

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

ENROLLED

Senate Bill 463

BY SENATORS SYPOLT, RUCKER, CLEMENTS, CLINE,
MANN, MAYNARD, SMITH, BALDWIN, BEACH, OJEDA, AND

WOELFEL

[Passed March 10, 2018; in effect from passage]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §16-7-5a, relating to authorizing the establishment of a Joint Task Force on
3 Milk Rules and Regulations; providing for the appointment of certain members by the
4 Governor; authorizing the task force to study milk rules and regulations; providing for
5 reimbursement of actual expenses for members; providing task force members may
6 receive no compensation; requiring the task force to propose legislation; and providing for
7 the sunset of the task force.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7. PURE FOOD AND DRUGS.

§16-7-5a. Joint Task Force on Milk Rules and Regulations.

1 (a) The Legislature finds that it is in the public interest to examine the potential benefit and
2 economies of scale by transferring some or all authority to promulgate milk rules and regulations
3 from the Department of Health and Human Resources to the Department of Agriculture.

4 (b) On or before June 1, 2018, the Governor shall appoint a Joint Task Force on Milk Rules
5 and Regulations composed of the following 15 members:

6 (1) One representative from the Department of Agriculture;

7 (2) One representative from the Bureau for Public Health;

8 (3) One representative of the West Virginia University Extension Service;

9 (4) One representative from local health departments in the state;

10 (5) Two representatives from a trade or industry group representing the farming and
11 agriculture industry in the state, at least one of whom shall be a dairy farmer;

12 (6) Three citizen members;

13 (7) Three senators as recommended by the President of the Senate, no more than two of
14 whom shall be from the same political party; and

15 (8) Three delegates as recommended by the Speaker of the House of Delegates, no more
16 than two of whom shall be from the same political party.

17 (c) The representative from the Department of Agriculture shall preside over the work
18 group and shall provide staff to facilitate meetings of the joint task force. The joint task force shall
19 examine the potential benefit and economies of scale of transferring some or all authority to
20 promulgate milk rules and regulations from the Department of Health and Human Resources to
21 the Department of Agriculture. The task force shall recommend legislation to the Governor and to
22 the Joint Committee on Government and Finance no later than December 31, 2018.

23 (d) The expenses of the members on the task force shall be paid equally from the funds
24 of the Department of Agriculture, the Bureau for Public Health, and the West Virginia University
25 Extension Service: *Provided*, That the members of the joint task force may receive no
26 compensation for their services other than actual expenses incurred in the discharge of their
27 duties as members of the joint task force.

28 (e) The authority of the Joint Task Force on Milk Rules and Regulations shall sunset and
29 expire and is of no force and effect after December 31, 2018, or upon submission of any
30 recommendations or draft legislation, whichever comes first.

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

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2018.

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Governor