. Such fund shall be used solely for disbursing funds and receiving reimbursement for services performed by the Public Service Commission in the surveillance of grain warehouses. All money received by the commission for such service shall be deposited in such fund. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1269.

Sec. 2. That section 88-502, Revised Statutes Supplement, 1984, be amended to read as follows:

88-502. Public grain warehouses, except warehouses which are licensed under the United States Warehouse Act, shall be under the supervision of and subject to the inspection of the Public Service Commission. They shall be known as state-licensed grain warehouses. Such warehouses shall be inspected at least once during each nine-month period. The commission shall have authority to make available to the United States Government, or any of its agencies, including the Commodity Credit Corporation, the results of inspections made and inspection reports submitted to it by employees of the commission, upon payment to it of such fees as may be determined by the commission, but in no event shall such fees be less than the actual cost of such services rendered in regard thereto, as determined by the commission. The commission may charge for inspections conducted at the request of a grain warehouseman and may also assess a surveillance fee against the assets of a warehouseman for other actual expenses incurred by the commission in requiring the

termination of operations by a grain warehouseman for reasons of shortage. The commission may enter into contracts and agreements for such purpose and shall keep a record of all money thus received, and at the end of each calendar month shall pay the same to the State Treasurer, for the use of the state General Fund, and take his or her receipt therefor, and file such receipts with the records of its office, except that fees assessed solely for surveillance of grain warehouses shall be deposited in the Nebraska Grain Warehouse Surveillance Cash Fund.

Sec. 3. That section 88-517, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

88-517. All fees collected under the provisions of sections 88-501 to 88-517 shall be paid to the State Treasurer and credited to the state General Fund and money appropriated by the Legislature for such purpose shall be so used by the commission, except that fees assessed solely for the surveillance of grain warehouses shall be deposited in the Nebraska Grain Warehouse Surveillance Cash Fund.

Sec. 4. That original section 88-517, Reissue Revised Statutes of Nebraska, 1943, and section 88-502, Revised Statutes Supplement, 1984, are repealed.

Sec. 5. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.