



FILED

WEST VIRGINIA LEGISLATURE 2012 DEC -4 AM 9:49
Legislative Rule-Making Review Committee

Senator Joseph Minard, Co-Chair
Delegate Bonnie Brown, Co-Chair
Debra A. Graham, Chief Counsel
Felisha N. Sutherland, Administrative Assistant

WEST VIRGINIA
SECRETARY OF STATE
Charles Roskovensky, Associate Counsel
Jay Lazell, Associate Counsel
Brian Skinner, Associate Counsel
Kevin Baker, Associate Counsel

November 29, 2012

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennant, Secretary of State, State Register
TO: Jodee Martin, Executive Assistant
WV Department of Agriculture
State Capitol
1900 Kanawha Blvd., East
Charleston, WV 25305
FROM: Legislative Rule-Making Review Committee
Proposed Rule: Poultry Litter and Manure Movement Into Primary Poultry
Breeder Rearing Areas, 61CSR28

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature:

1. Authorize the agency to promulgate the Legislative rule:
 - (A) as originally filed _____
 - (B) as modified by the agency _____
2. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached. _____
3. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
4. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____ *ms*
5. Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached. _____

West Virginia Department of Agriculture
*Poultry Litter and Manure Movement
Into Primary Breeder Rearing Areas*
61CSR28

STATEMENT OF REASON

The amendment was made to make it mandatory, not discretionary, that any farm located within the area engaged in the production of commercial primary poultry breeder stock be given reasonable consideration to acquire poultry litter from the breeder facility

West Virginia Department of Agriculture
*Poultry Litter and Manure Movement
Into Primary Breeder Rearing Areas*
61CSR28

Amendment

1 with the following amendments:

2 On page three, subsivision 4.A.1.a, by striking out the word
3 "may" and inserting in lieu thereof the word "shall".