

**LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY
LEGISLATIVE OVERSIGHT REPORT**

**RE: Office of Agro-Consumer Services, Division of Weights and Measures
Weights and Measures Fee Structure and Registration (LAC 7:XXXV.125, 127)**

This report is submitted electronically to the President of the Senate, Speaker of the House of Representatives, and the Senate and House Committees on Agriculture, Forestry, Aquaculture and Rural Development, in accordance with R.S. 49:968 regarding the intent of the Department of Agriculture and Forestry, through the Office of Office of Agro-Consumer Services, Division of Weights and Measures, to take the proposed action with regard to the above cited rule.

I. THE PROPOSED ACTION

The proposed rules create a new category of devices called "mass flow meters." Currently, mass flow meters were registered with the department as a Class 3 scale and the fee for registering the device is \$185. Mass flow meters are not actually scales and should have their own category. The amendment to LAC 7:XXXV.125 creates a new fee for registration of mass flow meters based on the internal diameter of the meter tube. Under the proposed rule, mass flow meters will be separated in to 2 classes: those with tubes whose internal diameter is 2 inches or more and those with tubes that are less than 2 inches. The fee for those with tubes whose internal diameter is 2 inches will be \$185 and those with tubes that are less than 2 inches will be \$80.

II. THE REASONS FOR THE PROPOSED ACTION

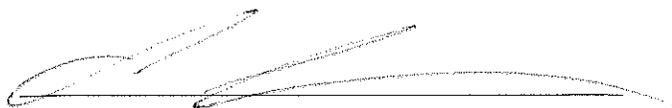
The use of mass flow meters is increasing and, therefore, they need their own category. They were previously lumped into the "Class 3 scale" category even though they are not scales.

III. STATUTORY AUTHORITY

R.S. 3:4608 gives the commissioner the authority to adopt rules and regulations for the implementation and enforcement of Chapter 30 of Title 3 of the Revised Statutes (Weights and Measures). R.S. 3:4622 gives the commissioner the authority to adopt, by rules, fees charged for weighing and measuring services performed by the department.

IV. ATTACHMENTS

- A. The proposed action coded with any new rule or language underscored and with language to be deleted from an existing rule in struck-through type.
- B. A copy of the fiscal and economic impact statement approved by the Legislative Fiscal Office.
- C. A copy of the Notice of Intent filed with the State Register.



Stephen O. Sessums, M.D.
Director, Weights and Measures

07/06/16

Date of signature