

H. B. 2768

FILED

2001 MAY -2 P 4: 29

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2001



ENROLLED

**COMMITTEE SUBSTITUTE
FOR
House Bill No. 2768**

(By Mr. Speaker, Mr. Kiss, and
Delegates Staton and Keener)



Passed April 14, 2001

In Effect Ninety Days from Passage

FILED

2001 MAY -2 P 4: 29

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FOR

H. B. 2768

(BY MR. SPEAKER, MR. KISS, AND
DELEGATES STATON AND KEENER)

[Passed April 14, 2001; in effect ninety days from passage.]

AN ACT to amend and reenact sections seven and thirty-five, article eleven, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to amend and reenact section eighteen, article one, chapter thirty-six of said code; to amend and reenact section three, article six, chapter forty-two of said code; to amend article one, chapter forty-four of said code, by adding thereto a new section, designated section thirteen-a; to amend and reenact section fourteen, article one of said chapter; to amend and reenact sections one and twenty-nine, article two of said chapter; and to amend and reenact section four-a, article three-a of said chapter, all relating to the administration of estates and trusts; providing for certain nonprobate inventories of estates and penalties for noncompliance; providing for the privacy of certain information from the public; providing for the administration of certain debts of beneficiaries and spendthrift trusts;

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providing for the timing of disclaimers and delivery; providing for the certain appraisal of real estate and personal property; providing for certain proceedings and references of decedents' estates; setting forth certain requirements for waiver of a final settlement; and providing for certain optional procedures for short form settlements against estates of decedents.

Be it enacted by the Legislature of West Virginia:

That sections seven and thirty-five, article eleven, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; that section eighteen, article one, chapter thirty-six of said code be amended and reenacted; that section three, article six, chapter forty-two of said code be amended and reenacted; that article one, chapter forty-four of said code be amended and reenacted by adding thereto a new section, designated section thirteen-a; that section fourteen, article one, chapter forty-four of said code be amended and reenacted; that sections one and twenty-nine, article two of said chapter be amended and reenacted; and that section four-a, article three-a of said chapter be amended and reenacted, all to read as follows:

CHAPTER 11. TAXATION.

ARTICLE 11. ESTATE TAXES.

§11-11-7. Nonprobate inventory of estates; penalties.

1 (a) The personal representative of every resident decedent
2 who owned or had an interest in any nonprobate personal
3 property, and the personal representative of every nonresident
4 decedent who owned or had an interest in any nonprobate
5 personal property which is a part of the taxable estate located in
6 West Virginia, shall, under oath, list and appraise on a
7 nonprobate inventory form prescribed by the tax commissioner,
8 all tangible and intangible nonprobate personal property owned
9 by the decedent or in which the decedent had an interest, at its

10 fair market value on the date of the decedent's death. The
11 nonprobate personal property to be included on the nonprobate
12 inventory form includes, but is not limited to, the following:

13 (1) Personalty held as joint tenants with right of
14 survivorship with one or more third parties;

15 (2) Personalty payable on the death of the decedent to one
16 or more third parties;

17 (3) Personalty held by the decedent as a life tenant;

18 (4) Insurance on the decedent's life payable to beneficiaries
19 other than the executor or administrator of the decedent's
20 estate;

21 (5) Powers of appointment;

22 (6) Annuities;

23 (7) Transfers during the decedent's life in which any
24 beneficial interest passes by trust or otherwise to another person
25 by reason of the death of the decedent;

26 (8) Revocable transfers in trust or otherwise;

27 (9) Taxable gifts under section 2503 of the United States
28 Internal Revenue Code of 1986; and

29 (10) All other nonprobate personalty included in the federal
30 gross estate of the decedent.

31 (b) For purposes of this section, "nonprobate personal
32 property" means all property which does not pass by operation
33 of the decedent's will or by the laws of intestate descent and
34 distribution or is otherwise not subject to administration in a
35 decedent's estate at common law.

36 (c) The personal representative shall prepare the nonprobate
37 inventory form and file it with the tax commissioner within
38 ninety days of the date of qualification of the personal represen-
39 tative in this state.

40 (d) Any personal representative who fails to comply with
41 the provisions of this section, without reasonable cause, is
42 guilty of a misdemeanor and, upon conviction thereof, shall be
43 fined not less than twenty-five dollars nor more than five
44 hundred dollars.

§11-11-35. Privacy of information.

1 (a) Notwithstanding the provisions of article ten of this
2 chapter, the tax return of an estate shall be open to inspection
3 by or disclosure to:

4 (1) The personal representative of the estate;

5 (2) Any heir at law, or beneficiary under the will of the
6 decedent; or

7 (3) The attorney for the estate or its personal representative
8 or the attorney-in-fact duly authorized by any of the persons
9 described in subdivision (1) or (2) of this section.

10 (b) Notwithstanding the provisions of article ten of this
11 chapter, the personal representative of the decedent shall make
12 the nonprobate inventory form of an estate available for
13 inspection by or disclosure to:

14 (1) The personal representative of the estate;

15 (2) Any heir at law, beneficiary under the will of the
16 decedent, a creditor who has timely filed a claim against the
17 estate of the decedent with the fiduciary commissioner or
18 fiduciary supervisor, or any party who has filed a civil action in

19 any court of competent jurisdiction in which any asset of the
20 decedent is in issue; or

21 (3) The attorney for the estate or its personal representative
22 or the attorney-in-fact duly authorized by any of the persons
23 described in subdivision (1) or (2) of this subsection.

CHAPTER 36. ESTATES AND PROPERTY.

ARTICLE 1. CREATION OF ESTATES GENERALLY.

§36-1-18. Trust estates; debts of beneficiaries; spendthrift trusts; nonmerger of trusts.

1 (a) Estates held in trust are subject to the debts of the
2 beneficiary of the trust, except where the creator has expressly
3 provided in the trust instrument that:

4 (1) The income or principal, or both, may only be applied
5 to the health, education, support or maintenance of a benefi-
6 ciary, other than the creator of the trust, for the life of the
7 beneficiary; and

8 (2) The trust is not subject to the liability of or alienation by
9 the beneficiary or beneficiaries.

10 (b) A trust, whenever created, may not be set aside or
11 terminated solely on the assertion of a creditor that the trustee
12 or trustees are the same person or persons as the beneficiary or
13 beneficiaries of the trust.

14 (c) This section applies to any trust established by an
15 instrument executed on or after the first day of July, two
16 thousand one, except as otherwise expressly provided in the
17 terms of the trust.

18 (d) This section applies to any trust established under an
19 instrument executed prior to the first day of July two thousand

20 one, when the trustee elects, in his or her sole discretion, to
21 administer the trust pursuant to the provisions of this section.

22 (e) Except as provided in subsection (c) of this section, this
23 section may not be construed to create or imply a duty on a
24 trustee to administer the trust pursuant to the provisions of this
25 section, and a trustee may not be held liable for refusing to
26 administer a trust pursuant to the provisions of this section.

CHAPTER 42. DESCENT AND DISTRIBUTION.

ARTICLE 6. UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT.

§42-6-3. Time of disclaimer; delivery.

1 (a) Except as provided in subsection (c) of this section, if
2 the property or interest has devolved to the disclaimant under
3 a testamentary instrument or by the laws of intestacy, the
4 disclaimer shall be delivered, as to a present interest, not later
5 than nine months after the death of the deceased owner or
6 deceased donee of a power of appointment and, as to a future
7 interest, not later than nine months after the event determining
8 that the taker of the property or interest has become finally
9 ascertained and his interest is indefeasibly vested. The dis-
10 claimer shall be delivered in person or mailed by registered or
11 certified mail to any personal representative, or other fiduciary,
12 of the decedent or the donee of the power, to the holder of the
13 legal title to which the interest relates or to the person entitled
14 to the property or interest in the event of disclaimer. A fully
15 executed and acknowledged copy of the disclaimer shall be
16 filed and recorded with the probate documents in the office of
17 the clerk of the county commission of the county in which
18 proceedings for the administration of the estate of the deceased
19 owner or deceased donee of the power have been commenced.

20 (b) Except as provided in subsection (c), if the property or
21 interest has devolved to the disclaimant under a

22 nontestamentary instrument or contract, the disclaimer shall be
23 delivered as to a present interest, not later than nine months
24 after the effective date of the nontestamentary instrument or
25 contract and, as to a future interest, not later than nine months
26 after the event determining that the taker of the property or
27 interest has become finally ascertained and his interest indefea-
28 sibly vested. If the person entitled to disclaim does not have
29 actual knowledge of the existence of the interest, the disclaimer
30 shall be delivered not later than nine months after he has actual
31 knowledge of the existence of the interest. The effective date of
32 a revocable instrument or contract is the date on which the
33 maker no longer has power to revoke it or to transfer to himself
34 or another the entire legal and equitable ownership of the
35 interest. The disclaimer shall be delivered in person or mailed
36 by registered or certified mail to the person who has legal title
37 to or possession of the interest disclaimed.

38 (c) In any case, as to a transfer creating an interest in the
39 disclaimant made after the thirty-first day of December, one
40 thousand nine hundred seventy-six, and subject to tax under
41 chapters eleven, twelve or thirteen of the Internal Revenue
42 Code of 1954, as amended, a disclaimer intended as a qualified
43 disclaimer thereunder must specifically so state and must be
44 delivered not later than nine months after the later of the date
45 the transfer is made or the day on which the person disclaiming
46 attains age twenty-one.

47 (d) A surviving joint tenant may disclaim as a separate
48 interest any property or interest therein devolving to him by
49 right of survivorship. A surviving joint tenant may disclaim the
50 entire interest in any property or interest therein that is the
51 subject of a joint tenancy devolving to him, if the joint tenancy
52 was created by act of a deceased joint tenant and the survivor
53 did not join in creating the joint tenancy.

54 (e) If real property or an interest therein is disclaimed, in
55 addition to recording the disclaimer in the county wherein
56 administration is had or commenced, a fully executed and

57 acknowledged copy of the disclaimer shall be recorded in the
58 deed books in the office of the clerk of the county commission
59 of the county in which the property or interest disclaimed is
60 located.

CHAPTER 44. ADMINISTRATION OF ESTATES AND TRUSTS.

ARTICLE 1. PERSONAL REPRESENTATIVES.

§44-1-13a. Filing of objections and claims; notice of administra- tion; liability of personal representative.

1 (a) Any person interested in the estate of a deceased person
2 may file a claim against the estate of the decedent as provided
3 in article two of this chapter.

4 (b) Any person interested in the estate who objects to the
5 validity of the will, the qualifications of the personal represen-
6 tative or the venue or jurisdiction of the court, shall file notice
7 of an objection with the county commission within ninety days
8 after the date of the first publication as required in subsection
9 (c) of this section or within thirty days after service of the
10 notice as required by subsection (d) of this section, whichever
11 is later. If an objection is not timely filed, the objection is
12 forever barred.

13 (c) Within thirty days of the filing of the administration of
14 any estate, the clerk of the county commission shall publish,
15 once a week for two successive weeks, in a newspaper of
16 general circulation within the county of the administration of
17 the estate, a notice, which shall include:

18 (1) The name of the decedent;

19 (2) The file number of the estate, if any;

20 (3) The name and address of the county commission before
21 whom the proceedings are pending;

- 22 (4) The name and address of the personal representative;
- 23 (5) The name and address of any attorney representing the
24 personal representative;
- 25 (6) The name and address of the fiduciary commissioner, if
26 any;
- 27 (7) The date of first publication;
- 28 (8) A statement that claims against the estate must be filed
29 in accordance with the provisions of article two of this chapter;
30 and
- 31 (9) A statement that an interested person objecting to the
32 validity of the will, the qualifications of the personal represen-
33 tative or the venue or jurisdiction of the court, shall be filed
34 with the county commission within ninety days after the date of
35 the first publication or within thirty days of service of the
36 notice, whichever is later.
- 37 (d) The personal representative shall promptly make a
38 diligent search to determine the names and addresses of
39 creditors of the decedent who are reasonably ascertainable.
- 40 (e) The personal representative shall, within ninety days
41 after the date of first publication, serve a copy of the notice by
42 first class mail, postage prepaid, as required in subsection (c) of
43 this section, on the following persons:
- 44 (1) The decedent's surviving spouse, if any;
- 45 (2) Any beneficiaries;
- 46 (3) The trustee of any trust in which the decedent was a
47 grantor, if any; and
- 48 (4) All creditors identified under subsection (d) above,
49 other than a creditor who filed a claim as provided in article two
50 of this chapter or a creditor whose claim has been paid in full.

51 (f) The service of the notice required by to subdivision (4),
52 subsection (e) of this section may not be construed to admit the
53 validity or enforceability of a claim.

54 (g) A personal representative acting in good faith is not
55 personally liable for serving notice under this section, notwith-
56 standing a determination that notice was not required by this
57 section. A personal representative acting in good faith who fails
58 to serve the notice required by this section is not personally
59 liable.

60 (h) The clerk of the county commission shall collect a fee
61 of ten dollars for the publication of the notice required in this
62 section.

**§44-1-14. Appraisalment of real estate and probate personal
property of decedents; disposition; and hiring of
experts.**

1 (a) The personal representative of an estate of a deceased
2 person shall appraise the deceased's real estate and personal
3 probate property, or any real estate or personal probate property
4 in which the deceased person had an interest at the time of his
5 or her death, as provided in this section.

6 (b)(1) After having taken the appropriate oath, the personal
7 representative shall, on a form prescribed by the tax commis-
8 sioner list the following items owned by the decedent or in
9 which the decedent had an interest and the fair market value of
10 the items at the date of the decedent's death:

11 (A) All real estate including, but not limited to, real estate
12 owned by the decedent, as a joint tenant with right of
13 survivorship with one or more parties, as a life estate, subject to
14 a power of appointment of the decedent, or in which any
15 beneficial interest passes by trust or otherwise to another person
16 by reason of the death of the decedent; and

17 (B) All probate personal property, whether tangible or
18 intangible, including but not limited to, stocks and bonds, bank
19 accounts, mortgages, notes, cash, life insurance payable to the
20 executor or administrator of the decedent's estate and all other
21 items of probate personal property.

22 (2) Any real estate or interest therein so appraised shall be
23 identified with particularity and description, shall identify the
24 source of title in the decedent and the location of such realty for
25 purposes of real property ad valorem taxation.

26 (3) For purposes of this section, the term "probate personal
27 property" means all property which passes by or under the
28 decedent's will or by the laws of intestate descent and distribu-
29 tion or is otherwise subject to administration in a decedent's
30 estate under common law.

31 (4) In addition, the personal representative shall complete,
32 under oath, a questionnaire included in the appraisement form
33 designed by the tax commissioner for the purpose of reporting
34 to the tax commissioner whether the estate of the decedent is
35 subject to estate tax as provided in article eleven, chapter eleven
36 of this code and whether the decedent owned or had an interest
37 in any nonprobate personal property.

38 (5) The appraisement and questionnaire shall be executed
39 and signed by the personal representative. The original ap-
40 praisement and questionnaire and two copies thereof shall be
41 returned to the clerk of the county commission by whom the
42 personal representative was appointed or to the fiduciary
43 supervisor within ninety days of the date of qualification of the
44 personal representative. The clerk or supervisor shall inspect
45 the appraisement and questionnaire to determine whether the
46 documents are in proper form. If the appraisement and ques-
47 tionnaire are returned to a fiduciary supervisor within ten days
48 after being received and approved by him or her, the supervisor

49 shall deliver the documents to the clerk of the county commis-
50 sion. Upon receipt of the appraisalment and questionnaire, the
51 clerk of the county commission shall record the documents,
52 with the certificate of approval of the supervisor, mail a
53 certified copy of the documents to the tax commissioner, and
54 mail a copy of the documents to every known heir or benefi-
55 ciary of the estate of the decedent. The clerk of the county
56 commission may charge an appropriate mailing fee for mailing
57 the documents. The date of return of an appraisalment shall be
58 entered by the clerk of the county commission in his or her
59 record of fiduciaries.

60 (c) An appraisalment is prima facie evidence of:

61 (1) The value of the property listed;

62 (2) The property is subject to administration; and

63 (3) The property was received by the personal representa-
64 tive.

65 (d) Any personal representative who refuses or declines,
66 without reasonable cause, to comply with the provisions of this
67 section is guilty of a misdemeanor and, upon conviction
68 thereof, shall be fined not less than twenty-five dollars nor more
69 than five hundred dollars.

70 (e) Every personal representative has authority to retain the
71 services of an expert as may be appropriate to assist and advise
72 him or her concerning his or her duties in appraising any asset
73 or property pursuant to the provisions of this section. An expert
74 so retained shall be compensated a reasonable sum by the
75 personal representative from the assets of the estate. The
76 compensation and the reasonableness thereof is subject to
77 review and approval by the county commission, upon recom-
78 mendation of the fiduciary supervisor.

79 (f) Except as specifically provided in paragraph (A),
80 subdivision (1), subsection (b) of this section and in section

81 seven, article eleven, chapter eleven of this code, the personal
82 representative is not required to list and appraise nonprobate
83 real estate or nonprobate personal property of the decedent on
84 the forms required in this section or section seven-a, article
85 eleven, chapter eleven of this code.

**ARTICLE 2. PROOF AND ALLOWANCE OF CLAIMS AGAINST THE
ESTATE OF DECEDENTS.**

§44-2-1. Reference of decedents' estates; proceedings thereon.

1 (a) Upon the return of the appraisalment by the personal
2 representative to the county clerk, the estate of his or her
3 decedent shall, by order of the county commission, be referred
4 to a fiduciary commissioner for proof and determination of
5 debts and claims, establishment of their priority, determination
6 of the amount of the respective shares of the legatees and
7 distributees, and any other matter necessary for the settlement
8 of the estate: *Provided*, That in counties where there are two or
9 more commissioners, the estates of decedents shall be referred
10 to the commissioners in rotation, so there may be an equal
11 division of the work. Notwithstanding any other provision of
12 this code to the contrary, a fiduciary commissioner may not
13 charge to the estate a fee greater than three hundred dollars and
14 expenses for the settlement of an estate, except upon: (i)
15 Approval of the personal representative; or (ii) a determination
16 by the county commission after a hearing that complicating
17 issues or problems attendant to such settlement substantiate the
18 allowance of a greater fee.

19 (b) If the personal representative delivers to the clerk an
20 appraisalment of the assets of the estate showing their value to
21 be one hundred thousand dollars or less, exclusive of real estate
22 specifically devised and nonprobate assets, or, if it appears to
23 the clerk that there is only one beneficiary of the probate estate
24 and that the beneficiary is competent at law, the clerk shall
25 record the appraisalment and publish a notice once a week for

26 two successive weeks in a newspaper of general circulation
27 within the county of administration of the estate, substantially
28 as follows:

29 NOTICE TO CREDITORS AND BENEFICIARIES

30 "Notice is hereby given that settlement of the estate of the
31 following named decedents will proceed without reference to a
32 fiduciary commissioner unless within ninety days from the first
33 publication of this notice such reference is requested by a party
34 in interest or an unpaid creditor files a claim and good cause is
35 shown to support reference to a fiduciary commissioner.

36 Dated this _____ day of _____,
37 _____.

38 _____
39 Clerk of the County Commission of
40 _____ County, West Virginia."

41 The clerk may charge the personal representative a reason-
42 able cost for publication of the notice. If an unpaid creditor files
43 a claim against the estate, the personal representative has
44 twenty days after the date of the filing of a claim against the
45 estate of the decedent to approve or reject the claim before the
46 estate is referred to a fiduciary commissioner. If the personal
47 representative approves all claims as filed, then no reference
48 may be made.

49 The personal representative shall, within a reasonable time
50 after the date of recordation of the appraisal: (i) File a
51 waiver of final settlement in accordance with the provisions of
52 section twenty-nine of this article; or (ii) make a report to the
53 clerk of his or her receipts, disbursements and distribution and
54 submit an affidavit stating that all claims against the estate for
55 expenses of administration, taxes and debts of the decedent
56 have been paid in full. Upon receipt of the waiver of final

57 settlement or report, the clerk shall record the waiver or report
58 and mail copies to each beneficiary and creditor of by first class
59 mail, postage prepaid. The clerk shall retain the report for ten
60 days to allow any beneficiary or creditor to appear before the
61 county commission to request reference to a fiduciary commis-
62 sioner. The clerk shall collect a fee of ten dollars for recording
63 and mailing the waiver of final settlement or report.

64 If no request or objection is made to the clerk or to the
65 county commission, the county commission may confirm the
66 report of the personal representative the personal representative
67 and his or her surety shall be discharged; but if such objection
68 or request is made, the county commission may confirm and
69 record the accounting or may refer the estate to it's fiduciary
70 commissioners: *Provided*, That the personal representative has
71 twenty days after the date of the filing of a claim against the
72 estate of the decedent to approve or reject the claim before the
73 estate is referred to a fiduciary commissioner and if all claims
74 are approved as filed, then no reference may be made.

§44-2-29. Waiver of final settlement.

1 In all estates of decedents subject to administration under
2 this article where a release of lien, if required by the provisions
3 of article eleven, chapter eleven of this code, has been filed
4 with the clerk and more than ninety days have elapsed since the
5 filing of any notice required by the provisions of this article,
6 even though such estate may have been referred to a fiduciary
7 commissioner, a final settlement may be waived by a waiver
8 containing an affidavit made by the personal representative, that
9 the time for filing of claims has expired, that no known and
10 unpaid claims exist against the estate, and that all beneficiaries
11 have each been advised of the share or shares to which each is
12 entitled from the estate. Each beneficiary shall sign the waiver
13 unless the beneficiary receives a bequest of tangible personal
14 property or a bequest of cash.

15 In the case of a deceased beneficiary or a beneficiary under
16 a disability, the duly qualified fiduciary or agent of such
17 beneficiary may sign in lieu of such beneficiary. A fiduciary or
18 agent signing such waiver shall be responsible to the benefi-
19 ciary for any loss resulting from such waiver.

20 The waiver shall be recorded as in the case of and in lieu of
21 a settlement as provided in section one, article two of this
22 chapter.

**ARTICLE 3A. OPTIONAL PROCEDURE FOR PROOF AND ALLOWANCE
OF CLAIMS AGAINST ESTATES OF DECEDENTS;
COUNTY OPTION.**

§44-3A-4a. Short form settlement.

1 (a) In all estates of decedents administered under the
2 provisions of this article where more than ninety days has
3 elapsed since the filing of any notice required by section four,
4 an estate may be closed by a short form settlement filed in
5 compliance with this section: *Provided*, That any lien for
6 payment of estate taxes under article eleven, chapter eleven of
7 this code is released and that the release is filed with the clerk.

8 (b) The fiduciary may file with the fiduciary supervisor a
9 proposed short form settlement which shall contain an affidavit
10 made by the fiduciary that the time for filing claims has
11 expired, that no known and unpaid claims exist against the
12 estate and showing the allocation to which each distributee and
13 beneficiary is entitled in the distribution of the estate and
14 contain a representation that the property to which each
15 distributee or beneficiary is entitled has been or upon approval
16 of the settlement will be delivered thereto, or that each
17 distributee and beneficiary has agreed to a different allocation.
18 The application shall contain a waiver signed by each
19 distributee and beneficiary; *Provided*, That a beneficiary
20 receiving a bequest of tangible personal property or a bequest
21 of cash may not be required to sign the waiver.

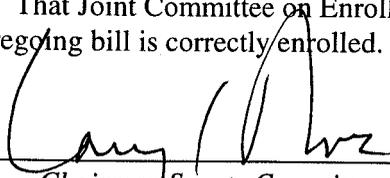
22 (c) Such waiver may be signed in the case of a distributee
23 or beneficiary under a disability by the duly qualified personal
24 representative of such distributee or beneficiary. A personal
25 representative signing such waiver shall be responsible to his or
26 her cestui que trust for any loss resulting from such waiver.

27 (d) The fiduciary supervisor shall examine the affidavit and
28 waiver and determine that the allocation to the distributees and
29 beneficiaries set forth in the affidavit is correct and all proper
30 parties signed the waiver, both shall be recorded as in the case
31 of and in lieu of settlement. If the fiduciary supervisor identifies
32 any error the fiduciary supervisor shall within five days of the
33 filing of such settlement give the fiduciary notice as in the case
34 of any other incorrect settlement.

35 (e) If the short form settlement is proper the fiduciary
36 supervisor shall proceed as in the case of any other settlement.

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That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



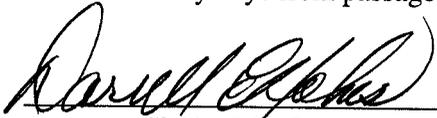
Chairman Senate Committee



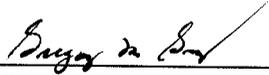
Chairman House Committee

Originating in the House.

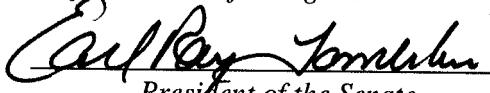
In effect ninety days from passage.



Clerk of the Senate



Clerk of the House of Delegates

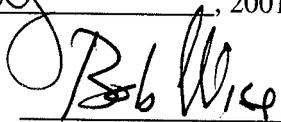


President of the Senate



Speaker of the House of Delegates

The within is approved this the 1st
day of May, 2001.



Governor

PRESENTED TO THE

GOVERNOR

Date 5/1/01

Time 2:35 pm