

SENATE BILL REPORT

SB 5314

As Reported By Senate Committee On:
Agriculture & Agricultural Trade & Development, February 21, 1995
Ways & Means, March 2, 1995

Title: An act relating to weights and measures.

Brief Description: Revising weights and measures provisions.

Sponsors: Senators Rasmussen, Morton, Loveland, Newhouse and Fraser; by request of Department of Agriculture.

Brief History:

Committee Activity: Agriculture & Agricultural Trade & Development: 1/26/95, 2/21/95 [DPS].

Ways & Means: 3/2/95 [DPS (AG)].

SENATE COMMITTEE ON AGRICULTURE & AGRICULTURAL TRADE & DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 5314 be substituted therefor, and the substitute bill do pass.

Signed by Senators Rasmussen, Chair; Loveland, Vice Chair; Bauer and Snyder.

Staff: Bob Lee (786-7404)

Background: The Department of Agriculture administers a weights and measures program to assure that the public is receiving articles of the size and weight that is advertised. The department's program is statewide, except within the jurisdiction of three cities that administer their own weights and measures programs.

Prior to 1992, the weights and measures program was funded entirely from appropriations from the state general fund. In 1992, inspection fees became the primary source of revenue for the program. Fees were to be collected upon completion of device inspections.

Summary of Substitute Bill: The mechanism for funding the weights and measures program is changed from a fee collected at the time a device is inspected to a program supported by a registration fee collected upon renewal of a master business license.

The fees set by rule for device inspections are retained at the current level, but are collected at time of renewal of a master business license.

Devices that fail to meet inspection standards are to be reinspected. A reinspection fee is charged, which is twice the cost of the device registration fee, as an incentive to maintain devices within allowable tolerances. Reinspection fees are established in statute.

Private service agents are authorized to place rejected devices back into commercial use after correction.

Fees from the weights and measures program are deposited into the agricultural local fund instead of the weights and measures account.

Activated city weights and measures programs may continue to be funded from the county general fund or, if the city council so chooses, fees may be collected on devices through the state master business license program. If fees are established by cities, as in existing law, they cannot exceed the fees that are assessed for the state program.

Substitute Bill Compared to Original Bill: The level of fees in the substitute bill are decreased to the level that currently exist in administrative rules.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect June 1, 1995.

Testimony For: The change from collecting fees after device inspection to fees being collected on the registration of devices through the master business license program will allow the department to focus its program where the need is greatest. The current staffing and revenue is insufficient to adequately check the accuracy of devices in the state.

Additional resources are needed in order to adequately fund inspections of current devices plus meeting new requirements, such as checking the accuracy of electronic scanners.

Reducing the frequency of inspection has its limits. As the interval between inspections lengthens, the amount of noncompliance with standards also increases.

Testimony Against: The department will not need additional resources when the program is funded through registration fees. The reason is that the department will be able to focus its efforts where the greatest problems exist.

Increased use of private service agents will reduce the staffing requirements of the department.

Testified: Patrick Halstead, Class One Railroads; Tony Meinhardt, IBA; Vern Lindskog, WAPA; PRO: Todd Mackie, Phillips Scale Co.; Tim Hamilton, AUTO; CON: Ron McClung, WA Assn. Neighborhood Stores; Tom Dooley, AWB; Lisa Thatcher, WA State Food Dealers; Mark Triplett, WA Aggregates & Concrete; Robert Lynch, AARP; Ray Shindler, David Gerds, NW Propane Gas Assn.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5314 as recommended by Committee on Agriculture & Agricultural Trade & Development be substituted therefor, and the substitute bill do pass.

Signed by Senators Rinehart, Chair; Loveland, Vice Chair; Bauer, Drew, Finkbeiner, Fraser, Hargrove, Hochstatter, Pelz, Sheldon, Snyder, Spanel, Winsley and Wojahn.

Staff: Susan Lucas (786-7711)

Testimony For: The program needs to be adequately funded so that nine inspectors can be in the field. The registration fee will allow the department to place emphasis where concerns exist about accuracy and fairness. This program maintains a fair, even business environment and should be adequately funded.

Testimony Against: Fees in the bill are too high in comparison to current fees. There are only eight inspectors currently employed in the program. Fees should be set at a level that retains those eight employees.

Testified: Jim Jesernig, Dept. of Agriculture; Mary Beth Lang, Dept. of Agriculture; Don Peterson, American Assn. of Retired Persons; Christy Anderson, City of Everett; Ray Schindler, WA Assn. of Wheat Growers, Northwest Propane Gas Assn.