

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959



ENROLLED

HOUSE BILL No. 3

(By Mr. BURNETTE / MR WEST)



PASSED Feb 17 1959

In Effect 90 days from Passage



Filed in Office of the Secretary of State  
of West Virginia

MAR 2 1959  
JOE R. BURDETT  
SECRETARY OF STATE

**ENROLLED**

**House Bill No. 3**

(By MR. BURNETTE and MR. WEST)

[Passed February 17, 1959; in effect ninety days from passage.]

AN ACT to amend and reenact sections one and three, article four, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to primary elections.

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

That sections one and three, article four, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 1. *May Primaries.*---Primary elections shall be  
2 held at the voting place in each of the voting precincts  
3 in the state for the purposes set forth in this article, as  
4 follows:

5 On the second Tuesday in May, in the year nineteen  
6 hundred sixty and in each second year thereafter. *OK*

7 The time of holding a primary election and a statement

8 describing the object thereof shall be published in two  
9 newspapers, if such there be, of the two opposite political  
10 parties which polled the highest and the next highest  
11 number of votes for governor at the preceding general  
12 election, in each county in the state, and of general circu-  
13 lation therein, once a week for two successive weeks pre-  
14 ceding the date of such primary election. It shall be the  
15 duty of the secretary of state to prepare and publish such  
16 notice and statement, and the expense of such publication  
17 shall be paid out of the general fund of each county;

18 At such elections the polls shall be opened and closed  
19 at the hours provided for opening and closing the polls  
20 in a general election.

*Sec. 3. Delegates to National Convention; Election.—At*

2 the primary to be held in the year nineteen hundred  
3 sixty, and in each fourth year thereafter, there shall be  
4 elected by the voters of each political party of the state  
5 the number of persons to which the party is entitled as  
6 delegates at large, and by the voters of each political  
7 party in each congressional district in the state the num-  
8 ber of delegates to which the district is entitled, in the

9 national convention of the party to be next held after the  
10 date of such primary. The persons receiving the highest  
11 number of votes in the state as delegates at large, to the  
12 number to which the state is entitled, shall be elected dele-  
13 gates. The persons receiving the highest number of votes  
14 as delegates in any congressional district, to the number  
15 to which the district is entitled, shall be elected delegates.  
16 Each delegate so elected shall then appoint an individual  
17 to serve as alternate delegate, and shall by registered  
18 letter notify the secretary of state of such appointment  
19 within forty days after the May primary.

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

*Wm. Gasper*  
Chairman Senate Committee

*Eudora Andrews*  
Chairman House Committee

Originated in the House of Delegates.

Takes effect 90 days from passage.

*Howard Meyers*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Ralph Bean*  
President of the Senate

*H. R. Pauley*  
Speaker House of Delegates

The within approved this the 28th  
day of February, 1959.  
*Wm. St. Underwood*  
Governor