

PUBLIC UTILITIES

CHAPTER 414

S. B. No. 339
(Hernett, Wilhite)

LIMITATION OF JURISDICTION OF PUBLIC SERVICE COMMISSION

AN ACT

To amend and reenact section 49-02-01.1 of the North Dakota Century Code, relating to extending the jurisdiction of the public service commission to safety requirements of public utilities owned and operated by the state and any political subdivision thereof and public utilities not operated for profit.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. Amendment.) Section 49-02-01.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-02-01.1. Jurisdiction of Commission Limited as to Certain Utilities.) Nothing in this chapter shall authorize the commission to make any order affecting rates, contracts, services rendered, adequacy, or sufficiency of facilities, or the rules or regulations of any public utility owned and operated by the state or by any city, county, township, village, or other political subdivision of the state or any public utility that is not operated for profit, but all other provisions herein shall apply to such utilities. However any telephone and telegraph utility so owned or operated shall be subject to the jurisdiction of the commission and to the provisions contained in sections 49-02-05 and 49-21-09.

Approved March 13, 1969.

CHAPTER 415

S. B. No. 121
(Lips)

**CARRIERS SERVING CITIES OF LIMITED
TRANSPORTATION SERVICE**

AN ACT

To amend and reenact section 49-18-02 of the North Dakota Century Code, by creating a new subsection to exempt from the provisions of section 49, the transportation of property for hire to and from cities with limited transportation service.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. Amendment.) Section 49-18-02 of the North Dakota Century Code is hereby amended and reenacted by creating the following new subsection:

4. To the transportation of property for hire to or from any city not being served at least two times a week by certified common carriers.

Approved March 26, 1969.

CHAPTER 416

S. B. No. 123
(Lips)

EXEMPTING TRANSPORTATION OF CROP
SAMPLES FROM REGULATION

AN ACT

To amend and reenact section 49-18-02 of the North Dakota Century Code, by creating a new subsection relating to exemption from regulation of the transportation of samples of agricultural crops to inspection laboratories, and declaring an emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. Amendment.) Section 49-18-02 of the North Dakota Century Code is hereby amended and reenacted by creating the following new subsection:

To the transportation, for hire, of samples of agricultural crops moving to inspection laboratories for the purpose of establishing the official grade or other laboratory tests.

Section 2. Emergency.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 8, 1969.

S. B. No. 124
(Lips)

**LIMITATION ON REGULATION OF COMMON OR
SPECIAL MOTOR CARRIERS**

AN ACT

To amend and reenact section 49-18-03 of the North Dakota Century Code, relating to the regulation of common or special motor carriers of property.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. Amendment.) Section 49-18-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-18-03. Application of Chapter to Common Motor Carrier Limited.) This chapter shall not apply to any common or special motor carrier of property or passengers operating:

1. Wholly within a city in this state; or
2. Such distance beyond the corporate limits of a city as the public service commission may determine.

Approved March 29, 1969.

CHAPTER 418

S.B. No. 314

(Ringsak, Nething)

**OBTAINING TELECOMMUNICATIONS SERVICE
FRAUDULENTLY****AN ACT**

To amend and reenact section 49-21-21 of the North Dakota Century Code, relating to fraudulent telecommunications, and providing a penalty.

**Be It Enacted by the Legislative Assembly of the State of
North Dakota:**

Section 1. Amendment.) Section 49-21-21 of the 1967 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-21-21. Fraudulent Telecommunications—Penalty.) Any individual, corporation, or other person, who, with intent to defraud or to aid and abet another to defraud any individual, corporation, or other person, of the lawful charge, in whole or in part, for any telecommunications service, shall obtain or attempt to obtain, or aid and abet another to obtain or to attempt to obtain, any telecommunications service by:

1. Charging such service to an existing telephone number or credit card number without the authority of the subscriber thereto or the legitimate holder thereof; or
2. Charging such service to a nonexistent, false, fictitious, or counterfeit telephone number or credit card number or to a suspended, terminated, expired, canceled, or revoked telephone number or credit card number; or
3. Use of a code, pre-arranged scheme, or other similar stratagem or device whereby said person, in effect, sends or receives information; or
4. Installing, rearranging, or tampering with any facilities or equipment, whether physically, inductively, acoustically, or electronically; or

5. Any other trick, stratagem, impersonation, false pretense, false representation, false statement, contrivance, device, or means,

shall, when the value of the services is two hundred dollars or less, be guilty of a misdemeanor, or, when the value of the services exceeds two hundred dollars, shall be guilty of a felony, and shall be punished by imprisonment in the state penitentiary for not more than two years, or by a fine of not more than one thousand dollars, or by both such fine and imprisonment.

Approved March 25, 1969.