Bill as Introduced

HB 156 – AS INTRODUCED

2003 SESSION

03-0408
08/09

HOUSE BILL ***156***

AN ACT relative to weights and measures.

SPONSORS: Rep. L. Pratt, Coos 2

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill changes standards for weights and measures.

This bill was requested by the department of agriculture, markets, and food.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 156 – AS INTRODUCED

03-0408
08/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Three

AN ACT relative to weights and measures.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Rulemaking Authority. Amend RSA 438:8, I (h)(2) to read as follows:

(2) Licenses ***and registrations***, including application, initial issuance, replacement and duplication.

2 New Subparagraph; Rulemaking Authority. Amend RSA 438:8, I(h) by inserting after subparagraph (3) the following new subparagraph:

(4) Placed-in-service forms, inspection report forms, and certification stamps.

3 Weights and Measures; Rulemaking; Testing and Calibration Standards. RSA 438:8, IV is repealed and reenacted to read as follows:

IV. The specifications, tolerances, and other technical requirements for standards used in the testing or calibration of commercial weighing and measuring devices, together with amendments thereto, as recommended by the National Conference on Weights and Measures, and published in the National Institute of Standards and Technology Handbook 105 series and supplements to the Handbook 105 series, or in any publication revising or superseding the Handbook 105 series, shall be the specifications, tolerances, and other technical requirements for standards used in the testing and calibration of commercial weighing and measuring devices of the state of New Hampshire, except as specifically modified, amended, or rejected by a rule adopted by the commissioner, and shall be adopted as part of this chapter and need not be adopted in accordance with RSA 541-A.

4 New Paragraph; Rulemaking Authority; Operational Guides. Amend RSA 438:8 by inserting after paragraph IV the following new paragraph:

V. The operational guides, for use in the field evaluation of commercial weighing and measuring devices, by the bureau of weights and measures and registered servicemen, together with amendments thereto, as recommended by the National Conference on Weights and Measures, and published in the National Conference on Weights and Measures Publication 12, Examination Procedure Outlines for Weighing and Measuring Devices, or in any publication revising or superseding Publication 12, shall be the evaluation procedures used in the field evaluation of weighing and measuring devices used commercially in the state of New Hampshire, except as specifically modified, amended, or rejected by a rule adopted by the commissioner, and shall be adopted as part of this chapter and need not be adopted in accordance with RSA 541-A.

5 Effective Date. This act shall take effect 60 days after its passage.

Committee Minutes

Date: April 1, 2003
Time: 1:45 p.m.
Room: 104 LOB

The Senate Committee on Wildlife and Recreation held a hearing on the following:

HB156 relative to weights and measures.

Members of Committee present: Senator Gallus
Senator Roberge

The Chair, Senator John Gallus, opened the hearing.

Senator John Gallus, D. 1: We will now open the Senate hearing on House Bill 156 an act relative to weights and measures and the chair recognizes the Bill's prime sponsor, Representative Pratt.

Representative Pratt; Coos, Dist. 2: I was going to get up and I am going to give you a really long speech and tell you that I am the prime sponsor of the Bill. I looked at the Bill. I had discussion with the people at the Department of Agriculture and it needed an updating and I will leave it there and let the gentleman over there answer all of your good questions. How do you like that?

Senator John Gallus, D. 1: Thank you. Any questions? No questions, thank you very much.

Representative Pratt; Coos, Dist. 2: That is the best one I have had in years.

Senator John Gallus, D. 1: Great job. From the Department of Agriculture, Richard Cote is signed up in favor of the Bill but not scheduled to speak. Do you want to speak?

Richard P. Cote, Dept. of Agriculture: I am sorry. I was going to.

Senator John Gallus, D. 1: Okay, the Chair recognizes Mr. Cote.

Richard P. Cote, Dept. of Agriculture: You didn't tell me that or I would have looked down at it a little further.

Senator John Gallus, D. 1: I was trying to, you checked the wrong box, no big deal.

Richard P. Cote, Dept. of Agriculture: My name is Richard Cote. I am the acting supervisor for the Bureau of Weights and Measures. The main reason that we are here is when we go to our folks, our counterparts in rule making, they tell us, you didn't dot your I, you didn't cross your T, and so we come here and we are here to dot I's and cross T's and it is basically a housekeeping measure as far as we are concerned.

For example, one of the things that we are requiring or asking is these particular handbooks which are published, if you have some insomnia, you can't sleep in the evening, just read this and a paragraph or so and you are gone. Specifications and tolerances from liquid petroleum gas and ammonia volumetric approvers. They are just specifications on how to build them so that people just do not take any kind of standard and design it the way they think it should be designed and put it into commercial service where people are buying and selling. Most things are all regulated. These handbooks are published by the National Institute of Standards and Technology and we would just like them as part of our general catalog as we regulate the industry.

Senator John Gallus, D. 1: Any questions?

Senator Sheila Roberge, D. 9: What are the containers for?

Richard P. Cote, Dept. of Agriculture: These are for all different kinds of standards. We have some here for stop watches for example. There are certain specifications for a stop watch. There are certain specifications for thermometers. There are certain specifications for what we call small body improvers. In other words, how do you test gasoline? How do you test diesel fuel to make sure there is five gallons, 100 gallons, 1000 gallons. There are certain instruments which I use to test. They have to be designed with certain tolerances, certain specifications so that we are uniform throughout the country. Certain standards that we use to put on scales. Obviously they have to be of such a material that is stable. We don't want people building weights out of plastic, or out of water. It is just not stable enough so certain specifications, stainless steel, certain grade, certain density, etc. A lot of technical stuff just so that it is uniform in this State and throughout the country.

Senator John Gallus, D. 1: Any further questions? Thank you very much. Is there anyone else who would like to testify on the Bill that hasn't signed up? Is there anyone that would like to speak a second time? There being no one, we will close this hearing on HB156.

Hearing closed 1:50 p.m.

Respectfully submitted:

Susan A Bridge

Susan A. Bridge
Senate Secretary
April 2, 2003

Speakers

SENATE WILDLIFE & RECREATION COMMITTEE

Date April 1, 2003 Time 1:45 p.m. Public Hearing on **Bill # HB156**

relative to weights and measures.

(Please print) ***Please check box(es) at left that apply.***

SPEAKING?	FAVOR	OPPOSED	NAME	REPRESENTING
☑	☑	☐	LEIGHTON	PRATT COOS-2
☒	☑	☐	Richard P. Cote	Dept. of Agriculture
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Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date:

THE COMMITTEE ON Wildlife and Recreation

to which was referred House Bill 156

AN ACT relative to weights and measures.

VOTE: 2-0

Having considered the same, report the same without amendment and recommend that the bill: **OUGHT TO PASS.**

Senator Sheila Roberge
For the Committee

HB156 Docket

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Bill Title: relative to weights and measures.

Date	Body	Description
1/9/2003	**H**	Introduced and ref to Env & Agric; HJ8, p109
1/14/2003	**H**	Copy to Chairman on 1/14/2003
1/22/2003	**H**	Hearing Jan 28 10:00 RM303,LOB
2/13/2003	**H**	Subcom Work Session Feb 19 1:30 RM303,LOB
3/4/2003	**H**	Maj Report OTP for Mar 12 (Vote 16-0;CC)
3/12/2003	**H**	Passed; HJ23, p544 + 590
3/13/2003	**S**	Introduced and Ref. to Wildlife & Recreation; SJ 8, Pg.107
3/21/2003	**S**	Hearing; April 1, 2003, Room 104, LOB, 1:45 p.m.; SC15
4/4/2003	**S**	Committee Report; Ought to Pass, [04/10/03]; SC17
4/10/2003	**S**	Ought to Pass, MA, VV; OT3rdg; SJ 12, Pg.309
4/10/2003	**S**	Passed by 3rd Reading Resolution; SJ 12, Pg.311
4/17/2003	**H**	Enrolled; HJ40, p1273
4/24/2003	**S**	Enrolled; SJ 14, Pg.349
5/6/2003	**H**	Became Law Without Signature on 5/6/2003 Eff: 7/5/2003 Chap: 0042

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Docket Abbreviations