WEST VIRGINIA LEGISLATURE
SECOND EXTRAORDINARY SESSION, 1971

ENROLLED
Committee Substitute for
HOUSE BILL No. 1
Originating in the House Committee
(By Mr. on Redistricting)

PASSED November 4, 1971
In Effect from Passage

FILED IN THE OFFICE
JOHN H. COCKRELL, Jr.
SECRETARY OF STATE
THIS DATE 11-22-71
AN ACT to amend and reenact section two, article two, chapter one of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to further amend said article by adding thereto a new section, designated section two-a, all relating to the composition of the House of Delegates and legislative findings.

Be it enacted by the Legislature of West Virginia:

That section two, article two, chapter one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that said article be further amended by adding thereto a new section, designated section two-a, all to read as follows:
ARTICLE 2. APPORTIONMENT OF REPRESENTATION.


1 The House of Delegates shall consist of one hundred members, who shall be apportioned as follows:

2 The counties of Berkeley and Morgan shall form the first delegate district and elect three delegates.

3 The counties of Grant and Tucker shall form the second delegate district and elect one delegate.

4 The counties of Hardy and Pendleton shall form the third delegate district and elect one delegate.

5 The counties of Pocahontas and Greenbrier shall form the fourth delegate district and elect two delegates.

6 The counties of Pleasants and Tyler shall form the fifth delegate district and elect one delegate.

7 The counties of Doddridge and Ritchie shall form the sixth delegate district and elect one delegate.

8 The counties of Calhoun, Gilmer and Wirt shall form the seventh delegate district and elect one delegate.

9 The counties of Clay and Nicholas shall form the eighth delegate district and elect two delegates.

10 The counties of Randolph and Webster shall form the ninth delegate district and elect two delegates.
The counties of Barbour, Boone, Braxton, Hampshire, Jackson, Jefferson, Lewis, Lincoln, Mason, Mineral, Monrooe, Preston, Roane, Summers, Taylor, Upshur and Wetzel shall have one delegate each.

The counties of Brooke, Hancock, Marshall, Mingo, Putnam, Wayne and Wyoming shall have two delegates each.

The counties of Fayette, Logan, Marion, McDowell and Monongalia shall have three delegates each.

The counties of Harrison, Mercer, Ohio and Raleigh shall have four delegates each.

The county of Wood shall have five delegates.

The county of Cabell shall have six delegates.

The county of Kanawha shall have thirteen delegates.

§1-2-2a. Legislative findings.

1 The Legislature of West Virginia hereby finds and declares that:

2 (1) The words “population, to be ascertained by the census of the United States,” as used and referred to in the constitution of West Virginia in regard to apportionment of the House of Delegates, include only bona fide
residents of the state of West Virginia, counted at their
places of residence; the term does not include mere in-
habitants of the state, temporarily located therein.

(2) The population census taken by the United States
bureau of the census for the year one thousand nine hun-
dred seventy counted mere inhabitants of the state as if
they were bona fide residents, and thus did not conform
to the provisions of the constitution of the state of West
Virginia in regard to apportionment of the House of Dele-
gates. Therefore, the one thousand nine hundred seventy
census of population was taken, in part, in a form not
contemplated by the pertinent provisions of the consti-
tution of West Virginia.

(3) For purposes of apportionment of the House of
Delegates, accurate population counts for the year one
thousand nine hundred seventy for the state and coun-
ties of West Virginia, based on official United States
census statistics, but excluding persons counted in this
state who were not bona fide residents of this state and
who were merely physically present in this state on the
first day of April, one thousand nine hundred seventy,
and including those bona fide residents of West Virginia who were temporarily absent from this state on the first day of April, one thousand nine hundred seventy, and reallocating to their resident counties those bona fide residents of West Virginia who were present in the state of West Virginia on the first day of April, one thousand nine hundred seventy, but were not counted by the United States bureau of census as residents of their resident counties, are as follows:

The county of Barbour, 13,339; the county of Berkeley, 37,042; the county of Boone, 25,428; the county of Braxton, 12,874; the county of Brooke, 29,394; the county of Cabell, 103,520; the county of Calhoun, 7,155; the county of Clay, 9,421; the county of Doddridge, 6,477; the county of Fayette, 48,127; the county of Gilmer, 6,405; the county of Grant, 8,766; the county of Greenbrier, 32,697; the county of Hampshire, 11,895; the county of Hancock, 40,319; the county of Hardy, 8,996; the county of Harrison, 73,334; the county of Jackson, 21,310; the county of Jefferson, 20,207; the county of Kanawha, 232,091; the county of Lewis, 18,147; the county of Lincoln, 19,094; the county of Logan,
49 46,885; the county of McDowell, 51,462; the county of Marion, 59,943; the county of Marshall, 38,276; the county of Mason, 24,587; the county of Mercer, 62,069; the county of Mineral, 22,926; the county of Mingo, 33,171; the county of Monongalia, 51,888; the county of Monroe, 11,448; the county of Morgan, 8,693; the county of Nicholas, 22,931; the county of Ohio, 62,493; the county of Pendleton, 7,159; the county of Pleasants, 7,426; the county of Pocahontas, 9,031; the county of Preston, 25,864; the county of Putnam, 28,104; the county of Raleigh, 70,435; the county of Randolph, 24,310; the county of Ritchie, 10,277; the county of Roane, 14,301; the county of Summers, 13,428; the county of Taylor, 14,080; the county of Tucker, 7,552; the county of Tyler, 10,085; the county of Upshur, 17,749; the county of Wayne, 38,199; the county of Webster, 9,954; the county of Wetzel, 20,732; the county of Wirt, 4,206; the county of Wood, 88,063; the county of Wyoming, 30,617; the total population of the state of West Virginia, 1,734,382.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House.

Takes effect 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 22nd day of November, 1971.

Governor