

January 23, 1992 LB 366

SENATOR ROGERS: Thank you very much.

SPEAKER BAACK: Very well.

SENATOR ROGERS: LB 366, it amends a current Nebraska statute concerning grain warehousing and the Public Service Commission. The bill will improve the PSC's regulation of grain warehouse, improve the accountability of commercial grain warehouse licenses. First, the bill would allow a warehouseman to make an application of storage termination to the PSC at any time during the year when the value of a storage obligation is no longer greater than the storage charged against it. Currently the PSC can only approve these applications between March 31 and June 30 and we are never able to find out why those dates were picked, but this would allow them to do it any time during the year. Second, the bill attempts to clarify the period each year in which a warehouse must notify their depositors of the amount of grain that they have in the storage and what the current rate of storage is. This was another reason to allow them to do it any time during the year because the storage rate could be set and a month later they could apply for a different storage rate. Third, the bill adds language that would allow the PSC to close a warehouse operating without a license. They have done this in the past but they felt like that maybe they didn't have the jurisdiction or an enforcement tool to do this and this way those operating without renewing or a warehouse that never had a license. And finally, the bill creates a \$20,000 Moisture Testing Examination Fund and this is strictly to buy and repair moisture testing equipment. This is where elevators bring their testers in and the PSC checks them to make sure that they are operating properly and any funds in excess of \$20,000 then would go back to the General Fund. There is actually no additional funds, it's just where they can put those funds. And it strikes Section 1 of the bill. This is pertaining to scale tickets. It was decided at a meeting that we had with the PSC and the industry that the language dealing with identification of the actual owner could best be handled through the commission rules and regulations, and I think this protects the producer's interest in recovering what is rightfully theirs. And I think the committee and the PSC both will be watching this very closely. And the second part that I mentioned strikes the dates April 1 through June 30 as a reporting period for those when they have to notify a producer of the grain in their warehouse. They could do this at any time during the year but it does have