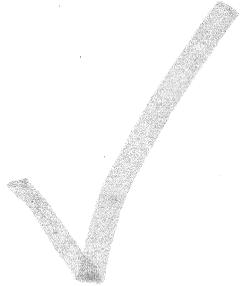


No: 1545



WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1985

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

1985 APR 22 PM 6:24

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ENROLLED

HOUSE BILL No. 1545

(By Del. Burke + Del. Neal)

Passed April 5, 1985

In Effect July 1, 1985 Passage

ENROLLED
H. B. 1545

(By DELEGATE BURKE and DELEGATE NEAL)

[Passed April 5, 1985; in effect July 1, 1985.]

AN ACT to amend and reenact section four-b, article one, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to extending the authorization of the commissioner of the department of agriculture to increase certain fees by rules to a maximum.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 1. DEPARTMENT OF AGRICULTURE.

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

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

13 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
16 auctioneers); section eleven, article two-a (grading, classifying
17 or standardizing license); section fourteen, article two-a
18 (testing and inspection of livestock for infectious disease);
19 section four, article two-b (license for commercial slaughterer,
20 etc.); section six, article two-c (auctioneer license); section one,
21 article three (commission merchant license); section four,
22 article five-a (warehouse operations license); section two,
23 article nine-a (permit to feed garbage to swine); section three,
24 article ten-a (certificate to sell eggs); section five, article eleven
25 (permit to manufacture or purchase milk and cream); section
26 nine, article twelve (certificate of nurserymen, etc.); section six,
27 article fourteen (fees for feed inspection); section two, article
28 fifteen (registration fee for commercial fertilizer); section four,
29 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); section three, article sixteen (fee for sale of
33 seeds); and section four, article sixteen-a (fees for economic
34 poisons registration).

35 Any money collected by the commissioner as a result of any
36 fee increases pursuant to rule or regulations authorized by this
37 section shall be deposited in the same fund or funds with the
38 state treasurer and expended in the same manner as those fees
39 collected prior to the enactment of this section, except that
40 fees collected under authority of section six, article two-c shall
41 be deposited into the state treasury to the credit of a special
42 fund for implementation of the article.

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

Bruce A. Weimer

Chairman Senate Committee

Floyd Fuller

Chairman House Committee

Originating in the House.

Takes effect July 1, 1985.

Paul C. White

Clerk of the Senate

Donald L. Kopp

Clerk of the House of Delegates

Sam Tomlinson

President of the Senate

Joseph P. Albright

Speaker of the House of Delegates

The within *approved* this the *22nd*
day of *April*, 1985.

Arch A. Shafer, Jr.

Governor



PRESENTED TO THE

GOVERNOR

Date 4/12/85

Time 11:20 A.M.