

WEST VIRGINIA LEGISLATURE

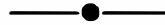
REGULAR SESSION, 1961



ENROLLED

HOUSE BILL No... 285...

(By Mr. *Ziller*)



PASSED *March 9,* 1961

In Effect *Ninety days from* Passage

Filed in Office of the Secretary of State
of West Virginia **MAR 17 1961**

JOE F. BURDETT
SECRETARY OF STATE

285

ENROLLED

House Bill No. 285

(By MR. LILLER)

[Passed March 9, 1961; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article twelve, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to definitions regulating nurserymen and dealers in nursery stock.

Be it enacted by the Legislature of West Virginia:

That section one, article twelve, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 1. *Definitions.*—The following words, as used
2 in this article, unless the context otherwise requires or a
3 different meaning is specifically prescribed, shall have the
4 following meaning:

5 (a) "Commissioner," the state commissioner of agri-
6 culture;

7 (b) "Plant" or "plants," nursery stock, orchard, fruit,

8 forest and shade trees, vines, cuttings, seeds and bulbs,
9 plants or parts of plants, or any products of the foregoing;

10 (c) "Insects" or "plant disease," any dangerously in-
11 jurious insects or plant disease, in any stage of their de-
12 velopment, which have been or may hereafter be adjudged
13 and published by the commissioner as necessary to con-
14 trol or eradicate;

15 (d) "Nursery stock," all florist stock, trees, shrubs,
16 vines, cuttings, grafts, scions, buds, fruit pits and other
17 seeds of fruit and ornamental trees and shrubs, and other
18 plants and plant products for propagation, except field,
19 vegetable, and flower seeds, bedding plants, and other
20 herbaceous bulbs and roots;

21 (e) "Nursery," any grounds or premises on which nur-
22 sery stock is grown or in which nursery stock is propa-
23 gated and grown for sale, or any grounds or premises on
24 or in which nursery stock is being fumigated, treated,
25 packed or stored;

26 (f) "Nurseyman," the person who owns, leases, man-
27 ages or is in charge of a nursery;

28 (g) "Dealer," any person not a grower of nursery stock

29 who buys or receives on consignment for the purpose of
30 offering for sale, receiving orders, or selling nursery stock
31 for the purpose of reselling and reshipping;

32 (h) "Agent," any person selling nursery stock under
33 the partial or full control of a nurseryman, or of a
34 dealer or other agent, or any person engaged with a nur-
35 seryman, dealer or agent in handling nursery stock on a
36 cooperative basis.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Harold Davis, Jr.
Chairman Senate Committee

Mrs. H. H. Withrow
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Edward Meyer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard Carson
President of the Senate

Julius W. Singleton, Jr.
Speaker House of Delegates

The within approved this the 17th
day of March, 1961.

W. W. Baum
Governor

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of West Virginia MAR 17 1961
JOE F. BURDETT
SECRETARY OF STATE