

Session 104 - (1981-1982)

H*2686 (Rat #0221, Act #0156 of 1981) General Bill, By House Agriculture and Natural Resources

A Bill to amend Sections 39-19-10, 39-21-30, 39-21-60, 39-21-130, 39-21-180, 39-21-230, 39-21-300 and 39-21-310, Code of Laws of South Carolina, 1976, relating to warehouses, warehousemen and the State Warehouse System, so as to provide that warehousemen storing feed, grains and oil seeds for others shall operate under the State or Federal Warehouse System; to increase the amount for which a warehouse may be bonded from five hundred thousand to three million dollars and delete the provision that no person shall act as the manager of a warehouse who has his own commodity stored there; to delete specific references to items which may be included in the State Warehouse System; to increase the maximum fine penalty for illegally inducing a warehouse manager to make a delivery without a receipt from one thousand to five thousand dollars; to delete a finding that the State Warehouse System shall be self-sustaining; to provide that insurance premium payments shall be based, in addition to that paid for bales of cotton, on the daily average amount of all nonperishable farm products stored and the actual time each bushel of such products is stored; to provide for the annual transfer of sums collected under the State Warehouse System to the State Treasurer; to increase the amount of money to be transferred to a special account in the State Treasury to guarantee maintenance of state warehouse receipts from five hundred thousand to three million dollars; to increase the assessment against each warehouseman from one-twentieth cent per bushel of grain to one cent per bushel of soybeans and one-half cent per bushel of other stored feed grains or oil seeds; to increase from one cent per bale to ten cents per bale the assessment on cotton and provide for reinvestment of income derived from the guaranty fund; to provide for the payment of fifty thousand dollars annually to the General Fund for auditing the fund; to amend Sections 46-41-10, 46-41-20, 46-41-30, 46-41-50, 46-41-60, 46-41-70, 46-41-90, 46-41-100, 46-41-120, 46-41-130 and 46-41-170, relating to warehouses, warehousemen, the State Warehouse System and dealers and handlers of agricultural products, so as to redefine consignment; to provide that to claim an exception to regulations of dealers and handlers of agricultural products a cash purchaser shall file an affidavit annually and delete a requirement for submitting financial statements to claim such exception and provide for the exception of persons who buy in smaller quantities for personal use or consumption; to require all dealers in agricultural products, except those excepted by Sections 46-41-20 and 46-41-25, to be licensed; to provide a license fee for each place of business of dealers in agricultural products and a penalty for renewals before expiration; to increase the amount of surety bond required of licensees to deal in agricultural products; to provide additional grounds for complaints to be entered with the Commissioner of Agriculture; to require presentation to the owner or his representative of an official warehouse receipt covering consigned agricultural products; to empower the Commissioner to investigate unlicensed persons suspected of dealing in agricultural products; to add as a ground for refusal, suspension or revocation of a license, failure to remain bondable or to cooperate with bond providers; to provide for temporary suspension and taking of licenses in cases eminently dangerous to public welfare; to provide for probation and civil fines; and to amend the 1976 Code by adding Sections 39-21-125, 39-21-126, 39-21-135, 39-21-350, 39-21-360, 46-41-25, 46-41-95 and Article 2 to Chapter 41 of Title 46, so as to provide penalties for issuance of a warehouse receipt in other than the owner's name, or his designee; to provide it shall be unlawful to deliver grain to warehousemen or dealers without notification of liens; to provide that it shall be unlawful for a manager or owner to deliver any commodity without first obtaining warehouse receipts; to require the maintenance of current and complete records by managers of warehouses and licensed dealers; to provide for the issuance of a state warehouse receipt by warehouse managers; to provide an exemption for millers from provisions of Section 46-41-30; to establish the "South Carolina Dealers and Handlers Guarantee Fund" and provide penalties.

04/08/81	House	Introduced, read first time, placed on calendar without reference HJ-1709
04/09/81	House	Debate adjourned until Wednesday, April 29, 1981 HJ-1785
04/29/81	House	Debate adjourned until Wednesday, May 6, 1981 HJ-2109
05/06/81	House	Debate adjourned until Tuesday, May 12, 1981 HJ-2231
05/12/81	House	Amended HJ-2324
05/12/81	House	Read second time HJ-2329
05/13/81	House	Read third time and sent to Senate HJ-2363
05/13/81	Senate	Introduced and read first time SJ-4
05/13/81	Senate	Referred to Committee on Agriculture and Natural Resources SJ-4
06/04/81	Senate	Committee report: Favorable with amendment Agriculture and Natural Resources SJ-28
06/10/81	Senate	Amended SJ-28
06/10/81	Senate	Read second time SJ-38
06/18/81	Senate	Read third time SJ-21
06/18/81	Senate	Returned SJ-21
06/24/81	House	Debate adjourned until Wednesday, July 1, 1981 HJ-3351

07/01/81	House	Senate amendment amended HJ-3497
07/01/81	House	Returned HJ-3498
07/07/81	Senate	Non-concurrence in House amendment SJ-5
07/07/81	House	House insists upon amendment and conference committee appointed Reps. Chamblee, McKay, & Bundrick HJ-3631
07/07/81	Senate	Conference committee appointed Sens. Garrison, Land, & McGill SJ-8
07/08/81	Senate	Free conference powers granted SJ-3
07/08/81	Senate	Free conference committee appointed Sens. Garrison, Land & McGill SJ-3
07/14/81	House	Free conference powers granted HJ-3864
07/14/81	House	Free conference committee appointed Reps. Chamblee, McKay, & Bundrick HJ-3864
07/15/81	House	Free conference report received HJ-3907
07/15/81	House	Free conference report adopted HJ-3909
07/15/81	Senate	Free conference report received SJ-26
07/15/81	Senate	Free conference report adopted SJ-26
07/15/81	Senate	Ordered enrolled for ratification SJ-26
07/16/81	House	Ratified R 221 HJ-3974
07/21/81		Signed By Governor
07/21/81		Effective date 07/21/81
07/21/81		Act No. 156
08/04/81		Copies available