

SB 622

FILED

2008 MAR 27 AM 11: 24

**WEST VIRGINIA LEGISLATURE**  
**SEVENTY-EIGHTH LEGISLATURE** OF STATE  
**REGULAR SESSION, 2008**



**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
COMMITTEE SUBSTITUTE  
FOR

**Senate Bill No. 622**

(SENATORS McCABE, FOSTER, HUNTER, KESSLER,  
BARNES AND OLIVERIO, *original sponsors*)

[Passed March 8, 2008; in effect ninety days from passage.]

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OFFICE OF THE CLERK  
SECRETARY OF STATE

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AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2G-1, §5B-2G-2, §5B-2G-3, §5B-2G-4, §5B-2G-5, §5B-2G-6, §5B-2G-7, §5B-2G-8 and §5B-2G-9; and to amend and reenact §59-1-10 of said code, all relating generally to the Voluntary Rural and Outdoor Heritage Conservation Act; establishing Outdoor Heritage Conservation Fund; board of trustees created; findings; definitions; duties; authorizing issuance of bonds;

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increasing certain recording fees; and dedicating a portion of the increase to the Outdoor Heritage Conservation Fund.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new article, designated §5B-2G-1, §5B-2G-2, §5B-2G-3, §5B-2G-4, §5B-2G-5, §5B-2G-6, §5B-2G-7, §5B-2G-8 and §5B-2G-9; and that §59-1-10 of said code be amended and reenacted, all to read as follows:

## **CHAPTER 5B. ECONOMIC DEVELOPMENT ACT OF 1985.**

### **ARTICLE 2G. LAND CONSERVATION.**

#### **§5B-2G-1. Short title.**

1 This article shall be known as the Voluntary Rural  
2 and Outdoor Heritage Conservation Act.

#### **§5B-2G-2. Legislative findings and purpose.**

1 Legislative findings and purpose:

2 (a) The Legislature hereby finds and declares that:

3 (1) The State of West Virginia's rural character,  
4 natural wonders, scenic beauty and recreational  
5 opportunities combine to create an exceptional quality  
6 of life for its citizens;

7 (2) West Virginia's landscapes serve as an economic  
8 engine supporting vibrant forest products, agricultural,  
9 hunting and fishing and tourism industries;

10 (3) West Virginia's unique and important lands are  
11 key to attracting new businesses and knowledge  
12 workers who are mobile and capable of doing business  
13 anywhere and critical to diversifying the economy of the  
14 State of West Virginia;

15 (4) West Virginia's unique and important lands  
16 provide all West Virginians hunting, fishing, rafting,  
17 hiking and other recreational opportunities important  
18 to their health and well-being;

19 (5) West Virginia's unique and important lands are  
20 critical to the continued health of the state's wildlife  
21 habitats and West Virginia's Wildlife Conservation  
22 Action Plan, mandated by the United States Congress,  
23 recognizes that habitat loss is a key issue confronting  
24 conservation of the state's valuable fish and wildlife  
25 resources;

26 (6) The conversion of rural land to developed land in  
27 West Virginia doubled between 1982 and 1997;

28 (7) There is a critical need to invest in the  
29 conservation of unique and important wildlife habitat,  
30 natural areas, forest lands, farmland and lands for  
31 hunting, fishing and recreation; and

32 (8) It is critical to encourage cooperation and  
33 innovative public-partnerships among landowners,  
34 state agencies, nonprofit organizations and others  
35 which must work together in order to conserve West  
36 Virginia's most important unique and rural lands.

37 (b) It is the intent of the Legislature to provide  
38 persons and other entities an opportunity to voluntarily  
39 conserve land.

40 (c) Further, it is the intent of the Legislature to  
41 establish a West Virginia Outdoor Heritage  
42 Conservation Fund, hereinafter "fund", to establish an  
43 ongoing funding source to conserve unique and  
44 important wildlife habitat, natural areas, forests,  
45 working lands, lands for hunting, fishing and recreation  
46 and other lands important to West Virginians.

47 (d) The Legislature finds that an ongoing funding  
48 source to conserve unique and important lands will help  
49 to ensure that present and future generations of West  
50 Virginians are able to enjoy the economic, quality of

51 life, health, recreational, scenic and other benefits of  
52 conserved lands.

**§5B-2G-3. West Virginia Outdoor Heritage Conservation  
Fund - Established.**

1 The West Virginia Outdoor Heritage Conservation  
2 Fund is established within the Department of  
3 Commerce. The fund has the powers and duties  
4 provided in this article.

**§5B-2G-4. West Virginia Outdoor Heritage Conservation  
Fund - Board of trustees.**

1 (a) *Composition; chairman; quorum; qualifications.* —  
2 The fund shall be governed and administered by a  
3 board of trustees composed of the Director of the  
4 Division of Natural Resources and the Director of the  
5 Division of Forestry, who shall serve as voting ex officio  
6 members, and nine voting members to be appointed by  
7 the Governor, by and with the advice and consent of the  
8 Senate. The ex officio members may appoint designees  
9 to serve on the board of trustees. One of the appointed  
10 members shall be a representative of the West Virginia  
11 Agricultural Land Protection Authority; one of the  
12 appointed members shall be a registered forester; three  
13 of the appointed members shall be representatives of  
14 independent IRC 501(c)(3) land trusts; two of the  
15 appointed members shall be recognized professional  
16 experts in biology or ecology nominated by the West  
17 Virginia Academy of Sciences; one of the appointed  
18 members shall have demonstrated expertise in public  
19 health or public recreation; and one of the appointed  
20 members shall be a representative of sportsmen and  
21 sportswomen. A concerted effort shall be made to  
22 appoint members who represent a cross-section of the  
23 state.

24 The board shall elect the chair and other officers as  
25 necessary from among the nine appointed members. A  
26 majority of the members of the board serving at any one  
27 time constitutes a quorum for the transaction of  
28 business.

29 If any of the entities to be represented on the board  
30 under this section ceases to exist, the Governor shall  
31 appoint a representative with similar expertise from an  
32 entity with a similar mission.

33 (b) *Terms.* —

34 (1) The Governor, with the advice and consent of the  
35 Senate, shall appoint the nine members for the  
36 following terms:

37 (A) Three for a term of four years;

38 (B) Three for a term of three years; and

39 (C) Three for a term of two years.

40 (2) Successors to appointed members whose terms  
41 expire shall be appointed for terms of four years.  
42 Vacancies shall be filled for the unexpired term. An  
43 appointed member may not serve more than two  
44 successive terms. Appointment to fill a vacancy may  
45 not be considered as one of two terms.

46 (c) *Oath.* —

47 Appointed members shall take the oath of office as  
48 prescribed by law.

49 (d) *Recusal.* —

50 A board member shall recuse himself or herself from  
51 any vote in which he or she has a conflict of interest.  
52 The provisions of this subsection is in addition to any  
53 other provisions of law or applicable rules relating to  
54 the ethics of public officers or employees.

55 (e) *Compensation and expenses.* —

56 Members shall not receive compensation. Each  
57 member of the board shall receive expense  
58 reimbursement from the fund for actual reasonable and  
59 necessary expenses incurred while engaged in the

60 discharge of official duties, the actual expenses not to  
61 exceed the amount paid for similar reimbursement to  
62 members of the Legislature.

**§5B-2G-5. West Virginia Outdoor Heritage Conservation  
Fund - Powers.**

1 The board has the following general powers on behalf  
2 of the fund:

3 (a) *Power to sue.* — To sue and be sued in contractual  
4 matters in its own name.

5 (b) *Power to contract.* — To enter into contracts  
6 generally and to execute all instruments necessary or  
7 appropriate to carry out its purposes.

8 (c) *Power to conserve land.* — To acquire interests in  
9 real property for conservation purposes.

10 (d) *Power to transfer.* — To transfer interests in real  
11 property for conservation purposes.

12 (e) *Power to disburse grants.* — To act as a granting  
13 authority to award grants to eligible grant recipients in  
14 accordance with section nine of this article.

15 (f) *Power to seek funding.* — To apply for and receive  
16 funding from any and all state, federal and private  
17 sources to be used as provided in this chapter.

18 (g) *Power to authorize bond issuance.* — To direct the  
19 Economic Development Authority to issue revenue  
20 bonds payable from the portion of the recording fee  
21 imposed in section ten, article one, chapter fifty-nine of  
22 this code to be allocated to the fund and any other  
23 special revenue made against to the fund for this  
24 purpose in accordance with section eight of this article  
25 or other provisions of this code.

**§5B-2G-6. West Virginia Outdoor Heritage Conservation  
Fund - Duties.**

1 The board shall, on behalf of the fund:

2 (a) Disseminate information regarding land  
3 conservation and promote the conservation of land.

4 (b) Develop and implement additional guidelines and  
5 procedures, consistent with the purposes of this chapter,  
6 as necessary to implement this chapter.

7 (c) Seek and apply for funds from federal, state and  
8 private sources to carry out its purpose as provided in  
9 this chapter.

10 (d) From moneys received from the recording fee in  
11 accordance with section ten, article one, chapter  
12 fifty-nine of this code, to:

13 (1) Make available to the West Virginia Division of  
14 Natural Resources fifty percent of the moneys so  
15 received by the fund, for the division to acquire  
16 interests in real property for conservation purposes in  
17 perpetuity in keeping with the West Virginia Wildlife  
18 Conservation Action Plan or other conservation plans  
19 developed by the division, provided that the board  
20 approves any acquisitions. The division may agree to  
21 permit the fund to retain any or all of this fifty percent  
22 to remain in the fund to be used as payment of debt  
23 service and other costs associated with revenue bonds  
24 on the fund's behalf by the Economic Development  
25 Authority in accordance with the provisions of this  
26 article;

27 (2) Ensure that the remaining fifty percent of the  
28 moneys so received by the fund are used for competitive  
29 grants in accordance with this article or used as  
30 payment of debt service and other costs associated with  
31 revenue bonds on the fund's behalf by the Economic  
32 Development Authority in accordance with the  
33 provisions of this article, the proceeds of which shall  
34 also be used for competitive grants.

35 (e) Prepare and file electronically with the Governor's  
36 office and with the Legislature by the thirty-first day of

37 August of each year a report that accounts for fund  
38 receipts and disbursements and sets forth a list and  
39 description of all grants approved and all acquisitions  
40 of interests in real property obtained with moneys from  
41 the fund during the current year, including the  
42 recipients of the grants, the amounts and the public  
43 benefits of the interests in real property acquired.

44 (f) Propose legislative rules in accordance with the  
45 provisions of article three, chapter twenty-nine-a of this  
46 code to carry out its purposes and programs, to include  
47 specifically the qualifications and procedures relating  
48 to its awarding of grants.

**§5B-2G-7. Definitions.**

1 For purposes of this article, the following terms have  
2 the meanings set forth in this section.

3 (a) "Board" means the board of trustees established in  
4 section three of this article.

5 (b) "Conservation easement" means a nonpossessory  
6 interest in real property as defined in section three,  
7 article twelve, chapter twenty of this code, except that  
8 a conservation easement acquired pursuant to this  
9 article shall be held in perpetuity.

10 (c) "Conservation purposes" means the conservation  
11 of land for outdoor recreation by the public, for  
12 conservation of natural plant and wildlife habitat or  
13 similar ecosystem, for conservation of forestland and  
14 other open spaces, for conservation of land of historical  
15 or cultural significance or as further defined under  
16 conservation criteria developed in this article.

17 (d) "Eligible grant recipient" means:

18 (1) The following state agencies:

19 (A) Division of Natural Resources;

20 (B) Division of Forestry; or

21 (2) A charitable corporation, charitable association or  
22 charitable trust registered with the Secretary of State  
23 and exempt from taxation pursuant to Section 501(c)(3)  
24 of the Internal Revenue Code of 1986 [Public Law  
25 99-514, 26 U. S. C. §501(c)(3)] or other federal or state  
26 statutes or rules, the purposes or powers of which  
27 include retaining or protecting the natural, scenic,  
28 agricultural or open-space values of real property;  
29 assuring the availability of real property for  
30 agricultural, forest, recreational or open-space use;  
31 protecting natural resources and wildlife; maintaining  
32 or enhancing land, air or water quality; or preserving  
33 the historical, architectural, archaeological or cultural  
34 aspects of real property, as defined in section three,  
35 article twelve, chapter twenty of this code, and that has  
36 a primary part of its mission to acquire interests in real  
37 property for conservation purposes.

38 (e) "Fund" means the West Virginia Outdoor Heritage  
39 Conservation Fund established in this article.

40 (f) "Land conservation" means acquisition of interests  
41 in real property from willing sellers for conservation  
42 purposes.

43 (g) "Stewardship" means the necessary monitoring,  
44 maintenance, and enforcement of interests in real  
45 property for conservation purposes.

**§5B-2G-8. Funding of land conservation; issuance of revenue  
bonds.**

1 (a) *Fund.* —

2 (1) *Created.* — The West Virginia Outdoor Heritage  
3 Conservation Fund is created for the purposes specified  
4 in this article.

5 (2) *Sources.* — The West Virginia Outdoor Heritage  
6 Conservation Fund is comprised of:

7 (A) Any money made available to the fund by general  
8 or special fund appropriations;

9 (B) Any money made available to the fund by grants  
10 or transfers from governmental or private sources;

11 (C) Any money realized by investments, interest,  
12 dividends or distributions; and

13 (D) Any money received from the issuance of revenue  
14 bonds in accordance with the provisions of this article;  
15 and

16 (3) *Disbursements.* — The Treasurer may not disburse  
17 any money from the fund other than:

18 (A) For costs associated with the staffing,  
19 administration, and technical and legal duties of the  
20 fund;

21 (B) For reasonable and necessary expenses incurred  
22 by the members of the board of trustees of the fund in  
23 the performance of official duties;

24 (C) For costs associated with the acquisition of  
25 interests in real property for conservation purposes and  
26 for costs associated with stewardship authorized by this  
27 article;

28 (D) For grants to be awarded in accordance with  
29 section nine of this article.

30 (E) For payment of debt service and other costs  
31 associated with revenue bonds issued on the fund's  
32 behalf by the Economic Development Authority; and

33 (F) Of revenue received, directly or indirectly, from  
34 the recording fee under section ten, article one, chapter  
35 fifty-nine of this code and not used for the payment of  
36 revenue bonds and expenses associated therewith, for  
37 purposes consistent with the duties of the fund set forth  
38 in this article,

39 (4) *Money remaining at end of fiscal year.* — Any  
40 money remaining in the fund at the end of a fiscal year  
41 shall not revert to the General Revenue Fund of the

42 state, but shall remain in the fund to be used for the  
43 purposes specified in this article.

44 (5) *Budget.* — The estimated budget of the fund for  
45 the next fiscal year shall be included with the budget of  
46 the West Virginia Department of Commerce.

47 (6) *Audit.* — The fund shall be audited annually.

48 (b) *Bonds.* —

49 The Legislature finds and declares that in order to  
50 attract new business, commerce and industry to this  
51 state, to retain existing business and industry providing  
52 the citizens of this state with economic security and to  
53 advance the business prosperity of this state and the  
54 economic welfare of the citizens of this state, it is  
55 necessary to provide public financial support for land  
56 conservation as provided in this article.

57 (1) The West Virginia Economic Development  
58 Authority created and provided in article fifteen,  
59 chapter thirty-one of this code shall, by resolution, in  
60 accordance with the provisions of this article and article  
61 fifteen, chapter thirty-one of this code and upon  
62 direction of the board of the Outdoor Heritage  
63 Conservation Fund, issue revenue bonds of the  
64 Economic Development Authority to pay for all or a  
65 portion of the cost of the acquisition of interests in real  
66 property for conservation purposes authorized under  
67 this article or to refund the bonds at the discretion of  
68 the fund. The revenue bonds shall mature at a time or  
69 times not exceeding thirty years from their respective  
70 dates. The principal of, and the interest and redemption  
71 premium, if any, on the bonds shall be payable from the  
72 moneys deposited in the fund pursuant to section ten,  
73 article one, chapter fifty-nine of this code or from other  
74 sources identified by the board of the fund.

75 (2) There is established in the State Treasury a special  
76 revenue fund named the Outdoor Heritage Conservation  
77 Fund into which shall be deposited on and after the first  
78 day of July, two thousand eight, the amounts to be

79 deposited in the fund as specified in this article. The  
80 Outdoor Heritage Conservation Fund shall consist of all  
81 such moneys, all appropriations to the fund, all interest  
82 earned from investment of the fund and any gifts,  
83 grants or contributions received by the fund. All  
84 amounts deposited in the fund pursuant to section ten,  
85 article one, chapter fifty-nine of this code shall be  
86 pledged to the repayment of the principal, interest and  
87 redemption premium, if any, on any revenue bonds or  
88 refunding revenue bonds authorized by this section,  
89 including any and all commercially customary and  
90 reasonable costs and expenses which may be incurred  
91 in connection with the issuance, refunding, redemption  
92 or defeasance thereof. The West Virginia Economic  
93 Development Authority may further provide in the  
94 resolution and in the trust agreement for priorities on  
95 the revenues paid into the Outdoor Heritage  
96 Conservation Fund pursuant to section ten, article one,  
97 chapter fifty-nine of this code as may be necessary for  
98 the protection of the prior rights of the holders of bonds  
99 issued at different times under the provisions of this  
100 section. The bonds issued pursuant to this subsection  
101 shall be separate from all other bonds which may be or  
102 have been issued from time to time under the provisions  
103 of this article.

104 (3) Bonds issued under this subsection shall state on  
105 their face that the bonds do not constitute a debt of the  
106 State of West Virginia; that payment of the bonds,  
107 interest and charges thereon cannot become an  
108 obligation of the State of West Virginia; and that the  
109 bondholders' remedies are limited in all respects to the  
110 special revenue fund established in this subsection for  
111 the liquidation of the bonds.

112 (4) The West Virginia Economic Development  
113 Authority shall expend the bond proceeds from the  
114 revenue bond issues authorized and directed by this  
115 section for projects as certified by the board of the fund  
116 under the provisions of this article as serving a public  
117 purpose and meeting the criteria established by this  
118 article.

119 (5) If any proceeds from sale of bonds remain after  
120 paying costs and making grants as provided in this  
121 subsection, the surplus may be used as elsewhere  
122 provided in this article.

**§5B-2G-9. Grants for land conservation; application; criteria.**

1 (a) An eligible grant recipient may apply for a grant  
2 from the fund to acquire interests in real property for  
3 conservation purposes or for stewardship. An  
4 application may not be submitted to the fund without  
5 the written consent of the owner of the interest in real  
6 property identified in the application.

7 (b) Before applying for a grant, the eligible grant  
8 recipient shall notify the owner that is the subject of the  
9 grant of the following in writing:

10 (1) That interests in real property acquired with a  
11 grant from the fund result in a permanent conveyance  
12 of such interests in real property from the owner to the  
13 eligible grant recipient or its assigns; and

14 (2) That it may be in the owner's interest to retain  
15 independent legal counsel, appraisals and other  
16 professional advice.

17 The application shall contain an affirmation that the  
18 notice requirement of this subsection has been met.

19 (c) Grants from the fund shall be awarded based upon  
20 the conservation criteria and financial criteria  
21 contained in this section. In each application, the  
22 eligible grant recipient shall provide information  
23 regarding how the proposal meets one or more of these  
24 criteria and advances the purposes of this article.

25 (d) For purposes of this article, conservation criteria  
26 include:

27 (1) Unique or important wildlife habitat as specified  
28 in the State Wildlife Conservation Action Plan;

29 (2) Habitat for rare, threatened or endangered species;

30 (3) A relatively undisturbed or outstanding example  
31 of an ecosystem or natural community indigenous to  
32 West Virginia;

33 (4) An important area for public hunting, fishing or  
34 other outdoor recreational uses;

35 (5) Important recreation lands or important habitats  
36 identified in county comprehensive plans;

37 (6) Riparian habitats, wetlands, water quality,  
38 watersheds of significant ecological value or critical  
39 aquifer recharge areas;

40 (7) Forest land or working land that has strategic  
41 economic significance;

42 (8) A larger area containing conserved lands or as a  
43 connection between conserved lands;

44 (9) Land of unique cultural, historical or  
45 archaeological significance;

46 (10) Degree of threat to land; and

47 (11) The number of acres of land to be conserved.

48 (e) For purposes of this article, financial criteria  
49 include:

50 (1) The degree to which the proposal leverages grants  
51 from the fund by including funding or in-kind assets or  
52 services from other governmental sources; and

53 (2) The degree to which the proposal leverages grants  
54 from the fund by including funding or in-kind assets or  
55 services from private or nonprofit sources or charitable  
56 donations, including bargain sales of interests in real  
57 property for conservation purposes;

58 (f) The board of the fund shall evaluate each proposal

59 according to the conservation criteria and financial  
60 criteria set forth in this section, and shall award grants  
61 on the basis of how well proposals meet these two  
62 criteria.

63 (g) If an eligible grant recipient entity is dissolved or  
64 ceases to exist as an entity, or if any interests in real  
65 property obtained with a grant from the fund are not  
66 being utilized strictly for conservation purposes, the  
67 real property interest shall vest in the fund upon  
68 recording of a notice signed by the chair of the fund and  
69 filed with the clerk of the appropriate county and the  
70 fund may transfer the interest to an appropriate eligible  
71 grant recipient.

**CHAPTER 59. FEES, ALLOWANCES AND COSTS;  
NEWSPAPERS; LEGAL ADVERTISEMENTS.**

**ARTICLE 1. FEES AND ALLOWANCES.**

**§59-1-10. Fees to be charged by clerk of county commission.**

1 For the purpose of this section, the word "page" is  
2 defined as being a paper or electronic writing of not  
3 more than legal size, 8 ½" x 14".

4 The clerk of the county commission shall charge and  
5 collect the following fees:

6 (a) When a writing is admitted to record, for receiving  
7 proof of acknowledgment thereof, entering an order in  
8 connection therewith, endorsing clerk's certificate of  
9 recordation thereon and indexing in a proper index,  
10 where the writing is a:

11 (1) Deed of conveyance (with or without a plat), trust  
12 deed, fixture filing or security agreement concerning  
13 real estate lease, fifteen dollars.

14 (2) Financing, continuation, termination or other  
15 statement or writing permitted to be filed under chapter  
16 forty-six of this code, ten dollars.

17 (3) Plat or map (with no deed of conveyance), ten  
18 dollars.

19 (4) Service discharge record, no charge.

20 (5) Any document or writing other than those  
21 referenced in subdivisions (1), (2), (3) and (4) of this  
22 subsection, ten dollars.

23 (6) If any document or writing contains more than five  
24 pages, for each additional page, one dollar.

25 For any of the documents admitted to record pursuant  
26 to this subsection, if the clerk of the county commission  
27 has the technology available to receive these documents  
28 in electronic form or other media, the clerk shall set a  
29 reasonable fee to record these writings not to exceed the  
30 cost for filing paper documents.

31 (7) Eleven dollars of each recording fee received  
32 pursuant to subdivision (1) of this subsection shall be  
33 retained by the county clerk for the operation of that  
34 office and four dollars of each of the aforesaid recording  
35 fees together with five dollars of the recording fee  
36 collected pursuant to subdivision (5) of this section, shall  
37 be paid by the county clerk into the State Treasurer and  
38 deposited in equal amounts for deposit into the  
39 Farmland Protection Fund created in article twelve,  
40 chapter eight-a of this code for the benefit of the West  
41 Virginia Agricultural Land Protection Authority and  
42 into the Outdoor Heritage Conservation Fund created in  
43 article two-g, chapter five-b of this code: *Provided,*  
44 That the funds deposited pursuant to this subdivision  
45 may only be used for costs, excluding personnel costs,  
46 associated with purpose of land conservation, as defined  
47 in subsection (f), section seven, article two-g, chapter  
48 five-b of this code.

49 (b) For administering any oath other than oaths by  
50 officers and employees of the state, political  
51 subdivisions of the state or a public or quasi-public  
52 entity of the state or a political subdivision of the state,  
53 taken in his or her official capacity, five dollars.

54 (c) For issuance of marriage license and other duties  
55 pertaining to the marriage license (including  
56 preparation of the application, administering the oath,  
57 registering and recording the license, mailing  
58 acknowledgment of minister's return to one of the  
59 licensees and notification to a licensee after sixty days  
60 of the nonreceipt of the minister's return), thirty-five  
61 dollars.

62 (1) One dollar of the marriage license fee received  
63 pursuant to this subsection shall be paid by the county  
64 clerk into the State Treasury as a state registration fee  
65 in the same manner that license taxes are paid into the  
66 Treasury under article twelve, chapter eleven of this  
67 code;

68 (2) Fifteen dollars of the marriage license fee received  
69 pursuant to this subsection shall be paid by the county  
70 clerk into the State Treasury for the family protection  
71 shelter support act in the same manner that license  
72 taxes are paid into the Treasury under article twelve,  
73 chapter eleven of this code;

74 (3) Ten dollars of the marriage license fee received  
75 pursuant to this subsection shall be deposited in the  
76 courthouse facilities improvement fund created by  
77 section six, article twenty-six, chapter twenty-nine of  
78 this code.

79 (d)(1) For a copy of any writing or document, if it is  
80 not otherwise provided for, one dollar fifty cents.

81 (2) If the copy of the writing or document contains  
82 more than two pages, for each additional page, one  
83 dollar.

84 (3) For annexing the seal of the commission or clerk to  
85 any paper, one dollar.

86 (4) For a certified copy of a birth certificate, death  
87 certificate or marriage license, five dollars.

88 (e) For copies of any record in electronic form or a

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89 medium other than paper, a reasonable fee set by the  
90 clerk of the county commission not to exceed the costs  
91 associated with document search and duplication.

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

  
.....  
Chairman Senate Committee

  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

  
.....  
Clerk of the Senate

  
.....  
Clerk of the House of Delegates

  
.....  
President of the Senate

  
.....  
Speaker House of Delegates

The within is approved ..... this  
the 27<sup>th</sup> Day of May ....., 2008.

  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 26 2008

Time 10:05 AM