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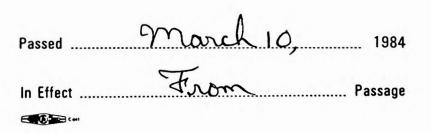
WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1984

ENROLLED

HOUSE BILL No. 2076

(By Mr Del Burke)



ENROLLED H. B. 2076

(By DELEGATE BURKE)

[Passed March 10, 1984; in effect from passage.]

AN ACT to amend article one, chapter ninteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section four-b, relating to the department of agriculture; duties of commissioner; and authorizing the commissioner to increase certain fees by rules to a maximum.

Be it enacted by the Legislature of West Virginia:

That article one, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section four-b, to read as follows:

ARTICLE 1. DEPARTMENT OF AGRICULTURE.

§19-1-4b. Authority of commissioner to increase certain fees by rule or regulations.

1 The commissioner is hereby authorized to promulgate and adopt rules and regulations, in accordance with the 2 3 provisions of chapter twenty-nine-a of this code, fixing 4 dues for permits, licenses, certificates, registrations and lab-5 oratory tests when, in the opinion of the commissioner, it 6 becomes necessary to increase these fees in order to cover the 7 costs of providing the services involved or issuing the permits, 8 licenses, certificates or registration applicable: Provided, That 9 this authority is granted only with regard to the following sec-10 tions and articles of this chapter and may be exercised by the commissioner up to a maximum extent of causing all such
fees, as the same exists on the first day of January, one thousand nine hundred eighty-four to be doubled:

14 Section six, article two-a (permits for public markets), 15 section ten, article two-a (licensing of weighmen and auction-16 eers); section eleven, article two-a (grading, classifying or 17 standardizing license); section fourteen, article two-a (testing 18 and inspection of livestock for infectious disease); section four, 19 article two-b (license for commercial slaughterer, etc.); section 20 six, article two-c (auctioneer license); section one, article three 21 (commission merchant license); section four, article five-a 22 (warehouse operation license); section two, article nine-a (per-23 mit to feed garbage to swine); section three, article ten-a (certificate to sell eggs); section five, article eleven (permit 24 to manufacture or purchase milk and cream); section nine, 25 26 article twelve (certificate of nursery men, etc.); section six, article fourteen (fees for feed inspection); section two, article 27 28 fifteen (registration fee for commercial fertilizer); section 29 four, article fifteen (inspection fees for commercial fertilizers); section two, article fifteen-a (registration of agricultural liming 30 material); section four, article fifteen-a (inspection fee for 31 liming material); and section three, article sixteen (fees for 32 33 sale of seeds).

Any money collected by the commissioner as a result of any fee increases pursuant to rule or regulation authorized by this section shall be deposited in the same fund or funds with the state treasurer and expended in the same manner as those fees collected prior to the enactment of this section. The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect from passage.

Clerk of the Senate

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President of the Senate

Speaker House of Delegates

this the <u>31</u>

-----Governor

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