

**Board of Ag  
Internal Services and Consumer Protection (ISCP)  
Program Area Update  
6/6/18**

**Introduction**

The Internal Services and Consumer Protection (ISCP) Program Area provides consumer protection, ensures fair competition among businesses, and facilitates interstate commerce and international trade. This is done by ensuring confidence in Oregon's Commercial Weighing System; ensuring that motor fuels sold in Oregon meet national standards for quality; providing safe, accurate, timely, and cost-effective laboratory analysis and technical support to ODA regulatory enforcement programs and to private businesses in order to move value-added food products to domestic and foreign markets. This ISCP also administers the Wolf Compensation Grant, Egg-Laying Hen program, Procurement, fleet management and facility management for the ODA.

**Program Updates**

- **Weights and Measures Program** - Act as an impartial third-party overseeing Oregon's commercial marketplace to ensure equity in transactions and working to prevent and eliminate fraud and other deceptive and misleading practices.
  - Breached the 60,000-license device mark for first time in history. Cannabis and hemp large reason – Est. 2,000 new A scales. (See attached device count)
  - Last session received two new positions – 19<sup>th</sup> field inspectors is working in Ptld area. Hope to hire 20<sup>th</sup> inspector for Salem area later this year.
  - Successful in raising device license fees through rule for 2018 and 2019. (See fee chart)
  - Proposed Legislative Concept to raise our fee caps by 15% (See LC Form)
  - Railroad Test Unit (See pictures)
    - Self-built and calibrated as an 80,000 lb. test unit
    - Replaces two old rail car test units (1927) that had heavy maintenance bills
    - \$270,000 limitation, built for \$130,000
    - Will test 29 rail scales in Oregon each year within 3-4-week period
  - Mass Flow Meter Propane Test Unit (See pictures)
    - First of its kind in nation as a test unit for W&M Programs. NIST has requested test data.
    - Hopefully will replace propane test unit \$15-20,000 vs \$30-40,000
    - Less maintenance, reduces testing time by 30-45 min per device.
  - Metrology Lab
    - Successful completion of ISO audit in May.
    - Great reputation has caused increase in private metrology work
  
- **Motor Fuel Quality** - Ensure that the 2.3 billion gallons of motor vehicle gasoline, diesel, and biofuels sold in Oregon each year meet national standards and specifications for quality. Enforce octane ratings. Enforce Oregon's Renewable Fuel Standards of 10% ethanol in gasoline and 5% biodiesel in diesel fuel. Respond to MFQ consumer complaints.
  - HB 3338 - Requires ODA to adopt rules and act as the enforcement agency for the gasoline tax posting requirements found in ORS 646.932 effective Jan. 1, 2018. (See separate handout)

- **Laboratory Services** - Provide organic chemistry, inorganic chemistry, and microbiological testing services for ODA's regulatory enforcement programs and other governmental programs. Provide analytical and technical support to help facilitate the export of Oregon agricultural products to domestic and foreign markets.
  - Implementing new document management system called Qualtrax for their Standard Operating Procedures (SOP's) – Requirement for ISO accreditation
  - New Laboratory Management System (LIMS) is being configured/customized soon to be tested.
  
- **ODA Wolf Grant** - ODA provides pass-through block grants to qualified county wolf depredation compensation programs (currently 15 counties participate).
  - For 2018 awarded \$95,037 to 10 county wolf programs (See payout chart)
  - Just notified of \$63,500 federal wolf grant award
  
- **Egg Laying Hen Program** - Regulate the manner in which egg-laying hens may be confined in an enclosure. Transition commercial egg farms in Oregon away from small battery cages to larger cages and ultimately to enriched colony systems and cage-free production systems.
  - 10 licensed commercial egg farms to audit each year
  - 80 licensed distributors of eggs in Oregon
  - Have conducted 2 investigations that were founded, one resulting in \$7,500 civil penalty
  
- **Procurement, Fleet and Facilities** - Provide support for all of the department's programs in the areas of procurement (purchases, contracts, grants), fleet and facility management.
  - ODA maintains a fleet of 271 standard and specialized vehicles and owns a total of 11 buildings in Salem, Hermiston and Ontario and rents 23 other offices and buildings across the state.
  - June 8<sup>th</sup> presenting to CPAB to promote consolidated lab building project.

Summary of MSD License Activity

LICENSE TYPE	LICENSE SUMMARY					DEVICE SUMMARY				
	ACTIVE	PENDING	INACTIVE	INACTIVE-EXPIRED	GRAND TOTAL	ACTIVE	PENDING	INACTIVE	INACTIVE-EXPIRED	GRAND TOTAL
A-Scales 0-400 lbs capacity	6,473	21	22	109	6,625	22,665	22	22	122	22,831
B-Scales 401-1,160 lbs capacity	445	1	3	6	455	682	0	3	3	688
C-Scales 1,161-7,500 lbs capacity	846	0	4	19	869	1,599	0	4	31	1,634
D-Scales 7,501-60,000 lbs capacity	1,068	1	10	12	1,091	1,165	1	2	7	1,175
E-Scales over 60,000 lbs capacity	953	0	6	17	976	1,098	0	1	7	1,106
F-Meter under 20 gpm	1,623	0	13	26	1,662	29,425	0	2	2	29,429
G-Meter 20-150 gpm	426	0	1	4	431	1,628	0	0	2	1,630
H-Meter over 150 gpm	74	0	0	1	75	487	0	0	1	488
M-Meter LPG 1" Diameter or under	992	2	13	18	1,025	954	0	2	2	958
N-Meter LPG over 1" Diameter	82	0	1	0	83	240	0	2	0	242
O-Meter Vapor 1" Dia or under	11	0	0	1	12	927	0	0	15	942
P-Meter Vapor over 1" Diameter	1	0	1	0	2	1	0	1	0	2
Q-Railroad Track Weigh-in-motion	2	0	0	0	2	2	0	0	0	2
R-Railroad Track Static Weighing	24	0	0	0	24	29	0	0	0	29
W-Continuous Weighing under 10 t/hr	28	0	0	0	28	37	0	0	0	37
X-Continuous Weighing 10-150 t/hr	8	0	0	1	9	12	0	0	0	12
Y-Continuous Weighing 151-1000 t/hr	8	0	0	0	8	15	0	0	0	15
Z-Continuous Weighing over 1000 t/hr	2	0	0	0	2	4	0	0	0	4
<b>Grand Totals</b>	<b>13,066</b>	<b>25</b>	<b>74</b>	<b>214</b>	<b>13,379</b>	<b>60,970</b>	<b>23</b>	<b>39</b>	<b>192</b>	<b>61,224</b>

Proposed Weights and Measures Device License Fee Increase

Device Type	Current License Fee	5% increase 7/18	Approx., 5% increase 7/19 (Statutory Cap)
A-Scales 0-400 lbs	\$39	\$41	\$43
B-Scales 401-1,160 lbs	\$80	\$84	\$88
C-Scales 1,161 – 7,500 lbs	\$161	\$168	\$178
D-Scales 7,501 – 60,000 lbs	\$242	\$254	\$267
E-Scales Over 60,000 lbs	\$242	\$254	\$267
F-Meter under 20 gpm	\$32	\$34	\$35
G-Meter 20-150 gpm	\$161	\$169	\$178
H-Meter over 150 gpm	\$242	\$254	\$267
M-Meter LPG 1" Diameter or under	\$242	\$254	\$267
N-Meter LPG over 1' Diameter	\$242	\$254	\$267
O-Meter Vapor 1' Diameter or under	\$15	\$15	\$15
P-Meter Vapor over 1" Diameter	\$20	\$20	\$20
Q-Railroad Track Weigh-In-Motion	\$1,051	\$1,104	\$1,160
R-Railroad Track Static Weighing	\$1,051	\$1,104	\$1,160
W-Continuous Weighing under 10 t/hr	\$304	\$319	\$336
X-Continuous Weighing 10-150 t/hr	\$473	\$497	\$522
Y-Continuous Weighing 151-1000 t/hr	\$946	\$993	\$1,044
Z-Continuous Weighing over 1000 t/hr	\$2,101	\$2,206	\$2,320

Motor Fuel Quality Fuel Meter Fee Assessment Increase

Fee Increase Effective Date	Fee Assessed per Fuel Meter
Prior to 7/1/16	\$5.00
07/01/16	\$6.00
07/01/17	\$7.00
07/01/18	\$9.00
07/01/19	\$10.00



**Oregon**  
Department  
of Agriculture

**2019 ODA Legislative Concept  
Weights and Measures Fee Increase (ORS 618.141)**

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**Description**

The Oregon Department of Agriculture, Weights and Measures Program proposes raising the current maximum license fee limits for weighing and measuring devices listed in ORS 618.141(1) by approximately 15%. This proposed 15% increase will allow the program to raise device license fees in the future, if needed, through the administrative rule process, in order to cover future increases in operating costs. Actual future fee increases will be capped at a maximum of 3% per licensing periods beginning on or after July 1, 2021 through July 1, 2026.

**Background**

The Oregon Department of Agriculture (ODA), Weights and Measures Program acts as an impartial third-party overseeing Oregon's commercial weighing system and marketplace to ensure equity and fairness, and to eliminate fraud and other deceptive sales practices. Program inspectors (19 statewide) examine approximately 60,000 licensed devices each year for accuracy and compliance with state and national standards (this included 29,000 retail motor fuel dispensers.) These devices are operated by approximately 12,790 businesses and are used to weigh or measure an estimated \$107 billion of goods and products each year in Oregon.

The Weights and Measures Program is 100% "Other Funded," relying solely on revenue from device license fees to operate. As of July, 2019, the program will have reached the current maximum license fee limits (per device type) allowed in statute. These maximum license fee limits were last revised in 2007 (11 years ago.) ODA proposes raising the current maximum license caps listed in ORS 618.141(1) by approximately 15% which will allow the program to raise actual device license fees in the future, if needed, through the administrative rule process, in order to cover future increases in operating costs (i.e., increases in salaries, benefits, government service charges, rent, utilities, travel, fuel, equipment, etc.)

See chart below regarding current and proposed maximum license fee caps.

Device Type	Current Max. License Fee Limit	Proposed Increase
A-Scales 0-400 lbs	\$43	\$49
B-Scales 401-1,160 lbs	\$88	\$101
C-Scales 1,161 – 7,500 lbs	\$178	\$205
D-Scales 7,501 – 60,000 lbs	\$267	\$307
E-Scales Over 60,000 lbs	\$267	\$307
F-Meter under 20 gpm	\$35	\$40
G-Meter 20-150 gpm	\$178	\$205
H-Meter over 150 gpm	\$267	\$305
M-Meter LPG 1" Diameter or under	\$267	\$305
N-Meter LPG over 1' Diameter	\$267	\$305
Q-Railroad Track Weigh-In-Motion	\$1,160	\$1,334
R-Railroad Track Static Weighing	\$1,160	\$1,334
W-Continuous Weighing under 10 t/hr	\$336	\$386
X-Continuous Weighing 10-150 t/hr	\$522	\$600
Y-Continuous Weighing 151-1000 t/hr	\$1,044	\$1,201
Z-Continuous Weighing over 1000 t/hr	\$2,320	\$2,668

### **Stakeholder Outreach**

Oregon Pawnbrokers Association  
 Oregon Fuels Association  
 Oregon Cannabis Groups  
 Western States Petroleum Association (WSPA)  
 Sequential Biofuels  
 AAA of Oregon  
 Automobiles Manufacturers Association  
 Automobile Alliance  
 Kinder Morgan Inc.  
 Oregon Trucking Association  
 Northwest Grocery Association  
 Northwest Propane Gas Association

### **Stakeholder Feedback**

Current discussions with above stakeholders ongoing.

### **Fiscal Impact**

This proposal has a 3% across-the-board increase of device license fees actually being charged, built into it for 2021. It is not known at this time if that 3% will actually be needed in 2021. Administratively, it is easier to build the 3% increase into the LC as it goes through the legislative session, than having to ask at a later date.











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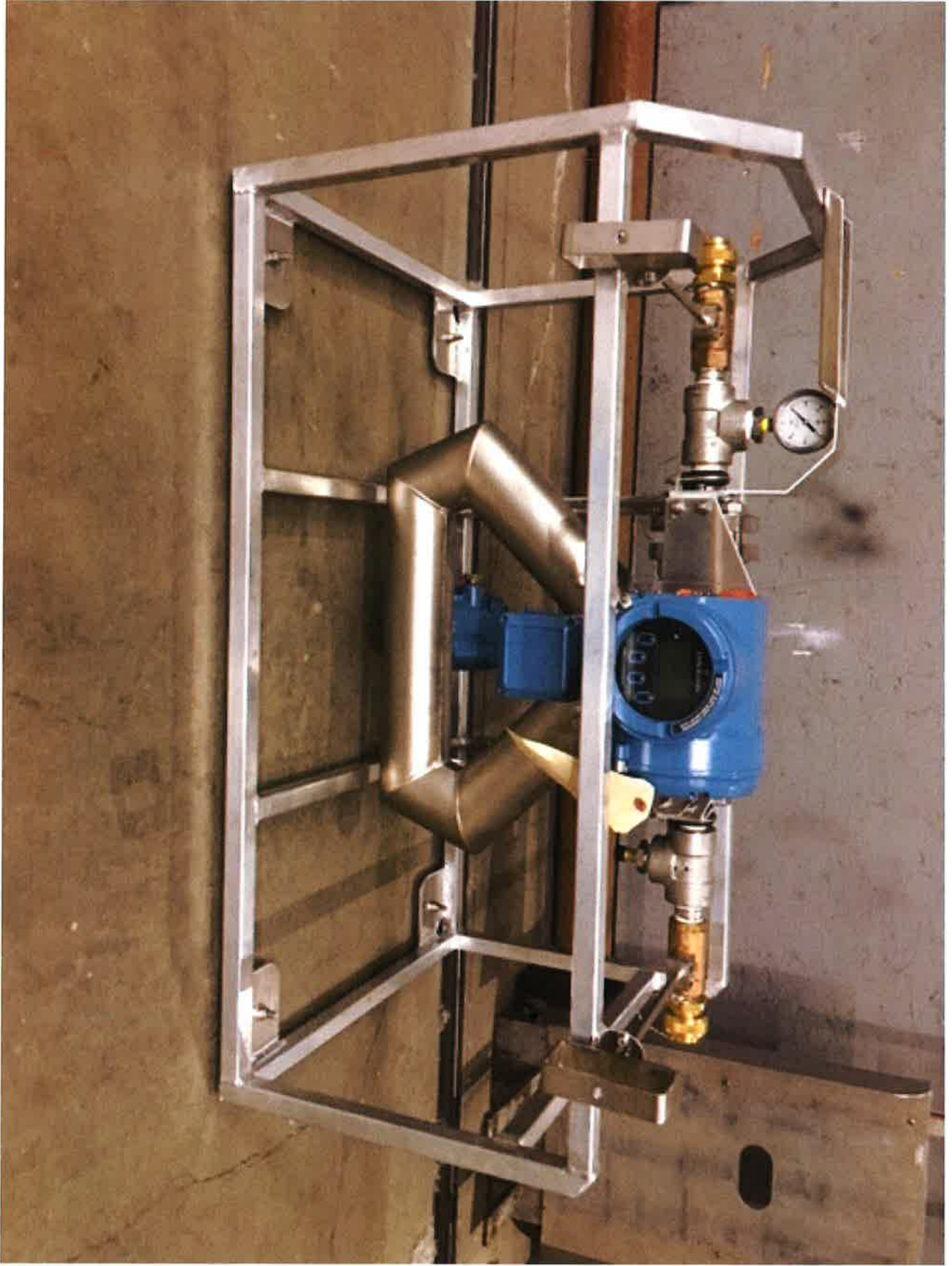
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**ODA Wolf Depredation Compensation and  
Financial Assistance County Block Grant Program**

**2018 Grant Requests**

County	Death/Inj	Missing	Prevent.	Co. Admin	Total
Baker	0	\$1,500	\$12,000	\$495	\$13,995
Jackson	\$3,000	0	\$52,500	0	\$55,500
Klamath	0	0	\$5,000	0	\$5,000
Lake	0	0	\$8,500	0	\$8,500
Malheur	0	0	\$9,090	\$450	\$9,540
Morrow	0	0	\$22,500	\$2,500	\$25,000
Umatilla	\$4,220.97	\$21,132.	\$85,000	\$675	\$111,028.36
Union	\$1,000	\$3,650,	\$25,000	0	\$29,650
Wallowa	\$5,550	\$15,810,	\$46,000	\$650	\$68,010
Wheeler	DNA				0
Wasco	0	0	\$6,000	0	\$6,000
<b>Totals</b>	<b>\$13,770.97</b>	<b>\$42,092.39</b>	<b>\$271,590</b>	<b>\$4,770</b>	<b>\$332,223.36</b>

**2018 Wolf Grant Awards**

County	Death/Inj	Missing (Reducing 50%)	Prevent Granted	Co. Admin	Total
Baker	0	\$750	\$6,000	\$495	\$7,245
Jackson	\$3,000	0	\$8,000	0	\$11,000
Klamath	0	0	\$2,500	0	\$2,500
Lake	0	0	\$2,000	0	\$2,000
Malheur	0	0	\$2,000	\$450	\$2,450
Morrow	0	0	\$2,000	\$450	\$2,450
Umatilla	\$4,221	\$10,566	\$13,500	\$675	\$28,962
Union	\$1,000	\$1,825	\$6,000	0	\$8,825
Wallowa	\$5,550	\$7,905	\$13,500	\$650	\$27,605
Wasco	0	0	\$2,000	0	\$2,000
					\$95,037
<b>Totals</b>	<b>\$13,771</b>	<b>\$21,046</b>	<b>\$57,500</b>	<b>\$2,720</b>	<b>\$95,037</b>

**Note:** Just notified that Oregon will receive \$63,500 from federal wolf grant funding (\$8,500 for direct compensation and \$55,000 for prevention)