WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1953

ENROLLED
SENATE BILL NO. 342
(By Mr. Simoes)

PASSED March 14, 1953
In Effect thirty days from Passage
AN ACT to provide for the submission to the voters of the state
of an amendment to the constitution of the state, amending
sections eighteen, twenty-two and thirty-three of article
six, thereof, relating to time of assembly of the Legislature,
length of session and compensation of members.

Be it enacted by the Legislature of West Virginia:

Section 1. Submitting an Amendment to the State Con-
stitution.—That the question of the ratification or rejection
of an amendment to the constitution of West Vir-
ginia, proposed in accordance with the provisions of
section two, article fourteen of said constitution, shall be
submitted to the voters of the state at the next general
PROPOSED AMENDMENT

Article 6.

Sec. 18. Time of Assembly of Legislature.—The Legislature shall assemble annually at the seat of government, and not oftener, unless convened by the governor. Regular sessions of the Legislature shall commence on the second Wednesday of January of each year. Notwithstanding any other provisions of the Constitution, the board of public works shall, on and after the effective date hereof, submit to the Legislature an annual budget prepared as otherwise required by the Constitution.

Sec. 22. Length of Legislative Sessions.—The regular session of the Legislature held in the year one thousand nine hundred fifty-five and every second year thereafter shall not exceed sixty days, and the regular session held in the year one thousand nine hundred fifty-six and every second year thereafter shall not exceed thirty days. During any thirty day session the Legislature shall consider no other business than the annual budget bill, ex-
cept such as may be stated in a proclamation issued by
the governor at least ten days prior to the convening of
the session, or such business as may be stated by the
Legislature on its own motion in a concurrent resolution
adopted by a two-thirds vote of the members elected to
each house. All regular sessions may be extended by the
concurrence of two-thirds of the members elected to
each house.

Sec. 33. Compensation of Members.—Each member of
the Legislature shall receive for his services the sum of
one thousand five hundred dollars a year, and expenses
for one round trip in connection with any session, at the
rate of ten cents a mile traveled in going to and return-
ing from the seat of government by the most direct
route: Provided, That if party caucuses are held in ad-
advance of the date of the assembly of the Legislature in
odd-numbered years for the purpose of selecting candi-
dates for officers of the two houses, expenses for travel
at the rate herein fixed shall be allowed each member
for one round trip in connection with attending such
caucus. The Speaker of the House of Delegates and the
President of the Senate shall each receive an additional compensation of five dollars a day for each day served as presiding officer. No other allowance or emolument than that by this section provided shall directly or indirectly be made or paid to the members of either house for postage, stationery, newspapers, or any other purpose whatever. Notwithstanding any other provision of the Constitution, the compensation herein provided for shall be paid to each member of the Legislature on and after the adoption of this amendment.

Sec. 2. Amendment to be Known as the "Legislative Amendment".—For convenience in referring to said proposed amendment, and in the preparation of the form of the ballot hereinafter provided for, said proposed amendment is hereby designated as the "Legislative Amendment".

Sec. 3. Form of Ballot; Election.—For the purpose of enabling the voters of the state to vote on the question of said proposed amendment to the constitution at the said general election to be held in the year one thousand nine hundred fifty-four, the board of ballot commissioners of
each county is hereby required to place upon, and at the foot of, the official ballot to be voted at that election, the following:

Ballot on "Legislative Amendment".

☐ For Legislative Amendment.

☐ Against Legislative Amendment.

The said election on the proposed amendment at each place of voting shall be superintended, conducted and returned, and the result thereof ascertained by the same officers and in the same manner as the election of officers to be voted for at said election, and all the provisions of the law relating to general elections, including all duties to be performed by any officer or board, as far as practicable, and not inconsistent with anything herein contained, shall apply to the election held under the provisions of this act, except when it is herein otherwise provided. The ballots cast on the question of said proposed amendment shall be counted as other ballots cast at said election.

Sec. 4. Certificates of Election Commissioners; Canvass of Vote; Certifying Result.—As soon as the result is as-
certained, the commissioners, or a majority of them, and
the canvassers (if there be any), or a majority of them,
at each place of voting, shall make out and sign two
certificates thereof in the following form or the follow-
ing effect:

“We, the undersigned, who acted as commissioners (or
canvassers, as the case may be) of the election held at
Precinct No. _____, in the district of ________________, in
the county of ________________, on the _____ day of
___________, one thousand nine hundred fifty-four, upon
the question of the ratification or rejection of the pro-
posed constitutional amendment, do hereby certify that
the result of said election is as follows:

“For ratification of Legislative Amendment ____________
votes.

“Against ratification of Legislative Amendment ____________
votes.

“Given under our hands this _____ day of ________________,
one thousand nine hundred fifty-four.”

The said two certificates shall correspond with each
other in all respects and contain the full and true re-
turns of said election at each place of voting on said question. The said commissioners, or any one of them (or said canvassers or any one of them, as the case may be), shall, within four days, excluding Sunday, after that on which said election was held, deliver one of said certificates to the clerk of the county court of his county, together with the ballots, and the other to the clerk of the circuit court of the county.

The said certificates, together with the ballots cast on the question of said proposed amendment, shall be laid before the commissioners of the county court at the court house at the same time the ballots, poll books, and the certificates of election of the members of the Legislature are laid before them; and as soon as the result of said election in the county upon the question of such ratification or rejection is ascertained, two certificates of such result shall be made out and signed by said commissioners as a board of canvassers, in the form or to the following effect:

"We, the board of canvassers of the county of __________, having carefully and impartially examined the returns
of the election held in said county, in each district there-
of, on the _________ day of November, one thousand nine
hundred fifty-four, do certify that the results of the elec-
tion in said county, on the question of the ratification or
rejection of the proposed amendment is as follows:
“For ratification of Legislative Amendment _______ votes.

“Against ratification of Legislative Amendment _______ votes.

"Given under our hands this ______ day of _______,
one thousand nine hundred fifty-four.”

One of the certificates shall be filed in the office of the
clerk of the county court, and the other forwarded by
mail to the secretary of state, who shall file and preserve
the same until the day on which the result of said elec-
tion in the state is to be ascertained, as hereinafter
stated.

Sec. 5. Proclamation of Result of Election by Governor.

—On the twenty-fifth day after the election is held, or as
soon thereafter as practicable, the said certificates shall
be laid before the governor, whose duty it shall be to
ascertain therefrom the result of said election in the state,
and declare the same by proclamation published in one
or more newspapers printed at the seat of government.
If a majority of the votes cast at said election upon said
question be for ratification of said amendment, the pro-
posed amendment so ratified shall be in force and effect
from and after the time of such ratification, as part of
the constitution of the state.

Sec. 6. Publication of Proposed Amendment by Gov-
ernor.—The governor shall cause the said proposed
amendment, with the proper designation for the same as
hereinbefore adopted, to be published one time at least
three months before such election in some newspaper in
every county in which a newspaper is printed, at a price
to be agreed upon in advance, in writing, and the cost
of such advertising shall in the first instance, if found
necessary by him, be paid out of the governor’s contingent
fund and be afterwards repaid to such fund by appropria-
tion of the Legislature.
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.

Takes 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 approved this the 19th day of March, 1953.

Governor.

Not in the Office of the Secretary of State

MAR 19 1953

D. Pitt O'Brien,
Secretary of State