S T A T E O F N E W Y O R K

3437

2009-2010 Regular Sessions

I N S E N A T E

March 19, 2009

Introduced by Sen. MONSERRATE -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to inspection and testing of optical scanning devices and systems

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 13 of section 179 of the agriculture and markets law, as amended by chapter 402 of the laws of 1998, is amended to read as follows:

13. Inspect and test, either personally or through his authorized agents, weights and measures, weighing and measuring devices and systems, and accessories relating thereto, AND OPTICAL SCANNING DEVICES AND SYSTEMS, which are used commercially within the state by any person, firm or corporation in determining the weight, measure or count of commodities or things sold, or offered or exposed for sale on the basis of weight, measure or count, or in computing the basic charge or payment for services rendered on the basis of weight, measure or count, or in the case of coin counting machines which are used commercially within the state by any coin processor required to be licensed pursuant to article twenty-seven-A of the general business law ("coin processor licensing act"), in determining an accurate count of coins, OR IN SCANNING THE PRICE OR DETERMINING THE IDENTITY OF COMMODITIES OR OTHER THINGS SOLD, in order to ascertain if such weights and measures, weighing and measuring devices and systems, or accessories related thereto OR OPTICAL SCANNING DEVICES AND SYSTEMS are correct and are being used correctly; and charge fees commensurate with the cost of each such inspection or test for inspections and tests which are not otherwise conducted by municipalities. The commissioner is also authorized to charge fees commensurate with the cost of each such inspection or test for inspections and tests conducted for the purpose of certifying munic-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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ipal weighing and measuring devices and systems. Fees authorized by this subdivision shall be established by the commissioner by regulation.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law, provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made and completed on or before such date.