

**Sixtieth Legislative Assembly of North Dakota
In Regular Session Commencing Wednesday, January 3, 2007**

SENATE BILL NO. 2077
(Government and Veterans Affairs Committee)
(At the request of the Public Service Commission)

AN ACT to amend and reenact subsection 1 of section 54-17.7-08 as created by House Bill No. 1128, section 64-02-02, and subsection 1 of section 64-02-07 of the North Dakota Century Code, relating to the applicability of pipeline safety jurisdiction to the pipeline authority, the installation of weighing or measuring devices, and the maintenance of state weights and measures standards.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. If House Bill No. 1128 is approved by the sixtieth legislative assembly and becomes effective, subsection 1 of section 54-17.7-08 is amended and reenacted as follows:

1. Until sold or disposed of by the authority, the authority and the pipeline facilities built under this chapter are exempt from the provisions of title 49 except for chapter 49-22 and ~~section~~ sections 49-02-01.2 and 49-07-05.1. Upon sale or disposal by the authority, pipeline facilities built under this chapter are subject to the provisions of title 49.

SECTION 2. AMENDMENT. Section 64-02-02 of the North Dakota Century Code is amended and reenacted as follows:

64-02-02. Weights and measures - Supervision by public service commission - Installation of ~~seals weighing or measuring devices under special variance permit~~. All weighing or measuring devices in this state must be supervised and controlled by the commission. ~~Permits A variance permit~~ for the installation or relocation of ~~seals a device~~ deviating from requirements under this chapter may be issued by the commission when the ~~seal device~~ meets service requirements within accepted tolerances. ~~Applications for a permit authorizing deviations must~~ The commission may request that an application for a variance permit include complete construction plans and a statement of the specific reasons why deviations are necessary or desirable. The commission may impose limitations or conditions on the construction and use of ~~seals any weighing or measuring device~~.

SECTION 3. AMENDMENT. Subsection 1 of section 64-02-07 of the North Dakota Century Code is amended and reenacted as follows:

1. Maintain the calibration of the state weights and measures standards that are traceable to the United States standards. All secondary standards must be calibrated by ~~the commission~~ a national institute of standards and technology-recognized metrology laboratory as often as the commission deems necessary.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixtieth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2077.

Senate Vote: Yeas 46 Nays 0 Absent 1

House Vote: Yeas 88 Nays 5 Absent 1

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2007.

Approved at _____ M. on _____, 2007.

Governor

Filed in this office this _____ day of _____, 2007,

at _____ o'clock _____ M.

Secretary of State