

SENATE BILL REPORT

SB 6099

AS REPORTED BY COMMITTEE ON AGRICULTURE, JANUARY 31, 1994

Brief Description: Modifying weights and measures provisions.

SPONSORS: Senators M. Rasmussen, Newhouse and Snyder; by request of Department of Agriculture

SENATE COMMITTEE ON AGRICULTURE

Majority Report: That Substitute Senate Bill No. 6099 be substituted therefor, and the substitute bill do pass.

Signed by Senators M. Rasmussen, Chairman; Loveland, Vice Chairman; Bauer, Morton and Newhouse.

Staff: Bob Lee (786-7404)

Hearing Dates: January 17, 1994; January 31, 1994

BACKGROUND:

During the 1992 session, the state Weights and Measures Act was substantially revised. A component of the revision was to require that the weights and measures program be supported primarily by fees. Another component of the legislation required that the Office of Financial Management conduct a study of the weights and measures program with the assistance of an advisory committee. The report also contained recommendations requiring statutory changes to the program.

The Department of Agriculture administers a weights and measures program to assure the public is receiving articles of the size and weight advertized. There are four cities that have their own weights and measures program.

There are a number of circumstances defined in law whereby articles that are being transported are required to be weighed and certified by a licensed weighmaster. The fees for licensing these weighmasters are currently deposited in the general fund.

Current law provides for inspection fees to be collected only if the weighing or measuring device is approved.

SUMMARY:

The department is allowed to collect a fee after the device is inspected whether or not it was approved. Authority is granted to the department to establish fees for reinspection of equipment that failed previous inspections. Inspections for cause shall not be construed as a reinspection for purpose of collecting a reinspection fee.

Authority is established for the department or city sealers to inspect equipment upon request and to charge the direct costs associated with the inspection. These fees shall not be set so as to compete with service agents normally engaged in providing such services.

Deleted is the requirement that cities which administer their own weights and measures program remit 10 percent of the revenue derived from fees collected by the cities to the Department of Agriculture to perform administrative supervision of city programs. The authority of the department over city programs is reduced from general supervisory power to general oversight authority.

Weighing and measuring devices that have been rejected continue to be subject to the control of the rejecting authority until repaired but need not have an official seal placed upon the device to be allowed to be returned to service.

The selling price need not be displayed until the package is exposed for sale at retail.

License fees collected from weighmasters are deposited in the weights and measures fund.

EFFECT OF PROPOSED SUBSTITUTE:

The reinspection fee for devices that failed to meet the standard is to be developed in consultation with the Weights and Measures Program Advisory Committee and also submitted for review to the appropriate standing committees of the House and Senate.

Appropriation: none

Revenue: yes

Fiscal Note: requested

TESTIMONY FOR:

These statutory revisions have been agreed to by the Department of Agriculture and the industry and reflect the current direction of the program.

TESTIMONY AGAINST:

Concern exists that the reinspection fees set by the department may be excessive.

TESTIFIED: Tom Dooley, AWB; Ray Shindler, Washington Propane Association; Tony Meinhardt, IBA; Julie Sandberg, WSDA; Bob Arrington, WSDA (pro)