

Chapter Ag 3**REGISTRATION OF WAREHOUSES**

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Note: Chapter Ag 3 replaces the rules promulgated by the Grain and Warehouse Commission in 1956.

Ag 3.01 Registration procedures. (1) **APPLICATION.** Any person operating one or more public warehouses in the city of Superior under chapter 126, Wis. Stats., may apply to the department and request that the warehouse receipts issued for commodities stored at such warehouse or warehouses be registered by and with the department. All such applications shall be made in writing in a form acceptable to the department and shall be accompanied by a bond for the benefit of the state of Wisconsin and of the holders of registered warehouse receipts in a form and for an amount acceptable to the department, which bond shall be conditioned upon a strict compliance with the regulations prescribed by the compliance with the regulations prescribed by the department for the registration of warehouse receipts, the issue thereof and the management of public warehouses wherein commodities are stored for which registered warehouse receipts are issued and shall further be conditioned upon the payment of such fees as may be fixed by the department for the registration of warehouse receipts and shall further be conditioned upon the strict compliance with the laws of the state of Wisconsin with respect to all public warehouses under the jurisdiction of the department, therefore, and by reason of this condition, being an additional security to the bond now given by all persons operating public warehouses under the jurisdiction of the department.

(2) **BOND.** The amount of bond to be furnished by any public warehouse to cover this registration service shall be on the basis of 15 cents per bushel capacity.

(3) **REGISTERED PUBLIC WAREHOUSE.** Upon approval of the application and bond above referred to, the department will declare the warehouse or warehouses operated by the applicant and described in such application and bond as "Registered Public Warehouses" whereupon and thenceforth all warehouse receipts issued for commodities stored in the same shall be registered by and with the department until the next succeeding 30th day of June, provided the department does not exercise its power to revoke or recall its action which power it hereby reserves. Applications for renewal shall be in all respects exactly the same as application made for the first time.

(4) **REGISTRAR.** The registrar, who is an employe of the department, and who has given bond in the amount of \$25,000.00 conditioned upon the faithful discharge of any and all duties imposed upon the registrar by the department and by law, hereby is designated as warehouse registrar and it shall henceforth be the duty of the registrar to act as such under the regulations prescribed by the department. The de-

partment will from time to time designate such assistant warehouse registrars as may be needed.

(5) **FEES.** All bills for expenditures on account of the registration of warehouse receipts, including the salaries of the warehouse registrar and such assistant warehouse registrars as may be designated, shall be passed upon by the department as in the case of other disbursements and a sum of money sufficient to pay the same shall be collected at the end of each month, as registration fees, from the operators of registered public warehouses, each operator to pay in proportion to the volume, in terms of commodity units such as bushels, of the operator's storage business.

History: 1-2-56; renum. from ch. G-W 1 and am. Register, July, 1977, No. 259, eff. 8-1-77.

Ag 3.02 Duties of warehouse registrar. (1) **REGISTRATION RECORD.** The warehouse registrar shall keep a registration record for each registered public warehouse, in which shall be entered a correct description of each warehouse receipt that may be registered.

(2) **REPORTS OF RECEIPTS AND SHIPMENTS; RECORDS.** The warehouse registrar and assistant warehouse registrars shall carefully preserve all reports of receipts and shipments made to them by registered public warehouses in pursuance of law or under such regulations as may be established and shall keep an accurate account of the grain so reported in proper records with each operator of a registered public warehouse, and when reported shipments shall agree with receipts cancelled for such shipment, shall mark "cancelled" with the date thereof on their registration records opposite the recorded description of such receipt.

History: 1-2-56; renum. from ch. G-W2, Register, July, 1977, No. 259, eff. 8-1-77.

Ag 3.03 Registration of warehouse receipts. (1) **PRESENTATION AND REGISTRATION.** Each operator of a registered public warehouse shall present to the warehouse registrar or to an assistant warehouse registrar, each and every warehouse receipt for check and registration before the issuance and delivery of the same to the party entitled thereto.

(2) **EXAMINATION OF RECEIPTS.** When receipts are presented for registration the warehouse registrar or assistant warehouse registrar shall carefully compare the same with the returns and reports that shall have been made to them, and if satisfied of the correctness of the same, shall stamp them with a proper stamp for the purpose, containing in legible letters the date of such presentation and the name of the warehouse registrar with the title of, "Warehouse Registrar", and the name of the city in which it was registered; but if it is found that any difference exists, a thorough examination into the reasons therefor shall be instituted, and such error shall be corrected before affixing the stamp; and if it shall appear that any fraud in the issuance of such receipt shall have been attempted by the warehouseman, the said warehouse registrar or assistant warehouse registrar shall at once report the same to the department.

(3) **DELIVERY.** When a holder of a registered receipt desires to take delivery of the commodity represented thereby such holder shall request and the warehouse registrar or assistant warehouse registrar shall furnish blank forms, in triplicate, of a surrender notice and loading out instructions and upon surrender of the registered ware-

house receipts properly endorsed accompanied by said surrender notice, and loading out instructions properly filled in and executed, in triplicate, said registered warehouse receipts shall be cancelled by the warehouse registrar or assistant warehouse registrar and returned to the operator of the registered public warehouse issuing same together with one counterpart of said surrender notice and loading out instructions, taking a duplicate receipt therefor, one counterpart of which shall be returned to the party who surrenders the registered warehouse receipt. Upon receiving a registered warehouse receipt from the warehouse registrar or assistant warehouse registrar properly cancelled, together with the surrender notice and loading out instructions as above provided and upon payment of all advances and legal charges, a commodity of the grade and quality named therein shall be delivered to the holder of the duplicate receipt issued as above provided, within 24 hours after facilities for receiving the same have been provided by the receipt holder and upon surrender of the said duplicate receipt properly endorsed.

(4) **CANCELLATION.** Cancelled registered warehouse receipts shall be void and not again placed in circulation and duplicate receipts surrendered to a warehouseman shall be in turn presented by the warehouseman to the warehouse registrar or assistant warehouse registrar for check and cancellation and likewise shall not again be placed in circulation.

History: 1-2-56; renum. from ch. G-W 3 and am. Register, July, 1977, No. 259, eff. 8-1-77.

Ag 3.04 Operation of registered public warehouses. (1) **DAILY RECORDS.** The operator of each registered public warehouse shall furnish daily to the warehouse registrar or assistant warehouse registrar a correct statement of the amount of each kind and grade of grain or other commodity received in store in such warehouse on the previous day, also the amount of each kind and grade of grain or other commodity delivered or shipped at such warehouse during the previous day, and what registered warehouse receipts and duplicate receipts have been cancelled upon which the grain or other commodity has been delivered on such days giving the number of each receipt and the amount, kind and grade of grain or other commodity received and shipped upon each; also how much grain or other commodity, if any, is delivered or shipped and the kind and grade of it, for which warehouse receipts have not been issued, and when and how such unreceipted grain or other commodity was received, the aggregate of such reported cancellation and delivery of unreceipted grain or other commodity corresponding in amount, kind, and grade with the amount so reported, delivered or shipped, and in addition any further information that may be necessary to enable the said warehouse registrar or assistant warehouse registrar to keep a full and complete record of all receipts issued and cancelled and all grain received and delivered.

(2) **DUTY TO RECEIVE.** It is the duty of each operator of a registered public warehouse to receive for storage and shipment all grain or other commodity in suitable condition for storage, tendered in the usual course of business, without discrimination of any kind.

(3) **INSPECTION.** All grain or other commodities received into or shipped from registered public warehouses must be inspected by a

duly authorized state or federal inspector and weighed by a duly authorized state weigher.

(4) **ISSUANCE OF RECEIPTS.** Warehouse receipts in the form prescribed by law must be issued upon the application of the owner or consignee for all grain or other commodities received. No receipts shall be issued for a greater quantity of grain or other commodity than is actually received.

History: 1-2-56. renum. from ch. G-W 4, Register, July, 1977, No. 259, eff. 8-1-77.