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SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1985



ENROLLED

HOUSE BILL No. 1994

(By Mr. Del. Shepherd & Del. Hamilton)



Passed April 13, 1985

In Effect 90 Days From Passage



ENROLLED
H. B. 1994

(By DELEGATE SHEPHERD and DELEGATE HAMILTON)

[Passed April 13, 1985; in effect ninety days from passage.]

AN ACT to amend and reenact section nine, article one, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to political party executive committees generally; clarifying the statute which provides for the election of a senatorial or delegate district committee in only those senatorial or delegate districts which are multi-county districts; and providing for the election of two men and two women from each magisterial district to a party's executive committee in counties having three or less magisterial districts.

Be it enacted by the Legislature of West Virginia:

That section nine, 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.

§3-1-9. Political party committees; how composed; organization.

1 At the June primary election in the year one thousand nine
2 hundred eighty-six, and in every fourth year thereafter, the
3 voters of each political party in each senatorial district shall
4 elect two male and two female members of the state executive
5 committee of the party. In senatorial districts containing two
6 or more counties, not more than two such elected committee
7 members shall be residents of the same county. The committee,
8 when convened and organized as herein provided, shall
9 appoint three additional members of the committee from the

10 state at large.

11 At such primary election, the voters of each political party
12 in each county shall elect one male and one female member
13 of the party's executive committee of the congressional district,
14 of the senatorial district and of the delegate district in which
15 such county is situated, if such county be situated in a multi-
16 county senatorial or delegate district. At the same time such
17 voters in each magisterial district or executive committee
18 district, as the case may be, of the county shall elect one male
19 and one female member of the party's county executive
20 committee, except that in counties having three or less
21 magisterial districts or executive committee districts there shall
22 be elected two male and two female members of the party's
23 executive committee from each magisterial district or executive
24 committee district.

25 For the purpose of complying with the provisions of this
26 section the county commission shall create such executive
27 committee districts as they shall determine, which such districts
28 shall not be fewer than the number of magisterial districts in
29 such counties nor shall they exceed in number the following:
30 Forty for counties having a population of one hundred
31 thousand persons or more; thirty for counties having a
32 population of fifty thousand to one hundred thousand; twenty
33 for counties having a population of twenty thousand to fifty
34 thousand; and such districts in counties having a population
35 of less than twenty thousand persons shall be coextensive with
36 the magisterial districts.

37 The executive committee districts shall be as nearly equal
38 in population as practicable, and shall each be composed of
39 compact, contiguous territory. The county commissions shall
40 constitute the executive committee district to be effective for
41 the term of office of executive committee members elected at
42 the one thousand nine hundred eighty-six primary election and
43 thereafter. Executive committees as presently composed shall
44 continue until after their successors are elected and qualified
45 following the primary election of one thousand nine hundred
46 eighty-six. The county commissions shall change the territorial
47 boundaries of such districts as necessary, only if there is an
48 increase or decrease in the population of such districts as
49 determined by a decennial census and such changes must be
50 made within two years following such census.

51 All members of executive committees, selected for each
52 political division as herein provided, shall reside within the
53 county or district from which chosen. The term of office of
54 all members of executive committees elected at the primary
55 election in the year one thousand nine hundred eighty-six, shall
56 begin on the first day of July, following said primary, and shall
57 continue for four years thereafter and until their successors are
58 elected and qualified. Vacancies in the state executive
59 committee shall be filled by the members of the committee for
60 the unexpired term. Vacancies in the party's executive
61 committee of a congressional district, senatorial district,
62 delegate district or county shall be filled by the party's
63 executive committee of the county in which such vacancy
64 exists, and shall be for the unexpired term.

65 As soon as possible after the first day of July, following the
66 election of the new executive committees, as herein provided,
67 they shall convene within their respective political divisions,
68 on the call of the chairman of corresponding outgoing
69 executive committees, or by any member of the new executive
70 committee in the event there is no corresponding outgoing
71 executive committee, and proceed to select a chairman, a
72 treasurer and a secretary, and such other officers as they may
73 desire, each of which officers shall for their respective
74 committees perform the duties that usually appertain to such
75 offices.

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

Harold E. Jones
Chairman Senate Committee

Floyd Fulber
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Todd C. Vails
Clerk of the Senate

Donald L. Glogg
Clerk of the House of Delegates

Dan Tomlin
President of the Senate

Joseph P. Allright
Speaker of the House of Delegates

The within *approved* this the *2nd*
May day of _____, 1985.

Aruba Prance Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 4/30/85

Time 6:47 p.m.