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2019 Legislative Session: A Win for Agriculture

With the 2019 Legislative Session in the books, we now have time to reflect on what our state leaders have accomplished. As a former State Senator, I know our elected officials have a tall order balancing constituent needs with the small amount of time allotted for session. This is reflected in the number of bills introduced, 1,823, versus the 294 made of which made it of committee, passed both houses and landed at the Governor's desk by midnight on Saturday March 9, completing the legislative process.

Like a lot of agencies, our team at the West Virginia Department of Agriculture started the session with a lofty agenda. Knowing issues would have to be prioritized, we consulted with policy partners and worked with the public who were willing to loan their voice to West Virginia's \$800 million industry. This group knows agriculture has a tremendous impact on our state, but these issues don't necessary fall into the category of "sexy" and, therefore, fail to hit the top of legislative agendas. Regardless, thanks in part of everyone's effort, the agriculture community will see several changes coming to their operations this year.

Producers will see several changes including Senate Bill 285 will allow individuals to sell homemade, non-potentiality hazardous food items made in private residences. As these items are now exempt from most fees and regulations, the hope is to reduce many of the barriers for creating new agri-business. We believe the greatest impact will come from stay-at-home mothers or a family farms that wants to value add their own products for sale.

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House Bill 2396, the “Fresh Food Act,” will require all state-funded institutions to source five percent of their fresh produce, meat and poultry from West Virginia farmers. This commitment from our state government will provide a tremendous opportunity for producers to grow their operations through new markets.

The West Virginia Department of Agriculture will see some significant changes. Governor Jim Justice has signed into law the creation of a “Capital Improvements Fund” which will allow the Department to begin saving money for construction and capital improvement projects. If the Department can be good stewards of tax payer dollars, we will be able to tackle much needed maintenance projects at the Guthrie facilities as well as the Cedar Lakes Conference Center. This will be especially important for our top-notch laboratories that need new facilities.

In addition, the Department of Agriculture will now regulate all milk in West Virginia. This legislation came out of a study group that advocated for milk regulation to be under one agency. This will allow Department employees to bring expertise to our dairy farms as well as streamline the process while reducing red tape. We hope to this will bring a much-needed boost to a struggling dairy industry.

Agriculture operations as a whole will see enhanced protections under “Right to Farm” legislation. The aim was to protect agricultural operations from nuisance litigation if the facility has been in operation for more than one year. This is in response to lawsuits against hog farmers in North Carolina. With this law on the book, farmers should be able to continue their jobs of feeding the world without fear of frivolous lawsuits.

Determining what issues to prioritize is no easy task given the brisk nature of the session. Anybody who has advocated for issues in Charleston knows it takes a team and a strategy to ensure legislation crosses the finish line. What we accomplished was only possible because of the folks who heard our concerns and decided to work with the Department and our partners.

It also took a lot of support from our legislative leaders, Senate President Mitch Carmichael and Speaker of the House Roger Hanshaw, as well as the several Delegates and Senators who championed our issues. With all their help, we can proudly say 2019 was a win for West Virginia agriculture.

Kent A. Leonhardt
West Virginia Commissioner of Agriculture

The West Virginia Department of Agriculture protects plant, animal and human health through a variety of scientific, regulatory and consumer protection programs. The Commissioner of Agriculture is one of six statewide elected officials who sits on the Board of Public Works.

