

**ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023**  
**COMMITTEE STATEMENT (CORRECTED)**  
**LB305**

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**Hearing Date:** Tuesday January 31, 2023  
**Committee On:** Agriculture  
**Introducer:** Halloran  
**One Liner:** Change provisions relating to grain warehouse storage rates and charges

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**Roll Call Vote - Final Committee Action:**

Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 8 Senators Brewer, Halloran, Hansen, B., Holdcroft, Hughes, Ibach,  
Raybould, Riepe

**Nay:**

**Absent:**

**Present Not Voting:**

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**Testimony:**

**Proponents:**

Senator Steve Halloran  
Rocky Weber

**Representing:**

Introducer  
Nebraska Cooperative Council

**Opponents:**

**Representing:**

**Neutral:**

Dan Watermeier

**Representing:**

Nebraska Public Service Commission

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

LB 305 deregulates storage rates charged by state licensed grain warehouses. As introduced, LB 305 amends §88-541 of the Grain Warehouse Act. This section currently directs the Public Service Commission to at least annually fix storage rates and provides that warehouse licensees may not deviate from such rate, either higher or lower, except by application to and hearing before the Public Service Commission.

LB 305 would remove the duty and authority of the Commission to establish storage rates, but specifies that warehouse licensees must prominently post storage rates and related charges and the schedule of rates and charges posted shall be full compensation for receiving, handling, storing, delivering and insuring grain. Grain warehouse licensees may adjust such rates and charges by notice to the public service commission and all grain owners of record at least 30 days prior to any adjustment of such rates or charges taking effect.

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**Explanation of amendments:**

The Committee amendment (AM526) makes the following changes:

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-- Inserts an initial filing requirement for existing warehouse licensees of storage rates and charges on the date of the filing. New license applicants would file a schedule of storage rates and charges with the license application. Adopts the terminology of "filing" for notice given to the Commission of any future changes of storage rates.

-- Provides that the posting of a schedule of storage rates and charges is on signage issued by the Public Service Commission.

-- Inserts a new section amending §88-549 which requires licensees to annually notify grain storers of current storage costs and declares failure to do so is a Class IV misdemeanor. AM526 would add charging storage rates and charges other than, or in addition to, those filed and posted as a misdemeanor violation under this section.

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Steve Halloran, Chairperson