

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-30-82

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1982

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ENROLLED

HOUSE BILL No. 1101

(By Mr. Whitlow + Mr. Williams)

— ● —

Passed March 12, 1982

In Effect April 1, 1982 ~~Passage~~



ENROLLED

H. B. 1101

(By MR. WHITLOW and MR. GILLIAM)

[Passed March 12, 1982; in effect April 1, 1982.]

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
2 fail to appear at the offices of the clerks of such county
3 and circuit courts, by the close of the second day, prior to
4 any election, as required by the preceding section, the board
5 of ballot commissioners, or the chairman thereof, shall forth-
6 with dispatch a special messenger to the commissioners of
7 election of each respective precinct with the ballots, registra-
8 tion records, ballot boxes, poll books and other supplies for
9 such precinct. Such messenger, if not a county employee,
10 shall be allowed five dollars for this service and, even if he

11 be a county employee, twenty cents a mile for the distance
12 necessary to be traveled by him, and shall promptly report to
13 the clerks of the circuit court and county commission, respec-
14 tively, and file with such clerks the receipts of the person to
15 whom he delivered such ballots and other supplies, and his
16 affidavit, stating when and to whom he delivered them.

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

1 Each ballot commissioner shall be allowed and paid a sum,
2 to be fixed by the county commission, not exceeding fifty
3 dollars for each day he shall serve as such, but, in no case
4 shall a ballot commissioner receive allowance for more than
5 ten days' services for any one primary, general or special
6 election. Each commissioner of election and poll clerk shall
7 be allowed and paid a sum, to be fixed by the county com-
8 mission, not exceeding fifty dollars for one day's services for
9 attending the school of instruction for election officials and
10 a sum not exceeding fifty dollars for his services at any one
11 election: *Provided*, That each commissioner of election and
12 poll clerk shall be paid and allowed a sum not exceeding
13 fifty dollars for his services at any of the three special elections
14 hereinafter specified and described. The commissioners of
15 election obtaining and delivering the election supplies, as
16 provided in section twenty-four of this article, and returning
17 them as provided in articles five and six of this chapter, shall
18 be allowed and paid an additional sum, likewise fixed by
19 the county commission, not exceeding fifty dollars for all
20 such services at any one election and, in addition, shall be
21 allowed and paid mileage at the rate of twenty cents per mile
22 necessarily traveled in the performance of such services. The
23 compensation of election officers, cost of printing ballots, and
24 all other expenses incurred in holding and making the return
25 of elections, other than the three special elections hereinafter
26 specified and described, shall be audited by the county com-
27 mission and paid out of the county treasury.

28 The compensation of election officers, cost of printing
29 ballots, and all other reasonable and necessary expenses in
30 holding and making the return of a special election for the
31 purpose of taking the sense of the voters on the question of

32 calling a constitutional convention, of a special election to
33 elect members of a constitutional convention, and of a special
34 election to ratify or reject the proposals, acts and ordinances
35 of a constitutional convention shall be obligations of the
36 state incurred by the ballot commissioners, clerks of the circuit
37 courts, clerks of the county commissions, and county com-
38 missions of the various counties as agents of the state, and
39 all such expenses shall be audited by the secretary of state.
40 The secretary of state shall prepare and transmit to the county
41 commissions ~~from~~^{forms} on which the county commissions shall
42 certify all such expenses of such special elections to the secre-
43 tary of state. If satisfied that such expenses as certified by
44 the county commissions are reasonable and were necessarily
45 incurred, the secretary of state shall requisition the necessary
46 warrants from the auditor of the state to be drawn on the
47 state treasurer, and shall mail such warrants directly to the
48 vendors of such special election services, supplies and facilities.

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

R. P. Baylor

Chairman Senate Committee

Gony E. Whittow

Chairman House Committee

Originating in the House.

Takes effect April 1, 1982.

Judd C. Nichols

Clerk of the Senate

VA Blankenship

Clerk of the House of Delegates

Waverly W. Stewart

President of the Senate

Walter M. Lee, Jr.

Speaker House of Delegates

The within *is approved* this the *30*

day of *March* 1982.

Alan S. Ray

Governor

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OFFICE OF THE GOVERNOR

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OFFICE
SECY. OF STATE