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2002 APR -2 P 4: 45

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2002

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**ENROLLED**

COMMITTEE SUBSTITUTE  
FOR  
**House Bill No. 4566**

(By Delegates Stalnaker, H. White, Michael,  
Kominar, G. White, Amores and Douglas)

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Passed March 9, 2002

In Effect Ninety Days from Passage

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FOR

## H. B. 4566

(BY DELEGATES STALNAKER, H. WHITE, MICHAEL,  
KOMINAR, G. WHITE, AMORES AND DOUGLAS)

[Passed March 9, 2002; 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 requiring executive committees to file with the secretary of state a current listing of all members and to require vacancies in any executive committee to be filled no later than four months after the vacancy occurs.

*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 primary election in the year one thousand nine  
2 hundred ninety-four, 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 or  
6 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 appoint  
9 three additional members of the committee from the state at  
10 large. When senatorial districts are realigned following a  
11 decennial census, members of the state executive committee  
12 previously elected or appointed shall continue in office until the  
13 expiration of their terms, and appointments made to fill  
14 vacancies on the committee until the next election of executive  
15 committee members shall be selected from the previously  
16 established districts. At the first election of executive commit-  
17 tee members following the realignment of senatorial districts,  
18 members shall be elected from the newly established districts.

19 At such primary election, the voters of each political party  
20 in each county shall elect one male and one female member of  
21 the party's executive committee of the congressional district, of  
22 the senatorial district and of the delegate district in which such  
23 county is situated, if such county be situated in a multi-county  
24 senatorial or delegate district. When districts are realigned  
25 following a decennial census, members of an executive  
26 committee previously elected in a county to represent that  
27 county to a congressional or multi-county senatorial or delegate  
28 district executive committee shall continue to represent that  
29 county in the appropriate newly constituted multi-county  
30 district until the expiration of their terms: *Provided*, That the  
31 county executive committee of the political party shall deter-  
32 mine which previously elected members shall represent the  
33 county if the number of multi-county senatorial or delegate

34 districts in the county is decreased; and shall appoint members  
35 to complete the remainder of the term if the number of such  
36 districts is increased.

37 At the same time such voters of the county in each magiste-  
38 rial district or executive committee district, as the case may be,  
39 shall elect one male and one female member of the party's  
40 county executive committee, except that in counties having  
41 three executive committee districts there shall be elected two  
42 male and two female members of the party's executive commit-  
43 tee from each magisterial or executive committee district.

44 For the purpose of complying with the provisions of this  
45 section, the county commission shall create such executive  
46 committee districts as they shall determine, which such districts  
47 shall not be fewer than the number of magisterial districts in  
48 such counties, nor shall they exceed in number the following:  
49 Forty for counties having a population of one hundred thousand  
50 persons or more; thirty for counties having a population of fifty  
51 thousand to one hundred thousand; twenty for counties having  
52 a population of twenty thousand to fifty thousand; and such  
53 districts in counties having a population of less than twenty  
54 thousand persons shall be coextensive with the magisterial  
55 districts.

56 The executive committee districts shall be as nearly equal  
57 in population as practicable, and shall each be composed of  
58 compact, contiguous territory. The county commissions shall  
59 change the territorial boundaries of such districts as required by  
60 the increase or decrease in the population of such districts as  
61 determined by a decennial census. Such changes must be made  
62 within two years following such census.

63 All members of executive committees, selected for each  
64 political division as herein provided, shall reside within the  
65 county or district from which chosen. The term of office of all

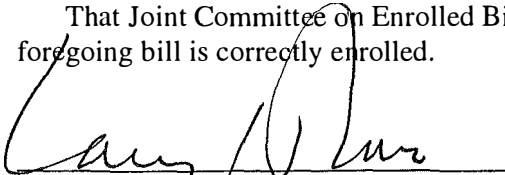
66 members of executive committees elected at the primary  
67 election in the year one thousand nine hundred ninety-four shall  
68 begin on the first day of July, following said primary, and shall  
69 continue for four years thereafter and until their successors are  
70 elected and qualified. Vacancies in the state executive commit-  
71 tee shall be filled by the members of the committee for the  
72 unexpired term. Vacancies in the party's executive committee  
73 of a congressional district, senatorial district, delegate district  
74 or county shall be filled by the party's executive committee of  
75 the county in which such vacancy exists, and shall be for the  
76 unexpired term.

77       As soon as possible after the certification of the election of  
78 the new executive committees, as herein provided, they shall  
79 convene an organizational meeting within their respective  
80 political divisions, on the call of the chairman of corresponding  
81 outgoing executive committees, or by any member of the new  
82 executive committee in the event there is no corresponding  
83 outgoing executive committee and proceed to select a chairman,  
84 a treasurer and a secretary, and such other officers as they may  
85 desire, each of which officers shall for their respective commit-  
86 tees perform the duties that usually appertain to such offices.  
87 The organizational meeting may be conducted prior to the  
88 beginning of the term, but no official action other than the  
89 election of officers and the appointment to fill vacancies on the  
90 committee may be made before the first day of July. A current  
91 listing of all executive committees' members shall be filed with  
92 the secretary of state by the end of July of each year. Vacancies  
93 in any executive committee shall be filled no later than four  
94 months after the vacancy occurs and the chairman of each  
95 executive committee shall submit an updated committee list as  
96 changes occur. Executive committee membership lists shall  
97 include at least the member's name, full address, employer,  
98 telephone number and term information. If a vacancy on an  
99 executive committee is not filled within the four month period  
100 prescribed by the provisions of this section, the chair of the

101 executive committee shall name someone to fill the vacancy  
102 within ten days of the expiration of the four month period.

103 Any meeting of any political party executive committee  
104 shall be held only after public notice and notice to each member  
105 is given according to party rules and shall be open to all  
106 members affiliated with such party. Meetings shall be con-  
107 ducted according to party rules, all official actions shall be  
108 made by voice vote, and minutes shall be maintained and shall  
109 be open to inspection by members affiliated with such party.

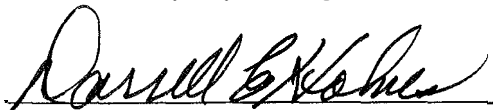
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


  
Chairwoman Senate Committee

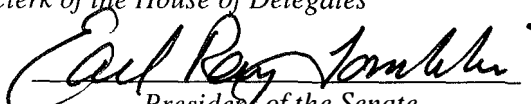
  
Chairman House Committee

Originating in the House.

In effect ninety days from passage.


  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within is approved this the 2nd  
day of April, 2002.

  
Governor

DATE RECEIVED

BY

3/27/02

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