WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1984

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ENROLLED

HOUSE BILL No. 2076

(By Mr. Del. Burke)

Passed March 10, 1984

In Effect from Passage
ENROLLED

H. B. 2076
(By Delegate Burke)

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

AN ACT to amend article one, chapter nineteen 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 provisions of chapter twenty-nine-a of this code, fixing dues for permits, licenses, certificates, registrations and laboratory tests when, in the opinion of the commissioner, it becomes necessary to increase these fees in order to cover the costs of providing the services involved or issuing the permits, licenses, certificates or registration applicable: Provided, That this authority is granted only with regard to the following sections 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:

Section six, article two-a (permits for public markets), section ten, article two-a (licensing of weighmen and auctioneers); section eleven, article two-a (grading, classifying or standardizing license); section fourteen, article two-a (testing and inspection of livestock for infectious disease); section four, article two-b (license for commercial slaughterer, etc.); section six, article two-c (auctioneer license); section one, article three (commission merchant license); section four, article five-a (warehouse operation license); section two, article nine-a (permit to feed garbage to swine); section three, article ten-a (certificate to sell eggs); section five, article eleven (permit to manufacture or purchase milk and cream); section nine, article twelve (certificate of nursery men, etc.); section six, article fourteen (fees for feed inspection); section two, article fifteen (registration fee for commercial fertilizer); section four, article fifteen (inspection fees for commercial fertilizers); section two, article fifteen-a (registration of agricultural liming material); section four, article fifteen-a (inspection fee for liming material); and section three, article sixteen (fees for 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.

James I. Davis
Chairman Senate Committee

Donald Grillo
Chairman House Committee

Originating in the House.
Takes effect from passage.

Joe W. Wish
Clerk of the Senate

Donald L. Koep
Clerk of the House of Delegates

Warren B. McBride
President of the Senate

Walter M. Beene, Jr.
Speaker House of Delegates

The within _________________ this the 31________________
day of ______________________, 1984.

John D. Ferguson
Governor