

**WEST VIRGINIA
SECRETARY OF STATE**

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #3

FILED

SEP 19 PM 2:37

STATE OF WEST VIRGINIA

SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: West Virginia Department of Agriculture TITLE NUMBER: 61

CITE AUTHORITY West Virginia Code 19-9-2

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Animal Disease Control

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.



DATE:

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM:

LEGISLATIVE RULE TITLE:

1. Authorizing statute(s) citation West Virginia Code 19-9-2

2. a. Date filed in State Register with Notice of Hearing:

July 31, 1990

b. What other notice, including advertising, did you give of the hearing?

c. Date of hearing (s): Comment Period July 31, 1990 - August 31, 1990

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached _____ No comments received X

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing:
(be exact)

July 10, 1990

f. Name and phone number of agency person to contact for additional information:

Dr. Lewis P. Thomas (State Veterinarian) (304) 348-2214

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing: N/A

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

N/A

d. Attach findings and determinations and reasons:

Attached N/A

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Animal Disease Control Series I

Type of Rule: X Legislative Interpretive Procedural

Agency West Virginia Department of Agriculture address Capitol Building
Charleston, West Virginia 20305

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$38.00	\$	\$332.00	\$370.00	\$405.00
Personal Services	\$10.00		\$100.00	\$110.00	\$120.00
Current Expense	\$18.00		\$132.00	\$150.00	\$165.00
Repairs and Alterations					
Equipment	\$10.00		\$100.00	\$110.00	\$120.00
Other					

2. Explanation of above estimates:

These estimates are based on an analysis of the estimates of the costs for the last fiscal year. Last year we used eight bottles of antigen at \$14.00 per bottle. This was sufficient antigen for 4,000 birds. The personal services' cost entails the time spent in preparing the antigen for mailing. The equipment costs are comprised of tags, bands, loops and pliers.

3. Objectives of these rules:

The objectives of these rules are, but not limited to, the following:

1. Protection of the vitally important poultry industry in West Virginia by monitoring the disease-status of the birds hatched and exhibited in West Virginia.
2. Continued enjoyment of the Pullorum-Typhoid free status as designated by the United States Department of Agriculture.
3. Make West Virginia attractive for new poultry industry and expansion of present industry.
4. Promotion of a healthy and wholesome meat supply.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

This regulation is a small insurance policy protecting the poultry industry. Introduction of disease into this industry could have severe economic consequences in form of available food supply, erosion of tax base, unemployment, and tarnishing of the State's image.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of citizens.

A disease outbreak could have severe consequences in the poultry and poultry-related industries. The Hardy County area would be severely hit economically. The potential spread of disease to adjoining states would be a possibility.

C. Economic Impact on Citizens/Public at Large.

This would have an economic impact on citizens/public at large both nationally and internationally. Disease outbreak would lessen the proximity and availability of a wholesome meat supply. Large outbreaks would cause massive unemployment in some localities.

Date: July 10, 1990

Signature of Agency Head or Authorized Representative

