

Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine

HOUSE BILL NO. 1155
(Agriculture Committee)
(At the request of the Public Service Commission)

AN ACT to create and enact a new section to chapter 64-02 of the North Dakota Century Code, relating to testing of weighing devices; and to amend and reenact section 64-02-01 of the North Dakota Century Code, relating to the definition of transient vendors.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 64-02-01 of the North Dakota Century Code is amended and reenacted as follows:

64-02-01. Definitions. In this title:

1. "Calibrate" means to compare a standard, or weighing or measuring device, to another standard and eliminate by adjustment any variation in the accuracy of the item being compared, but does not include the field repair of a weighing or measuring device.
2. "Commission" means the public service commission.
3. "Test" means to measure to determine if a standard; or weighing or measuring device, is within the permitted tolerance.
4. "Transient vendor" means a wholesale or retail seller of produce, fruit, nuts, or seafood that sells to the public at a temporary location, on a seasonal basis, open less than one hundred twenty business days each year.
5. "Weighing or measuring device" means any scale, weight, measure, instrument, or device used or offered for use for weighing or measuring in commerce.

SECTION 2. A new section to chapter 64-02 of the North Dakota Century Code is created and enacted as follows:

Exception from annual test of weighing or measuring device. A weighing or measuring device used to conduct sales by a transient vendor is exempt from this chapter.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1155.

House Vote: Yeas 95 Nays 0 Absent 3

Senate Vote: Yeas 47 Nays 0 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.

Governor

Filed in this office this _____ day of _____, 1999,

at _____ o'clock _____ M.

Secretary of State