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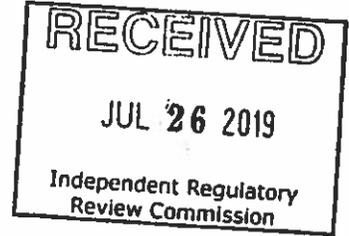
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July 26, 2019

Secretary Topper  
Department of General Services  
515 North Office Building  
Harrisburg, PA 17125

Re: Proposed Rulemaking – Increased State Metrology Laboratory Fees

Dear Secretary Topper:

I write today to share comments regarding the Department of General Service's proposed rulemaking which would increase fees associated with the Department's metrology laboratory calibration testing. Given the magnitude of the proposed fee increases, I believe that it is important to exercise the State Government Committee's oversight role under the Regulatory Review Act.

Quite simply I believe that the proposed fee increases are excessive. The regulation, if approved and promulgated, would result in a 150 percent increase in total annual metrology lab fees - from \$258,013.17 to \$645,094. These fees are paid by the 1,800 companies that sell, install and repair commercial weighting and measuring devices, including 151 small businesses, who use the State Metrology Laboratory's services for their livelihood. This is totally unacceptable.

In the regulatory analysis form, the Department explained the results of a cost comparison study of ten separate scenarios for laboratory calibrations. For each scenario, the Department compared Pennsylvania's proposed fees to the fees charged by other states. For eight of those scenarios, Pennsylvania's proposed fees would be, "between the second and ninth highest fees..." and in the two other scenarios Pennsylvania's proposed fees would be the highest fees charged.

In the regulatory analysis form, the Department claims that these fee increases would not impact Pennsylvania's ability to compete with other states even though the proposed fees will be higher in many cases than the fees charged by the other states included in the cost comparison study. It appears that this may be because much of the equipment that the State Metrology Lab tests would be cost-prohibitive to transport elsewhere for testing, due to its weight and size. As a result, the affected community would be subject to these increased fees with seemingly no way to mitigate their increased costs through the competitive marketplace.

As Chairman of the standing committee that has oversight regarding the Department of General Service's regulations, I transmit this letter to you and urge you to withdraw State Metrology Laboratory Fee Schedule #8-27.

Very truly yours,

Garth D. Everett, Majority Chairman  
House State Government Committee

CC: Independent Regulatory Review Commission