
VIRGINIA STATE BUDGET

2004 Special Session I

Budget Bill - HB5001 (Chapter 4)

Bill Order » Office of Commerce and Trade » Item 104

Department of Agriculture and Consumer Services

Item 104	First Year - FY2005	Second Year - FY2006
Regulation of Business Practices (55200)	\$2,268,624	\$2,268,624
Regulation of Dealers and Handlers of Agricultural Products (55207)	\$71,239	\$71,239
Weights and Measures Regulation (55212)	\$2,197,385	\$2,197,385
Fund Sources:		
General	\$1,404,470	\$1,404,470
Special	\$864,154	\$864,154

Authority: Title 3.1, Chapters 19, 26, 35, 35.1, and 36; Title 61.1, Chapter 7, Code of Virginia.

A.1. Notwithstanding § 3.1 – 925, Code of Virginia, the Commissioner of Agriculture and Consumer Services shall collect a registration fee of \$4 from all entities subject to weights and measures regulation pursuant to Chapter 35 of Title 3.1 of the Code of Virginia for each device subject to inspection.

2. However, any such entity that is subject to any permit fee, application fee, inspection fee, or similar fee imposed by any locality shall not be subject to this registration fee.

B.1. The Commissioner shall develop a long-term plan to adequately fund the weights and measures program. In developing the plan, the Commissioner shall seek input from representatives from local governments, private sector organizations and the public. The plan's objective is to develop a financial strategy for the program that will protect the public and the business sector without undue regulatory burdens. The plan shall address, but not be limited to, these factors: (1) the likelihood of additional general fund resources for this activity; (2) projected workloads, including the total number of devices subject to regulation and by type of device; (3) cost containment strategies in regulatory management through increased reliance upon technology; (4) options to fund the program or a portion of the program through a flexible fee schedule that considers the number of devices used by a business establishment and the time and resources to test such devices; and (5) legislation to implement the plan. The Commissioner shall submit the plan no later than January 14, 2005, to the Chairmen of the Senate Finance and Agriculture, Conservation and Natural Resources Committees, and House Appropriations and Agriculture, Chesapeake and Natural Resources Committees. Legislative proposals to carry out the plan must be introduced no later than January 14, 2005.

2. If these conditions are not fulfilled, then the Department of Agriculture and Consumer Services is authorized to reinstate, effective June 1, 2005, the \$9 per device registration fee authorized in Chapter 1042 of the Acts of Assembly of 2003 and assess and collect the additional \$5 per device prior to the end of fiscal year 2005. If the Department of Agriculture and Consumer Services fails to introduce legislative proposals to carry out the plan, the Department of Planning and Budget shall unallot \$222,980 the first year from special funds appropriated for the weights and measures program. Such moneys shall remain unallotted until such time as the Department of Agriculture and Consumer Services fulfills the conditions set out in these paragraphs.

