

110: 263

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-17-82

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1982



ENROLLED

Committee Substitute for

SENATE BILL NO. 263

(By Mr. Wise)



PASSED March 12, 1982

In Effect from Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 263
(MR. WISE, *original sponsor*)

[Passed March 12, 1982; in effect from passage.]

AN ACT to amend and reenact sections one and two, article two, chapter one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to apportionment of the Senate and the House of Delegates; providing a short title; defining the terms "county," "enumeration district," "block," "block numbering area," "census tract" and "magisterial district" for the purposes of apportioning districts; requiring that the clerk of the Senate and the House of Delegates file United States census maps in the office of the secretary of state; dividing the state into seventeen senatorial districts for the purpose of electing thirty-four members of the Senate; dividing the state into forty delegate districts for the purpose of electing one hundred delegates; requiring county commissions to alter the boundary lines of any election precinct that contains territory contained in more than one senatorial district as established hereto, or more than one delegate district as established hereto, so that no election precinct contains territory included in more than one senatorial or delegate district; and providing that members of the Senate elected in the general elections of one thousand nine hundred seventy-eight and one thousand nine hundred eighty, and that members of the House of Delegates elected in the general election of one

thousand nine hundred eighty as well as any persons appointed to fill a vacancy in the office of member of the Senate or House of Delegates, shall continue to represent their senatorial or delegate district for the term for which each was elected or appointed.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. APPORTIONMENT OF REPRESENTATION.

§1-2-1. Senatorial districts.

1 (a) This section shall be known and may be cited as
2 "The Senate Redistricting Act of 1982."

3 (b) As used in this section:

4 (1) "County" means the territory comprising a county
5 of this state as such county existed on the first day
6 of January, one thousand nine hundred eighty, notwith-
7 standing any boundary changes thereof made subsequent
8 thereto;

9 (2) "Enumeration district," "block" and "census tract"
10 mean those geographic areas as defined by the bureau of
11 the census of the United States department of commerce
12 for the taking of the one thousand nine hundred eighty
13 census of population and described on census maps pre-
14 pared by the bureau of the census. Such maps are, at the
15 time of this enactment, maintained by the bureau of the
16 census and shall be filed in the office of the secretary of
17 state by the clerk of the Senate not later than the first
18 day of July, one thousand nine hundred eighty-three;

19 (3) "Magisterial district" means the territory compris-
20 ing a magisterial district of this state as reported to and
21 used by the bureau of the census of the United States
22 department of commerce for the taking of the one thou-
23 sand nine hundred eighty census of population and
24 described on census maps prepared by the bureau of the
25 census;

26 (4) "Incumbent senator" means a senator elected at the
27 general election held in the year one thousand nine hun-

28 dred eighty, or at any general election thereafter, with an
29 unexpired term of at least two years in duration;

30 (c) The Legislature recognizes that in dividing the
31 state into senatorial districts, the Legislature is bound
32 not only by the United States Constitution but also by
33 the West Virginia Constitution; that in any instance
34 where the West Virginia Constitution conflicts with the
35 United States Constitution, the United States Constitu-
36 tion must govern and control, as recognized in section
37 one, article I of the West Virginia Constitution; that the
38 United States Constitution, as interpreted by the United
39 States supreme court and other federal courts, requires
40 state legislatures to be apportioned so as to achieve
41 equality of population as near as is practicable, population
42 disparities being permissible where justified by rational
43 state policies; and that the West Virginia Constitution
44 requires two senators to be elected from each senatorial
45 district for terms of four years each, one such senator
46 being elected every two years, with one half of the sena-
47 tors being elected biennially, and requires senatorial dis-
48 tricts to be compact, formed of contiguous territory and
49 bounded by county lines. The Legislature finds and de-
50 clares that it is not possible to divide the state into
51 senatorial districts so as to achieve equality of population
52 as near as is practicable as required by the United States
53 supreme court and other federal courts and at the same
54 time adhere to all of these provisions of the West Virginia
55 Constitution; but that, in an effort to adhere as closely
56 as possible to all of these provisions of the West Virginia
57 Constitution, the Legislature, in dividing the state into
58 senatorial districts, as described and constituted in sub-
59 section (d) hereof, has:

60 (1) Adhered to the equality of population concept,
61 while at the same time recognizing that from the forma-
62 tion of this state in the year one thousand eight hundred
63 sixty-three, each Constitution of West Virginia and the
64 statutes enacted by the Legislature have recognized politi-
65 cal subdivision lines and many functions, policies and
66 programs of government have been implemented along
67 political subdivision lines;

68 (2) Made the senatorial districts as compact as possible,
69 consistent with the equality of population concept;

70 (3) Formed the senatorial districts of "contiguous terri-
71 tory" as that term has been construed and applied by the
72 West Virginia supreme court of appeals;

73 (4) Deviated from the long-established state policy,
74 recognized in (1) above, by crossing county lines only
75 when necessary to insure that all senatorial districts were
76 formed of contiguous territory or when adherence to
77 county lines produced unacceptable population inequali-
78 ties and only to the extent necessary in order to maintain
79 contiguity of territory and to achieve acceptable equality
80 of population;

81 (5) When crossing county lines, adhered, whenever
82 possible, in furtherance of the long-established state poli-
83 cy, recognized in (1) above, to the boundary lines of
84 magisterial districts, tax districts or municipal corpo-
85 rations; and

86 (6) Also taken into account in crossing county lines, to
87 the extent feasible, the community interests of the people
88 involved.

89 (d) The Senate shall be composed of thirty-four sena-
90 tors, one senator to be elected at the general election to
91 be held in the year one thousand nine hundred eighty-
92 two and biennially thereafter for a four-year term from
93 each of the senatorial districts hereinafter in this sub-
94 section described and constituted as follows:

95 (1) The counties of Brooke and Hancock and the mag-
96 isterial districts of Liberty-Triadelphia and Triadelphia of
97 the county of Ohio, and all of magisterial district Rich-
98 land-Washington except census tract four of the county
99 of Ohio, and census tract nineteen-point-zero-one of the
100 magisterial district of Ritchie-Center-Webster of the
101 county of Ohio shall constitute the first senatorial dis-
102 trict;

103 (2) The counties of Doddridge, Marshall, Ritchie, Tyler
104 and Wetzel and that portion of the county of Ohio not
105 included in the first senatorial district shall constitute
106 the second senatorial district;

107 (3) The counties of Pleasants, Wirt and Wood and the
108 magisterial districts of Sheridan and Center of the county
109 of Calhoun, shall constitute the third senatorial district;

110 (4) The counties of Jackson, Mason, Putnam and Roane
111 and that portion of the county of Calhoun not included in
112 the third senatorial district shall constitute the fourth
113 senatorial district;

114 (5) The county of Cabell and those portions of census
115 tracts fifty-one and fifty-two of the magisterial district of
116 Westmoreland contained within the city of Huntington
117 of the county of Wayne, and that portion of census tract
118 fifty-two of the magisterial district of Westmoreland con-
119 tained within the city of Ceredo of the county of Wayne,
120 and census tract two hundred two of the magisterial
121 district of Ceredo of the county of Wayne, and those por-
122 tions of census tracts two hundred three and two
123 hundred four of the magisterial district of Ceredo
124 contained within the city of Ceredo of the county of
125 Wayne, and that portion of block nine hundred three
126 of census tract two hundred four of the magisterial
127 district of Ceredo not included in the city of Ceredo in
128 the county of Wayne shall constitute the fifth senatorial
129 district;

130 (6) The county of Mingo and that portion of the county
131 of Wayne not included in the fifth or seventh senatorial
132 districts, and that portion of the county of McDowell not
133 included in the tenth senatorial district shall constitute
134 the sixth senatorial district;

135 (7) The counties of Boone, Lincoln and Logan and the
136 magisterial district of Stonewall of the county of Wayne
137 and enumeration districts two hundred, two hundred
138 one, two hundred two, two hundred three, two hun-
139 dred eleven and two hundred twelve within the mag-
140 isterial district of Union of the county of Wayne
141 shall constitute the seventh senatorial district;

142 (8) The county of Kanawha shall constitute the eighth
143 senatorial district;

144 (9) The county of Wyoming and that portion of the
145 county of Raleigh not included in the tenth senatorial
146 district shall constitute the ninth senatorial district;

147 (10) The counties of Mercer, Monroe and Summers
148 and the magisterial districts of Elkhorn and Northfork
149 of the county of McDowell and enumeration districts
150 six hundred twenty-eight and six hundred twenty-
151 nine of the third magisterial district of the county
152 of Raleigh shall constitute the tenth senatorial district;

153 (11) The counties of Clay, Fayette and Greenbrier and
154 the magisterial districts of Jefferson and Grant of the
155 county of Nicholas shall constitute the eleventh senatorial
156 district;

157 (12) The counties of Braxton, Pendleton, Pocahontas,
158 Randolph, Upshur and Webster and that portion of the
159 county of Nicholas not included in the eleventh senatorial
160 district shall constitute the twelfth senatorial dis-
161 trict;

162 (13) The counties of Gilmer, Harrison and Lewis and
163 census tract two hundred twelve and that portion of
164 census tract two hundred eleven not contained with-
165 in the city of Fairmont of the magisterial district of Grant
166 of the county of Marion and those portions of census tract
167 two hundred thirteen contained within the towns of
168 Monongah and Worthington in the magisterial district of
169 Lincoln of the county of Marion shall constitute the
170 thirteenth senatorial district;

171 (14) That portion of the county of Marion not included
172 in the thirteenth senatorial district and that portion of
173 the county of Monongalia not included in the fifteenth
174 senatorial district shall constitute the fourteenth sena-
175 torial district;

176 (15) The counties of Barbour, Grant, Preston, Taylor
177 and Tucker and that portion of the county of Mineral not
178 included in the sixteenth senatorial district and census
179 tracts one hundred eighteen and one hundred nineteen and
180 enumeration districts one thousand twenty-four, one thou-
181 sand twenty-six, one thousand twenty-eight and one-thou-
182 sand twenty-nine all of the eastern magisterial district of
183 the county of Monongalia and census tract one hundred
184 thirteen of the western magisterial district of the county of
185 Monongalia shall constitute the fifteenth senatorial district;

186 (16) The counties of Berkeley, Hampshire, Hardy,

187 Jefferson and Morgan and the magisterial districts of
188 Cabin Run and Welton of the county of Mineral and
189 enumeration districts six hundred fifty and six hun-
190 dred fifty-two of the magisterial district of Frankfort
191 of the county of Mineral shall constitute the sixteenth
192 senatorial district; and

193 (17) The county of Kanawha shall constitute the sev-
194 enteenth senatorial district.

195 (e) The West Virginia Constitution further provides,
196 in section four, article VI thereof, that where a senatorial
197 district is composed of more than one county, both sena-
198 tors for such district shall not be chosen from the same
199 county, a residency dispersal provision which is clear with
200 respect to senatorial districts which follow county lines,
201 as required by such Constitution, but which is not clear
202 in application with respect to senatorial districts which
203 cross county lines. However, in an effort to adhere as
204 closely as possible to the West Virginia Constitution in
205 this regard, the following additional provisions, in fur-
206 therance of the rationale of such residency dispersal pro-
207 vision and to give meaning and effect thereto, are hereby
208 established:

209 (1) With respect to a senatorial district which is com-
210 posed of one or more whole counties and one or more
211 parts of another county or counties, no more than one
212 senator shall be chosen from the same county or part of a
213 county to represent such senatorial district;

214 (2) With respect to a senatorial district which does not
215 contain any whole county but only parts of two or more
216 counties, no more than one senator shall be chosen from
217 the same part to represent such senatorial district; and

218 (3) With respect to superimposed senatorial districts
219 which contain only one whole county, all senators shall
220 be chosen from such county to represent such senatorial
221 districts.

222 (f) Candidates for the Senate shall be nominated as
223 provided in section four, article five, chapter three of this
224 code, except that such candidates shall be nominated in
225 accordance with the residency dispersal provisions speci-
226 fied in section four, article VI of the West Virginia Con-

227 stitution and the additional residency dispersal provisions
228 specified in subsection (e) hereof. Candidates for the
229 Senate shall also be elected in accordance with the resi-
230 dency dispersal provisions specified in said section four,
231 article VI of the West Virginia Constitution and the
232 additional residency dispersal provisions specified in sub-
233 section (e) hereof. In furtherance of the foregoing pro-
234 visions of this subsection (f), no person may file a certifi-
235 cate of candidacy for election from a senatorial district
236 described and constituted in subsection (d) hereof if he
237 resides in the same county and the same such senatorial
238 district wherein also resides an incumbent senator,
239 whether the senatorial district wherein such in-
240 cumbent senator resides was described and consti-
241 tuted by chapter sixty-six, acts of the Legislature,
242 one thousand nine hundred seventy-six or was
243 described and constituted in subsection (d) hereof. Any
244 vacancy in a nomination shall be filled, any appointment
245 to fill a vacancy in the Senate shall be made, and any
246 candidates in an election to fill a vacancy in the Senate
247 shall be chosen, so as to be consistent with the residency
248 dispersal provisions specified in section four, article VI of
249 the West Virginia Constitution and the additional resi-
250 dency dispersal provisions specified in subsection (e)
251 hereof.

252 (g) Regardless of the changes in senatorial district
253 boundaries made by the provisions of subsection (d)
254 hereof, all senators elected at the general election held in
255 the year one thousand nine hundred seventy-eight and at
256 the general election held in the year one thousand nine
257 hundred eighty shall continue to hold their seats as mem-
258 bers of the Senate for the term, and as representatives
259 of the senatorial district, for which each thereof, respec-
260 tively, was elected. Any appointment made or election
261 held to fill a vacancy in the Senate shall be for the re-
262 mainder of the term, and as a representative of the sena-
263 torial district, for which the vacating senator was elected
264 or appointed, and any such election shall be held in the
265 district as the same was described and constituted at the
266 time the vacating senator was elected or appointed.

267 (h) Notwithstanding the provisions of sections five and
 268 seven, article one, chapter three of this code, if an election
 269 precinct of this state contains territory included within
 270 more than one senatorial district (other than a superim-
 271 posed senatorial district), as such senatorial districts are
 272 described and constituted by subsection (d) hereof, it
 273 shall be the duty of the county commission of the county
 274 in which such precinct is located to alter the boundary
 275 lines of the county's election precincts prior to the twen-
 276 tieth day of April, one thousand nine hundred eighty-two,
 277 so that no election precinct contains territory which is
 278 included within more than one such senatorial district.

279 (i) The secretary of state may promulgate rules and
 280 regulations to implement the provisions of this section,
 281 including emergency rules and regulations promulgated
 282 pursuant to the provisions of section five, article three,
 283 chapter twenty-nine-a of this code.

§1-2-2. Apportionment of membership of House of Delegates.

1 (a) This section shall be known and may be cited as "The
 2 House of Delegates Apportionment Act of 1982."

3 (b) As used in this section:

4 (1) "County" means the territory comprising a county of
 5 this state as it existed on the first day of January, one
 6 thousand nine hundred eighty, notwithstanding any
 7 boundary changes made subsequent thereto;

8 (2) "Enumeration district," "block," "block numbering
 9 area" and "census tract" mean those geographic areas as
 10 defined by the bureau of the census of the United States
 11 department of commerce for the taking of the one thousand
 12 nine hundred eighty census of population and described on
 13 census maps prepared by the bureau of the census. Such
 14 maps are, at the time of this enactment, maintained by the
 15 bureau of the census and shall be filed in the office of the
 16 secretary of state by the clerk of the House of Delegates not
 17 later than the first day of July, one thousand nine hundred
 18 eighty-three;

19 (3) "Magisterial district" means the territory comprising a
 20 magisterial district of this state as it existed on the first day of
 21 January, one thousand nine hundred eighty, as defined in the
 22 official records of the county commissions of the several

23 counties, notwithstanding any boundary changes made
24 subsequent thereto.

25 (c) If an election precinct in this state, as it exists at the
26 time of passage of this section, includes territory contained in
27 more than one delegate district, as such delegate districts are
28 established by subsection (d) of this section, it shall be the
29 duty of the county commission of the county in which such
30 precinct is located, prior to the first day of April, one
31 thousand nine hundred eighty-two, to alter the boundary
32 lines of its election precincts so that no precinct contains
33 territory included in more than one delegate district.

34 (d) The House of Delegates shall be composed of one
35 hundred members elected from the delegate districts
36 hereinafter described:

37 (1) The county of Hancock (except for census tract two
38 hundred one within the Clay magisterial district) shall
39 constitute the first delegate district and shall elect two
40 delegates;

41 (2) The county of Brooke, census tract two hundred one
42 within the Clay magisterial district of the county of Hancock
43 and all of the Richland-Washington magisterial district of the
44 county of Ohio except for the portion contained within the
45 city of Wheeling shall constitute the second delegate district
46 and shall elect two delegates;

47 (3) That portion of the county of Ohio not contained
48 within the second delegate district and enumeration district
49 two hundred fifty of magisterial district one of the county of
50 Marshall shall constitute the third delegate district and shall
51 elect three delegates;

52 (4) The county of Marshall (except for enumeration
53 district two hundred fifty of magisterial district one) shall
54 constitute the fourth delegate district and shall elect two
55 delegates;

56 (5) The county of Wetzel (except for enumeration district
57 three hundred ninety-one of the Magnolia magisterial district)
58 shall constitute the fifth delegate district and shall elect one
59 delegate;

60 (6) The counties of Doddridge and Tyler, and enumeration
61 district three hundred ninety-one of the Magnolia magisterial
62 district of the county of Wetzel shall constitute the sixth
63 delegate district and shall elect one delegate;

64 (7) The counties of Pleasants and Ritchie shall constitute
65 the seventh delegate district and shall elect one delegate;

66 (8) The county of Wood and the county of Wirt shall
67 constitute the eighth delegate district and shall elect five
68 delegates;

69 (9) The counties of Braxton, Calhoun and Gilmer and the
70 county of Clay (except for the Union magisterial district and
71 enumeration district one hundred four of the Henry
72 magisterial district) shall constitute the ninth delegate district
73 and shall elect two delegates: *Provided*, That not more than
74 one delegate may be nominated, elected or appointed who is a
75 resident of any single county within the ninth delegate
76 district;

77 (10) The counties of Roane and that portion of the county
78 of Clay not contained within the ninth delegate district shall
79 constitute the tenth delegate district and shall elect one
80 delegate;

81 (11) The Washington, Grant and Ripley magisterial
82 districts of the county of Jackson, enumeration districts four
83 hundred twenty-six and four hundred twenty-eight of the
84 Ravenswood magisterial district of the county of Jackson,
85 block numbers one hundred one, one hundred two, one
86 hundred three and one hundred four of block numbering area
87 nine thousand nine hundred one within the Ravenswood
88 magisterial district of the county of Jackson, and the Union
89 magisterial district of the county of Mason shall constitute the
90 eleventh delegate district and shall elect one delegate;

91 (12) The county of Putnam, the Carroll magisterial district
92 of the county of Lincoln and those portions of the counties of
93 Jackson and Mason not contained within the eleventh
94 delegate district shall constitute the twelfth delegate district
95 and shall elect four delegates: *Provided*, That not less than
96 one delegate may be nominated, elected or appointed who is a
97 resident of each of those portions of the counties of Mason
98 and Putnam within the twelfth delegate district;

99 (13) The county of Cabell and all of the Westmoreland
100 magisterial district of the county of Wayne except for census
101 tracts two hundred one and two hundred four shall constitute
102 the thirteenth delegate district and shall elect six delegates;

103 (14) The county of Wayne (except for the portions of the
104 Westmoreland magisterial district not contained within
105 census tracts two hundred one and two hundred four) shall
106 constitute the fourteenth delegate district and shall elect two
107 delegates;

108 (15) The county of Mingo shall constitute the fifteenth
109 delegate district and shall elect two delegates;

110 (16) The county of Logan, the county of Lincoln (except
111 for the Carroll magisterial district), the Washington
112 magisterial district of the county of Boone and all of the Scott
113 magisterial district of the county of Boone except for the
114 portion contained within the city of Madison shall constitute
115 the sixteenth delegate district and shall elect four delegates:
116 *Provided*, That not more than three delegates may be
117 nominated, elected or appointed who are residents of any
118 single county within the sixteenth delegate district;

119 (17) That portion of the county of Boone not contained
120 within the sixteenth delegate district shall constitute the
121 seventeenth delegate district and shall elect one delegate;

122 (18) The county of McDowell (except for enumeration
123 districts five hundred eighty-five, five hundred eighty-eight
124 and five hundred eighty-nine of the Browns Creek
125 magisterial district and enumeration districts five hundred
126 ninety, five hundred ninety-three and five hundred
127 ninety-four of the Sandy River magisterial district) shall
128 constitute the eighteenth delegate district and shall elect two
129 delegates;

130 (19) That portion of the county of McDowell not contained
131 within the eighteenth delegate district and the county of
132 Wyoming (except for the Barkers Ridge magisterial district)
133 shall constitute the nineteenth delegate district and shall
134 elect two delegates;

135 (20) The county of Mercer and that portion of the county of
136 Wyoming not contained within the nineteenth delegate
137 district shall constitute the twentieth delegate district and
138 shall elect four delegates;

139 (21) The county of Monroe, enumeration district two of the
140 New River magisterial district of the county of Summers and
141 enumeration districts nine, ten, eleven and twelve of the
142 Greenbrier River magisterial district of the county of
143 Summers shall constitute the twenty-first delegate district
144 and shall elect one delegate;

145 (22) The county of Raleigh and that portion of the county
146 of Summers not contained within the twenty-first delegate
147 district shall constitute the twenty-second delegate district
148 and shall elect five delegates: *Provided*, That not more than
149 four delegates may be nominated, elected or appointed who

150 are residents of any county within the twenty-second
151 delegate district;

152 (23) The county of Kanawha shall constitute the
153 twenty-third delegate district and shall elect twelve
154 delegates;

155 (24) The county of Fayette shall constitute the
156 twenty-fourth delegate district and shall elect three delegates;

157 (25) The county of Greenbrier shall constitute the
158 twenty-fifth delegate district and shall elect two delegates;

159 (26) The counties of Nicholas and Webster shall constitute
160 the twenty-sixth delegate district and shall elect two
161 delegates: *Provided*, That not less than one delegate may be
162 nominated, elected or appointed who is a resident of any
163 single county within the twenty-sixth delegate district;

164 (27) The counties of Pocahontas and Randolph shall
165 constitute the twenty-seventh delegate district and shall elect
166 two delegates;

167 (28) The county of Barbour and the county of Upshur shall
168 constitute the twenty-eighth delegate district and shall elect
169 two delegates: *Provided*, That not less than one delegate may
170 be nominated, elected or appointed who is a resident of any
171 single county within the twenty-eighth delegate district;

172 (29) The county of Lewis shall constitute the twenty-ninth
173 delegate district and shall elect one delegate;

174 (30) The county of Harrison shall constitute the thirtieth
175 delegate district and shall elect four delegates;

176 (31) The counties of Marion and Taylor shall constitute the
177 thirty-first delegate district and shall elect four delegates:
178 *Provided*, That not less than one delegate may be nominated,
179 elected or appointed who is a resident of any single county
180 within the thirty-first delegate district;

181 (32) The county of Monongalia shall constitute the
182 thirty-second delegate district and shall elect four delegates;

183 (33) The counties of Preston and Tucker shall constitute
184 the thirty-third delegate district and shall elect two delegates;

185 (34) The counties of Grant and Mineral shall constitute the
186 thirty-fourth delegate district and shall elect two delegates:
187 *Provided*, That not less than one delegate may be nominated,
188 elected or appointed who is a resident of any single county
189 within the thirty-fourth delegate district;

190 (35) The counties of Pendleton and Hardy and the Mill
191 Creek magisterial district of the county of Hampshire shall

192 constitute the thirty-fifth delegate district and shall elect one
193 delegate;

194 (36) The county of Hampshire (except for the Mill Creek
195 magisterial district), the Cacapon, Rock Gap and Timber
196 Ridge magisterial districts of the county of Morgan and
197 enumeration districts eighty and eighty-one of the Bath
198 magisterial district of the county of Morgan shall constitute
199 the thirty-sixth delegate district and shall elect one delegate;

200 (37) That portion of the county of Morgan not contained
201 within the thirty-sixth/district, ~~the~~ Martinsburg magisterial
202 district of the county of Berkeley, the Hedgesville magisterial
203 district of the county of Berkeley (except for enumeration
204 districts five hundred eighty-three and five hundred
205 eighty-two-t) and block numbers two hundred three, two
206 hundred four, two hundred five, two hundred six, two
207 hundred seven, two hundred eight, two hundred nine, two
208 hundred ten, two hundred eleven, two hundred twelve, two
209 hundred eighteen and two hundred nineteen of block
210 numbering area nine thousand nine hundred three within the
211 Arden magisterial district of the county of Berkeley shall
212 constitute the thirty-seventh delegate district and shall elect
213 one delegate;

214 (38) That portion of the county of Berkeley not contained
215 within the thirty-seventh delegate district (except for the
216 Falling Waters and Opequon magisterial districts) shall
217 constitute the thirty-eighth delegate district and shall elect
218 one delegate;

219 (39) The Opequon and Falling Waters magisterial districts
220 of the county of Berkeley and the Shepherdstown and
221 Middleway magisterial districts of the county of Jefferson
222 shall constitute the thirty-ninth delegate district and shall
223 elect one delegate; and

224 (40) The Charles Town, Kabletown and Harpers Ferry
225 magisterial districts of the county of Jefferson shall
226 constitute the fortieth delegate district and shall elect one
227 delegate.

228 (e) Regardless of the changes in delegate district
229 boundaries made by the provisions of subsection (d) of this
230 section, the delegates elected at the general election held in
231 the year one thousand nine hundred eighty shall continue to
232 hold their offices as members of the House of Delegates for
233 the term, and as representatives of the county or delegate

See
delegate

See

234 district, for which each thereof, respectively, was elected.
235 Any appointment made prior to the first day of December,
236 one thousand nine hundred eighty-two, to fill a vacancy in the
237 office of a member of the House of Delegates shall be made
238 for the remainder of the term, and as representative of the
239 county or delegate district, for which the vacating delegate
240 was elected or appointed.

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

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate.

To take effect from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within *is approved* this the *17*

day of *March*, 1982.

[Signature]
Governor

RECEIVED

MAR 13 3 29 PM '82

OFFICE OF THE GOVERNOR

RECEIVED

82 MAR 17 P 4: 31

OFFICE
SECY. OF STATE