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SECRETARY OF STATE  
STATE OF WEST VIRGINIA

## WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1973

—●—

# ENROLLED

HOUSE BILL No. 1348

(By Mr. Orig. in the Com. on the Judiciary)

—●—

PASSED April 14, 1973

In Effect from Passage



C 641

FILED IN THE OFFICE  
EDGAR F. WEISBELL III  
SECRETARY OF STATE  
THIS DATE 5/3/73

Veto - 1348

ENROLLED

# House Bill No. 1348

(Originating in the Committee on the Judiciary)

[Passed April 14, 1973; in effect from passage.]

AN ACT to amend and reenact sections two and four, article eleven, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to resolutions proposing amendments to the West Virginia constitution; providing for the submission of such proposed amendments to the voters for ratification or rejection; relating to the title of any such proposed amendment and a summary of the purpose thereof; providing for the numbering of proposed amendments; relating to the duties of the secretary of state in connection therewith; relating to ballots or ballot labels for any such purpose; relating to the election at which proposed constitutional amendments are to be voted upon; and relating to the form of the official ballot in any such election and the conduct of any such election.

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

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

## **ARTICLE 11. AMENDMENTS TO THE STATE CONSTITUTION.**

### **§3-11-2. Title and summary of amendment; position on ballot; designation of election for submission of amendment.**

1 In any joint resolution proposing an amendment to the

2 West Virginia constitution, for ratification or rejection by the  
3 voters, the Legislature shall for convenience of reference  
4 thereto, assign a title to such proposed amendment and shall  
5 set forth a summary of the purpose of such proposed amend-  
6 ment. If the Legislature shall fail in any such resolution to  
7 include a title and summary, or either, the secretary of state  
8 shall supply such omission or omissions, and certify the same  
9 to the ballot commissioners of each county. Whether set forth  
10 in such resolution or certified by the secretary of state, it shall  
11 be the duty of the ballot commissioners in each county to  
12 place upon the official ballot at the election at which such  
13 proposed amendment is to be voted upon, or upon the ballot  
14 label in counties where voting machines are used, the title  
15 and summary of such proposed constitutional amendment.

16 The Legislature may, in the joint resolution, give a proposed  
17 amendment a number which shall determine its order of  
18 position on the ballot. If this be done, and if there is more  
19 than one amendment submitted at the same election, the  
20 position of such amendment on the ballot shall be in accord-  
21 ance with the positions so assigned: *Provided*, That if the  
22 numbers so assigned are not consecutive, the secretary of  
23 state, in certifying the election ballot, shall renumber the  
24 amendments consecutively in accordance with the positions  
25 assigned by the Legislature. If the position of amendments  
26 has not been so determined by the Legislature, the secretary of  
27 state, in certifying the election ballot, shall number the amend-  
28 ments consecutively in accordance with the dates of their final  
29 submission by the Legislature.

30 The Legislature shall, in the joint resolution, designate the  
31 election at which the proposed constitutional amendment shall  
32 be submitted to the voters.

#### **§3-11-4. Form of ballot; conduct of election.**

1 For the purpose of enabling the voters of the state to vote on  
2 the question of proposed amendments to the constitution at the  
3 election at which they are to be submitted, the board of ballot  
4 commissioners of each county shall place upon, and at the  
5 foot of, the official ballot to be voted at that election, under the  
6 heading "Ballot on Constitutional Amendments," as to each  
7 proposed amendment, the following:

8 No. \_\_\_\_\_  
9 (title of amendment)

10 \_\_\_\_\_

11 \_\_\_\_\_  
12 (summary of purpose)

13 ☐ For

14 ☐ Against

15 The election on each proposed amendment at each place of  
16 voting shall be superintended, conducted and returned, and the  
17 result thereof ascertained by the same officers, and in the  
18 same manner as the election of officers to be voted for at a  
19 general election, and all the provisions of the law relating to  
20 general elections, including all duties to be performed by any  
21 officer or board, as far as practicable, and not inconsistent  
22 with anything herein contained, shall apply to an election  
23 held under the provisions of this article. The ballots cast on  
24 the question of any proposed amendment shall be counted as  
25 other ballots cast at a general election.

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

W. Darrel Darby  
Chairman Senate Committee

Clarence C. Christen, Jr.  
Chairman House Committee

Originated in the House.

Takes effect from passage.

Hawaii W. Carson  
Clerk of the Senate

W. Blankenship  
Clerk of the House of Delegates

W. T. Brotherton, Jr.  
President of the Senate

Lewis J. McRae  
Speaker House of Delegates

The within disapproved this the 24th  
day of April, 1973.

Arch A. Moore, Jr.  
Governor

PRESENTED TO THE  
GOVERNOR

Date 4/24/73

Time 2:34 p.m.