WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1985

ENROLLED

HOUSE BILL No. 1545

(By Mr. Del. Burket and Del. Neal)

Passed April 5, 1985
In Effect July 1, 1985
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 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 cost of providing the services involved or issuing the permits, licenses, certificates or registrations 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 operations 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 nurserymen, 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); section three, article sixteen (fee for sale of seeds); and section four, article sixteen-a (fees for economic poisons registration).

Any money collected by the commissioner as a result of any fee increases pursuant to rule or regulations 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, except that fees collected under authority of section six, article two-c shall be deposited into the state treasury to the credit of a special fund for implementation of the article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect July 1, 1985.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

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

Governor
PRESENTED TO THE
GOVERNOR

Date  4/10/85
Time  11:20 A.M.