WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 1992

E N R O L L E D

HOUSE BILL No. 4043

(By Delegate Mr. Speaker, Mr. Chambers, and)
Delegate Damon

Passed ........................................ January 10, 1992

In Effect ...................................... Passage
AN ACT to amend and reenact section two, article two, chapter one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to apportionment of membership of the House of Delegates; making technical corrections to delegate districts to reflect the intent of the Legislature in its original reenactment of this section in one thousand nine hundred ninety-one.

Be it enacted by the Legislature of West Virginia:

That section 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.


(a) This section shall be known and may be cited as “The House of Delegates Apportionment Act of 1991.”

(b) As used in this section:

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

(2) “Block,” “block group,” “census tract,” “place” and “voting district” mean those geographic areas as defined
by the bureau of the census of the United States
department of commerce for the taking of the one
thousand nine hundred ninety census of population and
described on census maps prepared by the bureau of the
census. Such maps are, at the time of this enactment,
maintained by the bureau of the census and filed in the
office of legislative services;

(3) “Magisterial district” means the territory compris-
ing a magisterial district of this state as reported to and
used by the bureau of the census of the United States
department of commerce for the taking of the one
thousand nine hundred ninety census of population and
described on census maps prepared by the bureau of the
census;

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

(1) The county of Hancock and Block 101, Block 102,
Block 103, Block 104, Block 105, Block 106, Block 107,
Block 108, Block 110, Block 111, Block 125, Block 126,
Block 131 and Block 132 of Block Group 1 in Census
Tract 0301 contained in voting district EP 26, Block
101, Block 102, Block 103, Block 104, Block 105, Block
106, Block 107, Block 108, Block 111, Block 114 and
Block 115 of Block Group 1 in Census Tract 0302
contained in voting district EP 26, Block 202, Block 203,
Block 204, Block 205 and Block 206 of Block Group 2
in Census Tract 0302 contained in voting district EP 26,
and Block 109, Block 112, Block 113, Block 114, Block
115, Block 119, Block 120, Block 121, Block 122 and
Block 130 of Block Group 1 in Census Tract 0301
contained in voting district EP 34B of the Weirton
magisterial district in the county of Brooke shall
constitute the first delegate district and shall elect two
delegates;

(2) That portion of Brooke county not included in the
first delegate district, voting district EP 12, voting
district EP 13, voting district EP 142, voting district EP
146, voting district EP 147, voting district EP 158,
voting district EP 159, voting district EP 160, voting
district EP 161, and Block 101A, Block 101B, Block
(3) That portion of Ohio county not included in the second delegate district, except Block 206, Block 216, Block 217, Block 218, Block 220, Block 221, Block 222 and Block 299 of Block Group 2 in Census Tract 0025 contained in voting district EP 100 of magisterial District Three of Ohio county shall constitute the third delegate district and shall elect two delegates;

(4) The county of Marshall and Block 206, Block 216, Block 217, Block 218, Block 220, Block 221, Block 222 and Block 299 of Block Group 2 in Census Tract 0025 contained in voting district EP 100 of magisterial District Three of Ohio county shall constitute the fourth delegate district and shall elect two delegates;

(5) The county of Wetzel except for voting district EP 37 and voting district EP 38 of magisterial District Two
shall constitute the fifth delegate district and shall elect one delegate;

(6) The counties of Doddridge and Tyler and voting district EP 37 and voting district EP 38 of magisterial District Two of Wetzel county shall constitute the sixth delegate district and shall elect one delegate;

(7) The counties of Pleasants and Ritchie and voting district EP 27 and voting district EP 31 of the DeKalb-Troy magisterial district of Gilmer county shall constitute the seventh delegate district and shall elect one delegate;


(10) That portion of Wood county not included in the eighth or ninth delegate district shall constitute the
tenth delegate district and shall elect three delegates;

(11) The county of Roane and voting district EP 23 of the Ripley magisterial district and all of the Washington magisterial district of Jackson county shall constitute the eleventh delegate district and shall elect one delegate;


(13) All of the Union magisterial district and voting district EP 13 and voting district EP 14 of the Ravenswood magisterial district of Jackson county, and all of the Cologne magisterial district, all of the Copper magisterial district, all of the Graham magisterial district, all of the Union magisterial district, all of the Waggener magisterial district and voting district EP 1, voting district EP 10 and voting district EP 12 of the Robinson magisterial district of Mason county, and all of the Buffalo-Union magisterial district, all of the Pocatalico magisterial district, and voting district EP 27, voting district EP 28 of the Scott magisterial district and that portion of voting district EP 28 in the Teays magisterial district of Putnam county shall constitute the thirteenth delegate district and shall elect two delegates;

(14) That portion of Mason county not in the thirteenth delegate district and that portion of Putnam county not in the thirteenth delegate district shall constitute the fourteenth delegate district and shall elect two delegates;

(15) That portion of voting district EP 29, voting district EP 46, that portion of voting district EP 47 and
voting district EP 48 of the District One magisterial
district, voting district EP 13, that portion of voting
district EP 19, voting district EP 26, voting district EP
27, voting district EP 28, that portion of voting district
EP 29, voting district EP 30, voting district EP 31,
voting district EP 32, voting district EP 33, voting
district EP 34, voting district EP 38, voting district EP
39, that portion of voting district EP 40, that portion of
voting district EP 42, voting district EP 43 and voting
district EP 45 of the District Two magisterial district,
voting district EP 14, voting district EP 15, voting
district EP 16, voting district EP 17, voting district EP
18, that portion of voting district EP 19, voting district
EP 20, voting district EP 21, voting district EP 22,
voting district EP 23, that portion of voting district EP
24, that portion of voting district EP 40, voting district
EP 41 and that portion of voting district EP 42 of the
District Three magisterial district, that portion of
voting district EP 24, that portion of voting district EP
47, that portion of Census Tract 0103, Block 199F of
Block Group 1 in Census Tract 0104, Block 405A, Block
410, Block 411, Block 412, Block 414C, Block 417, Block
499B, Block 499H and Block 499K of Block Group 4 in
Census Tract 0104, and Block 502A, Block 502B and
Block 503A of Block Group 5 in Census Tract 0104 of
the District Four magisterial district, and that portion
of Census Tract 0103, that portion of Census Tract 0104,
Block 401 and Block 402 of Block Group 4 in Census
Tract 0105, Block Group 1, Block Group 2, Block Group
3, Block 401 and Block 411 of Block Group 4, and Block
501, Block 511, Block 512, Block 513, Block 514, Block
522, Block 523, Block 531 and Block 532 of Block Group
5 in Census Tract 0106, Block 116, Block 117, Block 118,
Block 119, Block 120, Block 121, Block 132, Block 133A
and Block 133B of Block Group 1, Block Group 2, Block
Group 3, Block Group 4 and Block Group 5 in Census
Tract 0107, and Census Tract 0108 of the District Five
magisterial district of Cabell county and all of the
Carroll magisterial district of Lincoln county shall
constitute the fifteenth delegate district and shall elect
three delegates;
(16) That portion of Cabell county not included in the
fifteenth delegate district and voting district EP 59,
voting district EP 60, voting district EP 61 and voting
district EP 63 of the Westmoreland magisterial district
and that portion of voting district EP 59 in the Ceredo
magisterial district of Wayne county shall constitute the
sixteenth delegate district and shall elect three
delegates;

(17) All of the Union magisterial district except voting
district EP 54 of Wayne county, and voting district EP
26, voting district EP 30, voting district EP 36, voting
district EP 37, voting district EP 41, voting district EP
42 and voting district EP 45 of the Stonewall magister-
ial district of Wayne county, and voting district EP 56,
voting district EP 57, voting district EP 58, voting
district EP 62, that portion of voting district EP 14, and
that portion of voting district EP 19 of the Westmore-
land magisterial district of Wayne county, and voting
district EP 22 of the Butler magisterial district of
Wayne county shall constitute the seventeenth delegate
district and shall elect one delegate;

(18) That portion of Wayne county not in the sixteenth
or seventeenth delegate district shall constitute the
eighteenth delegate district and shall elect one delegate;

(19) The county of Mingo and voting district EP 43
of the West magisterial district of Logan county shall
constitute the nineteenth delegate district and shall elect
two delegates;

(20) All of the county of Logan except voting district
EP 43 of the West magisterial district and all of the
county of Lincoln except the Carroll magisterial district
and voting district EP 1, that portion of voting district
EP 2, voting district EP 3, voting district EP 7, voting
17 and voting district EP 18 of the District Three
magisterial district and that portion of voting district
EP 2, voting district EP 5 and voting district EP 9 of
the District Two magisterial district of Boone county
shall constitute the twentieth delegate district and shall
elect four delegates: Provided, That not more than three
delegates may be nominated, elected or appointed who
are residents of any single county within the twentieth
delegate district;
(21) That portion of Boone county not included in the twentieth delegate district shall constitute the twenty-first delegate district and shall elect one delegate;

(22) The county of McDowell shall constitute the twenty-second delegate district and shall elect two delegates;


(25) That portion of Mercer county not included in the twenty-third or twenty-fourth delegate district shall constitute the twenty-fifth delegate district and shall elect two delegates;


(27) The county of Raleigh except Block 101, Block 102, Block 103, Block 104, Block 106, Block 107, Block 108, Block 109, Block 137, Block 138, Block 142 and Block 143 of Block Group 1 in Census Tract 0112 contained in voting district EP 61, and Block 301, Block 302, Block 303, Block 305, Block 330, Block 331, Block
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300 332, Block 333, Block 334, Block 347, Block 348, Block 353 and Block 354 of Block Group 3 in Census Tract 0112 contained in voting district EP 61 in the District Two magisterial district and that portion of Summers county not included in the twenty-sixth delegate district shall constitute the twenty-seventh delegate district and shall elect five delegates: Provided, That not more than four delegates may be nominated, elected or appointed who are residents of any county within the twenty-seventh delegate district;

310 (28) The county of Greenbrier except voting district EP 54 in the Meadow Bluff magisterial district shall constitute the twenty-eighth delegate district and shall elect two delegates;

314 (29) All of the county of Fayette, voting district EP 54 in the Meadow Bluff magisterial district of Greenbrier county, voting district EP 131 and voting district EP 132 in the District One magisterial district of Kanawha county, voting district EP 25 in the Jefferson magisterial district of Nicholas county, and Block 101, Block 102, Block 103, Block 104, Block 106, Block 107, Block 108, Block 109, Block 137, Block 138, Block 142 and Block 143 of Block Group 1 in Census Tract 0112 contained in voting district EP 61 and Block 301, Block 302, Block 303, Block 305, Block 330, Block 331, Block 332, Block 333, Block 334, Block 347, Block 348, Block 353 and Block 354 of Block Group 3 in Census Tract 0112 contained in voting district EP 61 in the District Two magisterial district of Raleigh county shall constitute the twenty-ninth delegate district and shall elect three delegates;

shall elect seven delegates;

(31) That portion of magisterial District Five of Kanawha county not included in the thirtieth delegate district shall constitute the thirty-first delegate district and shall elect one delegate;

(32) That portion of Kanawha county not included in the twenty-ninth, thirtieth or thirty-first delegate district shall constitute the thirty-second delegate district and shall elect four delegates;

(33) The counties of Calhoun and Clay and voting district EP 12 and voting district EP 13 of the DeKalb-Troy magisterial district of Gilmer county shall constitute the thirty-third delegate district and shall elect one delegate;

(34) The county of Braxton and the Center magisterial district, the City magisterial district and the Glenville magisterial district of Gilmer county shall constitute the thirty-fourth delegate district and shall elect one delegate;

(35) The Grant magisterial district, the Hamilton magisterial district, the Summersville magisterial district, the Wilderness magisterial district, voting district EP 16 of the Beaver magisterial district, voting district EP 24, voting district EP 26 and voting district EP 27 of the Jefferson magisterial district, and voting district EP 28, voting district EP 29 and voting district EP 30 of the Kentucky magisterial district of Nicholas county shall constitute the thirty-fifth delegate district and shall elect one delegate;

(36) The county of Webster and that portion of Nicholas county not included in the twenty-ninth or thirty-fifth delegate district shall constitute the thirty-sixth delegate district and shall elect one delegate;

(37) The counties of Pocahontas and Randolph shall constitute the thirty-seventh delegate district and shall elect two delegates;

(38) The county of Lewis and voting district EP 4 and voting district EP 7 of the Banks magisterial district of Upshur county shall constitute the thirty-eighth delegate district and shall elect one delegate;
(39) The Buckhannon magisterial district, the Meade magisterial district, the Washington magisterial district, voting district VTD 10, voting district EP 35, that portion of voting district EP 14 and that portion of voting district EP 15 of the Union magisterial district and voting district EP 6 of the Banks magisterial district of Upshur county shall constitute the thirty-ninth delegate district and shall elect one delegate;

(40) The county of Barbour and that portion of Upshur county not included in the thirty-eighth or thirty-ninth delegate district shall constitute the fortieth delegate district and shall elect one delegate;

(41) The county of Harrison shall constitute the forty-first delegate district and shall elect four delegates;

(42) The county of Taylor, voting district EP 125 of the Palatine magisterial district of Marion county, and voting district EP 62 of the Eastern magisterial district of Monongalia county shall constitute the forty-second delegate district and shall elect one delegate;

(43) That portion of Marion county not included in the forty-second delegate district shall constitute the forty-third delegate district and shall elect three delegates;

(44) That portion of Monongalia county not included in the forty-second delegate district shall constitute the forty-fourth delegate district and shall elect four delegates;

(45) All of the Grant magisterial district, all of the Kingwood magisterial district, all of the Pleasant magisterial district, voting district EP 25 of the Reno magisterial district, that portion of voting district EP 6, voting district EP 17, voting district EP 18 and voting district EP 19 of the Portland magisterial district and voting district EP 9, voting district EP 12, that portion of Block Group 1 in Census Tract 9639 contained in voting district EP 10, that portion of Block Group 4 in Census Tract 9639 contained in voting district EP 10, and Block 301, Block 302, Block 303, Block 304, Block 305B, Block 312B, Block 313, Block 314, Block 319, Block 320, Block 321, Block 322, Block 323, Block 324, Block 326, Block 337, Block 338 and Block 399 of Block Group 3 in Census Tract 9639 contained in voting
district EP 10, and Block 331, Block 332, Block 333, Block 334, Block 335, Block 336, Block 337, Block 338B, Block 340B, Block 349, Block 350, Block 351, Block 352, Block 353, Block 354, Block 355, Block 356, Block 357, Block 358, Block 359, Block 360, Block 361, Block 362, Block 363, Block 364, Block 365, Block 366, Block 367, Block 368 and Block 399C of Block Group 3 in Census Tract 9643 contained in voting district EP 11 of the Valley magisterial district of Preston county shall constitute the forty-fifth delegate district and shall elect one delegate;

(46) The county of Tucker and that portion of Preston county not included in the forty-fifth delegate district shall constitute the forty-sixth delegate district and shall elect one delegate;

(47) The county of Hardy and all of the county of Pendleton except voting district EP 13 of the Union magisterial district shall constitute the forty-seventh delegate district and shall elect one delegate;


(50) The county of Hampshire and that portion of Mineral county not included in the forty-eighth or forty-ninth delegate district shall constitute the fiftieth delegate district and shall elect one delegate;
(51) The county of Morgan and voting district EP 40, voting district EP 41 and voting district EP 42 of the Hedgesville magisterial district of Berkeley county shall constitute the fifty-first delegate district and shall elect one delegate;


(53) All of the Gerrardstown magisterial district, all of the Mill Creek magisterial district and voting district EP 29, voting district EP 31, voting district EP 34, voting district EP 35 and Block 119, Block 127, Block 128, Block 130, Block 134, Block 135, Block 136, Block 137, Block 138, Block 139, Block 140, Block 141, Block 142 and Block 143 of Block Group 1 in Census Tract 9720 contained in voting district EP 25 of the Arden magisterial district of Berkeley county shall constitute the fifty-third delegate district and shall elect one delegate;

(54) That portion of Berkeley county not included in the fifty-first, fifty-second or fifty-third delegate district shall constitute the fifty-fourth delegate district and shall elect one delegate;

(55) All of the Middleway magisterial district, all of the Shepherdstown magisterial district, voting district EP 22 of the Kabletown magisterial district and voting district EP 13 of the Harpers Ferry magisterial district of Jefferson county shall constitute the fifty-fifth delegate district and shall elect one delegate; and

(56) That portion of Jefferson county not included in the fifty-fifth delegate district shall constitute the fifty-sixth delegate district and shall elect one delegate.
(d) Regardless of the changes in delegate district boundaries made by the provisions of subsection (c) of this section, the delegates elected at the general election held in the year one thousand nine hundred ninety shall continue to hold their offices as members of the House of Delegates for the term, and as representatives of the county or delegate district, for which each thereof, respectively, was elected. Any appointment made prior to the first day of December, one thousand nine hundred ninety-two, to fill a vacancy in the office of a member of the House of Delegates shall be made for the remainder of the term, and as representative of the county or delegate district, for which the vacating delegate was elected or appointed.

(e) In amending and reenacting this section, it is not the intention of the Legislature to alter or change the arrangement of the delegate districts and the apportionment of delegates as they were intended to be adopted in the prior enactment of this section subsequent to the United States census for the year one thousand nine hundred ninety. Rather, it is the intent of the Legislature in amending this section to have the language comport with the maps relied upon by the Legislature and the map attached to Enrolled House Bill 301 (1991 third extraordinary session) and to correct certain other technical errors, such amendments being necessary to reflect the intention of the Legislature at the time of its initial reenactment of this section after the census.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originating in the House.

Takes effect from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker of the House of Delegates

The within is approved this the 13th day of January, 1992.

[Signature]
Governor