WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1982

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ENROLLED

HOUSE BILL No. 1101

(By Mr. Hablou and Mr. Gilliam)

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Passed March 12, 1982

In Effect April 1, 1982

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-30-82

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AN ACT to amend and reenact sections twenty-five and forty-four, article one, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the delivery of ballots and election supplies by special messengers; increase in allowance and mileage; compensation of election officials generally; increase in expenses and mileage.

Be it enacted by the Legislature of West Virginia:

That sections twenty-five and forty-four, article one, 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 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-25. Supplies by special messenger.

1 In case any commissioner of election so appointed shall fail to appear at the offices of the clerks of such county and circuit courts, by the close of the second day, prior to any election, as required by the preceding section, the board of ballot commissioners, or the chairman thereof, shall forthwith dispatch a special messenger to the commissioners of election of each respective precinct with the ballots, registration records, ballot boxes, poll books and other supplies for such precinct. Such messenger, if not a county employee, shall be allowed five dollars for this service and, even if he
be a county employee, twenty cents a mile for the distance necessary to be traveled by him, and shall promptly report to the clerks of the circuit court and county commission, respectively, and file with such clerks the receipts of the person to whom he delivered such ballots and other supplies, and his affidavit, stating when and to whom he delivered them.

§3-1-44. Compensation of election officials; expenses.

Each ballot commissioner shall be allowed and paid a sum, to be fixed by the county commission, not exceeding fifty dollars for each day he shall serve as such, but, in no case shall a ballot commissioner receive allowance for more than ten days’ services for any one primary, general or special election. Each commissioner of election and poll clerk shall be allowed and paid a sum, to be fixed by the county commission, not exceeding fifty dollars for one day's services for attending the school of instruction for election officials and a sum not exceeding fifty dollars for his services at any one election: Provided, That each commissioner of election and poll clerk shall be paid and allowed a sum not exceeding fifty dollars for his services at any of the three special elections hereinafter specified and described. The commissioners of election obtaining and delivering the election supplies, as provided in section twenty-four of this article, and returning them as provided in articles five and six of this chapter, shall be allowed and paid an additional sum, likewise fixed by the county commission, not exceeding fifty dollars for all such services at any one election and, in addition, shall be allowed and paid mileage at the rate of twenty cents per mile necessarily traveled in the performance of such services. The compensation of election officers, cost of printing ballots, and all other expenses incurred in holding and making the return of elections, other than the three special elections hereinafter specified and described, shall be audited by the county commission and paid out of the county treasury.

The compensation of election officers, cost of printing ballots, and all other reasonable and necessary expenses in holding and making the return of a special election for the purpose of taking the sense of the voters on the question of
calling a constitutional convention, of a special election to
elect members of a constitutional convention, and of a special
election to ratify or reject the proposals, acts and ordinances
of a constitutional convention shall be obligations of the
state incurred by the ballot commissioners, clerks of the circuit
courts, clerks of the county commissions, and county com-
missions of the various counties as agents of the state, and
all such expenses shall be audited by the secretary of state.
The secretary of state shall prepare and transmit to the county
commissions the form on which the county commissions shall
certify all such expenses of such special elections to the secre-
tary of state. If satisfied that such expenses as certified by
the county commissions are reasonable and were necessarily
incurred, the secretary of state shall requisition the necessary
warrants from the auditor of the state to be drawn on the
state treasurer, and shall mail such warrants directly to the
vendors of such special election services, supplies and facilities.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect April 1, 1982.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within in approved this the 30 day of March 1982.

Governor