

SENATE BILL REPORT

SSB 6483

AS PASSED SENATE, MARCH 11, 1992

Brief Description: Modifying provisions relating to weights and measures.

SPONSORS: Senate Committee on Ways & Means (originally sponsored by Senators Matson, Murray and Bluechel)

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Matson, Chairman; Anderson, Vice Chairman; Bluechel, McDonald, Moore, and Murray.

Staff: Forrest Bathurst (786-7429)

Hearing Dates: February 6, 1992; February 7, 1992

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6483 be substituted therefor, and the substitute bill do pass.

Signed by Senators McDonald, Chairman; Amondson, Bailey, Bluechel, Cantu, Hayner, M. Kreidler, Matson, Murray, Newhouse, Rinehart, and West.

Minority Report: Do not pass.

Signed by Senators Metcalf, Owen, and Williams.

Staff: Terry Wilson (786-7715)

Hearing Dates: March 5, 1992

BACKGROUND:

The Director of the Department of Agriculture is responsible for testing and certifying the accuracy of all weights and measures devices used in commerce in Washington State.

First class cities over 50,000 in population are required to appoint a "city sealer" who tests and certifies weights and measures within each of their respective jurisdictions. City sealers are authorized to work under the supervision of the director. Funding for city weights and measures testing and inspection programs are provided by the city.

The standards by which the director and city sealers may test weights and measures are established by the National Bureau of Standards. These standards detail both the schedule for inspection and the testing procedures for weighing and measuring devices.

The state weights and measures program is primarily supported by the state's general fund. However, funds to support the testing of track scales, used in the weighing and measuring of rail cargo, are collected from track scale owners. The department may prescribe and collect fees to cover all costs for the inspection and testing of track scales.

SUMMARY:

All weighing and measuring instruments and devices are to be inspected and tested for accuracy at least once every two years by the Department of Agriculture or the city sealer.

The department is to establish biennial inspection and testing fees for each type or class of weighing or measuring instrument or device. The fees are to be set to cover the direct costs associated with the inspection or testing of the type or class. Before setting or changing fees, the department is to convene a task force to recommend the appropriate level of fees. The task force is to be composed of a representative of the department, city sealers, service agents, service stations, grocery stores, retailers, food processors/dealers, oil heat dealers, the agricultural community, and liquid propane dealers. Devices found to be correct are subject only to one fee every two years unless the owner requests an inspection.

Fees are due 30 days after billing and are deposited into the weights and measures account established in the state treasury. Ten percent of the fees collected by city sealers are transmitted to the department for deposit in the account.

First class cities no longer are required to have a city sealer. City sealers are required to adopt the state fee schedule.

City field weights and measures standards and service agents weights and measures standards must be inspected and tested biennially.

Civil penalties are imposed for violations, and criminal penalties are eliminated.

The Office of Financial Management is to review the state's weights and measures program and report its findings to the Legislature by June 30, 1993. The office is to form a special task force with representation from government and industry to help with the review.

All appropriations are removed.

Appropriation: none

Revenue: yes

Fiscal Note: requested February 5, 1992

TESTIMONY FOR (Commerce & Labor):

A private licensing program for calibrators is self supporting and more cost effective than the current state program.

TESTIMONY AGAINST (Commerce & Labor):

A private sector calibration program will not be viewed by merchants, consumers, or other states as being trustworthy and objective. Only a state-managed program can guarantee that weights and measures standards are not being manipulated by private interests.

TESTIFIED (Commerce & Labor): Carolyn Logue, NFIB (pro); Jonathan F. Schlueter, Pacific Northwest Grain and Feed Association (con); Mark Brown, Washington Federation of State Employees (con); Ian MacGowan, West Coast Grocery Company (pro); Jim Boldt, Washington Federation of Dealers (pro)

TESTIMONY FOR (Ways & Means):

This is an appropriate program to move to a fee for service. It is a compromise that will continue the program and protect the consumer. Washington's program is the most anemic in the country.

TESTIMONY AGAINST (Ways & Means): None

TESTIFIED (Ways & Means): PRO: Representative John Wynne; Mike Schwisow, Department of Agriculture; Tom Dooley, AWB; Jan Gee, Washington Retailers