

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 3002**

By Delegate W. Clark

[By Request of the Department of Agriculture]

[Introduced February 27, 2025; referred to the  
Committee on Government Organization]

1 A BILL to amend and reenact §19-1-4 of the Code of West Virginia, 1931, as amended, all relating  
2 to the safeguarding of privileged information granted to the Commissioner of Agriculture.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE            1.            DEPARTMENT            OF            AGRICULTURE.**

**§19-1-4. Duties of commissioner.**

1            The Commissioner of Agriculture shall perform the following duties:

2            (a) Devise means of advancing the agricultural interests of the state and, in the  
3 performance of such duty, he or she shall have authority to call upon any state department, or  
4 officer of the state or county, to cooperate in promoting the agricultural interests of the state. It shall  
5 be the duty of any such department, or officer, upon request of the commissioner to render the  
6 assistance desired;

7            (b) Promote and encourage the organization of such societies and associations as have  
8 for their object the improvement and development of the state's agricultural, horticultural and  
9 kindred interests, especially in production, processing for market, and distribution;

10            (c) Conduct cooperative work with the United States Department of Agriculture in  
11 inspecting and determining the grade and condition of farm produce at collecting centers,  
12 receiving centers, and shipping points;

13            (d) Induce the investment of capital in, and immigration into, this state by the dissemination  
14 of information relative to the soil, climate, health, natural resources, market opportunities, and  
15 advantages of the state;

16            (e) Investigate and report upon the kinds, conditions, and extent of the mineral products of  
17 the state and their value;

18            (f) Take charge of the museum of the Department of Agriculture, collect, preserve, and  
19 exhibit therein specimens of agricultural, horticultural, and kindred products, products of the  
20 forests, minerals, flora, and fauna of the state;

21            (g) Publish and distribute, from time to time, such reports and bulletins concerning

22 agriculture, horticulture, and kindred subjects as may be of value to the farmers of the state and,  
23 as conditions may demand, publish a handbook giving the resources of the several counties of the  
24 state, the varieties of soil and products, both mineral and vegetable, and the adaptability of the  
25 different sections of the state to the different branches of agriculture, horticulture, and kindred  
26 interests;

27 (h) Submit a biennial report to the Governor and Legislature containing such information as  
28 to the operations of the department as may be helpful to the agricultural interests of the state,  
29 together with an itemized statement of all receipts and disbursements during the biennial period  
30 covered thereby and giving the name of every person employed during such period, the time  
31 employed, and the amount paid each employee;

32 (i) Perform such other duties and exercise such other powers as are provided in this  
33 chapter and by general law;

34 (j) Enter into an agreement with the Secretary of the Department of Veterans' Assistance to  
35 transfer without consideration all or part of the approximately 17 acres of Department of  
36 Agriculture property in Beckley, West Virginia, located adjacent to the Jackie Withrow Hospital  
37 which was formerly known as Pinecrest Hospital, for construction of a veterans skilled nursing  
38 facility;

39 (k) Propose rules, including regulatory standards, for legislative approval in accordance  
40 with the provisions of §29A-3-1 *et seq.* of this code for the purpose of carrying out the  
41 requirements of this chapter;

42 (l) Cooperate with the State Resiliency Office to the fullest extent practicable to assist that  
43 office in fulfilling its duties;

44 (m) Notwithstanding any provision of this code to the contrary, transfer to the Village of  
45 Barboursville, without consideration, all the approximately 250 acres of land known as the  
46 Huntington State Hospital institutional farm, located at Barboursville, Cabell County, for the  
47 purpose of providing public services; and

48           (n) Notwithstanding any provision of this code to the contrary, transfer to the City of  
49   Ellenboro, without consideration, all the lots owned by the Department of Agriculture located in the  
50   City of Ellenboro, for public services; and

51           (o) The commissioner shall safeguard all privileged information shared with the  
52   commissioner and the department, including locations and addresses. The commissioner may  
53   determine what information, given to the department, is privileged and it shall be exempt from  
54   §29B-1-1 et seq. and it is not subject to release for any reason.

NOTE: The purpose of this bill is to establish the authority of the commissioner of agriculture to safeguard private information that is shared with the department and the commissioner.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.