

NO: 2076

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OFFICE OF THE GOVERNOR

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1984



# ENROLLED

HOUSE BILL No. 2076

(By Mr. Del. Burke)



Passed March 10, 1984

In Effect From Passage



ENROLLED

# H. B. 2076

(By DELEGATE BURKE)

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

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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  
2 adopt rules and regulations, in accordance with the  
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

11 commissioner up to a maximum extent of causing all such  
12 fees, as the same exists on the first day of January, one thou-  
13 sand 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  
24 (certificate to sell eggs); section five, article eleven (permit  
25 to manufacture or purchase milk and cream); section nine,  
26 article twelve (certificate of nursery men, etc.); section six,  
27 article fourteen (fees for feed inspection); section two, article  
28 fifteen (registration fee for commercial fertilizer); section  
29 four, article fifteen (inspection fees for commercial fertilizers);  
30 section two, article fifteen-a (registration of agricultural liming  
31 material); section four, article fifteen-a (inspection fee for  
32 liming material); and section three, article sixteen (fees for  
33 sale of seeds).

34 Any money collected by the commissioner as a result of  
35 any fee increases pursuant to rule or regulation authorized  
36 by this section shall be deposited in the same fund or funds  
37 with the state treasurer and expended in the same manner as  
38 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 L. Davis*  
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Chairman Senate Committee

*Donald Anello*  
-----  
Chairman House Committee

Originating in the House.

Takes effect from passage.

*Judd C. Mills*  
-----  
Clerk of the Senate

*Donald L. Kopp*  
-----  
Clerk of the House of Delegates

*Warren F. Hearnes*  
-----  
President of the Senate

*W. M. See, Jr.*  
-----  
Speaker House of Delegates

The within *approved* ..... this the *31* .....  
day of *March* ....., 1984.

*Gov. R. J. ...*  
-----  
Governor

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