

# A-Engrossed Senate Bill 238

Ordered by the Senate May 1  
Including Senate Amendments dated May 1

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for State Department of Agriculture)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Increases maximum permissible license fees for certain weighing or measuring instruments or devices. Applies to fees established for licensing periods beginning on or after July 1, 2007.

**Provides that for licensing periods beginning on or after July 1, 2011, and before July 1, 2016, fees shall increase two percent annually.**

**Sunsets annual fee increases January 1, 2016.**

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to State Department of Agriculture maximum license fees; creating new provisions; amending ORS 618.141; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 618.141 is amended to read:

618.141. (1) The license fees established pursuant to ORS 618.136 for weighing or measuring instruments or devices shall not exceed the following:

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Discrete Weighing Devices (Manufacturer's rated capacity)	Maximum Fee
<i>[0-400 pounds]</i> .....	\$ 20]
<i>[401-1,160 pounds]</i> .....	\$ 30]
<i>[1,161-7,500 pounds]</i> .....	\$ 60]
<i>[7,501-60,000 pounds]</i> .....	\$ 130]
<i>[60,001 pounds or more]</i> .....	\$ 210]
<b>Not over 400 pounds</b> .....	<b>\$ 39</b>
<b>Over 400 pounds, but not over 1,160 pounds</b> .....	<b>\$ 80</b>
<b>Over 1,160 pounds, but not over 7,500 pounds</b> .....	<b>\$ 161</b>
<b>Over 7,500 pounds, but not over 60,000 pounds</b> ....	<b>\$ 242</b>
<b>Over 60,000 pounds</b> .....	<b>\$ 242</b>
Static railroad track scales .....	<i>[\$1,000]</i> <b>1,051</b>

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1	Continuous Weighing Systems		
2	(Manufacturer's rated capacity)		
3	Under 10 tons per hour.....	\$ [160]	<b>304</b>
4	10-150 tons per hour.....	\$ [250]	<b>473</b>
5	[151-1,000 tons per hour.....	\$	500]
6	<b>Over 150 tons per hour, but</b>		
7	<b>not over 1,000 tons per hour..</b>	<b>\$</b>	<b>946</b>
8	Over 1,000 tons per hour.....	[\$1,100]	<b>2,101</b>
9	In-motion railroad		
10	track scales.....	[\$1,000]	<b>1,051</b>
11	Liquid-Fuel Metering Devices for		
12	Noncorrosive Fuels Contained at		
13	Atmospheric Pressure		
14	(Maximum device flowrate)		
15	Under 20 gallons per minute.....	\$ [25]	<b>32</b>
16	20-150 gallons per minute.....	\$ [45]	<b>161</b>
17	Over 150 gallons per minute.....	\$ [75]	<b>242</b>
18	Special Liquid-Fuel Measuring		
19	Equipment		
20	(Type)		
21	Liquefied petroleum gas meters		
22	one inch pipe		
23	diameter or under.....	\$ [70]	<b>242</b>
24	Over one inch		
25	pipe diameter.....	\$ [125]	<b>242</b>
26	Tanks, under 500 gallons capacity		
27	when used as measure containers		
28	with or without gage rods or		
29	markers.....	\$	100
30	Tanks, 500 or more gallons capacity		
31	when used as measure containers		
32	with or without gage rods or		
33	markers.....	\$	200

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(2) For licensing periods beginning on or after July 1, 2011, and before July 1, 2016, the maximum fee amounts described in subsection (1) of this section shall increase by two percent annually. The maximum fee for a year shall be rounded to the nearest whole dollar amount for assessment and collection purposes. Each annual increase shall be determined using the unrounded dollars and cents from the preceding year.

**SECTION 2.** The amendments to ORS 618.141 by section 1 of this 2007 Act apply to fees established by the State Department of Agriculture for licensing periods that begin on or after July 1, 2007.

**SECTION 3.** ORS 618.141, as amended by section 1 of this 2007 Act, is amended to read:

618.141. [(1)] The license fees established pursuant to ORS 618.136 for weighing or measuring

1 instruments or devices shall not exceed the following:

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	Maximum
(Manufacturer's rated capacity)	Fee
2 Not over 400 pounds .....	\$ [39] <b>43</b>
3 Over 400 pounds,	
4 but not over 1,160 pounds.....	\$ [80] <b>88</b>
5 Over 1,160 pounds,	
6 but not over 7,500 pounds.....	\$ [161] <b>178</b>
7 Over 7,500 pounds,	
8 but not over 60,000 pounds.....	\$ [242] <b>267</b>
9 Over 60,000 pounds.....	\$ [242] <b>267</b>
10 Static railroad track scales .....	\$[1,051] <b>1,160</b>
11 Continuous Weighing Systems	
12 (Manufacturer's rated capacity)	
13 Under 10 tons per hour.....	\$ [304] <b>336</b>
14 10-150 tons per hour.....	\$ [473] <b>522</b>
15 Over 150 tons per hour, but	
16 not over 1,000 tons per hour.....	\$ [946] <b>1,044</b>
17 Over 1,000 tons per hour .....	\$[2,101] <b>2,320</b>
18 In-motion railroad	
19 track scales.....	\$[1,051] <b>1,160</b>
20 Liquid-Fuel Metering Devices for	
21 Noncorrosive Fuels Contained at	
22 Atmospheric Pressure	
23 (Maximum device flowrate)	
24 Under 20 gallons per minute.....	\$ [32] <b>35</b>
25 20-150 gallons per minute.....	\$ [161] <b>178</b>
26 Over 150 gallons per minute .....	\$ [242] <b>267</b>
27 Special Liquid-Fuel Measuring	
28 Equipment	
29 (Type)	
30 Liquefied petroleum gas meters	
31 one inch pipe	
32 diameter or under.....	\$ [242] <b>267</b>
33 Over one inch	
34 pipe diameter.....	\$ [242] <b>267</b>
35 Tanks, under 500 gallons capacity	
36 when used as measure containers	
37 with or without gage rods or	
38 markers.....	\$ 100
39 Tanks, 500 or more gallons capacity	
40 when used as measure containers	
41 with or without gage rods or	

1 markers ..... \$ 200

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3

4 *[(2) For licensing periods beginning on or after July 1, 2011, and before July 1, 2016, the maximum*  
5 *fee amounts described in subsection (1) of this section shall increase by two percent annually. The*  
6 *maximum fee for a year shall be rounded to the nearest whole dollar amount for assessment and col-*  
7 *lection purposes. Each annual increase shall be determined using the unrounded dollars and cents from*  
8 *the preceding year.]*

9 **SECTION 4. The amendments to ORS 618.141 by section 3 of this 2007 Act become oper-**  
10 **ative January 1, 2016.**

11 **SECTION 5. This 2007 Act being necessary for the immediate preservation of the public**  
12 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**  
13 **on its passage.**

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