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2017  
2018

LEGISLATURE OF  
WEST VIRGINIA

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**MANUAL**

OF THE  
HOUSE OF DELEGATES  
AND SENATE



**EIGHTY-THIRD LEGISLATURE**

**2017-2018**



**LEGISLATURE  
OF  
WEST VIRGINIA**

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HOUSE OF DELEGATES  
AND SENATE**



**EIGHTY-THIRD LEGISLATURE  
2017-2018**

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**PUBLISHED BY THE  
WEST VIRGINIA HOUSE OF DELEGATES  
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# The Declaration of Independence

IN CONGRESS, JULY 4, 1776

THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES  
OF AMERICA.

WHEN in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. — We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. — But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. — Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain [George III] is a history of repeated injuries and

usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world. — He has refused his Assent to Laws, the most wholesome and necessary for the public good. — He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them. — He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only. — He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures. — He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people. — He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within. — He has endeavored to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands. — He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers. — He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries. — He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance. — He has kept among us, in times of peace, Standing Armies, without the consent of our legislatures. — He has affected to render the Military independent of and superior to the Civil power. — He has combined with others to subject us to a jurisdiction foreign to our constitution and unacknowledged by our

laws; giving his Assent to their Acts of pretended Legislation: — For quartering large bodies of armed troops among us; — For protecting them by a mock Trial from punishment for any Murders which they should commit on the Inhabitants of these States: — For cutting off our Trade with all parts of the world: — For imposing Taxes on us without our Consent: — For depriving us in many cases of the benefits of Trial by Jury: — For transporting us beyond Seas to be tried for pretended offences: — For abolishing the free System of English Laws in a neighboring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies: — For taking away our Charters, abolishing our most valuable Laws and altering fundamentally the Forms of our Governments: — For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever. — He has abdicated Government here by declaring us out of his Protection and waging War against us. — He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people. — He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty and Perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation. — He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands. — He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions. In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people. Nor have We been wanting in attentions to our British

brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends. —

WE, THEREFORE, the Representatives of the UNITED STATES OF AMERICA, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by the authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be FREE AND INDEPENDENT STATES; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. — And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

*John Hancock*

*Josiah Bartlett, William Whipple, Matthew Thornton*

*New Hampshire*

*Samuel Adams, John Adams, Robert Treat Paine,*

*Elbridge Gerry*

*Massachusetts - Bay*

*Stephen Hopkins, William Ellery*

*Rhode-Island*



*Roger Sherman, Samuel Huntington, William Williams,  
Oliver Wolcott*

*Connecticut*

*William Floyd, Philip Livingston, Francis Lewis,  
Lewis Morris*

*New York*

*Richard Stockton, John Witherspoon, Francis Hopkinson,  
John Hart, Abraham Clark*

*New Jersey*

*Robert Morris, Benjamin Rush, Benjamin Franklin,*

*John Morton, George Clymer, James Smith,*

*George Taylor, James Wilson, George Ross*

*Pennsylvania*

*Caesar Rodney, George Read, Thomas McKean*

*Delaware*

*Samuel Chase, William Paca, Thomas Stone,*

*Charles Carroll, of Carrollton*

*Maryland*

*George Wythe, Richard Henry Lee, Thomas Jefferson,*

*Benjamin Harrison, Thomas Nelson, jun.,*

*Francis Lightfoot Lee, Carter Braxton*

*Virginia*

*William Hooper, Joseph Hewes, John Penn*

*North Carolina*

*Edward Rutledge, Thomas Heyward, jun., Thomas Lynch, jun.,*

*Arthur Middleton,*

*South Carolina*

*Button Gwinnett, Lyman Hall, George Walton*

*Georgia*



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## THE CONSTITUTION OF THE UNITED STATES

We the People of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

### Article I.

**Section 1.** All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

**Section 2.** The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a Representative who shall not have attained to the age of twenty five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons. The actual Enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each state shall have at least one Representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware

one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

**Section 3.** The Senate of the United States shall be composed of two Senators from each state, chosen by the legislature thereof, for six years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall choose their other officers, and also a president pro tempore, in the absence of the Vice President, or when he shall exercise the office of President of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When

the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the concurrence of two thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

**Section 4.** The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

**Section 5.** Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide.

Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two thirds, expel a member.

Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one fifth of those present, be entered on the journal.

Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

**Section 6.** The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either House during his continuance in office.

**Section 7.** All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other Bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States: If he approve he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

**Section 8.** The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post offices and post roads;

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas, and offences against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions;

To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings;—And

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

**Section 9.** The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or ex post facto Law shall be passed.

No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

No tax or duty shall be laid on articles exported from any state.

No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to, or from, one state, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

**Section 10.** No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No state shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## Article II.

**Section 1.** The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected, as follows:

Each state shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President.



The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty five years, and been fourteen years a resident within the United States.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

**Section 2.** The President shall be commander in chief of the Army and Navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

**Section 3.** He shall from time to time give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

**Section 4.** The President, Vice President and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

### Article III.

**Section 1.** The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

**Section 2.** The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;—to all cases affecting ambassadors, other public ministers and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party;—to controversies between two or more states;—between a state and citizens of another state;—between citizens of different states;—between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

**Section 3.** Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

#### Article IV.

**Section 1.** Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

**Section 2.** The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

**Section 3.** New states may be admitted by the Congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

**Section 4.** The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.

## Article V.

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case,

shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

#### **Article VI.**

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any state to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

#### **Article VII.**

The ratification of the conventions of nine states, shall be sufficient for the establishment of this Constitution between the states so ratifying the same.

Done in convention by the unanimous consent of the states present the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty seven and of the independence of the United States of America the twelfth. In witness whereof We have hereunto subscribed our Names,

*G. Washington-President, and deputy from Virginia*

*John Langdon, Nicholas Gilman, New Hampshire*

*Nathaniel Gorham, Rufus King, Massachusetts*

*Wm. Saml. Johnson, Roger Sherman, Connecticut*

*Alexander Hamilton, New York*

*Wil: Livingston, David Brearly, Wm. Patterson, Jona: Dayton, New Jersey*

*B. Franklin, Thomas Mifflin, Robt. Morris, Geo. Clymer, Thos. FitzSimons,  
Jared Ingersoll, James Wilson, Gou Morris, Pennsylvania*

*Geo: Read, Gunning Bedford jun, John Dickinson, Richard Bassett, Jaco.  
Broom, Delaware*

*James McHenry, Dan of St. Thos. Jenifer, Daul Carroll, Maryland*

*John Blair, James Madison Jr., Virginia*

*Wm. Blount, Richd. Dobbs Spaight, Hu Williamson,  
North Carolina*

*J. Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler,  
South Carolina*

*William Few, Abr. Baldwin, Georgia*

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## THE BILL OF RIGHTS

### *Amendments 1-10 of the Constitution*

The Conventions of a number of the States having, at the time of adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added, and as extending the ground of public confidence in the Government will best insure the beneficent ends of its institution;

Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, two-thirds of both Houses concurring, that the following articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States; all or any of which articles, when ratified by three-fourths of the said Legislatures, to be valid to all intents and purposes as part of the said Constitution, namely:

#### **Amendment I**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

#### **Amendment II**

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

#### **Amendment III**

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

**Amendment IV**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

**Amendment V**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

**Amendment VI**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

**Amendment VII**

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.



**Amendment VIII**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**Amendment IX**

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

**Amendment X**

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

## AMENDMENTS TO THE CONSTITUTION

### **Amendment XI**

(1798)

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

### **Amendment XII**

(1804)

The electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the

states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

### **Amendment XIII**

(1865)

**Section 1.** Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

**Section 2.** Congress shall have power to enforce this article by appropriate legislation.

### **Amendment XIV**

(1868)

**Section 1.** All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

**Section 2.** Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

**Section 3.** No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

**Section 4.** The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

**Section 5.** The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

**Amendment XV**

(1870)

**Section 1.** The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.

**Section 2.** The Congress shall have power to enforce this article by appropriate legislation.

**Amendment XVI**

(1913)

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration.

**Amendment XVII**

(1913)

The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies: Provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

**Amendment XVIII**

(1919)

**Section 1.** After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

**Section 2.** The Congress and the several states shall have concurrent power to enforce this article by appropriate legislation.

**Section 3.** This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several states, as provided in the Constitution, within seven years from the date of the submission hereof to the states by the Congress.

**Amendment XIX**

(1920)

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

**Amendment XX**

(1933)

**Section 1.** The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

**Section 2.** The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

**Section 3.** If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

**Section 4.** The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

**Section 5.** Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

**Section 6.** This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several states within seven years from the date of its submission.

**Amendment XXI**

(1933)

**Section 1.** The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

**Section 2.** The transportation or importation into any state, territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

**Section 3.** This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several states, as provided in the Constitution, within seven years from the date of the submission hereof to the states by the Congress.

**Amendment XXII**

(1951)

**Section 1.** No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this article shall not apply to any person holding the office of President when this article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term.

**Section 2.** This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several states within seven years from the date of its submission to the states by the Congress.



**Amendment XXIII**

(1961)

**Section 1.** The District constituting the seat of government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a state, but in no event more than the least populous state; they shall be in addition to those appointed by the states, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a state; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

**Section 2.** The Congress shall have power to enforce this article by appropriate legislation.

**Amendment XXIV**

(1964)

**Section 1.** The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any state by reason of failure to pay any poll tax or other tax.

**Section 2.** The Congress shall have power to enforce this article by appropriate legislation.

**Amendment XXV**

(1967)

**Section 1.** In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

**Section 2.** Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

**Section 3.** Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

**Section 4.** Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses

that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

### **Amendment XXVI**

(1971)

**Section 1.** The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

**Section 2.** The Congress shall have power to enforce this article by appropriate legislation.

### **Amendment XXVII**

(1992)

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

# THE CONSTITUTION OF WEST VIRGINIA

Ratified in 1872

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## **PREAMBLE**

Since through Divine Providence we enjoy the blessings of civil, political and religious liberty, we, the people of West Virginia, in and through the provisions of this Constitution, reaffirm our faith in and constant reliance upon God and seek diligently to promote, preserve and perpetuate good government in the State of West Virginia for the common welfare, freedom and security of ourselves and our posterity.

[This preamble was proposed by House Joint Resolution No. 8, Acts, Regular Session, 1959, p. 659; submitted by Acts, Regular Session, 1960, c. 4; and ratified November 8, 1960. Vote on the amendment: For ratification, 250,984; Against ratification, 102,340; Majority, 148,644.]

## **ARTICLE I**

### **Relations to the Government of the United States**

1. The State of West Virginia is, and shall remain, one of the United States of America. The Constitution of the United States of America, and the laws and treaties made in pursuance thereof, shall be the supreme law of the land.

### **Internal Government and Police**

2. The government of the United States is a government of enumerated powers, and all powers not delegated to it, nor inhibited to the States, are reserved to the States or to the people thereof. Among the powers so reserved to the States is the exclusive regulation of their own internal government and police; and it is the high and solemn duty of the several departments of government, created by this Constitution, to guard and protect the people of this State from all encroachments upon the rights so reserved.

### **Continuity of Constitutional Operation**

3. The provisions of the Constitution of the United States, and of this State, are operative alike in a period of war as in time of peace, and any departure therefrom, or violation thereof, under the plea of necessity, or any other plea, is subversive of good government, and tends to anarchy and despotism.

### **Representatives to Congress**

4. For the election of representatives to Congress, the State shall be divided into districts, corresponding in number with the representatives to which it may be entitled; which districts shall be formed of contiguous counties, and be compact. Each district shall contain, as nearly as may be, an equal number of population, to be determined according to the rule prescribed in the Constitution of the United States.

## **ARTICLE II**

### **The State**

1. The territory of the following counties, formerly parts of the Commonwealth of Virginia, shall constitute and form the State of West Virginia, viz:

The counties of Barbour, Berkeley, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier, Hampshire, Hancock, Hardy, Harrison, Jackson, Jefferson, Kanawha, Lewis, Lincoln, Logan, Marion, Marshall, Mason, McDowell, Mercer, Mineral, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt, Wood and Wyoming. The State of West Virginia includes the bed, bank and shores of the Ohio River, and so much of the Big Sandy River as was formerly included in the Commonwealth of Virginia; and all territorial rights and property in, and jurisdiction over, the same, heretofore reserved by, and vested in, the Commonwealth of Virginia, are vested in and shall hereafter be exercised by the State of West Virginia. And such parts of the said beds, banks and shores as lie opposite, and adjoining several counties of this State, shall form parts of said several counties respectively.

[All of the territory of West Virginia was taken from the Commonwealth of Virginia, and in the Constitution of 1863 forty-four of the above-named counties were designated as forming the State of West Virginia, and in addition, the counties of Berkeley, Hampshire, Hardy, Jefferson, Morgan and Pendleton were to be admitted should that Constitution be adopted by a vote of the people of the districts comprising those counties. The districts adopted the Constitution, and these six counties became part of the State. The remaining four counties mentioned above were created by Acts of the Legislature as follows: Mineral County, from Hampshire County, on February 1, 1866; Grant County, from Hardy County, on February 14, 1866; Lincoln County, from parts of Cabell, Putnam, Kanawha and Boone Counties, on

February 23, 1867; and Summers County, from parts of Greenbrier, Monroe, Mercer and Fayette Counties, on February 27, 1871. After the ratification of the Constitution of 1872, Mingo County was created by an act of the Legislature from Logan County, on February 23, 1895, to make a total of fifty-five counties.]

### **Powers of Government in Citizens**

2. The powers of government reside in all the citizens of the State, and can be rightfully exercised only in accordance with their will and appointment.

### **Requisites of Citizenship**

3. All persons residing in this State, born, or naturalized in the United States, and subject to the jurisdiction thereof, shall be citizens of this State.

### **Equal Representation**

4. Every citizen shall be entitled to equal representation in the government, and, in all apportionments of representation, equality of numbers of those entitled thereto, shall as far as practicable, be preserved.

### **Provisions Regarding Property**

5. No distinction shall be made between resident aliens and citizens, as to the acquisition, tenure, disposition or descent of property.

### **Treason, What Constitutes—Penalty**

6. Treason against the State shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court. Treason shall be punished according to the character of the acts committed, by the infliction of one, or more, of the penalties of death, imprisonment or fine, as may be prescribed by law.



**“Montani Semper Liberi”—State Seal**

7. The present seal of the State, with its motto, “*Montani Semper Liberi*,” shall be the great seal of the State of West Virginia, and shall be kept by the Secretary of State, to be used by him officially, as directed by law.

**Writs, Commissions, Official Bonds—Indictments**

8. Writs, grants and commissions, issued under the authority of this State, shall run in the name of, and official bonds shall be made payable to the State of West Virginia. Indictments shall conclude, “Against the peace and dignity of the State.”

**ARTICLE III****Bill of Rights**

1. All men are, by nature, equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity, namely: The enjoyment of life and liberty, with the means of acquiring and possessing property, and of pursuing and obtaining happiness and safety.

**Magistrates Servants of People**

2. All power is vested in, and consequently derived from, the people. Magistrates are their trustees and servants, and at all times amenable to them.

**Rights Reserved to People**

3. Government is instituted for the common benefit, protection and security of the people, nation or community. Of all its various forms that is the best, which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of maladministration; and when any government shall be found inadequate or contrary to these purposes, a majority of the community has an indubitable, inalienable, and indefeasible right to reform, alter or abolish it in such manner as shall be judged most conducive to the public weal.

### **Writ of Habeas Corpus**

4. The privilege of the writ of *habeas corpus* shall not be suspended. No person shall be held to answer for treason, felony or other crime, not cognizable by a justice, unless on presentment or indictment of a grant jury. No bill of attainder, *ex post facto* law, or law impairing the obligation of a contract, shall be passed.

### **Excessive Bail Not Required**

5. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted. Penalties shall be proportioned to the character and degree of the offense. No person shall be transported out of or forced to leave the State for any offense committed within the same; nor shall any person, in any criminal case, be compelled to be a witness against himself, or be twice put in jeopardy of life or liberty for the same offense.

### **Unreasonable Searches and Seizures Prohibited**

6. The rights of the citizens to be secure in their houses, persons, papers and effects, against unreasonable searches and seizures, shall not be violated. No warrant shall issue except upon probable cause, supported by oath or affirmation, particularly describing the place to be searched, or the person or thing to be seized.

### **Freedom of Speech and Press Guaranteed**

7. No law abridging the freedom of speech, or of the press, shall be passed; but the Legislature may, by suitable penalties, restrain the publication or sale of obscene books, papers, or pictures, and provide for the punishment of libel, and defamation of character, and for the recovery, in civil actions, by the aggrieved party, of suitable damages for such libel, or defamation.

### **Relating to Civil Suits for Libel**

8. In prosecutions and civil suits for libel, the truth may be given in evidence; and if it shall appear to the jury, that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the verdict shall be for the defendant.

### **Private Property, How Taken**

9. Private property shall not be taken or damaged for public use, without just compensation; nor shall the same be taken by any company, incorporated for the purposes of internal improvement, until just compensation shall have been paid, or secured to be paid, to the owner; and when private property shall be taken, or damaged for public use, or for the use of such corporation, the compensation to the owner shall be ascertained in such manner as may be prescribed by general law: *Provided*, That when required by either of the parties, such compensation shall be ascertained by an impartial jury of twelve freeholders.

### **Safeguards for Life, Liberty and Property**

10. No person shall be deprived of life, liberty, or property, without due process of law, and the judgment of his peers.

### **Political Tests Condemned**

11. Political tests, requiring persons, as a prerequisite to the enjoyment of their civil and political rights, to purge themselves by their own oaths, of past alleged offenses, are repugnant to the principles of free government, and are cruel and oppressive. No religious or political test oath shall be required as a prerequisite or qualification to vote, serve as a juror, sue, plead, appeal, or pursue any profession or employment. Nor shall any person be deprived by law, of any right, or privilege, because of any act done prior to the passage of such law.

### **Military Subordinate to Civil Power**

12. Standing armies, in time of peace, should be avoided as dangerous to liberty. The military shall be subordinate to the civil power; and no citizen, unless engaged in the military service of the State, shall be tried or punished by any military court for any offense that is cognizable by the civil courts of the State. No soldier shall, in time of peace, be quartered in any house, without consent of the owner; nor in time of war, except in the manner to be prescribed by law.

### Right of Jury Trial

13. In suits at common law, where the value in controversy exceeds twenty dollars exclusive of interest and costs, the right of trial by jury, if required by either party, shall be preserved; and in such suit in a court of limited jurisdiction a jury shall consist of six persons. No fact tried by a jury shall be otherwise reexamined in any case than according to rule of court or law.

[The first amendment of this section was proposed by Joint Resolution No. 11, Acts, Regular Session, 1879, p. 182; submitted by Acts, Regular Session, 1879, c. 50; and ratified October 12, 1880. Vote on the amendment: For ratification, 56,482; Against ratification, 34,073; Majority, 22,409.

This section, prior to its amendment, read:

“In suits at common law, where the value in controversy, exclusive of interest and costs, exceeds twenty dollars, the right of trial by a jury of twelve men, if required by either party, shall be preserved; except that in appeals from judgments of justices, a jury of a less number may be authorized by law; but in trials of civil cases before a justice no jury shall be allowed and no fact tried by a jury shall in any case, be otherwise reexamined than according to the rules of common law.”

The second amendment of this section was proposed by Senate Joint Resolution No. 6, Acts, Regular Session, 1974, p. 946; submitted under authority of art. 11, c. 3, of the West Virginia Code; and ratified November 5, 1974. Vote on the amendment: For ratification, 217,732; Against ratification, 127,393; Majority, 90,339.

This section, prior to its amendment, read:

“In suits at common law, where the value in controversy exceeds twenty dollars exclusive of interest and costs, the right of trial by jury, if required by either party, shall be preserved; and in such suit before a justice a jury may consist of six persons. No fact tried by a jury shall be otherwise reexamined in any case than according to the rules of the common law.”

This section was amended to read as set out above.]

### Trials of Crimes—Provisions in Interest of Accused

14. Trials of crimes, and of misdemeanors, unless herein otherwise provided, shall be by a jury of twelve men,\* public, without unreasonable delay, and in the county where the alleged offense was committed, unless upon petition of the accused, and for good cause shown, it is removed to some other county. In all such trials, the accused shall be fully and plainly informed of the character and cause of the accusation, and be confronted with the witness against him, and shall have the assistance of counsel, and a reasonable time to prepare for his defense; and there shall be awarded to him compulsory process for obtaining witnesses in his favor.

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[\*See section 21 of this article, making women eligible for jury service.]

### **Religious Freedom Guaranteed**

15. No man shall be compelled to frequent or support any religious worship, place or ministry whatsoever; nor shall any man be enforced, restrained, molested or burthened, in his body or goods, or otherwise suffer, on account of his religious opinions or belief, but all men shall be free to profess and, by argument, to maintain their opinions in matters of religion; and the same shall, in no wise, affect, diminish or enlarge their civil capacities; and the Legislature shall not prescribe any religious test whatever, or confer any peculiar privileges or advantages on any sect or denomination, or pass any law requiring or authorizing any religious society, or the people of any district within this State, to levy on themselves, or others, any tax for the erection or repair of any house for public worship, or for the support of any church or ministry, but it shall be left free for every person to select his religious instructor, and to make for his support such private contracts as he shall please.

### **Voluntary Contemplation, Meditation or Prayer In Schools**

15a. Public schools shall provide a designated brief time at the beginning of each school day for any student desiring to exercise their right to personal and private contemplation, meditation or prayer. No student of a public school may be denied the right to personal and private contemplation, meditation or prayer nor shall any student be required or encouraged to engage in any given contemplation, meditation or prayer as a part of the school curriculum.

[This section was proposed by Senate Joint Resoulution No. 1, Acts, Regular Session, 1984, p. 1123; and ratified November 6, 1984. Vote on the amendment: For ratification, 511,057; Against ratification, 145,835; Majority, 365,222 (unofficial).]

### **Right of Public Assembly Held Inviolable**

16. The right of the people to assemble in a peaceable manner, to consult for the common good, to instruct their representatives, or to apply for redress of grievances, shall be held inviolable.

### **Courts Open to All—Justice Administered Speedily**

17. The courts of this State shall be open, and every person, for an injury done to him, in his person, property or reputation, shall have remedy by due course of law; and justice shall be administered without sale, denial or delay.

**Conviction Not to Work  
Corruption of Blood or Forfeiture**

18. No conviction shall work corruption of blood or forfeiture of estate.

**Hereditary Emoluments, etc., Provided Against**

19. No hereditary emoluments, honors or privileges shall ever be granted or conferred in this State.

**Preservation of Free Government**

20. Free government and the blessings of liberty can be preserved to any people only by a firm adherence to justice, moderation, temperance, frugality and virtue, and by a frequent recurrence to fundamental principles.

**Jury Service for Women**

21. Regardless of sex all persons, who are otherwise qualified, shall be eligible to serve as petit jurors, in both civil and criminal cases, as grand jurors and as coronor's jurors.

[This section was proposed by House Joint Resolution No. 2, Acts, Regular Session, 1955, p. 571; submitted by Acts, Regular Session, 1955, c. 22; and ratified November 6, 1956. Vote on the amendment: For ratification, 327,113; Against ratification, 202,002; Majority, 125,111.]

**Right to Keep and Bear Arms**

22. A person has the right to keep and bear arms for the defense of self, family, home and state, and for lawful hunting and recreational use.

[This section was proposed by House Joint Resolution No. 18, Acts, Regular Session, 1985, p. 1704; submitted in accordance with article eleven, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and ratified November 4, 1986. Vote on the amendment: For ratification, 336,285; Against ratification, 66,387; Majority, 269,898.]

**ARTICLE IV**

**Election and Officers**

1. The citizens of the state shall be entitled to vote at all elections held within the counties in which they respectively reside; but no person who is a minor, or who has been declared mentally incompe-

tent by a court of competent jurisdiction, or who is under conviction of treason, felony or bribery in an election, or who has not been a resident of the state and of the county in which he offers to vote, for thirty days next preceding such offer, shall be permitted to vote while such disability continues; but no person in the military, naval or marine service of the United States shall be deemed a resident of this state by reason of being stationed therein.

[This amendment was proposed by House Joint Resolution No. 13, Acts, Regular Session, 1994, p. 2230 and ratified November 8, 1994. Vote on the amendment: For ratification, 213,956, Against ratification, 153,369; Majority, 59,587.

This section, prior to its amendment, read:

1. The male citizens of the State shall be entitled to vote at all elections held within the counties in which they respectively reside; but no person who is a minor, or of unsound mind, or a pauper, or who is under conviction of treason, felony, or bribery in an election, or who has not been a resident of the State for one year, and of the county in which he offers to vote, for sixty days next preceding such offer, shall be permitted to vote while such disability continues; but no person in the military, naval or marine service of the United States shall be deemed a resident of this State by reason of being stationed therein.]

### **Mode of Voting by Ballot**

2. In all elections by the people, the mode of voting shall be by ballot; but the voter shall be left free to vote by either open, sealed or secret ballot, as he may elect.

### **Voter Not Subject to Arrest on Civil Process**

3. No voter, during the continuance of an election at which he is entitled to vote, or during the time necessary and convenient for going to and returning from the same, shall be subject to arrest upon civil process, or be compelled to attend any court, or judicial proceeding, as suitor, juror or witness; or to work upon the public roads; or, except in time of war or public danger to render military service.

### **Persons Entitled to Hold Office—Age Requirements**

4. No person, except citizens entitled to vote, shall be elected or appointed to any state, county or municipal office; but the Governor and Judges must have attained the age of thirty, and the Attorney General and Senators the age of twenty-five years, at the beginning of their respective terms of service; and must have been citizens of the State for five years next preceding their election or appointment, or be citizens at the time this Constitution goes into operation.

### **Oath or Affirmation to Support the Constitution**

5. Every person elected or appointed to any office, before proceeding to exercise the authority, or discharge the duties thereof, shall make oath or affirmation that he will support the Constitution of the United States and the Constitution of this State, and that he will faithfully discharge the duties of his said office to the best of his skill and judgment; and no other oath, declaration, or test shall be required as a qualification, unless herein otherwise provided.

### **Provisions for Removal of Officials**

6. All officers elected or appointed under this Constitution, may, unless in cases herein otherwise provided for, be removed from office for official misconduct, incompetence, neglect of duty, or gross immorality, in such manner as may be prescribed by general laws, and unless so removed they shall continue to discharge the duties of their respective offices until their successors are elected, or appointed and qualified.

### **General Elections, When Held—Terms of Officials**

7. The general elections of state and county officers, and of members of the Legislature, shall be held on the Tuesday next after the first Monday in November, until otherwise provided by law. The terms of such officers, not elected, or appointed to fill a vacancy, shall, unless herein otherwise provided, begin, on the first day of January; and of the members of the Legislature, on the first day of December next succeeding their election. Elections to fill vacancies, shall be for the unexpired term. When vacancies occur prior to any general election, they shall be filled by appointments, in such manner as may be prescribed herein, or by general law, which appointments shall expire at such time after the next general election as the person so elected to fill such vacancy shall be qualified.

[The amendment of this section was proposed by Joint Resolution No. 9, Acts, Regular Session, 1883, p. 137; submitted by Acts, Regular Session, 1883, c. 43; and ratified October 14, 1884. Vote on the amendment: For ratification, 66,181; Against ratification, 25,422; Majority, 40,759.

This section, prior to its amendment, provided that the general election should be held on "the second Tuesday of October," and the change was made in order that the election of state officers would fall on the same day as the presidential election. As a consequential amendment the term of office of members of the Legislature was made to begin on the first day of December instead of the first day of November, as in the original section.]



### **Further Provisions Regarding State's Officers and Agents**

8. The Legislature, in cases not provided for in this Constitution, shall prescribe, by general laws, the terms of office, powers, duties and compensation of all public officers and agents, and the manner in which they shall be elected, appointed and removed.

### **Impeachment of Officials**

9. Any officer of the State may be impeached for maladministration, corruption, incompetency, gross immorality, neglect of duty, or any high crime or misdemeanor. The House of Delegates shall have the sole power of impeachment. The Senate shall have the sole power to try impeachments and no person shall be convicted without the concurrence of two thirds of the members elected thereto. When sitting as a court of impeachment, the President of the Supreme Court of Appeals, or, if from any cause it be improper for him to act, then any other judge of that court, to be designated by it, shall preside; and the Senators shall be on oath or affirmation, to do justice according to law and evidence. Judgment in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold any office of honor, trust or profit, under the State; but the party convicted shall be liable to indictment, trial, judgment, and punishment according to law. The Senate may sit during the recess of the Legislature for the trial of impeachments.

### **Fighting of Duels Prohibited**

10. Any citizen of this State, who shall, after the adoption of this Constitution, either in or out of the State, fight a duel with deadly weapons, or send or accept a challenge so to do, or who shall act as a second or knowingly aid or assist in such duel, shall, ever thereafter, be incapable of holding any office of honor, trust or profit in this State.

### **Safeguards for Ballots**

11. The Legislature shall prescribe the manner of conducting and making returns of elections, and of determining contested elections; and shall pass such laws as may be necessary and proper to prevent intimidation, disorder or violence at the polls, and corruption or fraud in voting, counting the vote, ascertaining or declaring the result, or fraud in any manner upon the ballot.

### **Registration Laws Provided For**

12. The Legislature shall enact proper laws for the registration of all qualified voters in this State.

[The amendment of this section was proposed by House Joint Resolution No. 45, Acts, Regular Session, 1901, p. 472; submitted by Acts, Regular Session, 1901, c. 154; and ratified November 4, 1902. Vote on the amendment: For ratification, 55,196; Against ratification, 25,379; Majority, 29,817.

This section, prior to its amendment, read:

“No citizen shall ever be denied or refused the right or privilege of voting at an election, because his name is not, or has not been registered or listed as a qualified voter.”]

## **ARTICLE V**

### **Division of Powers**

1. The Legislative, Executive and Judicial Departments shall be separate and distinct, so that neither shall exercise the powers properly belonging to either of the others; nor shall any person exercise the powers of more than one of them at the same time, except that justices of the peace shall be eligible to the Legislature.

## **ARTICLE VI**

### **Legislature**

1. The legislative power shall be vested in a Senate and House of Delegates. The style of their Acts shall be, “Be it enacted by the Legislature of West Virginia.”

### **Composition of Senate and House of Delegates**

2. The Senate shall be composed of twenty-four, and the House of Delegates of sixty-five, members subject to be increased according to the provisions hereinafter contained.

[The Senate is now composed of thirty-four, and the House of Delegates of one hundred members.]

### **Senators and Delegates—Term of Office**

3. Senators shall be elected for the term of four years, and Delegates for the term of two years. The Senators first elected, shall divide themselves into two classes, one Senator from every district being assigned to each class; and of these classes, the first to be designated by lot in such manner as the Senate may determine, shall hold their seats for two years and the second for four years, so that after the first election, one half of the Senators shall be elected biennially.

### **Division of State into Senatorial Districts**

4. For the election of Senators, the State shall be divided into twelve Senatorial Districts, which number shall not be diminished, but may be increased as hereinafter provided. Every district shall elect two Senators, but, where the district is composed of more than one county, both shall not be chosen from the same county. The districts shall be compact, formed of contiguous territory, bounded by county lines, and, as nearly as practicable, equal in population, to be ascertained by the census of the United States. After every such census, the Legislature shall alter the Senatorial Districts, so far as may be necessary to make them conform to the foregoing provision.

[There are now seventeen Senatorial Districts, as provided by Acts, First Extraordinary Session, 1964, c. 1.]

### **Senatorial Districts Designated**

5. Until the Senatorial Districts shall be altered by the Legislature as herein prescribed, the counties of Hancock, Brooke and Ohio, shall constitute the first Senatorial District; Marshall, Wetzel and Marion, the second; Ritchie, Doddridge, Harrison, Gilmer and Calhoun, the third; Tyler, Pleasants, Wood and Wirt, the fourth; Jackson, Mason, Putnam and Roane, the fifth; Kanawha, Clay, Nicholas, Braxton and Webster, the sixth; Cabell, Wayne, Lincoln, Boone, Logan, Wyoming, McDowell and Mercer, the seventh; Monroe, Greenbrier, Summers, Pocahontas, Fayette and Raleigh, the eighth; Lewis, Randolph, Upshur, Barbour, Taylor and Tucker, the ninth; Preston and Monongalia, the tenth; Hampshire, Mineral, Hardy, Grant and Pendleton, the eleventh; Berkeley, Morgan and Jefferson, the twelfth.

[By the provisions of the Reapportionment Act of 1937, Acts, Regular Session, 1937, c. 128, the number of Senatorial Districts was increased to sixteen, the number of Senators to thirty-two, and the counties rearranged in the various districts.

Under the Reapportionment Act of 1964, Acts, First Extraordinary Session, 1964, c. 1, the number of Senatorial Districts was fixed at seventeen. The County of Kanawha embraces two districts, the eighth and the seventeenth. The other fiftyfour counties are arranged into fifteen districts, each consisting of two or more counties.

For a list of the counties comprising the present seventeen Senatorial Districts, see Acts, First Extraordinary Session, 2011, c. 6, p. 1933.]

### **Provision for Delegate Representation**

6. For the election of Delegates, every county containing a population of less than three fifths of the ratio of representation for the House of Delegates, shall, at each apportionment, be attached to some contiguous county or counties, to form a Delegate District.

[By the provisions of Acts, Regular Session, 1901, c. 10, the House of Delegates consisted of eighty-six members, each county having at least one member. From 1916 to 1952, the House of Delegates consisted of ninety-four members. In 1951, the membership was increased to one hundred members with each county continuing to have at least one member. See Acts, Regular Session, 1951, c. 166.

Under the Reapportionment Act of 1964, Acts, First Extraordinary Session, 1964, c. 1, the membership was again fixed at one hundred, but seven delegate districts were established, embracing fifteen counties, and allotted a total of nine delegates.

Under the Reapportionment Act of 1973, Acts, Regular Session, 1973, c. 71, the membership was apportioned into thirty-six delegate districts embracing all fifty-five counties and allotted one hundred delegates.

Under the Reapportionment Act of 1982, Acts, Regular Session, 1982, c. 99, the membership was apportioned into forty delegate districts embracing all fifty-five counties and allotted one hundred delegates.

Under the Reapportionment Act of 1991, Acts, Third Extraordinary Session, 1991, c. 3, the membership was apportioned into fifty-six districts embracing all fifty-five counties and allotted one hundred delegates.

Under the Reapportionment Act of 2001, Acts, Fifth Extraordinary Session, 2001, c. 10, the membership was apportioned into fifty-eight districts embracing all fifty-five counties and allotted one hundred delegates.

Under the Reapportionment Act of 2011, Acts, Second Extraordinary Session, 2011, c. 3, the membership was apportioned into sixty-seven districts embracing all fifty-five counties and allotted one hundred delegates.]

### **After Census, Delegate Apportionment**

7. After every census the Delegates shall be apportioned as follows: The ratio of representation of the House of Delegates shall be ascertained by dividing the whole population of the State by the number of which the House is to consist and rejecting the fraction of a unit, if any, resulting from such division. Dividing the population of every Delegate District, and of every county not included in a Delegate District, by the ratio thus ascertained, there shall be assigned to each a number of Delegates equal to the quotient obtained by this division, excluding the fractional remainder. The additional Delegates necessary to make up the number of which the House is to consist, shall then be assigned to those Delegate Districts, and counties not included in a Delegate District, which would otherwise have the largest fractions unrepresented; but every Delegate District and county not included in a Delegate District, shall be entitled to at least one Delegate.

### **Designation of Delegate Districts**

8. Until a new apportionment shall be declared, the counties of Pleasants and Wood shall form the first Delegate District, and elect three Delegates; Ritchie and Calhoun, the second, and elect two Delegates; Barbour, Harrison and Taylor, the third, and elect one Delegate; Randolph and Tucker, the fourth, and elect one Delegate; Nicholas, Clay and Webster, the fifth, and elect one Delegate; McDowell and Wyoming, the sixth and elect one Delegate.

### **Further Apportionments**

9. Until a new apportionment shall be declared, the apportionment of Delegates to the counties not included in Delegate Districts, and to Barbour, Harrison and Taylor counties, embraced in such district shall be as follows:

To Barbour, Boone, Braxton, Brooke, Cabell, Doddridge, Fayette, Hampshire, Hancock, Jackson, Lewis, Logan, Greenbrier, Monroe, Mercer, Mineral, Morgan, Grant, Hardy, Lincoln, Pendleton, Putnam, Roane, Gilmer, Taylor, Tyler, Upshur, Wayne, Wetzel, Wirt, Pocahontas, Summers and Raleigh counties, one Delegate each.

To Berkeley, Harrison, Jefferson, Marion, Marshall, Mason, Monongalia and Preston counties, two Delegates each.

To Kanawha County, three Delegates.

To Ohio County, four Delegates.

[Many changes have been made in this apportionment. There are 67 delegate districts. For the present apportionment, see Acts, Second Extraordinary Session, 2011, c. 3, p. 2050.]

### **Arrangement of Senatorial and Delegate Districts**

10. The arrangement of the Senatorial and Delegate Districts, and apportionment of Delegates, shall hereafter be declared by law, as soon as possible after each succeeding census, taken by authority of the United States. Where so declared they shall apply to the first general election for members of the Legislature, to be thereafter held, and shall continue in force unchanged, until such District shall be altered, and Delegates apportioned, under the succeeding census.

### **Additional Territory May Be Admitted into State**

11. Additional territory may be admitted into, and become part of this State, with the consent of the Legislature and a majority of the qualified voters of the State, voting on the question. And in such case provision shall be made by law for the representation thereof in the Senate and House of Delegates, in conformity with the principles set forth in this Constitution. And the number of members of which each house of the Legislature is to consist, shall thereafter be increased by the representation assigned to such additional territory.

### **Senators and Delegates Required to Be Residents of District**

12. No person shall be a Senator or Delegate who has not for one year next preceeding his election, been a resident within the District or County from which he is elected; and if a Senator or Delegate remove from the District or County for which he was elected, his seat shall be thereby vacated.

### **Eligibility to Seat in Legislature**

13. No person holding any other lucrative office or employment under this State, the United States, or any foreign government; no member of Congress; and no person who is sheriff, constable, or clerk of any court of record, shall be eligible to a seat in the Legislature.

[The amendment of this section was proposed by House Joint Resolution No. 8, Acts, Regular Session, 1970, p. 456; submitted by Acts, Regular Session, 1970, c. 22; and ratified November 3, 1970. Vote on the amendment: For ratification, 208,032; Against ratification, 141,970; Majority, 66,062.

This section prior to its amendment, read:

“No person holding a lucrative office under this State, the United States, or any foreign government; no member of Congress; no person who is a salaried officer of any railroad company, or who is sheriff, constable, or clerk of any court of record, shall be eligible to a seat in the Legislature.”]

### **Bribery Conviction Forfeits Eligibility**

14. No person who has been, or hereafter shall be convicted of bribery, perjury, or other infamous crimes, shall be eligible to a seat in the Legislature. No person who may have collected or been entrusted with public money, whether state, county, township, district, or other municipal organization, shall be eligible to the Legislature, or to any office of honor, trust, or profit in this State, until he shall have duly accounted for and paid over such money according to law.

### **Senators and Delegates Not to Hold Civil Office for Profit**

15. No Senator or Delegate, during the term for which he shall have been elected, shall be elected or appointed to any civil office of profit under this State, which has been created, or the emoluments of which have been increased during such term, except offices to be filled by election by the people. Nor shall any member of the Legislature be interested, directly or indirectly, in any contract with the State, or any county thereof, authorized by any law passed during the term for which he shall have been elected.

### **Oath of Senators and Delegates**

16. Members of the Legislature, before they enter upon their duties, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of West Virginia, and faithfully discharge the duties of Senator (or Delegate) according to the best of my ability"; and they shall also take this further oath, to wit: "I will not accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company, or person for any vote or influence I may give or withhold, as Senator (or Delegate), on any bill, resolution or appropriation, or for any act I may do or perform as Senator (or Delegate)." These oaths shall be administered in the hall of the house to which the member is elected, by a Judge of the Supreme Court of Appeals, or of a Circuit Court, or by any other person authorized by law to administer an oath; and the Secretary of State shall record and file said oaths subscribed by each member; and no other oath or declaration shall be required as a qualification. Any member who shall refuse to take the oath herein prescribed, shall forfeit his seat; and any member who shall be convicted of having violated the oath last above required to be taken, shall forfeit his seat and be disqualified thereafter from holding any office of profit or trust in this State.

### **Members of Legislature Privileged from Civil Arrest**

17. Members of the Legislature shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during the session, and for ten days before and after the same; and for words spoken in debate, or any report, motion or proposition made in either house, a member shall not be questioned in any other place.

### Time and Place of Assembly of Legislature

18. The Legislature shall assemble annually at the seat of government, and not oftener unless convened by the Governor. Regular sessions of the Legislature shall commence on the second Wednesday of January of each year. Upon the convening of the Legislature in each odd-numbered year, each House shall proceed to organize by the election of its officers for two-year terms and both Houses shall then in joint assembly open and publish the election returns delivered to the Legislature as prescribed by other provisions of this Constitution and by general law. When all of these matters have been completed in the year one thousand nine hundred seventy-three and every fourth year thereafter, the Legislature shall adjourn until the second Wednesday of February following. Notwithstanding the provisions of section fifty-one of this article and any other provisions of this Legislature, on and after the effective date hereof, there shall be submitted by the Governor to the Legislature, on the second Wednesday of February in the year one thousand nine hundred seventy-three and every fourth year thereafter, and on the second Wednesday of January of all other years, unless a later time in any year be fixed by the Legislature, a budget for the next ensuing fiscal year and a bill for the proposed appropriations of such budget.

[The first amendment of this section was proposed by Senate Joint Resolution No. 4, Acts, Regular Session, 1953, p. 612; submitted by Acts, Regular Session, 1953, c. 31; and ratified November 2, 1954. Vote on the amendment: For ratification, 190,877; Against ratification, 137,624; Majority, 53,253.

This section, prior to its amendment, read:

“This Legislature shall assemble at the seat of government, biennially, and not oftener, unless convened by the Governor. This first session of the Legislature, after the adoption of this Constitution, shall commence on the third Tuesday of November, 1872; and the regular biennial session of the Legislature shall commence on the Second Wednesday of January, 1875, and every two years thereafter, on the same day.”

It was amended to read:

“The Legislature shall assemble annually at the seat of government, and not oftener, unless convened by the Governor. Regular sessions of the Legislature shall commence on the second Wednesday of January of each year. Notwithstanding any other provisions of the Constitution, the board of public works shall, on and after the effective date hereof, submit to the Legislature an annual budget prepared as otherwise required by the Legislature.”

The second amendment of this section was proposed by House Joint Resolution No. 8, Acts, Regular Session, 1970, p. 456; submitted by Acts, Regular Session, 1970, c. 22; and ratified November 3, 1970. Vote on the amendment: For ratification, 208,032; Against ratification, 141,970; Majority, 66,062.

This section was amended to read as set out above.]



### **Convening of Legislature by Governor**

19. The Governor may convene the Legislature by proclamation whenever, in his opinion, the public safety or welfare shall require it. It shall be his duty to convene it, on application in writing, of three fifths of the members elected to each house.

### **Seat of Government**

20. The seat of government shall be at Charleston, until otherwise provided by law.

### **Provisions for Assembling of Legislature Other Than at the Seat of Government**

21. The Governor may convene the Legislature at another place, when, in his opinion, it cannot safely assemble at the seat of Government, and the Legislature may, when in session, adjourn to some other place, when in its opinion, the public safety or welfare, or the safety of the members, or their health, shall require it.

### **Length of Legislative Session**

22. The regular session of the Legislature held in the year one thousand nine hundred seventy-three and every fourth year thereafter shall, in addition to the meeting days preceding the adjournment provided for in section eighteen of this article, not exceed sixty calendar days computed from and including the second Wednesday of February, and the regular session held in all other years shall not exceed sixty calendar days computed from and including the second Wednesday of January. Any regular session may be extended by a concurrent resolution adopted by a two-thirds vote of the members elected to each House determined by yeas and nays and entered on the Journals.

[The first amendment of this section was proposed by Senate Joint Resolution No. 3, Acts, Regular Session, 1919, p. 498; submitted by Acts, Regular Session, 1919, c. 127; and ratified November 2, 1920. Vote on the amendment: For ratification, 160,929; Against ratification, 122,744; Majority, 38,185.

This section, prior to its amendment, read:

“No session of the Legislature, after the first, shall continue longer than fortyfive days, without the concurrence of two thirds of the members elected to each house.”

It was amended to read:

“All sessions of the Legislature, other than extraordinary sessions, shall continue in session for a period not exceeding fifteen days from date of convening, during which time no bills shall be passed or rejected, unless the same shall be necessary to provide for a public emergency, shall be specially recommended by the governor and passed by a vote of four fifths of the members elected to each house; whereupon, a recess of both houses must be taken until the Wednesday after the second Monday of March following. On reassembling of the Legislature, no bill shall be introduced in either house without a vote of three fourths of all the members elected to each house taken by yeas and nays. The regular session shall not continue longer than forty-five days after reconvening, without the concurrence of two thirds of the members elected to each house.”

The second amendment of this section was proposed by Senate Joint Resolution No. 9, Acts, Regular Session, 1927, p. 350; submitted by Acts, Regular Session, 1927, c. 28; and ratified November 6, 1928. Vote on the amendment: For ratification, 275,374; Against ratification, 85,123; Majority, 190,251.

It was amended to read:

“All sessions of the Legislature, other than extraordinary sessions, shall continue for a period of sixty days from the date of beginning. But all regular sessions may be extended by the concurrence of two thirds of the members elected to each house.”

The third amendment of this section was proposed by Senate Joint Resolution No. 4, Acts, Regular Session, 1953, p. 612; submitted by Acts, Regular Session, 1953, c. 31; and ratified November 2, 1954. Vote on the amendment: For ratification, 190,877; Against ratification, 137,624; Majority, 53,253.

It was amended to read:

“The regular session of the Legislature held in the year one thousand nine hundred fifty-five and every second year thereafter shall not exceed sixty days, and the regular session held in the year one thousand nine hundred fifty-six and every second year thereafter shall not exceed thirty days. During any thirty-day session the Legislature shall consider no other business than the annual budget bill, except such as may be stated in a proclamation issued by the Governor at least ten days prior to the convening of the session, or such business as may be stated by the Legislature on its own motion in a concurrent resolution adopted by a two-thirds vote of the members elected to each house. All regular sessions may be extended by the concurrence of two thirds of the members elected to each house.”

The fourth amendment of this section was proposed by House Joint Resolution No. 8, Acts, Regular Session, 1970, p. 456; submitted by Acts, Regular Session, 1970, c. 22; and ratified November 3, 1970. Vote on the amendment: For ratification, 208,032; Against ratification, 141,970; Majority, 66,062.

This section was amended to read as set out above.]

### **Concerning Adjournment**

23. Neither house shall, during the session, adjourn for more than three days, without the consent of the other. Nor shall either, without such consent, adjourn to any other place than that in which the Legislature is sitting.

### **Rules Governing Legislative Proceedings**

24. A majority of the members elected to each House of the Legislature shall constitute a quorum. But a smaller number may adjourn from day to day, and shall be authorized to compel the attendance of absent members, as each House may provide. Each House shall determine the rules of its proceedings and be the judge of the elections, returns and qualifications of its own members. The Senate shall choose, from its own body, a President; and the House of Delegates, from its own body a Speaker. Each House shall appoint its own officers, and remove them at pleasure. The oldest Delegate in point of continuous service present at the assembly of the Legislature at which officers thereof are to be selected, and if there be two or more such Delegates with equal continuous service the one agreed upon by such Delegates or chosen by such Delegates by lot, shall call the House to order, and preside over it until the Speaker thereof shall have been chosen, and have taken his seat. The oldest member of the Senate in point of continuous service present at the assembly of the Legislature at which officers thereof are to be selected, and if there be two or more such members with equal continuous service the one agreed upon by such members or chosen by such members by lot, shall call the Senate to order, and preside over the same until a President of the Senate shall have been chosen, and have taken his seat.

[The amendment of this section was proposed by House Joint Resolution No. 8, Acts, Regular Session, 1970, p. 456; submitted by Acts, Regular Session, 1970, c. 22; and ratified November 3, 1970. Vote on the amendment: For ratification, 208,032; Against ratification, 141,970; Majority, 66,062.

This section, prior to its amendment read:

“A majority of the members elected to each house of the Legislature shall constitute a quorum. But a smaller number may adjourn from day to day, and shall be authorized to compel the attendance of absent members, as each house may provide. Each house shall determine the rules of its proceedings and be the judge of the elections, returns and qualifications of its own members. The Senate shall choose, from its own body, a President; and the House of Delegates, from its own body, a Speaker. Each house shall appoint its own officers, and remove them at pleasure. The oldest Delegate present shall call the House to order at the opening of each new House of Delegates, and preside over it until the Speaker thereof shall have been chosen and has taken his seat. The oldest member of the Senate present at the commencement of each regular session thereof shall call the Senate to order, and preside over the same until a President of the Senate shall have been chosen and has taken his seat.”]

### **Authority to Punish Members**

25. Each house may punish its own members for disorderly behavior, and with the concurrence of two thirds of the members elected thereto, expel a member, but not twice for the same offense.

### **Provisions for Undisturbed Transaction of Business**

26. Each house shall have power to provide for its own safety, and the undisturbed transaction of its business, and may punish, by imprisonment, any person not a member, for disrespectful behavior in its presence; for obstructing any of its proceedings, or any of its officers in the discharge of his duties, or for any assault, threat or abuse of a member, for words spoken in debate. But such imprisonment shall not extend beyond the termination of the session, and shall not prevent the punishment of any offense, by the ordinary course of law.

### **Accounting for State Moneys**

27. Laws shall be enacted and enforced, by suitable provisions and penalties, requiring sheriffs, and all other officers, whether state, county, district or municipal, who shall collect or receive, or whose official duty it is, or shall be, to collect, receive, hold or pay out any moneys belonging to, or which is, or shall be, for the use of the State or of any county, district, or municipal corporation, to make annual account and settlement therefor. Such settlement, when made, shall be subject to exceptions, and take such direction, and have only such force and effect, as may be provided by law; but in all cases such settlement shall be recorded, and be open to the examination of the people at such convenient place or places as may be appointed by law.

### **Origination of Bills**

28. Bills and resolutions may originate in either house, but may be passed, amended or rejected by the other.

### **Requirement for Reading of Bills**

29. No bill shall become a law until it has been fully and distinctly read, on three different days, in each house, unless in case of urgency, by a vote of four fifths of the members present, taken by yeas and nays on each bill, this rule be dispensed with: *Provided*, In all cases, that an engrossed bill shall be fully and distinctly read in each house.

### **Acts to Embrace but One Object—Time of Effect**

30. No act hereafter passed shall embrace more than one object, and that shall be expressed in the title. But if any object shall be embraced in an act which is not so expressed, the act shall be void only as to so much thereof as shall not be so expressed, and no law shall be revived, or amended, by reference to its title only; but the law revived, or the section amended, shall be inserted at large, in the new act. And no act of the Legislature, except such as may be passed at the first session under this Constitution, shall take effect until the expiration of ninety days after its passage, unless the Legislature shall by a vote of two thirds of the members elected to each house, taken by yeas and nays, otherwise direct.

### **How Bills May Be Amended**

31. When a bill or joint resolution, passed by one house, shall be amended by the other, the question on agreeing to the bill, or joint resolution, as amended, shall be again voted on, by yeas and nays, in the house by which it was originally passed, and the result entered upon its journals; in all such cases, the affirmative vote of a majority of all the members elected to such house shall be necessary.

### **“Majority” Defined**

32. Whenever the words, “a majority of the members elected to either house of the Legislature,” or words of like import, are used in this Constitution, they shall be construed to mean a majority of the whole number of members to which each house is, at the time, entitled, under the apportionment of representation, established by the provisions of this Constitution.

### **Compensation and Expenses of Members**

33. Members of the Legislature shall receive such compensation in connection with the performance of their respective duties as members of the Legislature and such allowances for travel and other expenses in connection therewith as shall be (1) established in

a resolution submitted to the Legislature by the Citizens Legislative Compensation Commission hereinafter created, and (2) thereafter enacted into general law by the Legislature at a regular session thereof, subject to such requirements and conditions as shall be prescribed in such general law. The Legislature may in any such general law reduce but shall not increase any item of compensation or expense allowance established in such resolution. All voting on the floor of both Houses on the question of passage of any such general law shall be by yeas and nays to be entered on the Journals.

The Citizens Legislative Compensation Commission is hereby created. It shall be composed of seven members who have been residents of this State for at least ten years prior to the date of appointment, to be appointed by the Governor within twenty days after ratification of this amendment, no more than four of whom shall be members of the same political party. The members shall be broadly representative of the public at large. Members of the Legislature and officers and employees of the State or of any county, municipality or other governmental unit of the State shall not be eligible for appointment to or to serve as members of the Commission. Each member of the Commission shall serve for a term of seven years, except of the members first appointed, one member shall be appointed for a term of one year, and one each for terms ending two, three, four, five, six and seven years after the date of appointment. As the term of each member first appointed expires, a successor shall be appointed for a seven-year term. Any member may be reappointed for any number of terms, and any vacancy shall be filled by the Governor for the unexpired term. Any member of the Commission may be removed by the Governor prior to the expiration of such member's term for official misconduct, incompetency or neglect of duty. The Governor shall designate one member of the Commission as chairman. The members of the Commission shall serve without compensation, but shall be entitled to be reimbursed for all reasonable and necessary expenses actually incurred in the performance of their duties as such members.

The Commission shall meet as often as may be necessary and shall within fifteen days after the beginning of the regular session of

the Legislature in the year one thousand nine hundred seventy-one and within fifteen days after the beginning of the regular session in each fourth year thereafter submit by resolution to the Legislature its determination of compensation and expense allowances, which resolution must be concurred in by at least four members of the Commission.

Notwithstanding any other provision of this Constitution, such compensation and expense allowances as may be provided for by any such general law shall be paid on and after the effective date of such general law. Until the first such general law becomes effective, the provisions of this section in effect immediately prior to the ratification of this amendment shall continue to govern.

[The first amendment of this section was proposed by Senate Joint Resolution No. 3, Acts, Regular Session, 1919, p. 498; submitted by Acts, Regular Session, 1919, c. 127; and ratified November 2, 1920. Vote on the amendment: For ratification, 160,929; Against ratification, 122,744; Majority, 38,185.

This section, prior to its amendment, read:

“The members of the Legislature shall each receive for their services the sum of four dollars per day and ten cents for each mile traveled in going to and returning from the seat of Government by the most direct route. The Speaker of the House of Delegates and the President of the Senate, shall each receive an additional compensation of two dollars per day for each day they shall act as presiding officers. No other allowance or emolument than that by this section provided shall directly or indirectly be made or paid to the members of either House for postage, stationery, newspapers, or any other purpose whatever.”

It was amended to read:

“The members of the Legislature shall each receive for their services the sum of five hundred dollars per annum and ten cents for each mile traveled in going to and returning from the seat of government by the most direct route. The Speaker of the House of Delegates and the President of the Senate, shall each receive an additional compensation of two dollars per day for each day they shall act as presiding officers. No other allowance or emolument than that by this section provided shall directly or indirectly be made or paid to the members of either house for postage, stationery, newspapers, or any other purpose whatever.”

The second amendment of this section was proposed by Senate Joint Resolution No. 4, Acts, Regular Session, 1953, p. 612; submitted by Acts, Regular Session, 1953, c. 31; and ratified November 2, 1954. Vote on the amendment: For ratification, 190,877; Against ratification, 137,624; Majority, 53,253.

It was amended to read:

“Each member of the Legislature shall receive for his services the sum of one thousand five hundred dollars a year, and expenses for one round trip in connection with any session, at the rate of ten cents a mile traveled in going to and returning from the seat of government by the most direct route: *Provided*, That if party caucuses are held in advance of the date of the assembly of the Legislature in oddnumbered years for the purpose of selecting candidates

for officers of the two houses, expenses for travel at the rate herein fixed shall be allowed each member for one round trip in connection with attending such caucuses. The Speaker of the House of Delegates and the President of the Senate shall each receive an additional compensation of five dollars a day for each day served as presiding officer. No other allowance or emolument than that by this section provided shall directly or indirectly be made or paid to the members of either house for postage, stationery, newspapers, or any other purpose whatever. Notwithstanding any other provision of the Constitution, the compensation herein provided for shall be paid to each member of the Legislature on and after the adoption of this amendment.”

The third amendment of this section was proposed by House Joint Resolution No. 8, Acts, Regular Session, 1970, p. 456; submitted by Acts, Regular Session, 1970, c. 22; and ratified November 3, 1970. Vote on the amendment: For ratification, 208,032; Against ratification, 141,970; Majority, 66,062.

This section was amended to read as set out above.]

### **Distribution of Laws and Journals Provided— Contracts for Printing**

34. The Legislature shall provide by law that the fuel, stationery and printing paper, furnished for the use of the State; the copying, printing, binding and distributing the laws and journals; and all other printing ordered by the Legislature, shall be let by contract to the lowest responsible bidder, bidding under a maximum price to be fixed by the Legislature; and no member or officer thereto, or officer of the State, shall be interested, directly or indirectly, in such contract, but all such contracts shall be subject to the approval of the Governor, and in case of his disapproval of any such contract, there shall be a reletting of the same in such manner as may be prescribed by law.

### **State Not to Be Made Defendant in Any Court, Except in Garnishment or Attachment Proceedings**

35. The State of West Virginia shall never be made defendant in any court of law or equity, except the State of West Virginia, including any subdivision thereof or any municipality therein, or any officer, agent or employee thereof, may be made defendant in any garnishment or attachment proceeding, as garnishee or suggestee.

[The amendment of this section was proposed by House Joint Resolution No. 3, Acts, Regular Session, 1935, p. 662; submitted by Acts, Regular Session, 1935, c. 23; and ratified November 3, 1936. Vote on the amendment: For ratification, 161,386; Against ratification, 61,472; Majority, 99,914.

This section, prior to its amendment, read:

“The State of West Virginia shall never be made defendant in any court of law or equity.”]



### **Lotteries; Bingo; Raffles; County Option**

36. The Legislature shall have no power to authorize lotteries, or gift enterprises for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets in this State; except that the Legislature may authorize lotteries which are regulated, controlled, owned and operated by the State of West Virginia in the manner provided by general law, either separately by this State or jointly or in cooperation with one or more other states and may authorize state regulated bingo games and raffles for the purpose of raising money by charitable or public service organizations or by the state fair of West Virginia for charitable or public service purposes: *Provided*, That each county may disapprove the holding of bingo games and raffles within that county at a regular, primary or special election but once having disapproved such activity, may thereafter authorize the holding of bingo games and raffles, by majority vote at a regular, primary, or special election held not sooner than five years after the election resulting in disapproval; that all proceeds from the bingo games and raffles be used for the purpose of supporting charitable or public service purposes; and that the Legislature shall provide a means of regulating the bingo games and raffles so as to ensure that only charitable or public service purposes are served by the conducting of the bingo games and raffles.

[The first amendment to this section was proposed by House Joint Resolution No. 13, Acts, Regular Session, 1980, p. 739; submitted in accordance with Article 11, Chapter 3 of the West Virginia Code; and ratified November 4, 1980. Vote on the amendment: For ratification, 387,790; Against ratification, 216,659; Majority, 171,131.

This section, prior to its amendment, read:

“The Legislature shall have no power to authorize lotteries, or gift enterprises for any purpose, and pass laws to prohibit the sale of lottery or gift enterprise tickets in this State.”

The second amendment of this section was proposed by Senate Joint Resolution No. 3, Acts, Regular Session, 1983, p. 1076 and ratified November 6, 1984. Vote on the amendment: For ratification, 437,357; Against ratification, 219,453; Majority, 217,904 (unofficial).

This section was amended to allow the Legislature to authorize lotteries which are regulated, controlled, owned and operated by the State of West Virginia in the manner provided by general law, either separately by this State or jointly or in cooperation with one or more other states.”]

### **Terms of Office Not to Be Extended After Election**

37. No law shall be passed after the election of any public officer, which shall operate to extend the term of his office.

### **Salaries of Officials Cannot Be Increased During Official Terms**

38. No extra compensation shall be granted or allowed to any public officer, agent, servant or contractor, after the services shall have been rendered or the contract made; nor shall any Legislature authorize the payment of any claim or part thereof, hereafter created against the State, under any agreement or contract made, without express authority of law; and all such unauthorized agreements shall be null and void. Nor shall the salary of any public officer be increased or diminished during his term of office, nor shall any such officer, or his or their sureties be released from any debt or liability due to the State: *Provided*, The Legislature may make appropriations for expenditures hereafter incurred in suppressing insurrection, or repelling invasion.

### **Local Laws Not to Be Passed in Enumerated Cases**

39. The Legislature shall not pass local or special laws in any of the following enumerated cases; that is to say, for

Granting divorces;

Laying out, opening, altering and working roads or highways;

Vacating roads, town plats, streets, alleys and public grounds;

Locating, or changing county seats;

Regulating or changing county or district affairs;

Providing for the sale of church property, or property held for charitable uses;

Regulating the practice in courts of justice;

Incorporating cities, towns or villages, or amending the charter of any city, town or village, containing a population of less than two thousand;

Summoning or impaneling grand or petit juries;

The opening or conducting of any election, or designating the place of voting;

The sale and mortgage of real estate belonging to minors, or others under disability;

Chartering licensing, or establishing ferries or toll bridges;

- Remitting fines, penalties or forfeitures;
- Changing the law of descent;
- Regulating the rate of interest;
- Authorizing deeds to be made for land sold for taxes;
- Releasing taxes; releasing title to forfeited lands.

The Legislature shall provide, by general laws, for the foregoing and all other cases for which provision can be so made; and in no case shall a special act be passed, where a general law would be proper, and can be made applicable to the case, nor in any other case in which the courts have jurisdiction, and are competent to give the relief asked for.

### **Municipal Home Rule**

39a. No local or special law shall hereafter be passed incorporating cities, towns or villages, or amending their charters. The Legislature shall provide by general laws for the incorporation and government of cities, towns and villages, and shall classify such municipal corporations, upon the basis of population, into not less than two nor more than five classes. Such general laws shall restrict the powers of such cities, towns and villages to borrow money and contract debts, and shall limit the rate of taxes for municipal purposes, in accordance with section one, article ten of the Constitution of the State of West Virginia. Under such general laws, the electors of each municipal corporation, wherein the population exceeds two thousand, shall have power and authority to frame, adopt and amend the charter of such corporation, or to amend an existing charter thereof, and through its legally constituted authority, may pass all laws and ordinances relating to its municipal affairs: *Provided*, That any such charter or amendment thereto, and any such law or ordinance so adopted, shall be invalid and void if inconsistent or in conflict with this Constitution or the general laws of the State then in effect, or thereafter from time to time enacted.

[This section was proposed by Senate Joint Resolution No. 3, Acts, Regular Session, 1935, p. 706; submitted by Acts, Regular Session, 1935, c. 22; and ratified November 3, 1936. Vote on the amendment: For ratification, 150,370; Against ratification, 59,580; Majority, 90,790.]

### **Limiting Powers of Court or Judge**

40. The Legislature shall not confer upon any court, or judge, the power of appointment to office, further than the same is herein provided for.

### **Each House to Keep Journal of Proceedings**

41. Each house shall keep a journal of its proceedings, and cause the same to be published from time to time, and all bills and joint resolutions shall be described therein, as well by their title as their number, and the yeas and nays on any question, if called for by one tenth of those present shall be entered on the journal.

### **Appropriation Bills to Be Specific**

42. Bills making appropriations for the pay of members and officers of the Legislature, and for salaries for the officers of the government, shall contain no provision on any other subject.

**Clerk's Note:** This section is superseded by the Budget Amendment of 1918 and the Modern Budget Amendment of 1968; section 51 of this article.

### **Board or Court of Registration of Voters Prohibited**

43. The Legislature shall never authorize or establish any board or court of registration of voters.

### **Election of Legislative, County and Municipal Officers**

44. In all elections to office which may hereafter take place in the Legislature, or in any county, or municipal body, the vote shall be *viva voce*, and be entered on its journals.

### **Bribery and Attempt to Bribe—Punishment**

45. It shall be the duty of the Legislature, at its first session after the adoption of this Constitution, to provide, by law, for the punishment by imprisonment in the penitentiary, of any person who shall bribe, or attempt to bribe, any executive or judicial officer of this State, or any member of the Legislature in order to influence him, in the performance of any of his official or public duties; and also to provide by law for the punishment by imprisonment in the penitentiary of any of said officers, or any member of the Legislature, who shall demand, or receive, from any corporation, company or person, any money, testimonial, or other valuable thing, for the performance

of his official or public duties, or for refusing or failing to perform the same, or for any vote or influence a member of the Legislature may give or withhold as such member; and also to provide by law for compelling any person, so bribing or attempting to bribe, or so demanding or receiving a bribe, fee, reward, or testimonial, to testify against any person or persons, who may have committed any of said offenses: *Provided*, That any person so compelled to testify, shall be exempted from trial and punishment for the offense of which he may have been guilty, and concerning which he is compelled to testify; and any person convicted of any of the offenses specified in this section, shall, as a part of the punishment thereof, be forever disqualified from holding any office or position of honor, trust, or profit in this State.

### **Manufacture and Sale of Intoxicating Liquors**

46. The Legislature shall by appropriate legislation, regulate the manufacture and sale of intoxicating liquors within the limits of this State, and any law authorizing the sale of such liquors shall forbid and penalize the consumption and the sale thereof for consumption in a saloon or other public place.

[The first amendment of this section was proposed by Senate Joint Resolution No. 6, Acts, Regular Session, 1911, p. 289; submitted by Acts, Regular Session, 1911, c. 15; and ratified November 5, 1912. Vote on the amendment: For ratification, 164,945; Against ratification, 72,603; Majority, 82,342.

This section, prior to its amendment, read:

“Laws may be passed regulating or prohibiting the sale of intoxicating liquors within the limits of this State.”

It was amended to read:

“On and after the first day of July, one thousand nine hundred fourteen, the manufacture, sale and keeping for sale of malt, vinous or spiritous liquors, wine, porter, ale, beer or any intoxicating drink, mixture or preparation of like nature, except as hereinafter provided, are hereby prohibited in this State: *Provided, however*, That the manufacture and sale and keeping for sale of such liquors for medicinal, pharmaceutical, mechanical, sacramental and scientific purposes, and the manufacture and sale of denatured alcohol for industrial purposes may be permitted under such regulations as the Legislature may prescribe. The Legislature shall, without delay, enact such laws, with regulations, conditions, securities and penalties as may be necessary to carry into effect the provisions of this section.”

The second amendment of this section was proposed by Senate Committee Substitute for House Joint Resolution No. 1, Acts, Regular Session, 1933, p. 532; submitted by Acts, Regular Session, 1933, c. 25; and ratified November 6, 1934. Vote on the amendment: For ratification, 276,978; Against ratification, 237,559; Majority, 39,419.

This section was amended to read as set out above.]

### **Incorporation of Religious Denominations Prohibited**

47. No charter of incorporation shall be granted to any church or religious denomination. Provisions may be made by general laws for securing the title to church property, and for the sale and transfer thereof, so that it shall be held, used, or transferred for the purposes of such church, or religious denomination.

### **Homestead Exemption**

48. Any husband or parent, residing in this State, or the infant children of deceased parents, may hold a homestead of the value of five thousand dollars, and personal property to the value of one thousand dollars, exempt from forced sale, subject to such regulations as shall be prescribed by law: *Provided*, That such homestead exemption shall in nowise affect debts or liabilities existing at the time of the adoption of this Constitution and the increases in such homestead exemption provided by this amendment shall in nowise affect debts or liabilities existing at the time of the ratification of such amendment: *Provided, however*, That no property shall be exempt from sale for taxes due thereon, or for the payment of purchase money due upon said property, or for debts contracted for the erection of improvements thereon.

[The amendment of this section was proposed by House Joint Resolution No. 7, Acts, Regular Session, 1973, p. 582; and ratified at a special election November 6, 1973. Vote on the amendment: For ratification, 202,407; Against ratification, 31,665; Majority, 170,742.

This section, prior to its amendment, read:

“Any husband or parent, residing in this State, or the infant children of deceased parents, may hold a homestead of the value of one thousand dollars, and personal property to the value of two hundred dollars, exempt from forced sale subject to such regulations as shall be prescribed by law: *Provided*, That such homestead exemption shall in nowise affect debts or liabilities existing at the time of the adoption of this Constitution: *And provided further*, That no property shall be exempt from sale for taxes due thereon, or for the payment of purchase money due upon said property, or for debts contracted for the erection of improvements thereon.”]

### **Property of Married Women**

49. The Legislature shall pass such laws as may be necessary to protect the property of married women from the debts, liabilities and control of their husbands.

### **Plan of Proportional Representation**

50. The Legislature may provide for submitting to a vote of the people at the general election to be held in 1876, or at any general election thereafter, a plan or scheme of proportional representation in the Senate of this State; and if a majority of the votes cast at such election be in favor of the plan submitted to them, the Legislature shall, at its session succeeding such election, rearrange the Senatorial Districts in accordance with the plan so approved by the people.

### **Budget and Supplementary Appropriation Bills**

51. The Legislature shall not appropriate any money out of the treasury except in accordance with the provisions of this section.

#### **Subsection A—Appropriation Bills**

(1) Every appropriation bill shall be either a budget bill, or a supplementary appropriation bill, as hereinafter provided.

#### **Subsection B—Budget Bills**

(2) Within ten days after the convening of the regular session of the Legislature in odd-numbered years, unless such time shall be extended by the Legislature, and on the second Wednesday of January in even-numbered years, the Governor shall submit to the Legislature a budget for the next ensuing fiscal year. The budget shall contain a complete plan of proposed expenditures and estimated revenues for the fiscal year and shall show the estimated surplus or deficit of revenues at the end of each fiscal year. Accompanying each budget shall be a statement showing: (a) An estimate of the revenues and expenditures for the current fiscal year, including the actual revenues and actual expenditures to the extent available, and the revenues and expenditures for the next preceding fiscal year; (b) the current assets, liabilities, reserves and surplus or deficit of the State; (c) the debts and funds of the State; (d) an estimate of the State's financial condition as of the beginning and end of the fiscal year covered by the budget; (e) any explanation the Governor may desire to make as to the important features of the budget and any suggestions as to methods for reduction or increase of the State's revenue.

(3) Each budget shall embrace an itemized estimate of the appropriations, in such form and detail as the Governor shall determine or as may be prescribed by law: (a) For the Legislature as

certified to the Governor in the manner hereinafter provided; (b) for the executive department; (c) for the judiciary department, as provided by law, certified to the Governor by the Auditor; (d) for payment and discharge of the principal and interest of any debt of the State created in conformity with the Constitution, and all laws enacted in pursuance thereof; (e) for the salaries payable by the State under the Constitution and laws of the State; (f) for such other purposes as set forth in the Constitution and in laws made in pursuance thereof.

(4) The Governor shall deliver to the presiding officer of each House the budget and a bill for all the proposed appropriations of the budget clearly itemized and classified, in such form and detail as the Governor shall determine or as may be prescribed by law; and the presiding officer of each House shall promptly cause the bill to be introduced therein, and such bill shall be known as the "Budget Bill." The Governor may, with the consent of the Legislature, before final action thereon by the Legislature, amend or supplement the budget to correct an oversight, or to provide funds contingent on passage of pending legislation, and in case of an emergency, he may deliver such an amendment or supplement to the presiding officers of both Houses; and the amendment or supplement shall thereby become a part of the budget bill as an addition to the items of the bill or as a modification of or a substitute for any item of the bill the amendment or supplement may affect.

(5) The Legislature shall not amend the budget bill so as to create a deficit but may amend the bill by increasing or decreasing any item therein: *Provided*, That no item relating to the judiciary shall be decreased, and except as otherwise provided in this Constitution, the salary or compensation of any public officer shall not be increased or decreased during his term of office: *Provided further*, That the Legislature shall not increase the estimate of revenue submitted in the budget without the approval of the Governor.

(6) The Governor and such representatives of the executive departments, boards, officers and commissions of the State expending or applying for state moneys as have been designated by the Governor for this purpose, shall have the right, and when requested by either House of the Legislature it shall be their duty, to appear and be heard with respect to any budget bill, and to answer inquiries relative thereto.



### **Subsection C—Supplementary Appropriation Bills**

(7) Neither House shall consider other appropriations until the budget bill has been finally acted upon by both Houses, and no such other appropriations shall be valid except in accordance with the provisions following: (a) Every such appropriation shall be embodied in a separate bill limited to some single work, object or purpose therein stated and called therein a supplementary appropriation bill; (b) each supplementary appropriation bill shall provide the revenue necessary to pay the appropriation thereby made by a tax, direct or indirect, to be laid and collected as shall be directed in the bill unless it appears from such budget that there is sufficient revenue available.

### **Subsection D—General Provisions**

(8) If the budget bill shall not have been finally acted upon by the Legislature three days before the expiration of its regular session, the Governor shall issue a proclamation extending the session for such further period as may, in his judgment, be necessary for the passage of the bill; but no matter other than the bill shall be considered during such an extension of session except a provision for the cost thereof.

(9) For the purpose of making up the budget, the Governor shall have the power, and it shall be his duty, to require from the proper state officials, including herein all executive departments, all executive and administrative officers, bureaus, boards, commissions and agencies expending or supervising the expenditure of, and all institutions applying for state moneys and appropriations, such itemized estimates and other information, in such form and at such times as he shall direct. The estimates for the legislative department, certified by the presiding officer of each House, and for the judiciary, as provided by law, certified by the Auditor, shall be transmitted to the Governor in such form and at such times as he shall direct, and shall be included in the budget.

(10) The Governor may provide for public hearings on all estimates and may require the attendance at such hearings of representatives of all agencies and all institutions applying for state moneys. After such public hearings he may, in his discretion, revise all estimates except those for the legislative and judiciary departments.

(11) Every budget bill or supplementary appropriation bill passed by a majority of the members elected to each House of the Legislature shall, before it becomes law, be presented to the Governor. The Governor may veto the bill, or he may disapprove or reduce items or parts of items contained therein. If he approves he shall sign it

and thereupon it shall become a law. The bill, items or parts thereof, disapproved or reduced by the Governor, shall be returned with his objections to each House of the Legislature.

Each House shall enter the objections at large upon its journal and proceed to reconsider. If, after reconsideration, two thirds of the members elected to each House agree to pass the bill, or such items or parts thereof, as were disapproved or reduced, the bill, items or parts thereof, approved by two thirds\* of such members, shall become law, notwithstanding the objections of the Governor. In all such cases, the vote of each House shall be determined by yeas and nays to be entered on the journal.

A bill, item or part thereof, which is not returned by the Governor within five days (Sundays excepted) after the bill has been presented to him shall become a law in like manner as if he had signed the bill, unless the Legislature, by adjournment, prevents such return, in which case it shall be filed in the office of the Secretary of State, within five days after such adjournment, and shall become a law; or it shall be so filed within such five days with the objections of the Governor, in which case it shall become law to the extent not disapproved by the Governor.

(12) The Legislature may, from time to time, enact such laws, not inconsistent with this section, as may be necessary and proper to carry out its provisions.

(13) In the event of any inconsistency between any of the provisions of this section and any of the other provisions of the Constitution, the provisions of this section shall prevail. But nothing herein shall be construed as preventing the Governor from calling extraordinary sessions of the Legislature, as provided by section nineteen of this article, or as preventing the Legislature at such extraordinary sessions from considering any emergency appropriation or appropriations.

(14) If any item of any appropriation bill passed under the provisions of this section shall be held invalid upon any ground, such invalidity shall not affect the legality of the bill or of any other item of such bill or bills.

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[\*Every bill other than a budget bill or supplementary appropriation bill, disapproved by the Governor, requires a vote of a majority of the members elected to each house in order to become law, notwithstanding the objections of the Governor. See "Governor's Approval or Disapproval of Bills Passed by the Legislature," Art. VII, §14.]

[This section was proposed by Senate Joint Resolution No. 1, Acts, Second Extraordinary Session, 1917, p. 69; submitted by Acts, Second Extraordinary Session, 1917, c. 15; and ratified November 5, 1918. Vote on the amendment: For ratification, 51,405; Against ratification, 26,651; Majority, 24,754.

The amendment of this section was proposed by House Joint Resolution No. 3, Acts, Regular Session, 1967, p. 1288; submitted by Acts, Regular Session, 1968, c. 15; and ratified November 5, 1968. Vote on the amendment: For ratification, 323,560; Against ratification, 159,255; Majority, 164,305.

This section was amended to read as set out above.]

### **Motor Fuel and Motor Vehicle Revenue**

52. Revenue from gasoline and other motor fuel excise and license taxation, motor vehicle registration and license taxes, and all other revenue derived from motor vehicles or motor fuels shall, after the deduction of statutory refunds and cost of administration and collection authorized by legislative appropriation, be appropriated and used solely for construction, reconstruction, repair and maintenance of public highways, and also the payment of the interest and principal on all road bonds heretofore issued or which may be hereafter issued for the construction, reconstruction or improvement of public highways, and the payment of obligations incurred in the construction, reconstruction, repair and maintenance of public highways.

[This section was proposed by House Joint Resolution No. 6, Acts, Regular Session, 1941, p. 589; submitted by Acts, Regular Session, 1941, c. 11; and ratified November 3, 1942. Vote on the amendment: For ratification, 228,828; Against ratification, 36,651; Majority, 190,177.]

### **Forestry**

53. The Legislature may by general law define and classify forest lands and provide for cooperation by contract between the State and the owner in the planting, cultivation, protection, and harvesting thereof. Forest lands embraced in any such contract may be exempted from all taxation or be taxed in such manner, including the imposition of a severance tax or charge as trees are harvested, as the Legislature may from time to time provide. But any tax measured by valuation shall not exceed the aggregate rates authorized by section one of article ten of this Constitution.

[This section was proposed by House Joint Resolution No. 7, Acts, Regular Session, 1945, p. 640; submitted by Acts, Regular Session, 1945, c. 22; and ratified November 5, 1946. Vote on the amendment: For ratification, 179,150; Against ratification, 148,104; Majority, 31,046.]

### **Continuity of Governmental Operations**

54. The Legislature of West Virginia in order to insure continuity of state and local governmental operations in periods of emergency resulting from disasters caused by enemy attack, shall have the power and the immediate duty (1) to provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such officers, and (2) to adopt such other measures as may be necessary and proper for insuring the continuity of governmental operations.

[This section was proposed by House Joint Resolution No. 9, Acts, Regular Session, 1959, p. 660; submitted by Acts, Regular Session, 1959, c. 19; and ratified November 8, 1960. Vote on the amendment: For ratification, 237,233; Against ratification, 101,192; Majority, 136,041.]

### **Revenues and Properties Applicable to Fish and Wildlife Conservation**

55. Fees, moneys, interest or funds arising from the sales of all permits and licenses to hunt, trap, fish or otherwise hold or capture fish and wildlife resources and money reimbursed and granted by the federal government for fish and wildlife conservation shall be expended solely for the conservation, restoration, management, educational benefit, recreational use and scientific study of the state's fish and wildlife, including the purchases or other acquisition of property for said purposes and for the administration of the laws pertaining thereto and for no other purposes. In the event that any such properties or facilities are converted to uses other than those specified in this section and the conversion jeopardizes the availability of the receipt of federal funds by the state, the agency of the state responsible for the conservation of its fish and wildlife resources shall receive fair market compensation for the converted properties or facilities. Such compensation shall be expended only for the purposes specified in this section. All moneys shall be deposited within the state treasurer in the "license fund" and other specific funds created especially for fish and wildlife conservation and the public's use of fish and wildlife. Nothing in this section shall prevent the Legislature from reducing or increasing the amount of any permit or license to hunt, trap, fish or otherwise hold or capture fish or wildlife or to repeal or enact additional fees or requirements for the privilege of hunting, trapping, fishing or to otherwise hold or capture fish or wildlife.

[This section was proposed by House Joint Resolution No. 2, Acts, Regular Session, 1995, p. 1833, and ratified November 5, 1996. Vote on the amendment: For ratification, 405,862; Against ratification, 107,677; Majority, 298,185.]

### **Revenues Applicable to Nongame Wildlife Resources In the State**

56. Notwithstanding any provision of section fifty-two of article six of this Constitution, the Legislature may, by general law, provide funding for conservation, restoration, management, educational benefit and recreational and scientific use of nongame wildlife resources in this state by providing a specialized nongame wildlife motor vehicle registration plate for motor vehicles registered in this state. The registration plate shall be issued on a voluntary basis pursuant to terms and conditions provided by general law for an additional fee above the basic registration and license fees and costs otherwise dedicated to the road fund. Any moneys collected from the issuance of these specialized registration plates in excess of those revenues otherwise dedicated to the road fund shall be deposited in a special revenue account in the state treasury and expended only in accordance with appropriations made by the Legislature as provided by general law for the conservation, restoration, management, educational benefit and recreational and scientific use of nongame wildlife resources in this state. All moneys collected which are in excess of the revenues otherwise dedicated to the road fund shall be deposited by the state treasurer in the "nongame wildlife fund" created especially for nongame wildlife resources in this state.

[This section was proposed by Senate Joint Resolution No. 8, Acts, Regular Session, 1995, p. 1835, and ratified November 5, 1996. Vote on the amendment: For ratification, 356,137; Against ratification, 136,934; Majority, 219,203.]

## **ARTICLE VII**

### **Executive Department**

1. The executive department shall consist of a Governor, Secretary of State, Auditor, Treasurer, Commissioner of Agriculture and Attorney General, who shall be *ex officio* reporter of the court of appeals. Their terms of office shall be four years, and shall commence on the first Monday after the second Wednesday of January next after their election. They shall reside at the seat of government during their terms of office, keep there the public records, books and papers pertaining to their respective offices, and shall perform such duties as may be prescribed by law.

[The first amendment of this section was proposed by House Joint Resolution No. 7, Acts, First Extraordinary Session, 1933, p. 506; submitted by Acts, First Extraordinary Session, 1933, c. 30; and ratified November 6, 1934. Vote on the amendment: For ratification, 251,965; Against ratification, 145,787; Majority, 106,178.

This section, prior to its amendment, read:

“The Executive Department shall consist of a Governor, Secretary of State, State Superintendent of Free Schools, Auditor, Treasurer and Attorney General, who shall be ex officio reporter of the Court of Appeals. Their terms of office, respectively, shall be four years, and shall commence on the fourth day of March, next after their election. They shall, except the Attorney General, reside at the seat of government during their terms of office, and keep there the public records, books and papers pertaining to their respective offices and shall perform such duties as may be prescribed by law.”

It was amended to read:

“The executive department shall consist of a Governor, Secretary of State, State Superintendent of Free Schools, Auditor, Treasurer, Commissioner of Agriculture and Attorney General, who shall be ex officio reporter of the Court of Appeals. Their terms of office shall be four years, and shall commence on the first Monday after the second Wednesday of January next after their election. They shall reside at the seat of government during their terms of office, and keep there the public records, books and papers pertaining to their respective offices, and shall perform such duties as may be prescribed by law.”

The second amendment of this section was proposed by Senate Joint Resolution No. 1, Acts, Regular Session, 1957, p. 837; submitted by Acts, Regular Session, 1957, c. 19; and ratified November 4, 1958. Vote on the amendment: For ratification, 230,879; Against ratification, 206,201; Majority, 24,678.

This amendment deleted “State Superintendent of Free Schools.”

The section was amended to read as set out above.]

## Election

**2. An election for Governor, Secretary of State, Auditor, Treasurer, Commissioner of Agriculture and Attorney General shall be held at such times and places as may be prescribed by law.**

[The first amendment of this section was proposed by House Joint Resolution No. 5, Acts, Regular Session, 1901, p. 459; submitted by Acts, Regular Session, 1901, c. 153; and ratified November 4, 1902. Vote on the amendment: For ratification, 59,509; Against ratification, 22,022; Majority, 37,487.

This section, prior to its amendment, read:

“An election for Governor, State Superintendent of Free Schools, Auditor, Treasurer and Attorney General, shall be held at such times and places as may be prescribed in this Constitution or by general law.”

It was amended to read:

“An election for Governor, Secretary of State, State Superintendent of Free Schools, Auditor, Treasurer and Attorney General, shall be held at such times and places as may be prescribed by law.”

The second amendment of this section was proposed by Senate Joint Resolution No. 1, Acts, Regular Session, 1957, p. 837; submitted by Acts, Regular Session, 1957, c. 19; and ratified November 4, 1958. Vote on the amendment: For ratification, 230,879; Against ratification, 206,201; Majority, 24,678.

This amendment deleted "State Superintendent of Free Schools," and added "Commissioner of Agriculture." (See Acts, Regular Session, 1911, c. 35 and Barnes' West Virginia Code, 1923, § 2, c. 15D, election of Commissioner of Agriculture prior to this amendment.)

This section was amended to read as set out above.]

### **Certification of Election Returns—Contests**

3. The returns of every election for the above named officers shall be sealed up and transmitted by the returning officers of the Secretary of State, directed "to the Speaker of the House of Delegates," who shall, immediately after the organization of the House, and before proceeding to business, open and publish the same, in the presence of a majority of each house of the Legislature, which shall for that purpose assemble in the Hall of the House of Delegates. The person having the highest number of votes for either of said offices, shall be declared duly elected thereto; but if two or more have an equal and the highest number of votes for the same office, the Legislature shall, by joint vote, choose one of such persons for said office. Contested, elections for the office of Governor shall be determined by both houses of the Legislature by joint vote, in such manner as may be prescribed by law.

[The amendment of this section was proposed by House Joint Resolution No. 5, Acts, Regular Session, 1901, p. 459; submitted by Acts, Regular Session, 1901, c. 153; and ratified November 4, 1902. Vote on the amendment: For ratification, 59,509; Against ratification, 22,022; Majority, 37,487.

This amendment deleted the following sentence at the end of the original section:

"The Secretary of State shall be appointed by the Governor, by and with the advice and consent of the Senate, and shall continue in office, unless sooner removed, until the expiration of the official term of the Governor by whom he shall have been appointed."]

### **Eligibility**

4. None of the executive officers mentioned in this article shall hold any other office during the term of his service. A person who has been elected or who has served as Governor during all or any part of two consecutive terms shall be ineligible for the office of Governor during any part of the term immediately following the second of the two consecutive terms. The person holding the office of Governor when this section is ratified shall not be prevented from holding the office of Governor during the term immediately following the term he is then serving.

[The first amendment of this section was proposed by House Joint Resolution No. 5, Acts, Regular Session, 1901, p. 459; submitted by Acts, Regular Session 1901, c. 153; and ratified November 4, 1902. Vote on the amendment: For ratification, 59,509; Against ratification, 22,022; Majority, 37,487.

This section, prior to its amendment, read:

“Neither the Governor, State Superintendent of Free Schools, Auditor, Treasurer, nor Attorney General, shall hold any other office during the term of his service. The Governor shall be ineligible to said office for the four years next succeeding the term for which he was elected.”

It was amended to read:

“None of the executive officers mentioned in this article shall hold any other office during the term of his service. The Governor shall not be eligible to said office for the four years next succeeding the term for which he was elected.”

The second amendment of this section was proposed by House Joint Resolution No. 4, Acts, Regular Session, 1970, p. 454; submitted by Acts, Regular Session, 1970, c. 23; and ratified November 3, 1970. Vote on the amendment: For ratification, 213,758; Against ratification, 157,597; Majority, 56,161.

This section was amended to read as set out above.]

### **Chief Executive—Powers**

5. The chief executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed.

### **Governor’s Message**

6. The Governor shall at the commencement of each session, give to the Legislature information by message, of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall accompany his message with a statement of all money received and paid out by him from any funds, subject to his order, with vouchers therefor; and at the commencement of each regular session, present estimates of the amount of money required by taxation for all purposes.

### **Extraordinary Legislative Sessions**

7. The Governor may, on extraordinary occasions convene, at his own instance, the Legislature; but when so convened it shall enter upon no business except that stated in the proclamation by which it was called together.



### **Governor to Nominate Certain Officers**

8. The Governor shall nominate, and by and with the advice and consent of the Senate, (a majority of all the Senators elected concurring by yeas and nays) appoint all officers whose offices are established by this Constitution, or shall be created by law, and whose appointment or election is not otherwise provided for; and no such officer shall be appointed or elected by the Legislature.

### **Recess Vacancies—How Filled**

9. In case of a vacancy, during the recess of the Senate, in any office which is not elective, the Governor shall, by appointment, fill such vacancy, until the next meeting of the Senate, when he shall make a nomination for such office, and the person so nominated, when confirmed by the Senate, (a majority of all the Senators elected concurring by yeas and nays) shall hold his office during the remainder of the term, and until his successor shall be appointed and qualified. No person, after being rejected by the Senate, shall be again nominated for the same office, during the same session, unless at the request of the Senate; nor shall such person be appointed to the same office during the recess of the Senate.

### **Governor's Power of Removal**

10. The Governor shall have power to remove any officer whom he may appoint in case of incompetency, neglect of duty, gross immorality, or malfeasance in office; and he may declare his office vacant and fill the same as herein provided in other cases of vacancy.

### **Executive May Remit Fines and Forfeitures**

11. The Governor shall have power to remit fines and penalties in such cases and under such regulations as may be prescribed by law; to commute capital punishment and, except where the prosecution has been carried on by the House of Delegates to grant reprieves and pardons after conviction; but he shall communicate to the Legislature at each session the particulars of every case of fine or penalty remitted, or punishment commuted and of reprieve or pardon granted, with his reasons therefor.

### **Governor Commander-in-Chief of Military Forces**

12. The Governor shall be commander-in-chief of the military forces of the State, (except when they shall be called into the service of the United States) and may call out the same to execute the laws, suppress insurrection and repel invasion.

### **Official Bond of State Officers**

13. When any state officer has executed his official bond, the Governor shall, for such causes and in such manner as the Legislature may direct, require of such officer reasonable additional security; and if the security is not given as required, his office shall be declared vacant, in such manner as may be provided by law.

### **Governor's Approval or Disapproval of Bills Passed By the Legislature**

14. Subject to the provisions of section fifteen of this article, every bill passed by the Legislature shall, before it becomes a law, be presented to the Governor. If he approves, he shall sign it, and thereupon it shall become a law; but if not, he shall return it, with his objections, to the House in which it originated, which House shall enter the objections at large upon its Journal, and may proceed to reconsider the returned bill. Notwithstanding the provisions of section fifty-one, article six of this Constitution, any such bill may be reconsidered even if the Legislature is at the time in extended session for the sole purpose of considering the budget bill, as specified in said section fifty-one. If after any such reconsideration, a majority\* of the members elected to that House agree to pass the bill, it shall be sent, together with the objections of the Governor to the other House, by which it may likewise be reconsidered, and if approved by a majority of the members elected to that House, it shall become a law, notwithstanding the objections of the Governor. If upon any such reconsideration the bill is amended and reenacted, then it shall be again sent to the Governor and he shall act upon it as if it were before him for the first time. In all cases, the vote of each House shall be determined by yeas and nays to be entered on the Journal.

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[\*A budget bill or supplementary appropriation bill, disapproved by the Governor, requires a vote of two thirds of the members elected to each house in order to become law, notwithstanding the objections of the Governor. See "Modern Budget Amendment," Art. VI, § 51, Sub. § D(11).]

Any bill which shall not be returned by the Governor within five days, Sundays excepted, after it shall have been presented to him shall be a law, in the same manner as if he had signed it, unless the Legislature shall, by adjournment sine die, prevent its return, in which case it shall be filed with his objections in the office of the Secretary of State within fifteen days, Sundays excepted, after such adjournment, or become a law.

[The amendment of this section was proposed by House Joint Resolution No. 8, Acts, Regular Session, 1970, p. 456; submitted by Acts, Regular Session, 1970, c. 22; and ratified November 3, 1970. Vote on the amendment: For ratification, 208,032; Against ratification, 141,970; Majority, 66,062.

This section, prior to its amendment, read:

“Every bill passed by the Legislature shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law; but if not, he shall return it with his objections, to the house in which it originated, which house shall enter the objections at large upon its journal, and proceed to reconsider it. If, after such reconsideration, a majority of the members elected to that house agree to pass the bill, it shall be sent, together with the objections to the other house, by which it shall likewise be reconsidered, and if approved by a majority of the members elected to that house, it shall become a law, notwithstanding the objections of the Governor. But in all such cases, the vote of each house shall be determined by yeas and nays to be entered on the journal. Any bill which shall not be returned by the Governor within five days (Sundays excepted) after it shall have been presented to him shall be a law, in like manner as if he had signed it, unless the Legislature shall, by their adjournment, prevent its return, in which case it shall be filed with his objections in the office of the Secretary of State, within five days after such adjournment, or become a law.”]

### **Governor’s Approval or Disapproval of Bills Making Appropriations of Money**

15. A bill passed by the Legislature making appropriations of money must be submitted to the Governor for his approval or disapproval to the extent and only to the extent required by section fifty-one, article six of this Constitution, and any provision therein contained as to such approval or disapproval shall govern and control as to any such bill.

[The amendment of this section was proposed by House Joint Resolution No. 8, Acts, Regular Session, 1970, p. 456; submitted by Acts, Regular Session, 1970, c. 22; and ratified November 3, 1970. Vote on the amendment: For ratification, 208,032; Against ratification, 141,970; Majority, 66,062.

This section, prior to its amendment, read:

“Every bill passed by the Legislature making appropriations of money, embracing distinct items, shall before it becomes a law, be presented to the Governor; if he disapproves the bill, or any item or appropriation therein contained, he shall communicate such disapproval with his reasons therefor to the house in which the bill originated; but all items not disapproved shall have the force and effect of law according to the original provisions of the bill. Any item or items so disapproved shall be void, unless repassed by a majority of each house according to the rules and limitations prescribed in the preceding section in reference to other bills.”]

### **Vacancy in Governorship, How Filled**

16. In case of the death, conviction on impeachment, failure to qualify, resignation, or other disability of the Governor, the President of the Senate shall act as Governor until the vacancy is filled, or the disability removed; and if the President of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House of Delegates; and in all other cases where there is no one to act as Governor, one shall be chosen by joint vote of the Legislature. Whenever a vacancy shall occur in the office of Governor before the first three years of the term shall have expired, a new election for Governor shall take place to fill the vacancy.

### **Vacancies in Other Executive Departments**

17. If the office of Secretary of State, Auditor, Treasurer, Commissioner of Agriculture or Attorney General shall become vacant by death, resignation, or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified in such manner as may be prescribed by law. The subordinate officers of the executive department and the officers of all public institutions of the State shall keep an account of all moneys received or disbursed by them, respectively, from all sources, and for every service performed, and make a semiannual report thereof to the Governor under oath or affirmation; and any officer who shall willfully make a false report shall be deemed guilty of perjury.

[The first amendment of this section was proposed by House Joint Resolution No. 5, Acts, Regular Session, 1901, p. 459; submitted by Acts, Regular Session, 1901, c. 153; and ratified November 4, 1902. Vote on the amendment: For ratification, 59,509; Against ratification, 22,022; Majority, 37,478.]

This section, prior to its amendment, read:

“If the office of Auditor, Treasurer, State Superintendent of Free Schools, or Attorney General, shall become vacant by death, resignation, or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified in such manner as may be provided by law. The subordinate officers of the executive department and the officers of all public institutions of the State shall keep an account of all moneys received or disbursed by them respectively, from all sources, and for every service performed, and make a semiannual report thereof to the Governor under oath or affirmation, and any officer who shall willfully make a false report shall be deemed guilty of perjury.”

It was amended by inserting the words “Secretary of State” in the first line, and by substituting the word “prescribed” for the word “provided” near the end of the first sentence.

The second amendment of this section was proposed by Senate Joint Resolution No. 1, Acts, Regular Session, 1957, p. 837; submitted by Acts, Regular Session, 1957, c. 19; and ratified November 4, 1958. Vote on the amendment: For ratification, 230,879; Against ratification, 206,201; Majority, 24,678.

This amendment deleted “State Superintendent of Free Schools” and inserted “Commissioner of Agriculture” in the first sentence.

The section was amended to read as set out above.]

### **Executive Heads to Make Reports**

18. The subordinate officers of the Executive Department and the officers of all the public institutions of the State, shall, at least ten days preceding each regular session of the Legislature, severally report to the Governor, who shall transmit such report to the Legislature; and the Governor may at any time require information in writing, under oath, from the officers of his department, and all officers and managers of state institutions, upon any subject relating to the condition, management and expenses of their respective officers.

### **Salaries of Officials**

19. The officers named in this article shall receive for their services a salary to be established by law, which shall not be increased or diminished during their official terms, and they shall not, after the expiration of the terms of those in office at the adoption of this amendment, receive to their own use any fees, costs, perquisites of office or other compensation, and all fees that may hereafter be payable by law, for any service performed by any officer provided for in this article of the Constitution, shall be paid in advance into the state treasury.

[The amendment of this section was proposed by House Joint Resolution No. 2, Acts, Regular Session, 1901, p. 459; submitted by Acts, Regular Session, 1901, c. 153; and ratified November 4, 1902. Vote on the amendment: For ratification, 56,280; Against ratification, 23,513; Majority, 32,767.

This section, prior to its amendment, read:

“The Governor shall receive for his services, a salary of twenty-seven hundred dollars per annum and no additional emolument, allowance or perquisite shall be paid or made to him, on any account. Any person acting as Governor shall receive the emoluments of that office. The Secretary of State shall receive one thousand; the State Superintendent of Free Schools, fifteen hundred; the Treasurer, fourteen hundred; the Auditor, two thousand; and the Attorney General, thirteen hundred dollars per annum; and no additional emolument or allowance, except as herein otherwise provided, shall be paid or made out of the treasury of the State to any of the foregoing executive officers on any account.”]

## **ARTICLE VIII THE JUDICIARY**

### **Judicial Power**

1. The judicial power of the State shall be vested solely in a supreme court of appeals and in the circuit courts, and in such intermediate appellate courts and magistrate courts as shall be hereafter established by the Legislature, and in the justices, judges and magistrates of such courts.

### **Supreme Court of Appeals**

2. The supreme court of appeals shall consist of five justices. A majority of the justices of the court shall constitute a quorum for the transaction of business.

The justices shall be elected by the voters of the State for a term of twelve years, unless sooner removed or retired as authorized in this article. The Legislature may prescribe by law whether the election of such justices is to be on a partisan or nonpartisan basis.

Provision shall be made by rules of the supreme court of appeals for the selection of a member of the court to serve as chief justice thereof. If the chief justice is temporarily disqualified or unable to serve, one of the justices of the court designated in accordance with the rules of the court shall serve temporarily in his stead.

When any justice is temporarily disqualified or unable to serve, the chief justice may assign a judge of a circuit court or of an intermediate appellate court to serve from time to time in his stead.

**Supreme Court of Appeals; Jurisdiction and Powers;  
Officers and Employees; Terms**

3. The supreme court of appeals shall have original jurisdiction of proceedings in habeas corpus, mandamus, prohibition and certiorari.

The court shall have appellate jurisdiction in civil cases at law where the matter in controversy, exclusive of interest and costs, is of greater value or amount than three hundred dollars unless such value or amount is increased by the Legislature; in civil cases in equity; in controversies concerning the title or boundaries of land; in proceedings in quo warranto, habeas corpus, mandamus, prohibition and certiorari; and in cases involving personal freedom or the constitutionality of a law. It shall have appellate jurisdiction in criminal cases, where there has been a conviction for a felony or misdemeanor in a circuit court, and such appellate jurisdiction as may be conferred upon it by law where there has been such a conviction in any other court. In criminal proceedings relating to the public revenue, the right of appeal shall belong to the State as well as to the defendant. It shall have such other appellate jurisdiction, in both civil and criminal cases, as may be prescribed by law.

The court shall have power to promulgate rules for all cases and proceedings, civil and criminal, for all of the courts of the State relating to writs, warrants, process, practice and procedure, which shall have the force and effect of law.

The court shall have general supervisory control over all intermediate appellate courts, circuit courts and magistrate courts. The chief justice shall be the administrative head of all the courts. He may assign a judge from one intermediate appellate court to another, from one circuit court to another, or from one magistrate court to another, for temporary service. The court shall appoint an administrative director to serve at its pleasure at a salary to be fixed by the court. The administrative director shall, under the direction of the chief justice, prepare and submit a budget for the court.

The officers and employees of the supreme court of appeals, including the clerk and the law librarian, shall be appointed and may be removed by the court. Their duties and compensation shall be prescribed by the court.

The number, times and places of the terms of the supreme court of appeals shall be prescribed by law. There shall be at least two terms of the court held annually.

### **Writ of Error, Supersedeas and Appeal; Scope and Form of Decisions**

4. A writ of error, supersedeas or appeal shall be allowed by the supreme court of appeals, or a justice thereof, only upon a petition assigning error in the judgment or proceedings of a court and then only after the court, or a justice thereof, shall have examined and considered the record and is satisfied that there probably is error in the record, or that it presents a point proper for the consideration of the court.

No decision rendered by the court shall be considered as binding authority upon any court, except in the particular case decided, unless a majority of the justices of the court concur in such decision.

When a judgment or order of another court is reversed, modified or affirmed by the court, every point fairly arising upon the record shall be considered and decided; the reasons therefor shall be concisely stated in writing and preserved with the record; and it shall be the duty of the court to prepare a syllabus of the points adjudicated in each case in which an opinion is written and in which a majority of the justices thereof concurred, which shall be prefixed to the published report of the case.

### **Circuit Courts**

5. The judge or judges of each circuit court shall be elected by the voters of the circuit for a term of eight years, unless sooner removed or retired as authorized in this article. The Legislature may prescribe by law whether the election of such judges is to be on a partisan or nonpartisan basis. Upon the effective date of this article, each statutory court of record of limited jurisdiction existing in the State immediately prior to such effective date shall become part of the circuit court for the circuit in which it presently exists, and each such judge of such statutory court of record of limited jurisdiction shall thereupon become a judge of such circuit court. During his continuance in office, a judge of a circuit court shall reside in the circuit of which he is a judge.

The Legislature may increase, or other than during term of office decrease, the number of circuit judges within any circuit. The judicial circuits in existence on the effective date of this article shall remain as so constituted until changed by law, and the Legislature, at any session thereof held in the odd-numbered year next preceding the time for the full term election of the judges thereof, may rearrange



the circuits and may increase or diminish the number of circuits. A judge of a circuit court in office at the time of any such change shall continue as a judge of the circuit in which he shall continue to reside after such change until his term shall expire, unless sooner removed or retired as authorized in this article.

There shall be at least one judge for each circuit court and as many more as may be necessary to transact the business of such court. If there be two or more judges of a circuit court, provision shall be made by rules of such circuit court for the selection of one of such judges to serve as chief judge thereof. If the chief judge is temporarily qualified or unable to serve, one of the judges of the circuit court designated in accordance with the rules of such court shall serve temporarily in his stead.

The supreme court of appeals shall provide for dividing the business of those circuits in which there shall be more than one judge between the judges thereof so as to promote and secure the convenient and expeditious transaction of such business.

In every county in the State the circuit court for such county shall sit at least three times in each year. The supreme court of appeals shall designate the times at which each circuit court shall sit, but until this action is taken by the supreme court of appeals, each circuit court shall sit at the times prescribed by law. If there be two or more judges of a circuit court, such judges may hold court in the same county or in different counties within the circuit at the same time or at different times.

### **Circuit Courts; Jurisdiction, Authority and Power**

6. Circuit courts shall have control of all proceedings before magistrate courts by mandamus, prohibition and certiorari.

Circuit courts shall have original and general jurisdiction of all civil cases at law where the value or amount in controversy, exclusive of interest and costs, exceeds one hundred dollars unless such value or amount is increased by the Legislature; of all civil cases in equity; of proceedings in habeas corpus, mandamus, quo warranto, prohibition and certiorari; and of all crimes and misdemeanors. On and after January one, one thousand nine hundred seventy-six, the Legislature may provide that all matters of probate, the appointment and qualification of personal representatives, guardians, committees and curators, and the settlements of their accounts, shall be vested exclusively in circuit courts or their officers, but until such time as

the Legislature provides otherwise, jurisdiction in such matters shall remain in the county commissions or tribunals existing in lieu thereof or the officers of such county commissions or tribunals.

Circuit courts shall have appellate jurisdiction in all cases, civil and criminal, where an appeal, writ of effort or supersedeas is allowed by law to the judgment or proceedings of any magistrate court, unless such jurisdiction is conferred by law exclusively upon an intermediate appellate court or the supreme court of appeals.

Circuit courts shall also have such other jurisdiction, authority or power, original or appellate or concurrent, as may be prescribed by law.

Subject to the approval of the supreme court of appeals, each circuit court shall have the authority and power to establish local rules to govern the court.

Subject to the supervisory control of the supreme court of appeals, each circuit court shall have general supervisory control over all magistrate courts in the circuit. Under the direction of the chief justice of the supreme court of appeals, the judge of the circuit court, or the chief judge thereof if there be more than one judge of the circuit court, shall be the administrative head of the circuit court and all magistrate courts in the circuit.

### **General Provisions Relating to Justices, Judges and Magistrates**

7. All justices, judges and magistrates must be residents of this State and shall be commissioned by the Governor. No person may hereafter be elected as a justice of the supreme court of appeals unless he has been admitted to practice law for at least ten years prior to his election, and no person may hereafter be elected as a judge of a circuit court unless he has been admitted to practice law for at least five years prior to his election.

Justices, judges and magistrates shall receive the salaries fixed by law, which shall be paid entirely out of the state treasury, and which may be increased but shall not be diminished during their term of office, and they shall receive expenses as provided by law. The salary of a circuit judge shall also not be diminished during his term of office by virtue of the statutory courts of record of limited jurisdiction of his circuit becoming a part of such circuit as provided in section five of this article.

Any justice of the supreme court of appeals and any judge of any circuit court, including any statutory court of record of limited jurisdiction which becomes a part of a circuit court by virtue of section five of this article, in office on the effective date of this article shall continue in office until his term shall expire, unless sooner removed or retired as authorized in this article: *Provided*, That as to the term of any judge of a statutory court of record of limited jurisdiction which does not expire on the thirty-first day of December, one thousand nine hundred seventy-six, the following provisions shall govern and control unless any such judges shall be sooner removed or retired as authorized in this article: (1) If the term would otherwise expire before the thirty-first day of December, one thousand nine hundred seventy-six, such term shall continue through and expire on said thirty-first day of December, one thousand nine hundred seventy-six, (2) if the term would otherwise expire on the first day of January, one thousand nine hundred seventy-seven, such term shall terminate and expire on the thirty-first day of December, one thousand nine hundred seventy-six, and (3) if the term would otherwise expire after the thirty-first day of December, one thousand nine hundred seventy-six, but other than on the first day of January, one thousand nine hundred seventy-seven, such term shall continue through and expire on the thirty-first day of December, one thousand nine hundred eighty-four.

No justice, judge or magistrate shall hold any other office, or accept any appointment or public trust, under this or any other government; nor shall he become a candidate for any elective public office or nomination thereto, except a judicial office; and the violation of any of these provisions shall vacate his judicial office. No justice of the supreme court of appeals or judge of an intermediate appellate court or of a circuit court shall practice the profession of law during the term of his office, but magistrates who are licensed to practice this profession may practice law except to the extent prohibited by the Legislature.

If from any cause a vacancy shall occur in the office of a justice of the supreme court of appeals or a judge of a circuit court, the Governor shall issue a directive of election to fill such vacancy in the manner prescribed by law for electing a justice or judge of the court in which the vacancy exists, and the justice or judge shall be elected for the unexpired term; and in the meantime, the Governor shall fill such vacancy by appointment until a justice or judge shall be elected and qualified. If the unexpired term be less than two years, or such additional period, not exceeding a total of three years, as may be prescribed by law, the Governor shall fill such vacancy by appointment for the unexpired term.

### **Censure, Temporary Suspension and Retirement of Justices, Judges and Magistrates; Removal**

8. Under its inherent rule-making power, which is hereby declared, the supreme court of appeals shall, from time to time, prescribe, adopt, promulgate and amend rules prescribing a judicial code of ethics, and a code of regulations and standards of conduct and performances for justices, judges and magistrates, along with sanctions and penalties for any violation thereof, and the supreme court of appeals is authorized to censure or temporarily suspend any justice, judge or magistrate having the judicial power of the State, including one of its own members, for any violation of any such code of ethics, code of regulations and standards, or to retire any such justice, judge or magistrate who is eligible for retirement under the West Virginia judges' retirement system (or any successor or substituted retirement system for justices, judges and magistrates of this State) and who, because of advancing years and attendant physical or mental incapacity, should not, in the opinion of the supreme court of appeals, continue to serve as a justice, judge or magistrate.

No justice, judge or magistrate shall be censured, temporarily suspended or retired under the provisions of this section unless he shall have been afforded the right to have a hearing before the supreme court of appeals, nor unless he shall have received notice of the proceedings, with a statement of the cause or causes alleged for his censure, temporary suspension or retirement, at least twenty days before the day on which the proceeding is to commence. No justice of the supreme court of appeals may be temporarily suspended or retired unless all of the other justices concur in such temporary suspension or retirement. When rules herein authorized are prescribed, adopted and promulgated, they shall supersede all laws and parts of laws in conflict therewith, and such laws become of no further force or effect to the extent of such conflict.

A retired justice or judge may, with his permission and with the approval of the supreme court of appeals, be recalled by the chief justice of the supreme court of appeals for temporary assignment as a justice of the supreme court of appeals, or judge of an intermediate appellate court, a circuit court or a magistrate court.

A justice or judge may be removed only by impeachment in accordance with the provisions of section nine, article four of this Constitution. A magistrate may be removed from office in the manner provided by law for the removal of county officers.

### **Clerks of Circuit Courts**

9. The voters of each county shall elect a clerk of the circuit court, whose term of office shall be six years; his duties, responsibilities, compensation and the manner of removing him from office shall be prescribed by law. Whenever the clerk shall be so situated as to make it improper for him to act in any matter, a clerk to act therein shall be appointed by the judge of the circuit court or the chief judge thereof, if there be more than one judge of the circuit court. Vacancies shall be filled in the manner prescribed by law. A clerk of the circuit court in office on the effective date of this article shall continue in office until his term shall expire, unless sooner removed in the manner prescribed by law.

### **Magistrate Courts**

10. The Legislature shall establish in each county a magistrate court or courts with the right of appeal as prescribed by law. Such courts shall be courts of record if so prescribed by law.

The Legislature shall determine the qualifications and the number of magistrates for each such court to be elected by the voters of the county, and the Legislature may prescribe by law whether the election of such magistrates is to be on a partisan or nonpartisan basis: *Provided*, That any person in office as a justice of the peace of this State on the effective date of this article and who has served as a justice of the peace of this State for at least one year prior to such effective date shall, insofar as any qualifications established by the Legislature for the office of magistrate are concerned and notwithstanding the same, be deemed qualified for life to run for election as a magistrate of any such court: *And provided further*, That the Legislature shall not have the power to require that a magistrate be a person licensed to practice the profession of law, nor shall any justice or judge of any higher court establish any rules which by their nature would dictate or mandate that a magistrate be a person licensed to practice the profession of law. The magistrates of such courts shall hold their offices for the term of four years unless sooner removed or retired as authorized in this article. The Legislature shall also determine the number of officers to be selected for each such court and the manner of their selection. During his continuance in

office a magistrate or officer of such a court shall reside in the county for which he is elected or selected. The Legislature shall prescribe by law for the filling of any vacancy in the office of a magistrate or officer of such court.

The jurisdiction of a magistrate court shall extend throughout the county for which it is established, shall be uniform for all counties of the State and shall be subject to such regulations as to venue of actions and the counties in which process may be executed or served on parties or witnesses as may be prescribed by law. The times and places for holding such courts shall be designated or determined in such manner as shall be prescribed by law.

Magistrate courts shall have such original jurisdiction in criminal matters as may be prescribed by law, but no person shall be convicted or sentenced for a felony in such courts. In criminal cases, the procedure may be by information or warrant of arrest, without presentment or indictment by a grand jury. Such courts shall have original jurisdiction in all civil cases at law wherein the value or amount in controversy, exclusive of interest and costs, shall not exceed fifteen hundred dollars, unless such amount and value shall be increased by the Legislature, except such civil matters as may be excluded from their jurisdiction by law; and, to the extent provided by law, in proceedings involving real estate when the title thereto is not in controversy. No judgment of a magistrate in any proceeding involving real estate or any right pertaining thereto shall bar the title of any party or any remedy therefor.

The division of the business of a magistrate court in any county in which there shall be more than one magistrate of such court between the magistrates thereof so as to promote and secure the convenient and expeditious transaction of such business shall be determined in such manner or by such method as shall be prescribed by the judge of the circuit court of such county, or the chief judge thereof, if there be more than one judge of such circuit court.

In a trial by jury in a magistrate court, the jury shall consist of six jurors who are qualified as prescribed by law.

No magistrate or any officer of a magistrate court shall be compensated for his services on a fee basis or receive to his own use for his services any pecuniary compensation, reward or benefit other than the salary prescribed by law.

### **Municipal Courts**

11. The Legislature may provide for the establishment in incorporated cities, towns or villages of municipal, police or mayors' courts, and may also provide the manner of selection of the judges of such courts. Such courts shall have jurisdiction to enforce municipal ordinances, with the right of appeal as prescribed by law. Until otherwise provided by law, all such courts heretofore established shall remain and continue as now constituted, and with the same right of appeal, insofar as their jurisdiction to enforce municipal ordinances is concerned; but on and after January one, one thousand nine hundred seventy-seven, any other jurisdiction now exercised by such courts shall cease. No judge of a municipal, police or mayor's court or any officer thereof shall be compensated for his services on a fee basis or receive to his own use for his services any pecuniary compensation, reward or benefit other than the salary prescribed therefor.

### **Issuance and Execution of Writs, Warrants and Process; Admission to Bail**

12. The Legislature may designate the courts and officers or deputies thereof who shall have the power to issue, execute or serve such writs, warrants or any other process as may be prescribed by law, and may specify before what courts or officers thereof such writs, warrants or other process shall be returnable. The Legislature may also designate the courts and officers or deputies thereof who shall have the power to admit persons to bail. No person exercising such power shall be compensated therefor on a fee basis.

### **Parts of Existing Law Effective**

13. Except as otherwise provided in this article, such parts of the common law, and of the laws of this State as are in force on the effective date of this article and are not repugnant thereto, shall be and continue the law of this State until altered or repealed by the Legislature.

### **Pending Causes; Transfer of Causes; Records**

14. Until otherwise provided by law, all matters pending in any court on the effective date of this article shall remain and be prosecuted in the court in which they are pending.

Whenever the jurisdiction, powers or duties of any court are terminated or changed, the Legislature shall provide by law for the transfer of all matters pending therein as to which the court shall not

thereafter act, together with all of the records and papers pertaining thereto, to a court having jurisdiction, powers or duties as to such matters, and shall provide for the prosecution therein of such matters as if then and there pending.

All records and papers pertaining to matters already disposed of in any court shall be preserved or disposed of in a manner prescribed by law.

**Offices Phased Out; Effective Date of Article;  
Certain Provisions to Be Operable at Time Specified;  
Effect of Article on Certain Provisions of Constitution**

15. Notwithstanding the provisions of section one of this article, the office of justice of the peace, as heretofore constituted, shall continue until January one, one thousand nine hundred seventy-seven. No person shall be elected to the office of justice of the peace or constable at the general election to be held in the year one thousand nine hundred seventy-six, and said offices shall cease to exist as of January one, one thousand nine hundred seventy-seven.

This article shall take effect from the time of ratification, but in any case where it is specified in this article that a provision shall become operable on and after a certain date, such date shall govern and control as to the operable date of such provision.

The provisions of this article shall supersede and prevail over all other provisions of this Constitution which are expressly or impliedly in conflict or inconsistent therewith.

[The amendment of this article was proposed by Senate Joint Resolution No. 6, Acts, Regular Session, 1974, p. 946; submitted under authority of art. 11, c. 3, of the West Virginia Code; and ratified November 5, 1974. Vote on the amendment: For ratification, 217,732; Against ratification, 127,393; Majority, 90,339.

**CLERK'S NOTE:**—For a full and comprehensive comparison of the foregoing art. 8, see sections 1 through 30, art. 8, West Virginia Code, 1972.]

**Family Courts**

16. There is hereby created under the general supervisory control of the supreme court of appeals a unified family court system in the State of West Virginia to rule on family law and related matters. Family courts shall have original jurisdiction in the areas of family law and related matters as may hereafter be established by law. Family courts may also have such further jurisdiction as established by law.



Family court judges shall be elected by the voters for a term prescribed by law not to exceed eight years, unless sooner removed or retired as authorized in this article. Family court judges must be admitted to practice law in this state for at least five years prior to their election. Family court judges shall reside in the circuit for which he or she is a judge.

The necessary number of family court judges, the number of family court circuits and the arrangement of circuits shall be established by law. Staggered terms of office for family court judges may also be established by law.

The supreme court of appeals shall have general supervisory control over all family courts and may provide for the assignment of a family court judge to another court for temporary service. The provisions of sections seven and eight of this article applicable to circuit judges shall also apply to family court judges.

*Resolved further*, That in accordance with the provisions of article eleven, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, such proposed amendment is hereby numbered "Amendment No. 1" and designated as the "Unified Family Court Amendment" and the purpose of the proposed amendment is summarized as follows: "To amend the Constitution of West Virginia to permit the Legislature to establish a unified system of family courts with jurisdiction over family law and child welfare matters."

[This section was proposed by House Joint Resolution No. 30, Acts, Regular Session, 1999, p. 1711, and ratified November 7, 2000. Vote on the amendment: For Ratification, 346,523 Against Ratification, 124,786 Majority, 221, 737.]

## ARTICLE IX

### County Organization

1. The voters of each county shall elect a surveyor of lands, a prosecuting attorney, a sheriff, and one and not more than two assessors, who shall hold their respective offices for the term of four years.

#### **Constables, Coroners and Overseers of the Poor**

2. There shall also be elected in each district of the county, by the voters thereof, one constable, and if the population of any district shall exceed twelve hundred, an additional constable, whose term of

office shall be four years, and whose powers as such shall extend throughout their county. The assessor shall, with the advice and consent of the county court, have the power to appoint one or more assistants. Coroners, overseers of the poor and surveyors of roads, shall be appointed by the county court. The foregoing officers, except the prosecuting attorneys, shall reside in the county and district for which they shall be respectively elected.

### **Sheriffs**

3. A person who has been elected or who has served as sheriff during all or any part of two consecutive terms shall be ineligible for the office of sheriff during any part of the term immediately following the second of the two consecutive terms. The person holding the office of sheriff when this section is ratified shall not be prevented from holding the office of sheriff during the term immediately following the term he is then serving.

[The amendment of this section was proposed by House Joint Resolution No. 3, Acts, Regular Session, 1973, p. 700; and ratified at a special election on November 6, 1973. Vote on the amendment: For ratification, 123,003; Against ratification, 107,427; Majority, 15,576.

This section, prior to its amendment, read:

“The same person shall not be elected sheriff for two consecutive full terms; nor shall any person who acted as his deputy be elected successor to such sheriff, nor shall any sheriff act as deputy of his successor; nor shall he during his term or service, or within one year thereafter, be eligible to any other office. The retiring sheriff shall finish all business remaining in his hands, at the expiration of his term; for which purpose his commission and official bond shall remain in force. The duties of the office of sheriff shall be performed by him in person, or under his superintendence.”]

### **Malfeasance and Misfeasance In Office**

4. The presidents of the county courts, the justices of the peace, sheriffs, prosecuting attorneys, clerks of the circuit and of the county courts, and all other county officers shall be subject to indictment for malfeasance, misfeasance, or neglect of official duty and upon conviction thereof, their offices shall become vacant.

### **Commissioning of Officers Not Otherwise Provided For**

5. The Legislature shall provide for commissioning such of the officers herein mentioned, as it may deem proper, not provided for in this Constitution, and may require any class of them to give bond with security for the faithful discharge of the duties of their respective offices.

### **Compensation—Deputies**

6. It shall further provide for the compensation, the duties and responsibilities of such officers, and may provide for the appointment of their deputies and assistants by general law.

### **Conservators of the Peace**

7. The president of the county court and every justice and constable shall be a conservator of the peace throughout his county.

### **Formation of New Counties**

8. No new county shall hereafter be formed in this State with an area of less than four hundred square miles; nor with a population of less than six thousand; nor shall any county, from which a new county, or part thereof shall be taken, be reduced in area below four hundred square miles, nor in population below six thousand. Nor shall a new county be formed without the consent of a majority of the voters residing within the boundaries of the proposed new county, and voting on the question.

### **County Commissions**

9. The office of county court or tribunal in lieu thereof heretofore created is hereby continued in all respects as heretofore constituted, but from and after the effective date of this amendment shall be designated as the county commission and wherever in this Constitution the code of West Virginia, Acts of the Legislature or elsewhere in law a reference is made to the county court of any county, such reference, shall be read, construed and understood to mean the county commission.

Except as otherwise provided in section eleven or thirteen of this article, there shall be in each county of the state a county commission, composed of three commissioners, and two of said commissioners shall be a quorum for the transaction of business. It shall hold four regular sessions in each year, and at such times as may be fixed and entered of record by the said commission. Provisions may be made by law for holding special sessions of said commissions.

### **Terms of Office of County Commissions**

10. The commissioners shall be elected by the voters of the county, and hold their office for a term of six years, except that at the first meeting of said commissioners they shall designate by lot, or otherwise in such manner as they may determine, one of their number, who shall hold his office for a term of two years, one for four years, and one for six years, so that one shall be elected every two years; but no two of said commissioners shall be elected from the same magisterial district. If two or more persons residing in the same district shall receive the greater number of votes cast at any election, then only the one of such persons receiving the highest number shall be declared elected, and the person living in another district, who shall receive the next highest number of votes, shall be declared elected. Said commissioners shall annually elect one of their number as president. The commissioners of said commissions, now in office, shall remain therein for the term for which they have been elected, unless sooner removed therefrom, in the manner prescribed by law.

### **Powers of County Commissioners**

11. The county commissions, through their clerks, shall have the custody of all deeds and other papers presented for record in their counties, and the same shall be preserved therein, or otherwise disposed of, as now is, or may be prescribed by law. They shall also, under such regulations as may be prescribed by law, have the superintendence and administration of the internal police and fiscal affairs of their counties, including the establishment and regulation of roads, ways, bridges, public landings, ferries and mills, with authority to lay and disburse the county levies: *Provided*, That no license for the sale of intoxicating liquors in any incorporated city, town or village, shall be granted without the consent of the municipal authorities thereof, first had and obtained. Until otherwise prescribed by law, they shall, in all cases of contest, be the judge of the election, qualification and returns of their own members, and of all county and district officers, subject to such regulations by appeal or otherwise, as may be prescribed by law. Such commissions may exercise such other powers, and perform such other duties, not of a judicial nature, as may be prescribed by law. Such existing tribunals as have been heretofore established by the Legislature to act as to police and fiscal matters in lieu of county commissions in certain counties shall remain and

continue as now constituted in the counties in which they have been respectively established until otherwise provided by law, and they shall have and exercise the powers which the county commissions have under this article, and, until otherwise provided by law, such clerk as is mentioned in section twelve of this article shall exercise any powers and discharge any duties, heretofore conferred on, or required of, any such tribunal or the clerk of such tribunal respecting the recording and preservation of deeds and other papers presented for record and such other matters as are prescribed by law to be exercised and discharged by the clerk thereof.

### **Clerk of County Commission**

12. The voters of each county shall elect a clerk of the county commission, whose term of office shall be six years. His duties and compensation and the manner of his removal shall be prescribed by law. But the clerks of said commissions, now in office, shall remain therein for the term for which they have been elected, unless sooner removed therefrom, in the manner prescribed by law.

### **Reformation of County Commissions**

13. The Legislature shall, upon the application of any county, reform, alter or modify the county commission established by this article in such county, and in lieu thereof, with the assent of a majority of the voters of such county voting at an election, create another tribunal for the transaction of the business required to be performed by the county commission created by this article. Whenever a county commission shall receive a petition signed by ten percent of the registered voters of such county requesting the reformation, alteration or modification of such county commission, it shall be the mandatory duty of such county commission to request the Legislature, at its next regular session thereafter, to enact an act reforming, altering or modifying such county commission and establishing in lieu thereof another tribunal for the transaction of the business required to be performed by such county commission, such act to take effect upon the assent of the voters of such county, as aforesaid. Whenever any such tribunal is established, all of the provisions of this article in relation to the county commission shall be applicable to the tribunal established in lieu of said commission. When such tribunal has been established, it shall continue to act in lieu of the county commission until otherwise provided by law.

[The foregoing article was amended by adding sections 9, 10, 11, 12 and 13 and was proposed by Senate Joint Resolution No. 6, Acts, Regular Session, 1974, p. 946; submitted under authority of art. 11, c. 3, of the West Virginia Code; and ratified November 5, 1974. Vote on the amendment: For ratification, 217,732; Against ratification, 127,393; Majority, 90,339.

**CLERK'S NOTE:**—The purpose of the foregoing sections 9, 10, 11, 12 and 13 is to remove the county court from the Judicial Department, art. 8, as amended, and to transfer the office of county court or tribunal to art. 9, County Organization.]

## ARTICLE X

### Taxation and Finance

1. Subject to the exceptions in this section contained, taxation shall be equal and uniform throughout the State, and all property, both real and personal, shall be taxed in proportion to its value to be ascertained as directed by law. No one species of property from which a tax may be collected shall be taxed higher than any other species of property of equal value; except that the aggregate of taxes assessed in any one year upon personal property employed exclusively in agriculture, including horticulture and grazing, products of agriculture as above defined, including livestock, while owned by the producer, and money, notes, bonds, bills and accounts receivable, stocks and other similar intangible personal property shall not exceed fifty cents on each one hundred dollars of value thereon and upon all property owned, used and occupied by the owner thereof exclusively for residential purposes and upon farms occupied and cultivated by their owners or bona fide tenants, one dollar; and upon all other property situated outside of municipalities, one dollar and fifty cents; and upon all other property situated within municipalities, two dollars; and the Legislature shall further provide by general law for increasing the maximum rates authorized to be fixed by the different levying bodies upon all classes of property by submitting the question to the voters of the taxing units affected, but no increase shall be effective unless at least sixty percent of the qualified voters shall favor such increase, and such increase shall not continue for a longer period than three years at any one time, and shall never exceed by more than fifty percent the maximum rate herein provided and prescribed by law; and the revenue derived from this source shall be apportioned by the Legislature among the levying units of the State in proportion to the levy laid in said units upon real and other personal property; but property used for educational, literary, scientific, religious or charitable purposes, all cemeteries, public property, the personal

property, including livestock, employed exclusively in agriculture as above defined and the products or agriculture as so defined while owned by the producers may by law be exempted from taxation; household goods to the value of two hundred dollars shall be exempted from taxation. The Legislature shall have authority to tax privileges, franchises, and income of persons and corporations and to classify and graduate the tax on all incomes according to the amount thereof and to exempt from taxation incomes below a minimum to be fixed from time to time, and such revenues as may be derived from such tax may be appropriated as the Legislature may provide. After the year nineteen hundred thirty-three, the rate of the state tax upon property shall not exceed one cent upon the hundred dollars valuation, except to pay the principal and interest of bonded indebtedness of the State now existing.

[The amendment of this section was proposed by House Joint Resolution No. 3, Acts, Extraordinary Session, 1932, p. 72; submitted by Acts, Extraordinary Session, 1932, c. 10; and ratified November 8, 1932. Vote on the amendment: For ratification, 335,482; Against ratification, 43,931; Majority, 291,551.

This section, prior to its amendment read:

“Taxation shall be equal and uniform throughout the State, and all property, both real and personal, shall be taxed in proportion to its value, to be ascertained as directed by law. No one species of property, from which a tax may be collected, shall be taxed higher than any other species of property of equal value; but property used for educational, literary, scientific, religious or charitable purposes, all cemeteries and public property may, by law, be exempted from taxation. The Legislature shall have power to tax, by uniform and equal laws, all privileges and franchises of persons and corporations.”]

### **Exemptions From and Additional Adjustments To Ad Valorem Property Taxation**

1a. Notwithstanding the provisions of sections one and one-b of this article, household goods and personal effects, if such household goods or personal effects are not held or used for profit, and all intangible personal property shall be exempt from ad valorem property taxation: *Provided*, That intangible personal property may be made subject to such taxation only to the extent provided by the Legislature by general law not inconsistent with this section.

The Legislature shall not impose ad valorem property taxation upon money, bank deposits and other investments determined by such law to be in the nature of deposits in a bank or other financial institution, or upon pensions, moneys or investments determined by the Legislature in such law to be in lieu of or otherwise in the nature of pensions.

The Legislature by general law may exempt from such taxation any amount of the value of all or certain intangible personal property and any type, group or class of such intangibles but such exemptions shall be uniform throughout the state. No tax imposed upon such intangibles shall be at a rate or rates in excess of the maximum rate permitted to be imposed upon personal property employed exclusively in agriculture as provided in sections one, one-b or ten of this article, as the case may be, in the county wherein the intangible personal property has situs, as such situs is determined by the Legislature in such general law.

The valuations with respect to property acquired or created subsequent to any statewide reappraisal and the valuations with respect to any intangible personal property subjected to ad valorem property taxation pursuant to this section shall be allocated and phased-in over a period of years and be valued with respect to the same base year as other property subject to ad valorem property taxation in order to provide for equitable and similar treatment of such property subsequently acquired or created or such intangible personal property as compared to similarly situated previously existing property of similar value whose owner is receiving the benefit of any allocation and phasein allowed pursuant to section one-b of this article.

Any intangible personal property which would be subject to ad valorem property taxation under prior provisions of this Constitution shall continue to be subjected to such taxation as provided by and in accordance with current statutory law for the assessment of such taxes upon such property, which laws are hereby validated for such purpose or purposes, until the first day of July in the year one thousand nine hundred eighty-five, or until the first statewide reappraisal of property pursuant to section oneb of this article shall be first implemented and employed to fix values for ad valorem property taxation, whichever shall last occur, and thereafter no intangible personal property shall be subject to such taxation save for and except as provided by the Legislature by general law enacted after the ratification of the amendment of this section in the year one thousand nine hundred eighty-four.

[This section was proposed by Senate Joint Resolution No. 4, Acts, Regular Session, 1957, p. 839; submitted by Acts, Regular Session, 1957, c. 16; and ratified November 4, 1958. Vote on the amendment: For ratification, 401,086; Against ratification, 102,265; Majority, 298,821.

The first amendment of the section was proposed by Senate Joint Resolution No. 11, Acts, Regular Session, 1972, p. 737; and ratified November 7, 1972. Vote on the amendment: For ratification, 500,805; Against ratification, 100,567; Majority, 400,238.



It inserted the exemption of “household goods and personal effects if such household goods and personal effects are not held or used for profit” from ad valorem property taxation.

The second amendment of this section was proposed by Committee Substitute for House Joint Resolution No. 21, Acts, Regular Session, 1984; p. 1113; and ratified November 6, 1984. Vote on the amendment: For ratification, 451,488; Against ratification, 195,172; Majority, 256,316.

The section prior to this amendment read:

“Notwithstanding the provisions of the preceding section, bank deposits, money, and household goods and personal effects if such household goods and personal effects are not held or used for profit, shall be exempt from ad valorem property taxation.”

This section was amended to read as set out above.]

### **Property Tax Limitation and Homestead Exemption Amendment of 1982.**

1b. Ad valorem property taxation shall be in accordance with this section and other applicable provisions of this article not inconsistent with this section.

#### **Subsection A—Value; Rate of Assessment; Exceptions**

Notwithstanding any other provisions of this Constitution and except as otherwise provided in this section, all property subject to ad valorem taxation shall be assessed at sixty percent of its value, as directed to be ascertained in this section, except that the Legislature may from time to time, by general law agreed to by two thirds of the members elected to each house, establish a higher percentage for the purposes of this paragraph, which percentage shall be uniform as to all classes of property defined in section one of this article, but not more than one hundred percent of such value.

Notwithstanding the foregoing, for the first day of July, one thousand nine hundred eighty-two, and the first day of July of each year thereafter until the values may be fixed as a result of the first statewide reappraisal hereinafter required, assessments shall be made under the provisions of current statutory law, which is hereby validated for such purpose until and unless amended by the Legislature. Assessment and taxation in accord with this section shall be deemed to be equal and uniform for all purposes.

### **Subsection B—Determination of Value**

The Legislature shall provide by general law for periodic statewide reappraisal of all property, which reappraisal shall be related for all property to a specified base year which, as to each such reappraisal, shall be uniform for each appraisal for all classes of property and all counties. In such law, the Legislature shall provide for consideration of (1) trends in market values over a fixed period of years prior to the base year, (2) the location of the property, and (3) such other factors and methods as it may determine: *Provided*, That with respect to reappraisal of all property upon the base year of one thousand nine hundred eighty, such reappraisals are deemed to be valid and in compliance with this section: *Provided, however*, That with respect to farm property, as defined from time to time by the Legislature by general law, the determination of value shall be according to its fair and reasonable value for farming purposes, as may be defined by general law.

The results of each statewide appraisal shall upon completion be certified and published and errors therein may be corrected, all as provided by general law. The first such statewide appraisal shall be completed, certified and published on or before the thirty-first day of March, one thousand nine hundred eighty-five, for use when directed by the Legislature.

The Legislature shall further prescribe by general law the manner in which each statewide reappraisal shall be employed to establish the value of the various separately assessed parcels or interests in parcels of real property and various items of personal property subject to ad valorem property taxation, the methods by which increases and reductions in value subsequent to the base year of each statewide reappraisal shall be ascertained, and require the enforcement thereof.

### **Subsection C—General Homestead Exemption**

Notwithstanding any other provisions of this Constitution to the contrary, the first twenty thousand dollars of assessed valuation of any real property, or of personal property in the form of a mobile home, used exclusively for residential purposes and occupied by the owner or one of the owners thereof as his residence who is a citizen of this state and who is sixty-five years of age or older or is permanently and totally disabled as that term may be defined by the Legislature, shall be exempt from ad valorem property taxation, subject to such requirements, limitations and conditions as shall be prescribed by general law.

Notwithstanding any other provision of this Constitution to the contrary, the Legislature shall have the authority to provide by general law for an exemption from ad valorem property taxation in an amount not to exceed the first twenty thousand dollars of value of any real property, or of personal property in the form of a mobile home, used exclusively for residential purposes and occupied by the owner or one of the owners thereof as his residence who is a citizen of this state, and who is under sixty-five years of age and not totally and permanently disabled: *Provided*, That upon enactment of such general law, this exemption shall only apply to such property in any county in which the property was appraised at its value as of the first day of January, one thousand nine hundred eighty, or thereafter, as determined by the Legislature, and this exemption shall be phased in over such period of time not to exceed five years from the date such property was so appraised, or such longer time as the Legislature may determine by general law: *Provided, however*; That in no event shall any one person and his spouse, or one homestead be entitled to more than one exemption under these provisions: *Provided further*, That these provisions are subject to such requirements, limitations and conditions as shall be prescribed by general law.

The Legislature shall have the authority to provide by general law for property tax relief to citizens of this State who are tenants of residential or farm property.

#### **Subsection D—Additional Limitations on Value**

With respect to the first statewide reappraisal, pursuant to this section, the resulting increase in value in each and every parcel of land or interest therein and various items of personal property subject to ad valorem property taxation over and above the previously assessed value shall be allocated over a period of ten years in equal amounts annually.

The Legislature may by general law also provide for the phasing in of any subsequent statewide reappraisal of property.

#### **Subsection E—Levies for Free Schools**

In equalizing the support of free schools provided by state and local taxes, the Legislature may require that the local school districts levy all or any portion of the maximum levies allowed under section one of this article which has been allocated to such local school districts.

Within the limits of the maximum levies permitted for excess levies for schools or better schools in sections one and ten of this article, the Legislature may, in lieu of the exercise of such powers by the local school districts as heretofore provided, submit to the voters, by general law, a statewide excess levy, and if it be approved by the required number of voters, impose such levy, subject however to all the limitations and requirements for the approval of such levies as in the case of a district levy. The law submitting the question to the voters shall provide, upon approval of the levy by the voters, for the assumption of the obligation of any local excess levies for schools then in force theretofore authorized by the voters of a local taxing unit to the extent of such excess levies imposed by the state and so as to avoid double taxation of those local districts. The Legislature may also by general law reserve to the school districts such portions of the power to lay authorized excess levies as it may deem appropriate to enable local school districts to provide educational services which are not required to be furnished or supported by the state. If a statewide excess levy for the support of free schools is approved by the required majority, the revenue from such a statewide excess levy shall be deposited in the state treasury and be allocated first for the local obligations assumed and thereafter for such part of the state effort to support free schools, by appropriation or as the law submitting the levy to the voters shall require, as the case may be.

The defeat of any such proposed statewide excess levy for school purposes shall not in any way abrogate or impair any local existing excess levy for such purpose nor prevent the adoption of any future local excess levy for such purpose.

### **Subsection F—Implementation**

In the event of any inconsistency between any of the provisions of this section and other provisions of this Constitution, the provisions of this section shall prevail. The Legislature shall have plenary power to provide by general law for the equitable application of this article and, as to taxes to be assessed prior to the first statewide reappraisal, to make such laws retroactive to the first day of July, one thousand nine hundred eighty-two or thereafter.

[This section was proposed by House Joint Resolution No. 7, Acts, Regular Session, 1973, p. 582; and ratified at a special election November 6, 1973. Vote on the amendment: For ratification, 202,407; Against ratification, 31,665; Majority, 170,742.

The first amendment of this section was proposed by House Joint Resolution No. 39, Acts, Regular Session, 1980, p. 740; and ratified November 4, 1980. Vote on the amendment: For ratification, 498,495; Against ratification, 88,330; Majority, 410,165.

The purpose of this section is to increase the allowable homestead exemption on real property or mobile home to the first ten thousand dollars of assessed valuation of a residence occupied by the owner thereof who is sixty-five years of age or older or permanently and totally disabled.

This section, prior to its amendment read:

“Notwithstanding any other provision of this Constitution to the contrary, the first five thousand dollars of assessed valuation of any real property used exclusively for residential purposes and occupied by the owner or one of the owners thereof as his residence who is a citizen of this State and who is sixty-five years of age or older shall be exempt from ad valorem property taxation, subject to such requirements, limitations and conditions as shall be prescribed by general law.”

The second amendment of this section was proposed by House Joint Resolution No. 1, Second Extraordinary Session, 1982; and ratified at the General Election, November 2, 1982. Vote on the amendment: For ratification, 410,619; Against ratification, 102,146; Majority, 308,473.

The purpose of this section is to provide for assessment of property for purposes of ad valorem taxation at sixty percent of its value upon statewide reappraisal; to provide for assessment of property under current statutory law until the results of such reappraisal and to validate such law; to provide for the determination of market value, and to permit the Legislature by a vote of two thirds of the members elected to each house to set higher percentages for all classes of property; to authorize the Legislature by general law to permit the results of any reappraisal to be phased in over such period of time after the year in which the reappraisal is completed in such manner as the Legislature may specify; to provide the Legislature with the power to protect the levies for free schools and to provide for statewide levies for such purpose; to require an exemption from ad valorem taxation amounting to twenty thousand dollars of assessed value of any real property or mobile home occupied as a resident by persons who are sixty-five years of age or older or permanently disabled; to authorize an exemption of up to twenty thousand dollars of value for owners of homes or mobile homes who are under sixty-five years of age and not disabled; and to provide for a phase-in period for the latter exemption after appraisal of property at its value as of the first day of January, one thousand nine hundred eighty or thereafter, as determined by the Legislature.

This section, prior to its amendment read:

“Notwithstanding any other provision of this Constitution to the contrary, the first ten thousand dollars of assessed valuation of any real property, or of personal property in the form of a mobile home, used exclusively for residential purposes and occupied by the owner or one of the owners thereof as his residence who is a citizen of this State and who is sixty-five years of age or older or is permanently and totally disabled as that term may be defined by the Legislature shall be exempt from ad valorem property taxation, subject to such requirements, limitations and conditions as shall be prescribed by general laws: *Provided*, That the Legislature annually shall appropriate state funds in an amount sufficient to pay to each levying body in this State the amount of tax revenue lost by reason of this amendment to such body during the preceding year: *Provided, however*, That such levying bodies shall be reimbursed by the Legislature only for that portion of the ad valorem taxation exemption above and beyond the exemption for the initial five thousand dollar valuation of real property owned and occupied by a citizen who is sixty-five years of age or older.”

This section was amended to read as set out above.]

**Exemption from ad valorem taxation of certain personal property of inventory and warehouse goods, with phase in to full exemption over five-year period.**

1c. Notwithstanding any other provisions of this Constitution, tangible personal property which is moving in interstate commerce through or over the territory of the State of West Virginia, or which was consigned from a point of origin outside the State to a warehouse, public or private, within the State for storage in transit to a final destination outside the State, whether specified when transportation begins or afterward, but in any case specified timely for exempt status determination purposes, shall not be deemed to have acquired a tax situs in West Virginia for purposes of ad valorem taxation and shall be exempt from such taxation, except as otherwise provided in this section. Such property shall not be deprived of such exemption because while in the warehouse the personal property is assembled, bound, joined, processed, disassembled, divided, cut, broken in bulk, relabeled, or repackaged for delivery out of state, unless such activity results in a new or different product, article, substance or commodity, or one of different utility. Personal property of inventories of natural resources shall not be exempt from ad valorem taxation unless required by paramount federal law.

The exemption allowed by the preceding paragraph shall be phased in over a period of five consecutive assessment years, at the rate of one fifth of the assessed value of the property per assessment year, beginning the first day of July, one thousand nine hundred eighty-seven.

[This section was proposed by House Joint Resolution No. 1, Second Extraordinary Session, 1986, submitted in accordance with article eleven, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and ratified November 4, 1986. Vote on the amendment: For ratification, 214,597; Against ratification, 158,942; Majority, 55,655 (Unofficial).]

## Capitation Tax

### 2. Repealed.

[This section was repealed by virtue of the Capitation Tax Repeal Amendment, proposed by House Joint Resolution No. 6, Acts, Regular Session, 1970, p. 455; submitted by Acts, Regular Session, 1970, c. 21; and ratified November 3, 1970. Vote on the amendment: For ratification, 253,638; Against ratification, 117,660; Majority, 135,978.]

This section, prior to its repeal, read:

“The Legislature shall levy an annual capitation tax of one dollar upon each male inhabitant of the State who has attained the age of twenty-one years, which shall be annually appropriated to the support of free schools. Persons afflicted with bodily infirmity may be exempted from this tax.”]

### **Receipts and Expenditures of Public Moneys**

3. No money shall be drawn from the treasury but in pursuance of an appropriation made by law, and on a warrant issued thereon by the Auditor; nor shall any money or fund be taken for any other purpose than that for which it has been or may be appropriated or provided. A complete and detailed statement of the receipts and expenditures of the public moneys shall be published annually.

### **Limitation on Contracting of State Debt**

4. No debt shall be contracted by this State, except to meet casual deficits in the revenue, to redeem a previous liability of the State, to suppress insurrection, repel invasion or defend the State in time of war; but the payment of any liability other than that for the ordinary expenses of the State, shall be equally distributed over a period of at least twenty years.

### **Power of Taxation**

5. The power of taxation of the Legislature shall extend to provisions for the payment of the state debt, and interest thereon, the support of free schools, and the payment of the annual estimated expenses of the State; but whenever any deficiency in the revenue shall exist in any year, it shall, at the regular session thereof held next after the deficiency occurs, levy a tax for the ensuing year, sufficient with the other sources of income, to meet such deficiency, as well as the estimated expenses of such year.

### **Credit of State Not to Be Granted in Certain Cases**

6. The credit of the State shall not be granted to, or in aid of any county, city, township, corporation or person; nor shall the State ever assume, or become responsible for the debts or liabilities of any county, city, township, corporation or person. The investment of state or public funds shall be subject to procedures and guidelines heretofore or hereafter established by the Legislature for the prudent investment of such funds.

[The amendment of this section was proposed by Senate Joint Resolution No. 4, Acts, 1997, p. 1780; and ratified at the special election held on September 27, 1997. Vote on the amendment: For ratification, 77,257; Against ratification, 22,579; Majority, 54,678.

The purpose of the amendment was to authorize the investment of state or public funds in common stocks and other equity investments and to further require the Legislature to establish guidelines and procedures for the prudent investment of such funds.

This section, prior to its amendment read:

“The credit of the State shall not be granted to, or in aid of any county, city, township, corporation or person; nor shall the State ever assume, or become responsible for the debts or liabilities of any county, city, township, corporation or person; nor shall the State ever hereafter become a joint owner, or stockholder in any company or association in this State or elsewhere, formed for any purpose whatever.”]

### **Appropriations and Taxation for the Benefit of Counties, Municipalities or Other Political Subdivisions of the State**

6a. Notwithstanding the provisions of section six of this article, (1) the Legislature may appropriate state funds for use in matching or maximizing grants-in-aid for public purposes from the United States or any department, bureau, commission or agency thereof, or any other source, to any county, municipality or other political subdivision of the State, under such circumstances and subject to such terms, conditions and restrictions as the Legislature may prescribe by law, and (2) the Legislature may impose a state tax or taxes or dedicate a state tax or taxes or any portion thereof for the benefit of and use by counties, municipalities or other political subdivisions of the State for public purposes, the proceeds of any such imposed or dedicated tax or taxes or portion thereof to be distributed to such counties, municipalities or other political subdivisions of the State under such circumstances and subject to such terms, conditions and restrictions as the Legislature may prescribe by law.

[This section was proposed by House Joint Resolution No. 18, Acts, Regular Session, 1972, p. 734; and ratified November 7, 1972. Vote on the amendment: For ratification, 330,829; Against ratification, 204,492; Majority, 126,337.]

### **Duties of County Authorities in Assessing Taxes**

7. County authorities shall never assess taxes, in any one year, the aggregate of which shall exceed ninety-five cents per one hundred dollars' valuation, except for the support of free schools; payment of indebtedness existing at the time of adoption of this Constitution; and for the payment of any indebtedness with the interest thereon, created under the succeeding section, unless such assessment, with all questions involving the increase of such aggregate, shall have been submitted to the vote of the people of the county, and have received three fifths of all the votes cast for and against it.

### **Bonded Indebtedness of Counties, etc.**

8. No county, city, school district, or municipal corporation, except in cases where such corporations have already authorized their bonds to be issued, shall hereafter be allowed to become indebted, in any manner, or for any purpose, to an amount, including



existing indebtedness, in the aggregate, exceeding five per centum on the value of the taxable property therein to be ascertained by the last assessment for state and county taxes, previous to the incurring of such indebtedness; nor without, at the same time, providing for the collection of a direct annual tax on all taxable property therein, in the ratio, as between the several classes or types of such taxable property, specified in section one of this article, separate and apart from and in addition to all other taxes for all other purposes, sufficient to pay, annually, the interest on such debt, and the principal thereof, within, and not exceeding thirty-four years. Such tax, in an amount sufficient to pay the interest and principal on bonds issued by any school district not exceeding in the aggregate three per centum of such assessed value, may be levied outside the limits fixed by section one of this article: *Provided*, That no debt shall be contracted under this section, unless all questions connected with the same, shall have been first submitted to a vote of the people, and have received three fifths of all the votes cast for and against the same.

[The amendment of this section was proposed by Committee Substitute for Senate Joint Resolution No. 1, Acts, Regular Session, 1949, p. 716; submitted by Acts, Regular Session, 1949, c. 18; and ratified November 7, 1950. Vote on the amendment: For ratification, 340,054; Against ratification, 150,251; Majority, 189,803.

This section, prior to its amendment, read:

“No county, city, school district, or municipal corporation, except in cases where such corporations have already authorized their bonds to be issued, shall hereafter be allowed to become indebted, in any manner, or for any purpose, to an amount, including existing indebtedness, in the aggregate, exceeding five per centum on the value of the taxable property therein to be ascertained by the last assessment for state and county taxes, previous to the incurring of such indebtedness; nor without, at the same time, providing for the collection of a direct annual tax, sufficient to pay, annually, the interest on such debt, and the principal thereof, within, and not exceeding thirty-four years: *Provided*, That no debt shall be contracted under this section, unless all questions connected with the same, shall have been first submitted to a vote of the people, and have received three fifths of all the votes cast for and against the same.”]

### **Issuance of Bonds or Other Obligations Payable from Property Taxes on Increases in Value Due to Economic Development or Redevelopment Projects in Counties and Municipalities**

8a. Notwithstanding any other provision of this Constitution to the contrary, the Legislature by general law may authorize the issuance of revenue bonds or other obligations by counties and municipalities to assist in financing qualified economic development or redevelopment projects that benefit public health, welfare and safety subject to conditions, restrictions or limitations as the Legislature may prescribe by general law.

The bonds or other obligations are payable from property tax revenue generated by the increases in value of property located within the development or redevelopment project area or district due to capital investment in the project. The Legislature shall prescribe by general law the manner in which these increases are determined.

The term for any bonds or other obligations issued may not exceed thirty tax years. The bonds or other obligations may not be deemed to be general obligations of the issuing county or municipality or of this state. The bonds or other obligations may provide for the pledge of any other funds as the owner of the improvements may by contract or otherwise be required to pay. Upon payment in full of the bonds, the increased tax revenues shall revert to the levying bodies authorized under the provisions of this Constitution to receive the revenues. The bonds or other obligations may not be paid from excess levy, bond levy or other special levy revenues.

[This section was proposed by House Joint Resolution No. 201, 2nd Extraordinary Session, 2002; and ratified at the General Election held on November 5, 2002. Vote on the amendment: For ratification, 217,589; Against ratification, 164,621; Majority, 52,968.]

The purpose of this section is to authorize the issuance of revenue bonds or other obligations payable from property taxes on increases in value due to economic development or redevelopment projects in counties and municipalities.]

### **Municipal Taxes to be Uniform**

9. The Legislature may, by law, authorize the corporate authorities of cities, towns and villages, for corporate purposes, to assess and collect taxes; but such taxes shall be uniform, with respect to persons and property within the jurisdiction of the authority imposing the same.

### **School Levy and Bond Amendment**

10. Notwithstanding any other provision of the Constitution to the contrary, the maximum rates authorized and allocated by law for tax levies on the several classes of property for the support of public schools may be increased in any school district for a period not to exceed five years, and in an amount not to exceed one hundred percent of such maximum rates, if such increase is approved, in the manner provided by law, by at least a majority of the votes cast for and against the same.

Notwithstanding any other provision of the Constitution to the contrary, the maximum rates provided for tax levies by school districts on the several classes of property may be used entirely for current expense purposes; and all levies required for principal and interest payments on any bonded indebtedness, now or hereafter contracted, not to exceed five percent on the value of the taxable property therein, the value to be ascertained in accordance with section eight of this article, shall be laid separate and apart and in addition to such maximum rates, but in the same proportions as such maximum rates are levied on the several classes of property.

Notwithstanding the provisions of section eight of this article relating to a vote of the people or any other provisions of this Constitution, a county board of education may contract indebtedness and issue bonds for public school purposes as provided by law, if, when submitted to a vote of the people of the county, in the manner provided by law, the question of contracting indebtedness and issuing bonds is approved by a majority of the votes cast for and against the same.

[This section was proposed by Senate Joint Resolution No. 8, Acts, Regular Session, 1957, p. 840; submitted by Acts, Regular Session, 1957, c. 17; and ratified November 4, 1958. Vote on the amendment: For ratification, 282,423; Against ratification, 165,741; Majority, 116,682.

The amendment of this section was proposed by House Joint Resolution No. 14, Acts, 1982, p. 785; and ratified at the General Election, November 2, 1982. Vote on the amendment: For ratification, 248,912; Against ratification, 240,905; Majority, 8,007.

The purpose of this section is to permit county school levies, indebtedness and bonds to be approved by a simple majority of the votes cast for and against the same.

This section, prior to its amendment, read:

“Notwithstanding any other provision of the Constitution to the contrary, the maximum rates authorized and allocated by law for tax levies on the several classes of property for the support of public schools may be increased in any school district for a period not to exceed five years, and in an amount not to exceed one hundred percent of such maximum rates, if such increase is approved, in the manner provided by law, by at least sixty percent of the qualified voters of the school district.

Notwithstanding any other provision of the Constitution to the contrary, the maximum rates provided for tax levies by school districts on the several classes of property may be used entirely for current expense purposes; and all levies required for principal and interest payments on any bonded indebtedness, now or hereafter contracted, not to exceed five percent on the value of the taxable property therein, the value to be ascertained in accordance with section eight of this article, shall be paid separate and apart and in addition to such maximum rates, but in the same proportions as such maximum rates are levied on the several classes of property.”]

### **County and Municipal Excess Levy Amendment**

11. Notwithstanding any other provision of this Constitution to the contrary, the maximum rates authorized and allocated by law for tax levies on the several classes of property by county commissions and municipalities may be increased in any county or municipality, as provided in section one of this article for a period not to exceed five years.

[This section was proposed by House Joint Resolution No. 202, 2nd Extraordinary Session, 2002 and ratified at the General Election held on November 5, 2002. Vote on the amendment: For ratification, 196,928 Against ratification, 182,656; Majority, 14,272.

The purpose of this section is to increase from three to five the number of years of county and municipal excess levies.]

### **Nonprofit Youth Organization Revenue Exemption**

12. Notwithstanding any provisions of this Constitution to the contrary, real property in this state which is owned by a non-profit organization that has as its primary purpose the development of youth through adventure, educational or recreational activities for young people and others, which property contains facilities built at a cost of not less than \$100,000,000 and which property is capable of supporting additional activities within the region and the State of West Virginia is exempt from as valorem property taxation whether or not such property is used for the nonprofit organization's nonprofit purpose to generate revenue for the benefit of the non-profit organization subject to any requirements, limitations and conditions as may be prescribed by general law: *Provided*, That the tax exemption authorized by the provisions of this sections shall not become effective until the Legislature adopts enabling legislation authorizing the exemption's implementation and concurrently prescribing requirements, limitations and conditions for the use of the tax exempt facility that protect local and regionally located businesses from use of the tax exempt facility in a manner that causes unfair competition and unreasonable loss of revenue to those businesses.

[This section was proposed by House Joint Resolution No. 108, 2nd Regular Session, 2014, and ratified at the General Election held on November 4, 2014. Vote on the amendment: For ratification, 254, 459 Against ratification, 156,636; Majority 97,853.

## **ARTICLE XI**

### **Corporations**

1. The Legislature shall provide for the organization of all corporations hereafter to be created, by general laws, uniform as to the class

to which they relate; but no corporation shall be created by special law: *Provided*, That nothing in this section contained, shall prevent the Legislature from providing by special laws for the connection, by canal, of the waters of the Chesapeake with the Ohio River by the line of the James River, Greenbrier, New River and Great Kanawha.

[Under the Constitution of 1863, corporations were created by special acts of the Legislature.]

### **Corporate Liability of Indebtedness**

2. The stockholders of all corporations and joint stock companies, except banks and banking institutions, created by laws of this State, shall be liable for the indebtedness of such corporations to the amount of their stock subscribed and unpaid, and no more.

### **Exclusive Privileges Prohibited**

3. All existing charters or grants of special or exclusive privileges under which organization shall not have taken place, or which shall not have been in operation within two years from the time this Constitution takes effect, shall thereafter have no validity or effect whatsoever: *Provided*, That nothing herein shall prevent the execution of any bona fide contract heretofore lawfully made in relation to any existing charter or grant in this State.

### **Rights of Stockholders**

4. The Legislature shall provide by law that every corporation, other than a banking institution, shall have power to issue one or more classes and series within classes of stock, with or without par value, with full, limited or no voting powers, and with preferences and special rights and qualifications, and that in all elections for directors or managers of incorporated companies, every stockholder holding stock having the right to vote for directors, shall have the right to vote, in person or by proxy, for the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares, and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and such directors or managers shall not be elected in any other manner.

[The amendment of this section was proposed by Senate Joint Resolution No. 5, Acts, Regular Session, 1957, p. 839; submitted by Acts, Regular Session, 1957, c. 18; and ratified November 4, 1958. Vote on the amendment: For ratification, 221,977; Against ratification, 154,175; Majority, 57,802.

This section, prior to its amendment, read:

“The Legislature shall provide by law that in all elections for directors or managers of incorporated companies, every stockholder shall have the right to vote in person or by proxy, for the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares, and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock, shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and such directors or managers shall not be elected in any other manner.”]

### **Street Railroads**

5. No law shall be passed by the Legislature, granting the right to construct and operate a street railroad within any city, town or incorporated village, without requiring the consent of the local authorities having the control of the street or highway proposed to be occupied by such street railroad.

### **Banks**

6. The Legislature may provide by general law for the creation, organization, and regulation of banking institutions.

[The amendment of this section was proposed by House Joint Resolution No. 3, Acts, Regular Session, 1937, p. 581; submitted by Acts, Regular Session, 1937, c. 7; and ratified November 8, 1938. Vote on the amendment: For ratification, 139,985; Against ratification, 62,241; Majority, 77,744.

This section, prior to its amendment, read:

“The Legislature may provide, by general banking law, for the creation and organization of banks of issue or circulation, but the stockholders of any bank hereafter authorized by the laws of this State, whether of issue, deposit or discount, shall be personally liable to the creditors thereof over and above the amount of stocks held by them respectively to an amount equal to their respective shares so held, for all its liabilities accruing, while they are such stockholders.”]

### **Railroads**

7. Every railroad corporation organized or doing business in this State shall annually, by their proper officers, make a report under oath, to the auditor of public accounts of this State, or some officer to be designated by law, setting forth the condition of their affairs, the operations of the year, and such other matters relating to their respective railroads as may be prescribed by law. The Legislature shall pass laws enforcing by suitable penalties the provisions of this section.

### **Rolling Stock Considered Personal Property**

8. The rolling stock and all other movable property belonging to any railroad company or corporation in this State, shall be considered personal property and shall be liable to execution and sale in the same

manner as the personal property of individuals; and the Legislature shall pass no law exempting any such property from execution and sale.

### **Railroads Public Highways**

9. Railroads heretofore constructed, or that may hereafter be constructed in this State, are hereby declared public highways and shall be free to all persons for the transportation of their persons and property thereon, under such regulations as shall be prescribed by law; and the Legislature shall, from time to time, pass laws, applicable to all railroad corporations in the State, establishing reasonable maximum rates of charges for the transportation of passengers and freight, and providing for the correction of abuses, the prevention of unjust discriminations between through and local or way freight and passenger tariffs, and for the protection of the just rights of the public, and shall enforce such laws by adequate penalties.

### **Stations to Be Established**

10. The Legislature shall, in the law regulating railway companies, require railroads running through, or within a half mile of a town or village, containing three hundred or more inhabitants, to establish stations for the accommodation of trade and travel of said town or village.

### **Competing Lines—Legislative Permission**

11. No railroad corporation shall consolidate its stock, property or franchise with any other railroad owning a parallel or competing line, or obtain the possession or control of such parallel or competing line, by lease or other contract, without the permission of the Legislature.

### **Right of Eminent Domain**

12. The exercise of the power and the right of eminent domain shall never be so construed or abridged as to prevent the taking, by the Legislature, of the property and franchises of incorporated companies already organized, and subjecting them to the public use, the same as of individuals.

## **ARTICLE XII**

### **Education**

1. The Legislature shall provide, by general law, for a thorough and efficient system of free schools.

### Supervision of Free Schools

2. The general supervision of the free schools of the State shall be vested in the West Virginia Board of Education, which shall perform such duties as may be prescribed by law. The board shall consist of nine members to be appointed by the Governor, by and with the advice and consent of the Senate, for overlapping terms of nine years, except that the original appointments shall be for terms of one, two, three, four, five, six, seven, eight and nine years, respectively. No more than five members of the board shall belong to the same political party, and in addition to the general qualifications otherwise required by the Constitution, the Legislature may require other specific qualifications for membership on the board. No member of the board may be removed from office by the Governor except for official misconduct, incompetence, neglect of duty, or gross immorality, and then only in the manner prescribed by law for the removal by the Governor of state elective officers.

The West Virginia Board of Education shall, in the manner prescribed by law, select the State Superintendent of Free Schools who shall serve at its will and pleasure. He shall be the chief school officer of the State, and shall have powers and shall perform such duties as may be prescribed by law.

The State Superintendent of Free Schools shall be a member of the Board of Public Works as provided by subsection B, section fifty-one, article six of this Constitution.\*

[The amendment of this section was proposed by Senate Joint Resolution No. 1, Acts, Regular Session, 1957, p. 837; submitted by Acts, Regular Session, 1957, c. 19; and ratified November 4, 1958. Vote on the amendment: For ratification, 230,879; Against ratification, 206,201; Majority, 24,678.]

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[\*By virtue of the "Modern Budget Amendment," ratified November 5, 1968, reference to the "State Superintendent of Free Schools" and reference to the "Board of Public Works" was deleted. See Art. VI, §51.

This section, prior to its amendment, read:

"The State Superintendent of Free Schools shall have a general supervision of free schools, and perform such other duties in relation thereto as may be prescribed by law. If in the performance of any such duty imposed upon him by the Legislature he shall incur any expenses, he shall be reimbursed therefor: *Provided*, The amount does not exceed five hundred dollars in any one year."



### County Superintendents

3. The Legislature may provide for county superintendents and such other officers as may be necessary to carry out the objects of this article and define their duties, powers and compensation.

### Existing Permanent and Invested School Fund

4. The existing permanent and invested school fund, and all money accruing to this State from forfeited, delinquent, waste and unappropriated lands; and from lands heretofore sold for taxes and purchased by the State of Virginia, if hereafter redeemed or sold to others than this State; all grants, devises or bequests that may be made to this State, for the purposes of education or where the purposes of such grants, devises or bequests are not specified; this State's just share of the literary fund of Virginia, whether paid over or otherwise liquidated; and any sums of money, stocks, or property which this State shall have the right to claim from the State of Virginia for education purposes; the proceeds of the estates of persons who may die without leaving a will or heir, and of all escheated lands; the proceeds of any taxes that may be levied on the revenues of any corporations; all moneys that may be paid as an equivalent for exemption from military duty; and such sums as may from time to time be appropriated by the Legislature for the purpose, shall be set apart as a separate fund to be called the "School Fund," and invested under such regulations as may be prescribed by law, in the interest-bearing securities of the United States, or of this State, or if such interest-bearing securities cannot be obtained, then said "School Fund" shall be invested in such other solvent, interest-bearing securities as shall be approved by the Governor, Superintendent of Free Schools, Auditor and Treasurer, who are hereby constituted the "Board of the School Fund," to manage the same under such regulations as may be prescribed by law; and the interest thereof shall be annually applied to the support of free schools throughout the State, and to no other purpose whatever. But any portion of said interest remaining unexpended at the close of a fiscal year shall be added to and remain a part of the capital of the "School Fund": *Provided*, That all taxes which shall be received by the State upon delinquent lands, except the taxes due to the State thereon, shall be refunded to the county or district by or for which the same were levied.

[The "Irreducible School Fund Amendment," ratified November 4, 1902, and set forth at the end of the Constitution, provides that the accumulation of the school fund provided for in this section shall cease, that all moneys in the fund shall be used for support of the free schools, and that all money and taxes formerly payable into the treasury to the credit of the school fund shall be credited to the general school fund for the support of the free schools.]

### Support of Free Schools

5. The Legislature shall provide for the support of free schools by appropriating thereto the interest of the invested "School Fund," the net proceeds of all forfeitures and fines accruing to this State under the laws thereof; and by general taxation of persons and property or otherwise. It shall also provide for raising in each county or district, by the authority of the people thereof, such a proportion of the amount required for the support of free schools therein as shall be prescribed by general laws.

[The amendment of this section was proposed by House Joint Resolution No. 6, Acts, Regular Session, 1970; p. 455; submitted by Acts, Regular Session, 1970, c. 21; and ratified November 3, 1970. Vote on the amendment: For ratification, 253,638; Against ratification, 117,660; Majority, 135,978.

This section, prior to its amendment, read:

"The Legislature shall provide for the support of free schools by appropriating thereto the interest of the invested "School Fund" the net proceeds of all forfeitures and fines accruing to this State under the laws thereof; the state capitation tax, and by general taxation of persons and property or otherwise. It shall also provide for raising in each county or district, by the authority of the people thereof, such a proportion of the amount required for the support of free schools therein as shall be prescribed by general laws."]

### School Districts

6. The school districts into which the state is now divided shall continue until changed pursuant to act of the Legislature: *Provided*, That the school board of any district shall be elected by the voters of the respective district without reference to political party affiliation. No more than two of the members of such board may be residents of the same magisterial district within any school district.

[The amendment of this section was proposed by House Joint Resolution No. 6, Second Extraordinary Session, 1986, submitted in accordance with article eleven, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and ratified November 4, 1986. Vote on the amendment: For ratification, 246,194; Against ratification, 139,762; Majority, 106,432 (Unofficial).

This section, prior to its amendment, read:

"The school districts into which any county is now divided shall continue until changed in pursuance of law."]

### Levies for School Purposes

7. All levies that may be laid by any county or district for the purposes of free schools shall be reported to the clerk of the county court, and

shall, under such regulations as may be prescribed by law, be collected by the sheriff, or other collector who shall make annual settlement with the county court; which settlements shall be made a matter of record by the clerk thereof, in a book to be kept for that purpose.

### **Mixed Schools Prohibited**

#### 8. Repealed.

[This section was repealed by House Joint Resolution No. 13, Acts, Regular Session, 1994, p. 2230; and ratified November 8, 1994. Vote on the amendment: For ratification, 213, 956; Against ratification, 153, 369; Majority 59, 587.

This section, prior to its repeal, read:

“White and colored persons shall not be taught in the same school.”]

### **Certain Acts Prohibited**

9. No person connected with the free school system of the State, or with any educational institution of any name or grade under state control, shall be interested in the sale, proceeds or profits of any book or other thing used, or to be used therein, under such penalties as may be prescribed by law: *Provided*, That nothing herein shall be construed to apply to any work written, or thing invented, by such person.

### **Creation of Independent Free School District**

10. No independent free school district, or organization shall hereafter be created, except with the consent of the school district or districts out of which the same is to be created, expressed by a majority of the voters voting on the question.

### **Appropriation for State Normal Schools**

11. No appropriation shall hereafter be made to any state normal school, or branch thereof, except to those already established and in operation, or now chartered.

### **Legislature to Foster General School Improvement**

12. The Legislature shall foster and encourage moral, intellectual, scientific and agricultural improvements; it shall, whenever it may be practicable, make suitable provisions for the blind, mute and insane, and for the organization of such institutions of learning as the best interests of general education in the State may demand.

## ARTICLE XIII

### Land Titles

1. All private rights and interests in lands in this State derived from or under the laws of the State of Virginia, and from or under the Constitution and laws of this State prior to the time this Constitution goes into operation, shall remain valid and secure and shall be determined by the laws in force in Virginia, prior to the formation of this State, and by the Constitution and laws in force in this State prior to the time this Constitution goes into effect.

### Land Entry Prohibited

2. No entry by warrant on land in this State shall hereafter be made.

[The amendment of this section was proposed by House Joint Resolution No. 113, Acts, Regular Session, 1992, p. 1623, and ratified at the General Election, November 3, 1992.

Vote on the Amendment: For Ratification, 339,433; Against Ratification, 202,434; Majority, 136,999.

This section prior to its amendment, read:

### “Forfeited Lands

3. All title to lands in this State heretofore forfeited, or treated as forfeited, waste and unappropriated, or escheated to the State of Virginia, or this State, or purchased by either of said states at sales made for the nonpayment of taxes and become irredeemable, or hereafter forfeited, or treated as forfeited, or escheated to this State, or purchased by it and become irredeemable, not redeemed, released or otherwise disposed of, vested and remaining in this State, shall be, and is hereby transferred to, and vested in any person (other than those for whose default same may have been forfeited or returned delinquent, their heirs or devisees), for so much thereof as such person has, or shall have had, actual continuous possession of, under color or claim of title for ten years, and who, or those under whom he claims, shall have paid the state taxes thereon for any five years during such possession; or if there be no such person, then to any person (other than those for whose default the same may have been forfeited, or returned delinquent, their heirs or devisees), for so much of said land as such person shall have title or claim to, regularly derived, mediately or immediately from, or under a grant from the Commonwealth of Virginia, or this State, not forfeited, which but for the title forfeited would be valid, and who, or those under whom he claims has, or shall have paid all state taxes charged or chargeable thereon for five successive years, after the year 1865, or from the date of the grant, if it shall have issued since that year; or if there be no such person, as aforesaid, then to any person (other than those for whose default the same may have been forfeited, or returned delinquent, their heirs or devisees), for so much

of said land as such person shall have had claim to and actual continuous possession of, under color of title for any five successive years after the year 1865, and have paid all state taxes charged or chargeable thereon for said period.

#### **Waste and Unappropriated Lands**

4. All lands in this State, waste and unappropriated, or heretofore or hereafter for any cause forfeited, or treated as forfeited, or escheated to the State of Virginia, or this State, or purchased by either and become irredeemable, not redeemed, released, transferred or otherwise disposed of, the title whereto shall remain in this State till such sale as is hereinafter mentioned be made, shall by proceedings in the circuit court of the county in which the lands, or part thereof, are situated, be sold to the highest bidder.

#### **Former Owner's Privilege**

5. The former owner of any such land shall be entitled to receive the excess of the sum for which the land may be sold over the taxes charged and chargeable thereon, or which, if the land had not been forfeited, would have been charged or chargeable thereon, since the formation of this State, with interest at the rate of twelve per centum per annum and the cost of the proceedings, if his claim be filed in the circuit court that decrees the sale, within two years thereafter.

#### **Land Books—Taxes**

6. It shall be the duty of every owner of land, or of an undivided interest therein, to have such land, or such undivided interest therein, entered on the land books of the county in which it, or a part of it, is situated, and to cause himself to be charged with taxes legally levied thereon and pay the same. When, for any five successive years, the owner of any tract of land, or undivided interest therein, shall not have been charged on such land books with state, county and district taxes thereon, then, by operation hereof, the land, or undivided interest therein, shall be forfeited and the title vested in the State. But if, for any one or more of such five years, the owner of such land, or of any undivided interest therein, shall have been charged with state, county and district taxes on any part of such land, such part thereof, or undivided interest therein, shall not be forfeited for such cause. And any owner of land so forfeited or of any interest therein, at the time of the forfeiture thereof, who shall then be an infant, married woman, or insane person, may, until the expiration of three years after the removal of such disability, have the land, or such interest, charged on such land books, with all state and other taxes that shall be, and but for the forfeiture would be, chargeable on the land, or interest therein, for the years one thousand eight hundred sixty-three, and every year thereafter, with interest at the rate of ten per centum per annum, and pay all taxes and interest thereon for such years, and thereby redeem the land or interest therein: *Provided*, That such right to redeem shall in no case extend beyond twenty years from the time such land was forfeited."

The amendment of this section was proposed by House Joint Resolution No. 4, Acts, Second Extraordinary Session, 1933, p. 583; submitted by Acts, Second Extraordinary Session, 1933, c. 72; and ratified November 6, 1934. Vote on the amendment: For ratification, 275,374; Against ratification, 85,123; Majority 190, 251.]

## ARTICLE XIV

### Amendments

1. No convention shall be called, having the authority to alter the Constitution of the State, unless it be in pursuance of a law, passed by the affirmative vote of a majority of the members elected to each house of the Legislature and providing that polls shall be opened throughout the State, on the same day therein specified, which shall not be less than three months after the passage of such law, for the purpose of taking the sense of the voters on the question of calling a convention. And such convention shall not be held unless a majority of the votes cast at such polls be in favor of calling the same; nor shall the members be elected to such convention, until, at least, one month after the result of the vote shall be duly ascertained, declared and published. And all acts and ordinances of the said convention shall be submitted to the voters of the State for ratification or rejection, and shall have no validity whatever until they are ratified.

### How Amendments Are Made

2. Any amendment to the Constitution of the State may be proposed in either house of the Legislature at any regular or extraordinary session thereof; and if the same, being read on three several days in each House, be agreed to on its third reading, by two thirds of the members elected thereto, the proposed amendment, with the yeas and nays thereon, shall be entered on the Journals, and it shall be the duty of the Legislature to provide by law for submitting the same to the voters of the State for ratification or rejection, at a special election, or at the next general election thereafter, and cause the same to be published, at least three months before such election in some newspaper in every county in which a newspaper is printed. If a majority of the qualified voters, voting on the question at the polls held pursuant to such law, ratify the proposed amendment, it shall be in force from the time of such ratification, as part of the Constitution of the State. If two or more amendments be submitted at the same time, the vote on the ratification or rejection shall be taken on each separately, but an amendment may relate to a single subject or to related subject matters and may amend or modify as many articles and as many sections of the Constitution as may be necessary and appropriate in order to

accomplish the objectives of the amendment. Whenever one or more amendments are submitted at a special election, no other question, issue or matter shall be voted upon at such special election, and the cost of such special election throughout the state shall be paid out of the state treasury.

[The first amendment of this section was proposed by House Joint Resolution No. 2, Acts, Regular Session, 1960, p. 833; submitted by Acts, Regular Session, 1960, c. 5; and ratified November 8, 1960. Vote on the amendment: For ratification, 222,210; Against ratification, 114,530; Majority, 107,680.]

It added the words "but an amendment may relate to a single subject or to related subject matters and may amend or modify as many articles and as many sections of the Constitution as may be necessary and appropriate in order to accomplish the objectives of the amendment."

The second amendment was proposed by Senate Joint Resolution No. 3, Regular Session, 1971, p. 1041; submitted by Acts, Regular Session, 1971, c. 17; and ratified November 7, 1972. Vote on the amendment: For ratification, 391,390; Against ratification, 145,918; Majority, 245,472.]

It inserted the words "at any regular or extraordinary session" in the first sentence; provided for submitting proposed amendments to the voters at special elections as well as general elections; and added the last sentence as it appears in the section above.]

## AMENDMENTS TO THE CONSTITUTION

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### THE JUDICIAL AMENDMENT

The Supreme Court of Appeals shall consist of five judges. Those judges in office when this amendment takes effect shall continue in office until their terms shall expire, and the Legislature shall provide for the election of an additional judge of said court at the next general election, whose term shall begin on the first day of January, one thousand nine hundred five, and the Governor shall, as for a vacancy, appoint a judge of said court to hold office until the first day of January, one thousand nine hundred five. The judges of the Supreme Court of Appeals and of the circuit courts shall receive such salaries as shall be fixed by law, for those now in or those hereafter to come into office.

[This amendment was proposed by House Joint Resolution No. 15, Acts, Regular Session, 1901, p. 462; submitted by Acts, Regular Session, 1901, c. 153; and ratified November 4, 1902. Vote on the amendment: For ratification, 54,676; Against ratification, 24,710; Majority, 29,966.]

### **THE IRREDUCIBLE SCHOOL FUND AMENDMENT**

The accumulation of the school fund provided for in section four of article twelve, of the Constitution of this State, shall cease upon the adoption of this amendment, and all money to the credit of said fund over one million dollars, together with the interest on said fund, shall be used for the support of free schools of this State. All money and taxes heretofore payable into the treasury under the provisions of said section four, to the credit of the school fund, shall be hereafter paid into the treasury to the credit of the general school fund for the support of the free schools of the State.

[This amendment was proposed by House Joint Resolution No. 28, Acts, Regular Session, 1901, p. 465; submitted by Acts, Regular Session, 1901, c. 153; and ratified November 4, 1902. Vote on the amendment: For ratification, 56,694; Against ratification, 24,763; Majority, 31,931.]

### **THE GOOD ROADS AMENDMENT OF 1920**

The Legislature shall make provision by law for a system of state roads and highways connecting at least the various county seats of the State, and to be under the control and supervision of such state officers and agencies as may be prescribed by law. The Legislature shall also provide a state revenue to build, construct, and maintain, or assist in building, constructing and maintaining the same and for that purpose shall have power to authorize the issuing and selling of state bonds, the aggregate outstanding amount of which, at any one time, shall not exceed fifty million dollars.

When a bond issue as aforesaid is authorized, the Legislature shall at the same time provide for the collection of an annual state tax sufficient to pay annually the interest on such debt, and the principal thereof within and not exceeding thirty years.

[This amendment was proposed by Senate Joint Resolution No. 15, Acts, Regular Session, 1919, p. 502; submitted by Acts, Regular Session 1919, c. 77; and ratified November 2, 1920. Vote on the amendment: For ratification, 248,689; Against ratification, 130,569; Majority, 118,120.

The authority as to additional bonds granted by this amendment is revoked as of January 1, 1965, by the "Better Roads Amendment," ratified November 3, 1964, and set forth at the end of the Constitution.]



**THE GOOD ROADS AMENDMENT OF 1928**

The Legislature shall have power to authorize the issuing and selling of state bonds not exceeding in the aggregate thirty-five million dollars in addition to the state bonds which were authorized to be issued and sold by the amendment to the Constitution proposed by Senate Joint Resolution No. 15, adopted February 15, 1919, and afterwards ratified by a vote of the people. The proceeds of said additional bonds hereby authorized to be issued and sold shall be used and appropriated solely for the building and constructing, or for assisting in building and constructing the system of state roads and highways provided for by the amendment to the Constitution above mentioned.

When a bond issue as aforesaid is authorized, the Legislature shall at the same time provide for the collection of an annual state tax sufficient to pay annually the interest on such debt and to pay the principal thereof within and not exceeding thirty years.

[This amendment was proposed by House Joint Resolution No. 17, Acts, Regular Session, 1927, p. 361; submitted by Acts, Regular Session, 1927, c. 29; and ratified November 6, 1928. Vote on the amendment: For ratification, 360,597; Against ratification, 92,885; Majority, 267,712.]

**SECONDARY ROAD BONDS  
AMENDMENT OF 1948**

The Legislature shall have power to authorize the issuing and selling of state bonds not exceeding in the aggregate fifty million dollars in addition to the state bonds which were authorized to be issued and sold by the amendment to the Constitution proposed by Senate Joint Resolution No. 15, adopted February fifteenth, one thousand nine hundred nineteen, and afterwards ratified by a vote of the people, and Senate Joint Resolution No. 17, adopted by the Legislature at the regular session, one thousand nine hundred twenty-seven, and afterwards ratified by a vote of the people. The proceeds of said additional bonds hereby authorized to be issued and sold shall be used and appropriated solely for the building and construction, or for assisting in building and constructing a system of state secondary roads and highways.

When a bond issue as aforesaid is authorized, the Legislature shall at the same time provide for the collection of an annual state tax sufficient to pay annually the interest on such debt and to pay the principal thereof within and not exceeding thirty years.

[This amendment was proposed by Senate Joint Resolution No. 5, Acts, Regular Session, 1947, p. 727; submitted by Acts, Regular Session, 1947, c. 143; and ratified November 2, 1948. Vote on the amendment: For ratification, 475,272; Against ratification, 163,579; Majority, 311,693.]

### **VETERANS' \$90,000,000.00 BONUS AMENDMENT**

The Legislature shall by law provide for the issuance and sale of state bonds, not to exceed in the aggregate ninety million dollars, which shall be in addition to all other state bonds heretofore authorized. The proceeds of such additional bonds, or so many thereof as may be necessary for the purpose, shall be used and appropriated solely for the purpose of paying a cash bonus to veterans of World War I and World War II. Such bonus shall be paid to all persons who rendered active service in the armed forces of the United States in World War I between the sixth day of April, one thousand nine hundred seventeen, and the eleventh day of November, one thousand nine hundred eighteen, both dates inclusive, or in World War II between the seventh day of December, one thousand nine hundred forty-one, and the second day of September, one thousand nine hundred forty-five, both dates inclusive, or in both such wars, who were *bona fide* residents of the State of West Virginia at the time of their entry into such service and for a period of at least six months prior thereto, who were not dishonorably discharged from such forces, and who within the periods specified above actively served in such armed forces for a period of at least ninety days. Such a bonus shall also be paid to any disabled veteran, otherwise qualified, who was discharged within ninety days after entering the services because of a service-connected disability. The amount of such bonus shall be calculated on the basis of ten dollars for each month, or major fraction thereof, served within the territorial limits of the forty-eight states and the District of Columbia, and fifteen dollars for each month, or major fraction thereof, served outside such limits, but such amount shall in no case exceed three hundred dollars for those who served only within the territorial limits specified above, and four hundred dollars for those who served outside such limits. The bonus to which

any deceased veteran would be entitled, if living, shall be paid only to the following surviving relatives of such veteran, if such relatives are residents of this State when application for payment is made: Any unremarried widow, or if none, any child or children under the age of sixteen, or if none, any dependent parent or parents.

Whenever the Legislature shall provide for the issuance of any bonds under the authority of the amendment, it shall at the same time provide for the levy and collection of an additional cigarette tax, or an additional tax on nonintoxicating beer, or an additional charge on the sale of each bottle of wine and liquor, or an additional general consumers sales tax, or a graduated income tax, or any two or more thereof, in such amount as may be required to pay annually the interest on such bonds and the principal thereof within and not exceeding thirty years.

[This amendment was proposed by House Joint Resolution No. 6, Acts, Regular Session, 1949, p. 686; submitted by Acts, Regular Session, 1949, c. 19; and ratified November 7, 1950. Vote on the amendment: For ratification, 431,979; Against ratification, 139,445; Majority, 292,534.

The funding or refunding of bonds issued under this amendment is provided for in the "Korean Veterans Bonus Amendment" set forth below.]

### **KOREAN VETERANS' BONUS AMENDMENT**

The Legislature shall by law provide for the issuance and sale of state bonds, which shall be in addition to all other state bonds heretofore issued, for the following purposes:

(1) The paying of a cash bonus to veterans of the armed forces of the United States who served during the Korean conflict. Such bonus shall be paid to all persons who rendered active service in the armed forces of the United States between the twentyseventh day of June, one thousand nine hundred fifty, and the twenty-seventh day of July, one thousand nine hundred fifty-three, both dates inclusive, who were *bona fide* residents of the State of West Virginia at the time of their entry into such service and for a period of at least six months prior thereto, who were not dishonorably discharged from such service, and who within the period specified above actively served in such armed forces for a period of at least ninety days. Such a bonus shall also be paid to any disabled veteran, otherwise qualified, who was discharged within ninety days after entering the services because of a service-connected

disability. The amount of such bonus shall be calculated on the basis of ten dollars for each month, or major fraction thereof, served within the territorial limits of the forty-eight states and the District of Columbia, and fifteen dollars for each month, or major fraction thereof, served outside such limits, but such amount shall in no case exceed three hundred dollars for those who served only within the territorial limits specified above, and four hundred dollars for those who served outside such limits. The bonus to which any deceased veteran would be entitled, if living, shall be paid only to the following surviving relatives of such veteran, if such relatives are residents of this State when application for payment is made: Any unmarried widow, or if none, any child or children under the age of sixteen, or if none, any dependent parent or parents.

The principal amount of bonds to be issued for the purpose provided in paragraph (1) above shall not exceed the principal amount of the ninety million dollars bonds authorized by the veterans bonus amendment submitted by chapter nineteen of the acts of the Legislature of West Virginia of one thousand nine hundred forty-nine, regular session, and ratified by the people of West Virginia at the general election held on the seventh day of November, one thousand nine hundred fifty (hereinafter referred to as "Veterans' Bonus Amendment of one thousand nine hundred fifty"), which shall not have been issued on the date of the ratification of this amendment by the people of West Virginia: *Provided, however,* That such bonds issued under the provisions of paragraph (1) above may be funded or refunded at any time in the manner provided in paragraph (2) below.

(2) The funding or refunding of all or any part of the bonds heretofore issued pursuant to said veterans bonus amendment of one thousand nine hundred fifty. Said bonds issued pursuant to said veterans bonus amendment of one thousand nine hundred fifty may be so funded or refunded either on the maturity dates of said bonds or on any date on which said bonds are callable prior to maturity, and if any of said bonds have not matured or are not then callable prior to maturity, the Legislature may nevertheless provide at any time for the issuance of refunding bonds to fund or refund such bonds on the dates when said bonds mature or on any date on which said bonds are callable prior to maturity, and for the investment or reinvestment

of the proceeds of such refunding bonds in direct obligations of the United States of America until the date or dates upon which such bonds issued pursuant to said veterans bonus amendment of one thousand nine hundred fifty mature or are callable prior to maturity.

The principal amount of bonds issued under the provisions of paragraph (2) above shall not exceed the principal amount of the bonds to be funded or refunded thereby.

Such bonds for the purposes authorized in paragraphs (1) and (2) above may be issued from time to time as separate issues for such purposes or as combined issues for such purposes.

Whenever the Legislature shall provide for the issuance of any bonds under the authority of this amendment, it shall at the same time provide for the levy and collection of an additional cigarette tax, or an additional tax on nonintoxicating beer, or an additional charge on the sale of each bottle of wine and liquor, or an additional general consumers sales tax, or a graduated income tax, or any two or more thereof, in such amount as may be required to pay annually the interest on such bonds and the principal thereof within and not exceeding thirty years, and all such taxes or charges so levied shall be irrevocably dedicated for the payment of the principal of and interest on such bonds until such principal of and interest on such bonds is finally paid and discharged, and any of the covenants, agreements or provisions in the acts of the Legislature levying such taxes or charges shall be enforceable in any court of competent jurisdiction by any of the holders of said bonds. The additional taxes on cigarettes and nonintoxicating beer and additional charges on the sale of each bottle of alcoholic liquor provided for in chapters six, one hundred eighty-four and one hundred eighty-seven of the acts of the Legislature of West Virginia, regular session, one thousand nine hundred fifty-one, shall continue to be pledged for the payment of the principal of and interest on bonds issued pursuant to said veterans bonus amendment of one thousand nine hundred fifty, or bonds issued pursuant to this amendment to fund or refund such bonds issued pursuant to said veterans bonus amendment of one thousand nine hundred fifty: *Provided, however;* That upon the funding or refunding of all outstanding bonds issued pursuant to said veterans bonus amendment of one thousand nine hundred fifty, or the deposit in trust of sufficient funds to pay all the principal of and interest on such outstanding bonds issued pursuant to said veterans bonus amendment of one thousand nine hundred fifty to their respective dates of maturity or to the first date

upon which said bonds are callable prior to maturity, the taxes and charges provided for in said chapters six, one hundred eighty-four and one hundred eighty-seven of the acts of the Legislature of West Virginia, regular session, one thousand nine hundred fifty-one, may be pledged to the payment of the principal of and interest on any bonds issued under any of the provisions of this amendment.

[This amendment was proposed by House Joint Resolution No. 7, Acts, Regular Session, 1955, p. 572; submitted by Acts, Regular Session, 1955, c. 23; and ratified November 6, 1956. Vote on the amendment: For ratification, 476,936; Against ratification, 88,968; Majority, 387,968.]

### **BETTER ROADS AMENDMENT OF 1964**

The Legislature shall have power to authorize the issuing and selling of state bonds not exceeding in the aggregate two hundred million dollars. The proceeds of said bonds hereby authorized to be issued and sold shall be used and appropriated solely for the building and construction of state roads and highways provided for by this Constitution and the laws enacted thereunder. Such bonds may be issued and sold in amounts not to exceed twenty million dollars in any fiscal year. When a bond issue as aforesaid is authorized, the Legislature shall, at the same time provide for the collection of an annual state tax sufficient to pay as it may accrue the interest on such bonds and the principal thereof within and not exceeding twenty-five years. Such tax shall be levied in any year only to the extent that the moneys in the state road fund irrevocably set aside and appropriated for and applied to the payment of the interest on and principal of said bonds becoming due and payable in such year are insufficient therefor.

The authority to issue and sell and have outstanding additional bonds granted by the amendment to the Constitution proposed by Senate Joint Resolution No. 15, adopted February 15, 1919, and afterwards ratified by a vote of the people, is hereby revoked as of January 1, 1965, but said amendment shall in all other respects remain in full force and effect.

[This amendment was proposed by House Joint Resolution No. 10, Acts, Regular Session, 1963, p. 1196; submitted by Acts, Regular Session, 1964, c. 22; and ratified November 3, 1964. Vote on the amendment: For ratification 455,294; Against ratification, 116,438; Majority, 338,856.]

### **ROADS DEVELOPMENT AMENDMENT OF 1968**

The Legislature shall have power to authorize the issuing and selling of state bonds not exceeding in the aggregate three hundred fifty million dollars. The proceeds of said bonds hereby authorized

to be issued and sold shall be used and appropriated solely for the building and construction of free state roads and highways provided for by this Constitution and the laws enacted thereunder. When a bond issue as aforesaid is authorized, the Legislature shall, at the same time provide for the collection of an annual state tax sufficient to pay as it may accrue the interest on such bonds and the principal thereof within and not exceeding twenty-five years. Such tax shall be levied in any year only to the extent that the moneys in the state road fund irrevocably set aside and appropriated for and applied to the payment of the interest on and principal of said bonds becoming due and payable in such year are insufficient therefor.

[This amendment was proposed by Senate Joint Resolution No. 2, Acts, Regular Session, 1968, p. 1642; submitted by Acts, Regular Session, 1968, c. 16; and ratified November 5, 1968. Vote on the amendment: For ratification, 366,958; Against ratification, 159,971; Majority, 206,987.]

### **BETTER SCHOOL BUILDINGS AMENDMENT**

The Legislature shall have power to authorize the issuing and selling of state bonds, not exceeding in the aggregate two hundred million dollars, which shall be in addition to all other state bonds heretofore authorized. The proceeds of the bonds hereby authorized to be issued and sold shall, notwithstanding the provisions of section six, article ten of this Constitution or any other provision of this Constitution to the contrary, be distributed to such county boards of education as qualify therefor by meeting such conditions, qualifications and requirements as shall be prescribed by general law and used and appropriated by such county boards of education solely for the construction, renovation or remodeling of elementary or secondary public school buildings or facilities, the equipping of the same in connection with any such construction, renovation or remodeling and the acquisition and preparation of sites for elementary or secondary public school buildings or facilities. Such bonds may be issued and sold at such time or times and in such amount or amounts as the Legislature shall authorize. When a bond issue as aforesaid is authorized, the Legislature shall at the same time provide for the collection of an annual state tax sufficient to pay as it may accrue the interest on such bonds and the principal thereof within and not exceeding thirty-four years, and all such taxes so levied shall be irrevocably dedicated for the payment of principal of and interest on such bonds until such principal of and interest on such bond are finally paid and discharged, and any of the covenants, agreements or provisions in the acts of the Legislature levying such taxes shall be enforceable in any court of competent jurisdiction by any of the holders of the bonds.

[This amendment was proposed by Senate Joint Resolution No. 4, Acts, Regular Session, 1972, p. 735; and ratified November 7, 1972. Vote on the amendment: For ratification, 418,169; Against ratification 165,801; Majority, 252,368.]

### **BETTER HIGHWAYS AMENDMENT**

The Legislature shall have power to authorize the issuing and selling of state bonds not exceeding in the aggregate five hundred million dollars. The proceeds of said bonds hereby authorized to be issued and sold shall be used and appropriated solely for the following purposes and in the following amounts:

(1) One hundred twenty million dollars for bridge replacement and improvement program;

(2) One hundred thirty million dollars for completion of the Appalachian Highway System;

(3) Fifty million dollars for upgrading sections of trunkline and feeder systems;

(4) Fifty million dollars for upgrading West Virginia State Route 2;

(5) One hundred million dollars for upgrading state and local service roads;

(6) Fifty million dollars for construction, reconstruction, improving and upgrading of U. S. Route 52 between Huntington and Bluefield, West Virginia.

When a bond issued as aforesaid is authorized, the Legislature shall at the same time provide for the collection of an annual state tax sufficient to pay as it may accrue the interest on such bonds and the principal thereof within and not exceeding twenty-five years. Such tax shall be levied in any year only to the extent that the moneys in the state road fund irrevocably set aside and appropriated for and applied to the payment of the interest on and the principal of said bonds becoming due and payable in such year are insufficient therefor.

[This amendment was proposed by Senate Joint Resolution No. 17, Acts, Regular Session, 1973, p. 580; and ratified at a special election on November 6, 1973. Vote on the amendment: For ratification, 172,187; Against ratification, 61,308; Majority, 110,879.]



**VIETNAM VETERANS BONUS AMENDMENT**

The Legislature shall provide by law, either for the appropriation from the general revenues of the State, or for the issuance and sale of state bonds, which shall be in addition to all other state bonds heretofore issued, or a combination of both as the Legislature may determine, for the purpose of paying a cash bonus to veterans of the armed forces of the United States who were in active service during the periods hereinafter described. Such bonus shall be paid to all persons who rendered active service in the armed forces of the United States between the first day of August, one thousand nine hundred sixty-four, and the date determined by the President or Congress of the United States as the end of involvement of United States armed forces in the Vietnam conflict, both dates inclusive, who were bona fide residents of the State of West Virginia at the time of their entry into such active service and for a period of at least six months immediately prior thereto, who have not been separated from such service under conditions other than honorable, and who, within the period specified above, actively served in such armed forces for a period of at least ninety days. Such bonus shall also be paid to any person, otherwise eligible under the preceding sentence, who rendered active service in the armed forces of the United States prior to the first day of August, one thousand nine hundred sixty-four, and who received the Vietnam armed forces expeditionary medal. Such bonus shall also be paid to any veteran, otherwise qualified under either of the two sentences next preceding, who was discharged within ninety days after entering the armed forces because of a service-connected disability. The amount of such bonus shall be calculated on the basis of twenty dollars per month for each month of active service, or major fraction thereof, for veterans who received the Vietnam armed forces expeditionary medal or the Vietnam service medal, up to four hundred dollars, and ten dollars per month for each month of active service, or major fraction thereof, for veterans who have not received the Vietnam armed forces expeditionary medal or the Vietnam service medal, up to three hundred dollars. Not more than one bonus shall be paid to or on behalf of the service of any one veteran.

The bonus to which any deceased veteran would have been entitled, if living, shall be paid to the following surviving relatives of such veterans, if such relatives are residents of the State when

such application is made and if such relatives are living at the time payment is made: Any unremarried widow or widower, or, if none, all children, stepchildren and adopted children under the age of eighteen, or, if none, any parent, stepparent, adoptive parent or person standing in loco parentis. The categories of persons listed shall be treated as separate categories listed in order of entitlement and where there be more than one member of a class, the bonus shall be paid to each member according to his proportional share. Where a deceased veteran's death was connected with such service and resulted from such service during the time period specified, however, the surviving relatives shall be paid in accordance with the same order of entitlement, the sum of five hundred dollars in lieu of any bonus to which the deceased might have been entitled if living.

The principal amount of any bonds issued for the purpose of paying the bonuses provided for in this amendment shall not exceed the principal amount of forty million dollars, but may be funded or refunded either on the maturity dates of said bonds or on any date on which said bonds are callable prior to maturity, and if any of said bonds have not matured or are not then callable prior to maturity, the Legislature may nevertheless provide at any time for the issuance of refunding bonds to fund or refund such bonds on the dates when said bonds mature or on any date on which said bonds are callable prior to maturity and for the investment or reinvestment of the proceeds of such refunding bonds in direct obligations of the United States of America until the date or dates upon which such bonds mature or are callable prior to maturity. The principal amount of any refunding bonds issued under the provisions of this paragraph shall not exceed the principal amount of the bonds to be funded or refunded thereby.

The bonds may be issued from time to time for the purposes authorized by this amendment as separate issues or as combined issues.

Whenever the Legislature shall provide for the issuance of any bonds under the authority of this amendment, it shall at the same time provide for the levy and collection of an additional cigarette tax, or a tax on any other tobacco products, or an additional tax on nonintoxicating beer, or an additional charge on the sale of each bottle of wine or liquor, or an additional general consumers sales tax, or a graduated income tax, or any combination of one or more thereof, or such other dedicated tax as the Legislature may determine, in such amount as may be required to pay annually the interest on such bonds and the principal thereof within and not exceeding thirty years, and

all such taxes or charges so levied shall be irrevocably dedicated for the payment of the principal of and interest on such bonds until such principal of and interest on such bonds are finally paid and discharged and any of the covenants, agreements or provisions in the acts of the Legislature levying such taxes or charges shall be enforceable in any court of competent jurisdiction by any of the holders of said bonds.

The Legislature shall have the power to enact legislation necessary and proper to implement the provisions of this amendment.

[This amendment was proposed by House Joint Resolution No. 5, Acts, Regular Session, 1973, p. 577; and ratified at a special election November 6, 1973. Vote on the amendment: For ratification, 199,588; Against ratification, 36,929; Majority, 162,659.]

### **QUALIFIED VETERANS HOUSING BONDS AMENDMENT**

I. The Legislature shall have the power to authorize the issuing and selling of general obligation bonds of the State which shall be in addition to all other state bonds heretofore authorized. The aggregate annual amount payable on all such bonds, including both principal and interest, shall be limited such that the debt service accruing on such bonds in any fiscal year shall not exceed \$35,000,000, exclusive of any amounts payable on such bonds for which moneys or securities have been irrevocably set aside and dedicated solely for the purpose of such payment. The proceeds of the bonds hereby authorized to be issued and sold shall be used and appropriated to provide financing for owner-occupied residences for persons determined by the Legislature to be qualified veterans, except that (i) part of proceeds from each separate issuance of bonds may be set aside as a reserve for the purposes of the Veterans' Mortgage Fund herein authorized and (ii) proceeds may be dedicated for the payment of principal, redemption price or interest on any such bonds to be refunded. Such bonds may be issued and sold at such time or times and in such amount or amounts as the Legislature shall authorize. All proceeds of such bonds, and all revenues derived from the use and investment of such proceeds, shall be deposited in a separate fund of the State, designated as the Veterans' Mortgage Fund. Amounts in such fund shall be used solely for the purposes of making loans for qualified veterans, providing for the payment or redemption of such bonds and the interest thereon, and providing for the payment of necessary expenses in connection therewith. When a bond issue as aforesaid is authorized, the Legislature shall at the same time provide for the collection of an annual state tax sufficient to pay as it may accrue the interest on such bonds and the principal thereof within and not exceeding forty years, and all such taxes so levied shall be irrevocably

dedicated for the payment of principal of and interest on such bonds until the obligation of the State with respect to the payment of such principal and interest has been discharged, and any of the covenants, agreements or provisions in the acts of the Legislature levying such taxes shall be enforceable in any court of competent jurisdiction by any of the holders of such bonds. Such tax shall be levied in any year only to the extent that the moneys on deposit in the Veteran's Mortgage Fund are insufficient to pay all amounts accruing on such bonds in such year.

II. The Legislature shall have the power to enact legislation to implement the provisions of this amendment.

[This amendment was proposed by House Joint Resolution No. 32, Acts, Regular Session, 1984, p. 1135; and ratified on November 6, 1984. Vote on the amendment: For ratification, 340,462; Against ratification, 252,491; Majority, 87,971.]

### **VETERANS BONUS AMENDMENT**

#### **(Persian Gulf, Lebanon, Grenada and Panama)**

The Legislature shall provide by law, either for the appropriation from the general revenues of the State, or for the issuance and sale of state bonds, which shall be in addition to all other state bonds heretofore issued, or a combination of both as the Legislature may determine, for the purpose of paying a cash bonus to veterans of the armed forces of the United States who (1) served on active duty, or who were members of reserve components called to active duty by the President of the United States under Title 10, United States Code section 782(D), or 783, or 783(B), during the Persian Gulf conflict, Operation Desert Shield/Desert Storm, between the first day of August, one thousand nine hundred ninety and the date determined by the president or congress of the United States as the end of the involvement of the United States armed forces in the Persian Gulf conflict, both dates inclusive; or (2) veterans, active service members, or members of reserve components, of the armed forces of the United States, who served on active duty in one of the military operations for which he or she received a campaign badge or expeditionary medal during the periods hereinafter described. For purposes of this amendment, periods of active duty in a campaign or expedition are designated as: The conflict in Panama, between the twentieth day of December, one thousand nine hundred eighty-nine, through the thirty-first day of January, one thousand nine hundred ninety, both dates inclusive; the conflict in Grenada, between the twenty-third day of October, one thousand nine hundred eighty-three, and the twenty-first day of November, one thousand nine hundred eighty-three, both dates inclusive; and the conflict in Lebanon, between the twenty-fifth day of

August, one thousand nine hundred eighty-two, and the twenty-sixth day of February, one thousand nine hundred eighty-four, both dates inclusive. For purposes of this amendment not more than one bonus shall be paid to or on behalf of the service of any one veteran. In order to be eligible to receive a bonus, such persons must have been bona fide residents of the State of West Virginia at the time of their entry into such active service and for a period of at least six months immediately prior thereto, who have not been separated from such service under conditions other than honorable. Such bonus shall also be paid to any veteran, otherwise qualified under the two sentences next preceding, who was discharged within ninety days after entering the armed forces because of a service connected disability. The amount of such bonus shall be five hundred dollars per eligible person who was in active service, inside the combat zone designated by the President or Congress of the United States at anytime during the dates specified hereinabove. In the case of the Persian Gulf conflict, the amount of bonus shall be three hundred dollars per eligible person who was in active service outside of the combat zone designated by the President or Congress of the United States during the dates specified hereinabove. The bonus to which any deceased veteran would have been entitled, if living, shall be paid to the following surviving relatives of such veterans, if such relatives are residents of the State when such application is made and if such relatives are living at the time payment is made: Any unremarried widow or widower, or, if none, all children, stepchildren and adopted children under the age of eighteen, or, if none, any parent, stepparent, adoptive parent or person standing in loco parentis. The categories of persons listed shall be treated as separate categories listed in order of entitlement and where there be more than one member of a class, the bonus shall be paid to each member according to his proportional share. Where a deceased veteran's death was connected with such service and resulted from such service during the time period specified, however, the surviving relatives shall be paid, in accordance with the same order of entitlement, the sum of one thousand dollars in lieu of any bonus to which the deceased might have been entitled if living.

The principal amount of any bonds issued for the purpose of paying the bonuses provided for in this amendment shall not exceed the principal amount of four million dollars, but may be funded or refunded either on the maturity dates of said bonds or on any date on which said bonds are callable prior to maturity, and if any of said bonds have not matured or are not then callable prior to maturity, the Legislature may nevertheless provide at any time for the issuance of refunding bonds to fund or refund

such bonds on the dates when said bonds mature or on any date on which said bonds are callable prior to maturity and for the investment or reinvestment of the proceeds of such refunding bonds in direct obligations of the United States of America until the date or dates upon which such bonds mature or are callable prior to maturity. The principal amount of any refunding bonds issued under the provisions of this paragraph shall not exceed the principal amount of the bonds to be funded or refunded thereby.

The bonds may be issued from time to time for the purposes authorized by this amendment as separate issues or as combined issues.

Whenever the Legislature shall provide for the issuance of any bonds under the authority of this amendment, it shall at the same time provide for the levy, collection and dedication of an additional tax, or enhancement to such other tax as the Legislature may determine, in such amount as may be required to pay annually the interest on such bonds and the principal thereof within and not exceeding fifteen years, and all such taxes or charges so levied shall be irrevocably dedicated for the payment of the principal of and interest on such bonds until such principal of and interest on such bonds are finally paid and discharged and any of the covenants, agreements or provisions in the acts of the Legislature levying such taxes or charges shall be enforceable in any court of competent jurisdiction by any of the holders of said bonds. Any revenue generated in excess of that which is required to pay the bonuses provided herein and to pay any administrative cost associated with such payment shall be used to pay the principal and interest on any bonds issued as soon as is economically practicable.

The Legislature shall have the power to enact legislation necessary and proper to implement the provisions of this amendment.

[This amendment was proposed by House Joint Resolution No. 109, Acts, Regular Session, 1992, p. 1619; and ratified on November 3, 1992. Vote on the amendment: For ratification, 304,137; Against ratification, 249,954; Majority, 60,183.]

## **INFRASTRUCTURE IMPROVEMENT AMENDMENT**

1. The Legislature shall have power to authorize the issuing and selling of state bonds not exceeding in the aggregate three hundred million dollars, which shall be in addition to all other

bonds heretofore authorized. The proceeds of said bonds hereby authorized to be issued and sold shall be used and appropriated solely for the construction, extension, expansion, rehabilitation, repair and improvement of water supply and sewage treatment systems and for the acquisition, preparation, construction and improvement of sites for economic development in this state in a manner and subject to such conditions, qualifications and requirements as shall be prescribed by general law. Such bonds may be issued and sold at such time or times and in such amount or amounts as the Legislature shall authorize. When a bond issue as aforesaid is authorized, the Legislature shall, at the same time, provide for the irrevocable dedication, prior to the application of such tax proceeds for any other purpose, of an annual portion of any gross receipts tax which is then currently imposed on businesses that sever, extract and, or produce natural resources within this state which will be sufficient to pay, as it may accrue, the interest on such bonds and the principal thereof, within and not exceeding thirty years and all such taxes so levied and the additional tax hereinafter described shall be irrevocably dedicated to such purpose until such principal and interest on such bonds are finally paid and discharged: *Provided*, That when a bond issue as aforesaid is authorized, the Legislature shall at the same time provide for the collection of an additional annual state tax sufficient to pay as it may accrue the interest on such bonds and the principal thereof within and not exceeding thirty years: *Provided, however*, That such additional tax shall be levied in any year only to the extent that the moneys from the tax previously dedicated herein are insufficient therefor. Any of the covenants, agreements or provisions in the acts of the Legislature levying and dedicating such taxes shall be enforceable in any court of competent jurisdiction by any of the holders of the bonds.

[This amendment was proposed by House Joint Resolution No. 500, Acts, First Extraordinary Session, 1994, p. 2723 and ratified November 8, 1994. Vote on the amendment: For ratification, 191,373; Against ratification, 186,244; Majority 5,129.]

### **SAFE ROADS AMENDMENT OF 1996**

(a) The Legislature shall have power to authorize the issuing and selling of state bonds not exceeding in the aggregate five hundred fifty million dollars. The proceeds of said bonds hereby authorized to be issued and sold over a five-year period in the following amounts:

(1) The first day of July, one thousand nine hundred ninety-seven, one hundred ten million dollars:

(2) The first day of July, one thousand nine hundred ninety-eight, one hundred ten million dollars;

(3) The first day of July, one thousand nine hundred ninety-nine, one hundred ten million dollars;

(4) The first day of July, two thousand, one hundred ten million dollars;

(5) The first day of July, two thousand one, one hundred ten million dollars.

Any bonds not issued under the provisions of subdivisions (1) through (4) of this subsection may be carried forward and issued in any subsequent year.

(b) The proceeds of the bonds shall be used and appropriated for the following purposes:

(1) Matching available federal funds for highway construction in this state; and

(2) General highway construction or improvements in each of the fifty-five counties.

(c) When a bond issue as aforesaid is authorized, the Legislature shall at the same time provide for the collection of an annual state tax sufficient to pay as it may accrue the interest on such bonds and the principal thereof within and not exceeding twenty-five years. Such tax shall be levied in any year only to the extent that the moneys in the state road fund irrevocably set aside and appropriated for and applied to the payment of the interest on and the principal of said bonds becoming due and payable in such year are insufficient therefor. Any interest that accrues on the issued bonds prior to payment shall only be used for the purposes of the bonds.

*Resolved further*, That in accordance with the provisions of article eleven, chapter three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, such proposed amendment is hereby



numbered “Amendment No. 3” and designated as the “Safe Roads Amendment of 1996” and the purpose of the proposed amendment is summarized as follows: “To provide for the improvement and construction of safe roads in the state.”

[This amendment was proposed by House Joint Resolution No. 22, Acts, Regular Session, 1996, p. 2222, and ratified November 5, 1996. Vote on the amendment: For ratification, 372,335; Against ratification, 146,069; Majority, 226,266.]

### **VETERANS BONUS AMENDMENT**

The Legislature shall provide by law, either for the appropriation from the general revenues of the State, or for the issuance and sale of state bonds, which shall be in addition to all other state bonds heretofore issued, or a combination of both as the Legislature may determine, for the purpose of paying a cash bonus to: (1) Veterans of the armed forces of the United States who served on active duty in areas of conflict in Iraq, or were members of reserve components called to active duty by the President of the United States under Title 10, United States Code section 12301, 12302, 12303 or 12304 during the Iraqi War, between the nineteenth day of March, two thousand three and the date determined by the President or Congress of the United States as the end of the involvement of the United States armed forces in Iraq, both dates inclusive; or (2) veterans, active service members, or members of reserve components of the armed forces of the United States, who served on active duty in one of the military operations for which he or she received a campaign badge or expeditionary medal during the periods hereinafter described. For purposes of this amendment, periods of active duty in a campaign or expedition are designated as: The conflict in Kosovo between the twentieth day of November, one thousand nine hundred ninety-five and the thirty-first day of December, two thousand, both dates inclusive; and the conflict in Afghanistan, between the seventh day of October, two thousand one and the date determined by the President or Congress of the United States as the end of the involvement of the United States armed forces in Afghanistan, both dates inclusive. For purposes of this amendment not more than one bonus shall be paid to or on behalf of the service of a veteran. In order to be eligible to receive a bonus, a veteran must have been a bona fide resident of the State of West Virginia at the time of his or her entry into active service and for a period of at least six months immediately prior thereto, and has not been separated from service under conditions other than honorable. The bonus shall also be paid to any veteran

otherwise qualified pursuant to this amendment, who was discharged within ninety days after entering the armed forces because of a service-connected disability. The amount of the bonus shall be six hundred dollars per eligible veteran who was in active service, inside the combat zone in Kosovo, Afghanistan or Iraq as designated by the President or Congress of the United States at anytime during the dates specified hereinabove. In the case of the Iraqi War and the conflict in Afghanistan, the amount of bonus shall be four hundred dollars per eligible veteran who was in active service outside the combat zone designated by the President or Congress of the United States during the dates specified hereinabove. The bonus to which any deceased veteran would have been entitled, if living, shall be paid to the following surviving relatives of the veteran, if the relatives are residents of the State when the application is made and if the relatives are living at the time payment is made: Any unmarried widow or widower, or, if none, all children, stepchildren and adopted children under the age of eighteen, or, if none, any parent, stepparent, adoptive parent or person standing in loco parentis. The categories of persons listed shall be treated as separate categories listed in order of entitlement and where there is more than one member of a class, the bonus shall be paid to each member according to his or her proportional share. Where a deceased veteran's death was connected with the service and resulted from the service during the time period specified, however, the surviving relatives shall be paid, in accordance with the same order of entitlement, the sum of two thousand dollars in lieu of any bonus to which the deceased might have been entitled if living. The person receiving the bonus shall not be required to include the bonus as income for state income tax purposes.

The principal amount of any bonds issued for the purpose of paying the bonuses provided for in this amendment shall not exceed the principal amount of eight million dollars, but may be funded or refunded either on the maturity dates of the bonds or on any date on which the bonds are callable prior to maturity, and if any of the bonds have not matured or are not then callable prior to maturity, the Legislature may nevertheless provide at any time for the issuance of refunding bonds to fund or refund the bonds on the dates when the bonds mature or on any date on which the bonds are callable prior to maturity and for the investment or reinvestment of the proceeds of the refunding bonds in direct obligations of the United States of America until the date or dates upon which the bonds mature or are callable prior to maturity. The principal amount of any refunding

bonds issued under the provisions of this paragraph shall not exceed the principal amount of the bonds to be funded or refunded thereby.

The bonds may be issued from time to time for the purposes authorized by this amendment as separate issues or as combined issues.

Whenever the Legislature shall provide for the issuance of any bonds under the authority of this amendment, it shall at the same time provide for the levy, collection and dedication of an additional tax, or enhancement to another tax as the Legislature may determine, in an amount as may be required to pay annually the interest on the bonds and the principal thereof within and not exceeding fifteen years, and all taxes or charges so levied shall be irrevocably dedicated for the payment of the principal of and interest on the bonds until the principal of and interest on the bonds are finally paid and discharged and any of the covenants, agreements or provisions in the acts of the Legislature levying the taxes or charges shall be enforceable in any court of competent jurisdiction by any of the holders of said bonds. Any revenue generated in excess of that which is required to pay the bonuses herein and to pay any administrative cost associated with the payment shall be used to pay the principal and interest on any bonds issued as soon as is economically practicable.

The Legislature shall have the power to enact legislation necessary and proper to implement the provisions of this amendment: *Provided*, That no bonus may be issued until the Governor certifies a list of veterans and relatives of deceased veterans eligible to receive such bonus to the Legislature at any regular or special session of the Legislature as the Legislature will provide by general law.

[This amendment was proposed by House Joint Resolution No. 114, Acts, Regular Session, 2004, p 2395, and ratified November 2, 2004. Vote on amendment: For ratification, 417, 976; Against ratification, 199, 490; Majority, 218, 486.]

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**RULES OF  
THE HOUSE**





# **RULES OF THE HOUSE OF DELEGATES**

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## **INTRODUCTORY**

The last complete revision of the Rules of the House of Delegates was in 1935. The rules as adopted at that time will be found in the Journal of the House of Delegates, Regular Session, 1935, pages 45-78.

Since then a number of new rules have been adopted and others amended. All amendments and additions are indicated herein by means of a reference to the Journal showing the session at which the amendment was adopted. HR indicates House Resolution.

## **MEMBERSHIP OF THE HOUSE**

By an act of the Legislature (Ch. 3, Second Extraordinary Session, 2011), the House of Delegates shall consist of one hundred members. Sixty-Seven Delegate Districts, embracing all counties, each District embracing one or more counties, were established. Delegates are elected for a term of two years.

## **QUALIFICATIONS**

No person shall be a Delegate who has not for one year next preceding his election, been a resident within the district or county from which he is elected, and if a Delegate remove from the district or county for which he was elected, his seat shall be thereby vacated. (Const., Art. VI, Sec. 12.)

No person holding any other lucrative office or employment under this State, the United States, or any foreign government; no member of Congress; and no person who is sheriff, constable, or clerk of any court of record, shall be eligible to a seat in the Legislature. (Const., Art. VI, Sec. 13.)

No person who has been, or hereafter shall be, convicted of bribery, perjury, or other infamous crimes, shall be eligible to a seat in the Legislature. No person who may have collected or been entrusted with public money, whether State, county, township, district or other municipal organization, shall be eligible to the Legislature, or to any office of honor, trust, or profit in this State, until he shall have duly accounted for and paid over such money according to law. (Const., Art. VI, Sec. 14.)

No Senator or Delegate, during the time for which he shall have been elected, shall be elected or appointed to any civil office of profit under this State, which has been created, or the emoluments of which have been increased during such term, except offices to be filled by election by the people. Nor shall any member of the Legislature be interested, directly or indirectly, in any contract with the State, or any county thereof, authorized by any law passed during the term for which he shall have been elected. (Const., Art. VI, Sec. 15.)

### OATHS

Members of the House of Delegates, before they enter upon their duties, shall take and subscribe to the following oaths or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of West Virginia, and faithfully discharge the duties of Delegate according to the best of my ability, and that I will not accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company, or person, for any vote or influence I may give or withhold, as Delegate, on any bill, resolution or appropriation, or for any act I may do or perform as Delegate." These oaths shall be administered in the hall of the house to which the member is elected, by a Judge of the Supreme Court of Appeals, or of a Circuit Court, or by any other person authorized by law to administer an oath; and the Secretary of State shall receive and file said oaths subscribed by each member; and no other oath or declaration shall be required as a qualification.

Any member who shall refuse to take the oath herein prescribed, shall forfeit his seat; and any member who shall be convicted of having violated the oath last above required to be taken, shall forfeit his seat and be disqualified thereafter from holding any office of profit or trust in this State. (Const., Art. VI, Sec. 16.)

Under authority of Ch. 4, Art. 1, Sec. 6 of the Code of West Virginia, the presiding officer or Clerk of either house may administer the oaths of office to any member or officer of such house.

### **PRIVILEGED FROM CIVIL ARREST**

Members of the Legislature shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during the session, and for ten days before and after the same; and for words spoken in debate, or any report, motion or proposition made

in either house, a member shall not be questioned in any other place. (Const., Art. VI, Sec. 17.)

### **COMPENSATION AND EXPENSES OF MEMBERS**

Compensation and expenses of members are fixed by the combined action of the Citizens Legislative Compensation Commission, created by Article VI, Section 33, of the Constitution. The Commission submits a resolution to the Legislature establishing compensation for members and allowances for travel and expenses of members in connection with their legislative service. The recommendations of the Commission are thereafter enacted into general law. The Legislature may reduce but shall not increase any item of compensation or expense allowance established by the Commission.

The amendment to the Constitution providing for this method of fixing legislative salaries and expenses was ratified by the voters at the general election in 1970.

The Citizens Legislative Compensation Commission is required by the Constitution to submit its determination of compensation and expenses every four years.

### **ASSEMBLY OF THE LEGISLATURE AND ORGANIZATION OF THE TWO HOUSES**

The Legislature assembles annually in regular session at the seat of government on the second Wednesday of January, and not oftener unless convened by the Governor. The custom is for each house to convene at 12:00 o'clock noon. Upon convening in odd-numbered years, each house proceeds to organize by the election of officers for two-year terms. Under the Constitution, the oldest member of each house in point of continuous service present at the assembly of each new Legislature, following the call to order by the Clerk, presides over such house until a presiding officer is elected and takes his seat—a President of the Senate and a Speaker of the House of Delegates. If two or more members have equal continuous service, the one agreed upon by such members or chosen by them by lot calls his house to order and presides over it until a President or Speaker, as the case may be, is elected.

The practice is for the Clerks of the previous houses to call the particular house to order and call the oldest member in point of continuous service to preside until a presiding officer is elected.

The session is then opened with prayer and the Pledge of Allegiance, following which a list of the members-elect and notices of contested elections are received. The roll is then called and the oath of office administered to the members determined to have been elected.

Upon the conclusion of the above formalities, the Senate is ready to proceed to elect a President and the House of Delegates a Speaker. Following the election of these officers, each house then proceeds

to the election of other officers, i.e., a Clerk, Sergeant at Arms and Doorkeeper. All officers are elected by *viva voce* vote.

It is then in order for each house by resolution to adopt rules governing legislative proceedings and each to inform the other of its organization. Then a concurrent resolution is adopted raising a joint committee to wait upon the Governor to inform him that the Legislature is organized and in readiness to receive any message or communication he may desire to present.

However, at the session of the Legislature following each general election at which a Governor and other officials of the executive department are elected, immediately upon the organization of the two houses, they shall meet in Joint Assembly in the Hall of the House of Delegates, where the Speaker, before proceeding to any other business, opens and publishes the election returns in the presence of a majority of each house. (Const., Art. VII, Sec. 3.)

Ordinarily, the Governor appears before a Joint Assembly to deliver his annual message. He advises the Legislature that he would be pleased to address a Joint Assembly and the Legislature by resolution provides for the two houses to assemble for this purpose.

### **LENGTH OF LEGISLATIVE SESSIONS**

The regular session of the Legislature held in 1973 and every fourth year thereafter shall meet on the second Wednesday of January, and, after organization of each house by the election of officers and opening and publishing election returns, shall then adjourn until the second Wednesday of February following. Such sessions, upon reconvening, shall not exceed sixty calendar days computed from reconvening, shall not exceed sixty calendar days computed from and including the second Wednesday of February. Regular sessions held in all other years shall not exceed sixty days.

Any regular session may be extended by a concurrent resolution adopted by a vote of two thirds of the members elected to each house.

### **EXTRAORDINARY SESSIONS**

The Constitution provides two methods for initiating the convening of extraordinary sessions.

It is the duty of the Governor to convene the Legislature on application in writing of three fifths of the members elected to each house. (Const., Art. VI, Sec. 19.) When this occurs, the session is plenary in nature.

He may, on extraordinary occasions, convene it at his own instance; but when so convened the Legislature shall enter upon no business except that stated in the proclamation by which it was called together. (Const., Art. VII, Sec. 7.)

### **RESIGNATIONS AND FILLING OF VACANCIES**

Resignations of members of the House should be made to the Speaker, Governor and chairman of the executive committee of the party of which the member belongs in the county or delegate district from which he was elected.

Vacancies in the House are filled by an appointment by the Governor, in each instance from a list of three qualified persons submitted by the county or delegate district party executive committee. (Ch. 3, Art. 10, §5 of the Code.)

# RULES OF THE HOUSE OF DELEGATES

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## ELECTION AND DUTIES OF OFFICERS

### Officers and Their Compensation

1. The House, at the commencement of each Legislature, shall elect a Speaker, Clerk, Sergeant at Arms, and Doorkeeper. All officers, except the Speaker, shall receive such compensation as the House may determine.

### Vote to Be *Viva Voce*

2. In the election of officers by the House, the vote shall be given *viva voce*, and a majority of the whole number of votes given, a quorum being present, shall be necessary to elect. If, upon any vote, there be no election, the person having the lowest number of votes shall be dropped, and any votes thereafter given to such person shall not be taken into the counting to affect the result in any way. But if two or more have the lowest and equal number of votes, they may be voted for again. No question before the House, or in committee of the whole, shall be voted on by ballot.

## DUTIES AND RIGHTS OF THE SPEAKER

### Call to Order

3. The Speaker shall take the chair on each legislative day at the hour to which the House shall have adjourned; call the members to order and, after prayer and the Pledge of Allegiance, if a quorum is present, proceed to the order of business. (HR21, Reg. Sess., 1985; HR1, Reg. Sess., 2017)

**Effect of 1985 amendment.** The Pledge of Allegiance was added to the Call to Order.

**Effect of 2017 amendment.** Deleted the word “precisely” following the words “each legislative day”; and deleted the words “shall immediately” preceding the words “call the members”.

**Preservation of Order**

4. The Speaker shall preserve order and decorum while the House is in session; enforce the rules and orders of the House; prescribe the order in which business shall come up for consideration, subject to the rules and orders of the House; announce the question of business before the House when properly requested by any member; receive all messages and communications; put to vote all questions which are properly moved; announce the result of all votes and authenticate, when necessary, the acts and proceedings of the House.

**Decorum in Debate**

5. In debate, the Speaker shall prevent personal reflections and confine members to the question under discussion, but he shall not engage in any debate, or propose his opinion on any question without first calling some other member to the chair. When two or more members arise at the same time, he shall name the one entitled to the floor.

**Questions of Order**

6. The Speaker shall decide all questions of order subject to an appeal to the House when demanded by any ten members. He may speak to questions of order in preference to other members, and may make the concluding speech on any appeal from his decision, notwithstanding, he may have before spoken on the question; but no other members shall speak more than once on such appeal without leave of the House.

When properly requested by a member, the Speaker shall inform the House upon any point of order or practice pertinent to the business before it.

**Preserving Order in Galleries**

7. The Speaker shall have general control of the House Chamber, lobbies, and rooms and of the corridors and passages in that part



of the Capitol assigned to the use of the House. In case of any disorderly conduct or disturbance in the corridors, passages or galleries; including but not limited to, signs, audible displays, flash photography or standing in the galleries; he shall have the power to order the same to be cleared, and may cause any person guilty of such disturbance or disorderly conduct to be brought before the bar of the House. In all such cases the members present may take such measures to prevent a repetition of such misconduct, either by the infliction of censure or such other penalty, as may be authorized by law, on the parties thus offending, as the House may deem best. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Clarified that audible displays, flash photography or standing in the galleries is prohibited.

### **Appointment of Speaker Pro Tempore, Presiding Officer in Absence of Speaker**

8. The Speaker shall appoint a Speaker pro tempore, who, during the absence of the Speaker, shall preside and perform all duties of the Speaker: *Provided*, That the Speaker may designate, by appointment in writing entered upon the Journal of the House, any member, other than the Speaker pro tempore, who, during the absence of the Speaker, shall preside and perform the duties of the Speaker until the Speaker returns to the chair: *Provided, however*, That the Speaker may call any member to the chair to perform the duties of Speaker but such substitution shall not extend beyond an adjournment: *Provided further*, That the Speaker pro tempore or any other member hereunder designated shall so preside for a period not to exceed three consecutive legislative days, but for no longer period, except by special consent of the House. (HR20, Reg. Sess., 1979)

**Effect of 1979 amendment.** Created a Speaker Pro Tempore to preside and perform the duties of Speaker in the absence of the Speaker.

**Appointment of House Employees**

9. For the performance of technical, clerical, stenographic, custodial and other services required by the House, at the beginning of each regular session of the Legislature, the Speaker shall appoint such persons to various positions, in such number as deemed necessary to efficiently carry on the work of the House.

At an extraordinary session of the Legislature only such persons designated for regular sessions as shall be necessary to perform the duties incident to the work of the session shall be appointed for the extraordinary session. Such persons as are appointed shall be selected with due regard to experience and qualifications.

All employees of the House shall report each day to their supervisor. A person designated by the Clerk of the House of Delegates shall keep a record of the attendance of such employees, and no employee shall be paid for days he is not in attendance, Saturdays and Sundays during sessions excepted, unless excused by the Speaker. All employees shall be on duty daily during such hours as shall be designated by their supervisor. The appointing authority shall have power to discharge any employee at any time. The word "employee" as herein used shall include all persons employed by the House.

Notwithstanding designation of positions or duties herein prescribed, any employee may be assigned additional duties by the person by whom appointed, and may be assigned to such positions and duties as may be deemed proper to secure the most efficient and expeditious work.

The employees designated herein shall not include personnel required to staff a drafting office or drafting service authorized and maintained by the House. The Speaker shall make such appointments for this purpose as the House shall authorize.

The compensation of all employees shall be fixed by resolution during each regular session. The Speaker may hire, discharge and adjust salaries of employees subsequent to the adoption of the resolution as allowed by this rule. (HR22, Reg. Sess., 1963; HR2, Reg. Sess., 1967; HR2, Reg. Sess., 1971; HR1, Reg. Sess., 2017)

**Effect of 1963 amendment.** The rule was completely rewritten. A limitation was placed upon the number of persons to be employed by the House during sessions of the Legislature, positions designated and duties prescribed.

**Effect of 1967 amendment.** The amendment substituted the word “employees” for the “attaches” in paragraph (1).

**Effect of 1971 amendment.** As a result of the 1970 amendment to the Constitution providing for annual 60-day sessions of the Legislature, the rule was rewritten to remove provisions applicable to the former 30-day session. The amendment made changes in the first and second paragraphs of subdivision (3).

**Effect of 2017 amendment.** Updated the rule to reflect the practices of the House and removed outdated job descriptions.

### **Appointment of Committees and Subcommittees**

10. The Speaker shall appoint all committees, except when the House shall otherwise order. In appointing standing committees he shall designate a chairman and may designate a vice chairman. In the absence of the chairman of a committee having a vice chairman, such vice chairman shall preside, and if there be no vice chairman, the committee shall elect a temporary chairman. When the House authorizes the appointment of a committee, the Speaker may wait until the next legislative day to appoint the same.

The Speaker may also name subcommittees of standing committees, prescribe their jurisdiction and designate the chairmen thereof. Legislative proposals and other business coming within the prescribed jurisdiction of any established subcommittee of a standing committee shall upon being committed to such standing committee be referred by the chairman thereof to the appropriate subcommittee. Reports of subcommittees shall be made to the committee and not to the House. (HR2, Reg. Sess., 1967)

**Effect of 1967 amendment.** The last paragraph was added to the rule.

### **Chairman of Committee on Rules**

11. The Speaker shall be *ex officio* member and chairman of the Committee on Rules.

### **Acts and Writs Signed by the Speaker**

12. All acts shall be signed by the Speaker; and all writs, warrants and subpoenas issued by the order of the House or any committee having authority to issue same shall be under his hand and attested by the Clerk.

### **Putting Questions**

13. The Speaker shall rise to put a question but may state it sitting.

### **Vote of the Speaker**

14. In all cases of a call of the yeas and nays, the Speaker shall vote, unless excused; in other cases he shall not be required to vote unless the House is equally divided, or unless his vote, if given to the minority, will make the division equal and in case of such equal division the question shall be lost. When the yeas and nays are taken, the Speaker's name shall be called last.

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## **CLERK, SERGEANT-AT-ARMS AND DOORKEEPER**

### **CLERK**

### **Examination of Journal**

15. It shall be the duty of the Clerk to examine the Journal of the House, daily, before it is read and cause all errors and omissions therein to be corrected. (HR 1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Provided that the Clerk, and not the Speaker, examines the Journal, to bring the rule into conformity with the practices of the House.

### **Charge of Clerical Business of House**

16. The Clerk shall have charge and supervision of all the clerical business of the House. He shall perform the duties imposed on him by law and the rules of the House. He shall have charge of the Clerk's desk and shall see that no one is permitted therein except himself and those assisting him.

### **Duties of Clerk**

17. It shall be the Clerk's duty to read to the House all papers ordered to be read; to call the roll and note and report the absentees, when a call of the House is ordered; to call the roll and note the answers of members, when a question is taken by yeas and nays; to assist, under the direction of the Speaker, in taking the count when any vote of the House is taken; to notify committees of their appointment and the business referred to them; to superintend the execution of all printing ordered by the House, and to report to the Speaker, to be submitted to the House, every failure of the printer to execute the same properly and promptly. He shall attest all writs, warrants and subpoenas issued by order of the House and shall certify to the passage of all bills, and to the adoption of all joint and concurrent resolutions by the Legislature. In addition to his other duties, the Clerk shall keep the accounts for pay and mileage of members, officers and employees, and for printing and other contingent expenses of the House, and prepare and sign warrants or requisitions for the same.

The Clerk shall superintend the recording of the Journal of the proceedings, the engrossing and enrolling of bills, and shall cause to be kept and prepared for the printer the Daily Journal of the proceedings of the House. (HR2, Reg. Sess., 1967)

**Effect of 1967 amendment.** The word "employees" was substituted for "attaches".

### **Clerk to Have Custody of All Records**

18. The Clerk shall have the custody of all records and papers of the House, and shall not allow them to be taken from the table or out of his possession without the leave of the House, unless to be delivered to the chairman of a committee to which they may have been referred and then he shall take a proper receipt therefor. He shall endorse on bills and papers brief notes of proceedings had thereon by the House and preserve the same in convenient files for reference.

### **Appointment of Assistants**

19. The Clerk may appoint such assistants and other personnel as is authorized by code, resolution or by the Rules of the House, and shall have the power to remove any appointee and appoint another in his stead. (HR22, Reg. Sess., 1963; HR1, Reg. Sess., 2017)

**Effect of 1963 amendment.** The amendment brought the rule into conformity with Rule 9.

**Effect of 2017 amendment.** Specified that the Clerk may appoint personnel as authorized by resolution, rule, or West Virginia Code.

### **Clerk to Have Charge of All Printing**

20. The Clerk shall have supervision and charge of all printing done for the House and the printer shall print only such documents and other matter as the Clerk authorizes. (HR 1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Removed the word “public” to reflect the establishment of in-house printing.

### **Payment for Printing**

21. Printing of bills and daily journals will be done in the Legislative Print Shop. Bound material and other legislative printing which cannot be done with machines owned or leased by the House of Delegate or the Joint Committee on Government and Finance will be contracted in accordance with Section 34, Article 6 of the Constitution of the State of West Virginia. (HR1, Reg. Sess., 2017)

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**Effect of 2017 amendment.** Updated the Rule to reflect current printing practices.

### SERGEANT- AT-ARMS

#### Duties

22. It shall be the duty of the Sergeant-at-Arms to attend the House and the Committee of the Whole during their sittings and to maintain order under the direction of the Speaker. He shall execute the commands of the House from time to time, together with such process, issued by the authority thereof, as shall be directed to him by the Speaker.

Under the direction of the Speaker, he shall superintend the distribution of all documents and papers to be distributed to the members. He shall see that no person, except those authorized to do so, disturbs or interferes with the desks of the members, or with the books, papers, etc., thereat.

He shall have charge under the Speaker for the purpose of maintaining order of the Hall of the House, its lobby, galleries and other rooms in the Capitol assigned for its use, and shall exclude from the floor all persons not entitled to the privilege of the same. He shall attend to seating visitors, and see that the House Chamber is properly ventilated, heated, and lighted. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Technical amendment to bring the rule into conformity with the practices of the House.

### DOORKEEPER

#### Duties

23. It shall be the duty of the Doorkeeper to attend the House during its sessions, and to announce all messages. He shall have charge of the main door of the Chamber during the sittings of the House, and shall see that the other doors are properly attended; have

general charge and oversight of the assistant doorkeepers; detail such assistant doorkeepers for such general or special duties as the Sergeant-at-Arms may deem proper; assist the Sergeant-at-Arms in seeing that the rules relating to admission to the floor are strictly enforced, and shall perform such other duties as the Speaker or the House may order.

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## RIGHTS AND DUTIES OF MEMBERS

### **Absence From the House**

24. No member shall absent himself from the service of the House unless he have leave, or be sick and unable to attend, but any member who conscientiously believes that his or her absence is necessary to observe the Sabbath or other religious observance shall be excused from attending upon the House on that day. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Technical amendment to clarify the language.

### **Every Member to Vote**

25. Every member present when a question is put, or when his name is called, shall vote unless he is immediately and particularly interested therein, or the House excuses him. A motion to excuse a member from voting must be made before the House divides, or before the call of the yeas and nays is commenced, and it shall be decided without debate, except that the member making the motion may briefly state the reason therefor.

### **Members Shall Be in Places When Voting**

26. While the yeas and nays are being taken every member shall be in his seat, and during the session of the House no person other than a member shall occupy the chair of a member.



## **Quorum**

27. A majority of all the members elected to the House shall be necessary to proceed to business; seven members may adjourn, and ten members may order a call of the House, send for absentees, and make any order for their censure or discharge. On a call of the House, the doors shall not be closed against any member until his name shall have been called twice. [Const., Art. VI, §32]

## **When Less Than Quorum Present**

28. In case a number less than a quorum of the House shall convene, they are hereby authorized to send the Sergeant at Arms, or any other person or persons by them authorized, for any and all absent members as the majority of such members shall agree, at the expense of such absent members, respectively, unless such excuse for nonattendance shall be made as the House, when a quorum is convened, shall judge sufficient; and, in that case, the expense shall be paid out of the contingent fund of the House. This rule shall apply to the first meeting of the House, at the legal time of meeting, as well as to each day of the session after the hour has arrived to which the House stood adjourned.

## **Taking Members into Custody**

29. No member of the House shall be taken into custody by the Sergeant-at-Arms, on any question of complaint of breach of privilege, until the matter is examined by the Committee on Rules, and reported to the House of Delegates, unless by order of the Speaker of the House of Delegates. (HR2, Reg. Sess., 1967)

**Effect of 1967 amendment.** Committee on Rules was substituted for the Committee on Elections.

## **Punishment of Members**

30. The House of Delegates may punish its own members for disorderly behavior, and, with the concurrence of two thirds of the

members elected thereto, expel a member, but not twice for the same offense. [Const., Art. VI, §25]

### **Providing for Undisturbed Transaction of Business**

31. The House of Delegates may punish, by imprisonment, any person not a member, for disrespectful behavior in its presence; for obstructing any of its proceedings, or any of its officers in the discharge of his duties, or for any assault, threat or abuse of any member for words spoken in debate; but such imprisonment shall not extend beyond the termination of the session. [Const., Art. VI, §26]

## **ORDER AND DECORUM IN DEBATE**

### **Recognition and Decorum**

32. When a member is about to speak in debate or deliver any matter to the House, he shall rise in his place and upon being recognized, respectfully address the presiding officer as “MR. SPEAKER”, and proceed, confining himself to the question under debate, avoiding all personalities and indecorous or disrespectful language.

When a member arises and addresses the Chair, the Speaker may recognize him by name; but no member in debate shall designate another by name. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Technical amendment to clarify the language.

### **Recognition by the Chair**

33. When two or more members shall rise or request recognition, the Speaker shall name the one who is to speak first, and his decision shall be final and not open to debate or appeal. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Added the word “or request recognition” and deleted the second sentence which read “However, in all other cases the member who shall rise first and address the Chair shall be first recognized.”

**Mover of Question to Have Preference in Debate**

34. No question shall be debated until it has been propounded by the Speaker, and then the mover of the question shall have the right to open and close the debate thereon. When the question is the passage of a bill or adoption of a resolution, the Speaker may designate a member to explain the bill or resolution who shall have the right to open and close debate. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Added the last sentence to the rule, granting the Speaker the authority to designate a member to explain the bill or resolution who shall have the right to open and close debate on final reading.

**Member Out of Order and Raising Points of Order or Inquiries of the Chair**

35. When any member, in speaking or otherwise, transgresses the rules of the House, the Speaker shall, or any member may, by rising, announcing a point of order, and addressing the rule being violated when called upon by the Speaker, call him to order; in which case the member so called to order shall immediately sit down, but may be permitted, with leave of the House, to explain; and the House shall, if appealed to, decide the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to; if the decision be in favor of the member so called to order, he is at liberty to proceed; if the decision be against him, and the case requires it, he shall be liable to the censure of the House, or such other punishment as the House may properly impose.

Any member may at any time make an inquiry of the Chair by rising, announcing his or her inquiry and upon recognition by the Speaker, stating his or her point. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Added the procedure for raising points of order or inquiring of the Chair.

**Calling to Order for Words Spoken in Debate**

36. If a member be called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to and

they shall be taken down at the Clerk's table. And no member shall be held to answer, or be subjected to the censure of the House, for words spoken in debate, if any other member has spoken or other business has intervened after the words were spoken and before the exception to them was taken.

### **Decorum During Debate**

37. While the Speaker is putting a question, ascertaining the result, or addressing the House, no one shall walk out of or across the House; and when a member is speaking, no one shall engage in conversation or pass between him and the Speaker.

### **Limitation on Debate**

38. No member shall speak except in his or her place, and no member shall speak until recognized by the Speaker, and may not be recognized to speak more than twice on a question, except by leave of the House: *Provided*, That yielding to answer a question shall not count toward the limit of speaking twice set forth in this rule. Questions in the form of argument or debate are out of order. If a question be pending at the time of an adjournment and is renewed on the succeeding day, no member who shall have spoken twice on the preceding day shall be permitted again to speak without leave of the House. The House by majority vote may limit debate on any question. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Specified that a member that is asked to take to the floor to answer a question does not lose the right to speak twice on a question.

### **Members Not to Be Disturbed While Speaking**

39. No one shall disturb or interrupt a member who is speaking, without his permission, except to call to order if he be transgressing the rules.

### Speaking Before Negative is Put

40. (Rescinded by HR1, January 11, 2017.)

**Effect of 2017 amendment.** The rule was completely abolished.

### PUTTING QUESTIONS AND VOTING

#### Putting Questions; Division

41. All questions on which the yeas and nays are not taken shall be put in this form, to wit: "As many as are in favor (as the question may be) say 'Aye'," and after the affirmative vote is expressed, "As many as are opposed say 'No'." If the Speaker be in doubt as to the result, or if a division is called for by any member, the House shall divide. Those in the affirmative of the question shall first rise from their seats and be counted, and afterwards those in the negative. The count may be made by the Speaker, or, if he so directs, by the Clerk, or two members, one from each side, to be named for that purpose by the Speaker. When the result is ascertained, the Speaker shall rise and state the decision of the House. Such vote shall not be printed in the Journal unless the yeas and nays are called for by one tenth of the members present. (HR3, 1<sup>st</sup> Ex. Sess., 1968; HR1, Reg. Sess., 2017)

**Effect of 1968 amendment.** The language of the rule was modified slightly.

**Effect of 2017 amendment.** Removed the word "distinctly" in the first sentence after the words "shall be put".

#### Yeas and Nays

42. The yeas and nays shall be taken on motions to dispense with the constitutional rule requiring a bill to be fully and distinctly read on three different days and on fixing the effective date of an act of the Legislature; on agreeing to a joint resolution proposing an amendment to the Constitution of the State; on the passage of a bill notwithstanding the objections of the governor; on the passage of a supplementary appropriation bill; on the passage of bills on third reading; on the passage of a House bill amended by the Senate; on

all questions where a specific vote is required by the Constitution, the joint rules of the Senate and House of Delegates, or by these rules; on quorum calls; and on questions when called for by one tenth of the members present.

The result of all votes taken by yeas and nays shall be entered on the Journal. When the yeas and nays are inserted on the Journal, the result of the vote as to total yeas, nays and absentees shall be recorded, and the names of the Delegates voting yea or nay, whichever is the smaller number, and the names of Delegates absent and not voting shall be inserted on the Journal. The names of Delegates omitted shall constitute the vote on the prevailing side.

On all roll calls, when the voting machine is not used, before the result is announced, the Clerk shall read to the House the names of those who voted in the affirmative or in the negative, whichever is the smaller number, and announce the names of those absent and not voting, at which time any member may correct a mistake committed in taking down his vote. The result shall then be announced, but if the House so orders, the announcement of the result may be postponed to the succeeding day, with liberty to absent members at any time before the result is announced by the Speaker, to appear and vote "Aye" or "No," in the presence of the House; and any member may, in the presence of the House, change his vote before the result is announced.

When the yeas and nays are called for by a member on any question, the Speaker shall hold this demand in abeyance until debate has closed upon the question under consideration, or until the previous question has been moved and sustained.

Upon calls of the House, in taking the yeas and nays, the names of the members shall be called alphabetically, except the name of the Speaker shall be called last. (HR19, Reg. Sess., 1945; HR3, 1<sup>st</sup> Ex. Sess., 1968; HR2, Reg. Sess., 2003; HR7, Reg. Sess., 2007)

**Effect of 1945 amendment.** Eliminated requirement for Clerk to read names of persons voting in the affirmative and the negative on roll calls when the voting machine is used, and prescribes when the Speaker shall put demand for yeas and nays.

**Effect of 1968 amendment.** The amendment rewrote the rule.

**Effect of 2003 amendment.** Provides for the taking of yeas and nays on the passage of all bills and clarifies that one roll is sufficient to pass a group of bills on third reading, Consent Calendar.

**Effect of 2007 amendment.** Removed the provision covering on roll call vote to pass third reading Consent Calendar bills and restated that a roll call is to be taken on all bills on third reading.

## Pairs

43. Members may pair on any question by filing a signed statement of the same with the Clerk, who shall read the same to the House before the vote is taken. A blank form of pair for use of members shall be provided by the Clerk. No pair shall be recognized unless made in person by the member signing the same, nor unless one or both of the parties thereto are absent.

## Division of Question

44. Any member may move for a division of any question other than passage of a bill before the vote thereon is taken, if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition will remain for the decision of the House, but the member moving for the division of a question shall state in what manner he proposes it shall be divided. A motion to strike out and insert shall be deemed indivisible, but a motion to strike out being lost, shall preclude neither amendment nor motion to strike out and insert. A bill is not divisible on the floor of the House. If the matter of one bill would be better distributed into two, any part may be struck out by way of amendment and introduced as a new bill in accordance with Rule 92. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Added language clarifying that a bill is not divisible on third reading.

### **Calling of Yeas and Nays**

45. No member or any person shall visit or remain by the Clerk's table while the yeas and nays are being called.

### **Tie Vote Loses Question**

46. In all cases when the House is equally divided, the question shall be lost.

### **Verification of Vote**

47. When a question upon which the yeas and nays have been taken has prevailed or failed by not more than five votes, the Speaker may, upon request of five members, order a verification of the vote. During such verification, no member shall change his vote unless it was erroneously recorded, nor may any member not having voted cast a vote. A verification must be called for immediately after a vote is announced and before any other business has intervened.

### **Explanation of Vote**

48. No member shall be allowed to make any explanation of his vote during the taking of the yeas and nays; but after the roll has been called and the vote announced, any member may explain his vote and the explanation shall be recorded in the Journal if he requests it. The Speaker may limit the time allowed members for explaining votes. A member may indicate in writing to the Clerk how the member voted on a voice vote or, if absent when any vote is taken, indicate in writing to the Clerk how the member would have voted if present and it shall be noted in the Journal. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Added the last sentence to bring the rule into conformity with the practices of the House.

### **When Members Not to Vote**

49. When a question is put, any member having a direct personal or pecuniary interest therein should announce this fact and request



to be excused from voting. The member with such interest should advise the presiding officer of the facts which constitute the personal and pecuniary interest. If the presiding officer determines based upon the facts provided by the member that the interest is a direct personal or pecuniary interest and affects the member directly and not as a member of a class of five or more similarly situated persons or businesses then the presiding officer shall excuse the member from voting. If the presiding officer determines that the interest is not a direct personal or pecuniary interest or that the member is affected as a member of a class of five or more similarly situated persons or entities then the member shall be directed to vote on the question. (HR23, Reg. Sess., 1977; HR1, Reg. Sess., 2017)

**Effect of 1977 amendment:** Provided that disqualifying interest must affect the member directly and not as one of a class.

**Effect of 2017 amendment.** Requests that members advise the presiding officer of a possible personal or pecuniary interest, and clarifies that a class of five or more is used in determining whether a member is a member of a class.

### **Voting by Machine**

49a. A voting machine may be used in taking the yeas and nays on any question, for quorum calls and for determining the result when a division is demanded. When a vote is to be taken on the voting machine, the Speaker shall announce the question to be voted upon and direct the Clerk to prepare the machine. The Clerk shall then sound the gong which shall be notice to all members to vote. After reasonable time has been given all members to vote the Speaker shall ask the question, "Have all members voted?," vote himself, if the vote being taken is upon a question on which he is required to vote, and then direct the Clerk to close the machine and ascertain the result. As soon as this is done, the Speaker shall promptly announce the result. No vote may be changed after it has been recorded.

No member shall vote for another member, nor shall any person not a member cast a vote for a member. In addition to such penalties as may be prescribed by law, any member who shall vote or

attempt to vote for another member may be expelled as a member of the House or punished in such other manner as the House may determine. If a person not a member shall vote or attempt to vote for any member, he shall be barred from the floor of the House for the remainder of the session and may be further punished in such manner as the House may deem proper, in addition to such punishment as may be prescribed by law.

All other rules governing voting and the taking of the yeas and nays, insofar as applicable, shall apply to taking votes by means of the voting machine. (HR1, 1<sup>st</sup> Ex. Sess., 1936; HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Deleted the requirement that the Clerk hand the record of the vote to the Speaker to bring the rule into conformity with the current practice of the House.

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## MOTIONS

### Stating the Question

50. When a motion is made, it shall be stated by the Speaker; or, being in writing, it shall be passed to the desk and read aloud by the Clerk before debate.

### Form of Motion

51. Every motion, except subsidiary or incidental motions, shall be reduced to writing, if the Speaker or any member desires it; but this exception shall not apply to motions to amend.

### Withdrawal of Motions

52. After a motion is stated by the Speaker or read by the Clerk, it is deemed to be in possession of the House, but may be withdrawn at any time before a decision or amendment, unless the previous question has been ordered, in which case it can only be withdrawn by leave of the House.

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**Order and Precedence of Motions**

53. When a question is under debate, no motion shall be received except:

1. To adjourn.
2. To lay on the table.
3. For the previous question.
4. To postpone to a day certain.
5. To go into a Committee of the Whole on the pending question immediately.
6. To commit to a Committee of the Whole.
7. To commit to a Standing Committee.
8. To commit to a Select Committee.
9. To amend.
10. To postpone indefinitely.

These several motions shall have precedence in the order in which they are arranged. A motion to strike out the enacting clause of a bill shall have precedence of another motion to amend; and if carried, the bill is rejected.

**Motion to Adjourn**

54. A motion to adjourn shall always be in order, except when the House is voting, or while a member is addressing the House, or when no business has been transacted since the motion to adjourn has been defeated.

**Motions Not Debatable**

55. The following motions shall be decided without debate and shall not be amended:

1. To adjourn.
2. To fix the time to which the House shall adjourn.
3. To lay on the table.
4. For the previous question.
5. To suspend the constitutional rule requiring bills to be read on three several days.
6. To recess.

### **Motions Not in Order**

56. No motion directing the appropriation or payment of money shall be in order.

### **Effect of Indefinite Postponement**

57. When a question is postponed indefinitely, it shall not be again acted on during the session.

### **Motion to Reconsider**

58. After any question has been decided in the affirmative or in the negative, it shall be in order for any member who voted with the prevailing side to move for a reconsideration of the vote thereon at any time on the same day or the next succeeding day of actual session. When the yeas and nays have not been recorded in the Journal, any member, irrespective of whether he voted with the prevailing side or not, may make the motion to reconsider. If the House refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. No vote shall be reconsidered upon motions to adjourn, to lay on the table, to take from the table, or for the previous question.

The motion to reconsider may be put and acted upon when made. If seconded, it shall take precedence of all other questions,

except the consideration of a conference report and the motion to adjourn, and unless by motion postponed until some future date be acted upon at once. When a motion to reconsider is made and not acted upon at the time, it shall be placed upon the calendar, under unfinished business, and be acted upon the next day of actual sitting of the House. A motion to reconsider shall not be withdrawn without leave of the House.

No bill, resolution, message, report, amendment or motion, upon which a motion is pending to reconsider the vote thereon, shall be taken out of the possession of the House until final disposition of the motion to reconsider. No motion for reconsideration of the vote on any question, which has gone out of the possession of the House, shall be in order, unless subsequently recalled by vote of the House and in possession of the Clerk.

When a motion to reconsider has been carried, its effect shall be to place before the House the original question in the exact position it occupied before it was voted upon. (HR2, Reg. Sess., 1967)

**Effect of 1967 amendment.** The amendment rewrote the rule.

### **Debate on Motions to Reconsider**

59. Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. Where debate upon a motion to reconsider is in order, no member shall speak more than once nor for a longer period than three minutes.

### **Reconsideration of Question Requiring More than Majority Vote**

60. When a majority of members present vote in the affirmative on any question, but the question be lost because it is one in which the concurrence of a greater number than a majority of a quorum is necessary to an affirmative decision, any member may move for a reconsideration.

**Effect of Motion to Table**

61. A motion to lay on the table shall only have the effect of disposing of the matter temporarily, and may be taken from the table at any time after the eighth order of business has been passed.

**Motion Must Be Germane**

62. No motion on a subject different from that under consideration shall be admitted under color of amendment.

**Previous Questions**

63. When any question is before the House, any member who has not spoken on the question, when properly recognized, may move the previous question. Any demand for the previous question must be sustained by one tenth of the members present. If sustained, the motion for the previous question shall be put by the Speaker, without debate, in the form of "Shall the question on \_\_\_\_\_ now be put?" If the motion for the previous question is adopted by a majority vote of members present, that question shall be put to a vote without further debate: *Provided*, That if the question is passage of the bill or adoption of a resolution, the Member recognized by the Speaker pursuant to Rule 34 to explain the bill or resolution shall be provided five minutes to close debate. If the question at issue is an amendment, the Member that is the lead sponsor of the amendment shall be provided three minutes to close debate.

When a member moves the previous question, he shall specifically state in his motion whether it shall apply to the main question and the amendments or to the amendment or amendments only. If the motion applies to the main question and the amendments, separate votes shall be taken on each pending amendment and the main question without further debate, except for the Member having the right to close on the question pursuant to this Rule.

The previous question shall not be admitted in the Committee of the Whole. (HR1, Reg. Sess., 2017; HR5, Reg. Sess., 2017)

**Effect of 2017 amendments.** Outlined the procedure to be used when moving the previous question. The rule also clarified what procedure is followed when the motion is adopted.

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## MEETING OF THE HOUSE

### Time of Meeting

64. The House shall meet every day, except Sunday, unless it shall be otherwise directed by special order, at the hour to which it shall have adjourned at its last sitting; but if no hour were fixed at such sitting, then at eleven o'clock A.M. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Changed the time from two p.m. to eleven a.m. to reflect the normal meeting time of the House.

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## ORDER OF BUSINESS

### Daily

65. The daily order of business shall be as follows:

- I. To read, correct, and approve the Journal.
- II. Introduction of guests.
- III. To receive and consider reports of standing committees.
- IV. To receive and consider reports of select committees.
- V. To receive and consider messages from the Executive, state officials, and other communications and remonstrances.
- VI. To receive messages from the Senate, and consider amendments proposed by the Senate to bills passed by the House.

- VII. To receive (a) resolutions, (b) petitions, (c) motions.
- VIII. Bills introduced on motion for leave and referred to appropriate committees.
- IX. To act on unfinished business of the preceding day, and resolutions lying over from previous day, but no resolution shall lose its place on the calendar by not being acted upon on the day following that on which it was offered.
- X. House and Senate Bills on third reading.
- XI. House and Senate Bills on second reading.
- XII. House and Senate Bills on first reading.
- XIII. To act upon leave of absence for members.
- XIV. Remarks by members of the House.  

Item XIV, Remarks by members of the House, shall not be operative after the forty-seventh day of the session.
- XV. Miscellaneous business. (HR10, Reg. Sess., 2001; HR3, Reg. Sess., 2002)

**Effect of 2001 amendment.** Item II language is new, and original item II was moved to the end of the order, appearing as XIII

**Effect of 2002 amendment.** Item XIV language is new, and original item XIV was moved to the end of the order, appearing as XV. Also, after the forty-seventh day of a regular session, there will not be an order of business for remarks of members.

### **Recess for Introductions**

65a. Upon the request of any member, the Speaker may, not more than twice daily, order a recess for the purpose of introductions. During such recess any member, upon recognition, may introduce to the House citizens seated in the galleries. No such introduction shall exceed one minute. Rules of order and decorum shall remain in



force during such recess as if the House is in session. (HR33, Reg. Sess., 1978; HR1, Reg. Sess., 2017)

**Effect of 1978 amendment.** Provided for the introduction to the House of citizens in the galleries.

**Effect of 2017 amendment.** Eliminated the language that restricted the recess to no longer than five minutes without leave of the Speaker.

### **Priority of Business**

66. All questions relating to priority of business shall be decided without debate.

### **Special Orders**

67. Any subject made a special order of business shall be laid before the House by the Speaker, or may be called up by any member, when the time fixed for its consideration arrives. If not called up or acted upon at the time fixed, it shall lose its standing as a special order.

### **Reports and Messages Receivable at Any Time**

68. Messages from the Governor and Senate, communications and reports from state officers, reports from the Committee on Rules, reports from the Committee on Enrolled Bills, and reports of Conference Committees may be received at any time when the House is not actually engaged in taking a vote on some question, in which case it shall be received as soon as the result of the vote is announced. When received it shall be disposed of as the House may direct. Messages and reports received by the Clerk after *sine die* adjournment, which do not require actions by the House, shall be considered received by the House and filed with the Clerk and shall be recorded in the Journal. (HR2, Reg. Sess., 1967; HR1, Reg. Sess., 2017)

**Effect of 1967 amendment.** Reports from the Committee on Elections were removed from the rule due to another amendment abolishing the committee and transferring its jurisdiction with respect to questions involving the election and qualification of members to the Committee on Rules.

**Effect of 2017 amendment.** Added language to the rule regarding the practice which allows messages and reports, which require no further House action, received after adjournment *sine die* to be included in the Journal.

### **Consideration of Local Bills**

69. (Rescinded by HR1, January 11, 2017)

**Effect of 2017 amendment.** The rule was completely abolished.

### **Special Calendar**

70. Unless the House otherwise directs by a majority vote of the members present, beginning on the thirtieth day of each Regular Session and the commencement of any Extraordinary Session, the Committee on Rules shall arrange a special calendar and the consideration of bills on this calendar shall take precedence over the Regular House calendar.

Beginning on the thirty-first day of each Regular Session and the commencement of any Extraordinary Session, all bills or resolutions or other matters of business reported from committee, and having no additional committee reference, shall, unless referred to a second committee by the Speaker, automatically be placed by the Clerk on the Special Calendar, and no bill, resolution, or other matter of business shall be removed from the Special Calendar and placed on the regular House Calendar except by a majority vote of the Committee on Rules, a quorum being present. Once removed from the Special Calendar, any resolution, bill or other matter of business may only be again placed on the Special Calendar by a majority vote of the Committee on Rules, a quorum being present.

The Committee on Rules shall cause to be kept a record of all roll call votes on all questions pertaining to preparation of the Special Calendar and removing the same therefrom. This record of votes shall show those voting in the affirmative or those voting in the negative, whichever shall be the smaller number, and those absent and not voting. These vote records shall be prepared and following

the adjournment of each meeting made available to House members and to the public. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Implemented a Special Calendar beginning on the 31<sup>st</sup> Day of the Regular Session and during any extraordinary session unless the House otherwise directs.

### **Consent Calendar**

70a. Rescinded by HR6, January 16, 2007.

**Effect of 2007 amendment.** The rule was completely abolished.

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## **COMMITTEES**

### **Kinds of Committees**

71. Committees may be of four kinds, namely: Committee of the Whole House, Standing Committees, Select or Special Committees, and Conference Committees.

### **Committee of the Whole**

72. The House may resolve itself into a Committee of the Whole at any time on the motion of any member, and in forming a Committee of the Whole, the Speaker shall leave the chair and a chairman shall be appointed by him to preside over said committee. It shall consider and report on such subjects as may be committed to it by the House. The proceedings in Committee of the Whole shall not be recorded on the Journal except so far as reported to the House by the Chairman of the Committee.

### **Rules of Proceeding in the Committee of the Whole**

73. The rules of proceeding in the House shall be observed, as far as practicable, in Committee of the Whole, except that any member may speak oftener than twice on the same subject, but he shall not speak a second time until every member desiring to speak shall have

spoken; nor shall a motion for the previous question nor a motion to lay on the table or to adjourn be made therein. The yeas and nays need not be taken in Committee of the Whole.

### **Consideration of Bills in Committee of the Whole**

74. Upon demand by any member, bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments made shall be noted by the Clerk and reported to the House by the Chairman. After being reported to the House, the bill shall again be subject to amendment before a vote on the report is taken.

### **Motion to Rise Decided Without Debate**

75. A motion that the Committee of the Whole rise shall always be in order, and shall be decided without debate.

### **Standing Committees**

76. At the commencement of each Legislature, the Speaker shall appoint the standing committees established by this rule. The Speaker shall refer bills introduced, resolutions offered, and messages, petitions, memorials and other matters presented to such committee as he shall deem appropriate to consider and report thereon.

Standing committees are hereby created as follows:

1. Committee on Agriculture and Natural Resources
2. Committee on Banking and Insurance
3. Committee on Education
4. Committee on Energy
5. Committee on Finance
6. Committee on Government Organization

7. Committee on Health and Human Resources
8. Committee on Industry and Labor
9. Committee on Interstate Cooperation
10. Committee on the Judiciary
11. Committee on Pensions and Retirement
12. Committee on Political Subdivisions
13. Committee on Prevention and Treatment of Substance Abuse
14. Committee on Roads and Transportation
15. Committee on Rules
16. Committee on Senior Citizen Issues
17. Committee on Small Business, Entrepreneurship and Economic Development
18. Committee on Veterans' Affairs and Homeland Security

(HR13, Reg. Sess., 1945; HR4, Reg. Sess., 1947; HR2, Reg. Sess., 1967; HR4, Reg. Sess., 1977; HR6, Reg. Sess., 1981; HR24, Reg. Sess., 1986; HR2, Reg. Sess. 2001; HR2, Reg. Sess., 2003; HR2, Reg. Sess., 2005; HR1, Reg. Sess., 2009; HR4, Reg. Sess., 2014; HR1, Reg. Sess., 2017)

**Effect of 1945 amendment.** Established a Standing Committee on Veterans' Affairs.

**Effect of 1947 amendment.** Reduced number of standing committees from 29 to 24; changed the membership of committees from not less than seven nor more than twenty-five to not less than eleven nor more than twenty-five; and changed the number of members of the Committee on Rules from seven to not less than five nor more than nine.

**Effect of 1967 amendment.** The principal change was the reduction of the number of standing committees from 24 to 13. Some provisions of the old rule were embodied in amendments to other rules made at this time.

**Effect of 1977 amendment.** Established a Standing Committee on Government Organization.

**Effect of 1981 amendment.** Removed Committee on State and Federal Affairs from Standing Committees.

**Effect of 1986 amendment.** Changed Committee on Health and Welfare to Health and Human Resources.

**Effect of 1996 amendment.** Established the Committee on Veterans' Affairs. (HR 4, Reg. Sess., 1996)

**Effect of 2001 amendment.** Expanded the duties and changed the Committee on Industry and Labor to the Committee on Industry and Labor, Economic Development and Small Business.

**Effect of 2003 amendment.** Renamed the Committee on Veterans' Affairs the Committee on Veterans' Affairs and Homeland Security.

**Effect of 2005 amendment.** Added the Committee on Pensions and Retirement as a standing committee of the House.

**Effect of 2009 amendment.** This amendment separated the Committee on Agriculture and Natural Resources into two separate committees. It also expanded the duties and changed the name of the Committee on Industry and Labor, Economic Development and Small Business to the Committee on Energy, Industry and Labor, Economic Development and Small Business. Additionally, it added the Committee on Senior Citizen Issues as a Standing Committee of the House.

**Effect of 2014 amendment.** Combined the Committee on Agriculture and the Committee on Natural Resources into one committee; removed the Committee on Constitutional Revision from the Standing Committees; and separated the Committee on Energy, Industry and Labor, Economic Development and Small Business into two separate committees.

**Effect of 2017 amendment.** Established a Standing Committee on Prevention and Treatment of Substance Abuse.

## **Jurisdiction of Committees**

77. In general and without limitation, standing committees shall have functions and jurisdiction of subjects and other matters as follows:

1. *Committee on Agriculture and Natural Resources:* (a) Agriculture generally, including agricultural production and marketing, animal industry and animal health, adulteration of seeds,

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commercial feeding stuffs and commercial fertilizer, processed foods, insect pests and pesticides, soil conservation, milk and milk products, meats and meat products, agricultural extension service, entomology and plant quarantine, poultry and poultry products, and human nutrition and home economics; (b) natural resources in general, including game and fish, forest and wildlife areas, parks and recreation, water resources and reclamation.

2. *Committee on Banking and Insurance*: (a) Banks and banking, and financial institutions generally; (b) control and regulation of all types of insurance, including organization, qualification and licensing of insurers; and (c) securities and exchanges.

3. *Committee on Education*: (a) Education generally; (b) boards of education, and administration and control of schools; (c) textbooks and school curricula; (d) vocational education and rehabilitation; (e) qualifications, employment and tenure of teachers; (f) libraries; and (g) public schools and institutions of higher education.

4. *Committee on Energy*: (a) Mining and extraction of coal and other fossil fuels; (b) extraction and distribution of natural gas; (c) energy production employment, safety, local land use and community impacts; and (d) alternative energy development and efficiency measures.

5. *Committee on Finance*: (a) Tax and revenue measures increasing or decreasing the revenue or fiscal liability of the State; (b) collection of taxes and other revenue; (c) annual Budget Bills and supplementary appropriation bills; (d) proposals reducing public expenditures; (e) proposals relating to the principal and interest of the public debt; and (f) claims against the State.

6. *Committee on Government Organization*: (a) Legislation and proposals dealing with the Executive Department of state government with respect to creation, duties and functions; consolidation and abolition; and transfer, imposition and elimination of functions and

duties of departments, commissions, boards, offices and agencies; and (b) measures relating to the Legislative Department, other than apportionment of representation and redistricting for the election of members of the two houses.

7. *Committee on Health and Human Resources:* (a) Public health and public welfare generally; (b) mental health; (c) public and private hospitals and similar institutions; (d) prevention and control of communicable and infectious diseases; (e) pure food and drugs; (f) poison and narcotics; (g) correctional and penal institutions; and (h) public assistance and relief.

8. *Committee on Industry and Labor:* (a) Employment and establishment of industry; (b) labor standards; (c) labor statistics; (d) mediation and arbitration of labor disputes; (e) wages and hours of labor; (f) child labor; (g) safety and welfare of employees; (h) industry and labor generally; and (i) infrastructure.

9. *Committee on Interstate Cooperation:* Constitute the House members of the West Virginia Commission on Interstate Cooperation as provided by Article 1B, Chapter 29 of the Code.

10. *Committee on the Judiciary:* (a) Judicial proceedings, civil and criminal generally; (b) state and local courts and their officers; (c) crimes and their punishment; (d) corporations; (e) collection and enforcement of property taxes; (f) forfeited, delinquent, waste and unappropriated lands; (g) real property and estates therein; (h) domestic relations and family law; (i) revision and codification of the statutes of the State; (j) election laws; (k) proposals to amend the Constitution of the United States or the Constitution of the State; (l) legislation relating to constitutional conventions; and (m) other matters of a nature not deemed properly referable to any other standing committee.

11. *Committee on Pensions and Retirement:* (a) Continuing study and investigation of retirement benefit plans of the State and political



subdivisions thereof; (b) making recommendations with particular attention to financing of the various pension funds and financing of accrued liabilities; (c) considering all aspects of pension planning and operation; and (d) analyzing each item of proposed pension and retirement legislation with particular reference as to cost, actuarial soundness and adherence to sound pension policy.

12. *Committee on Political Subdivisions:* (a) Counties, districts and municipalities generally; (b) division of the State into senatorial districts and apportionment of delegate representation in the House; and (c) division of the State into districts for the election of representatives to Congress.

13. *Committee on Prevention and Treatment of Substance Abuse:* Issues relating to and regarding the prevention and treatment of substance abuse.

14. *Committee on Roads and Transportation:* (a) Highways, public roads, railways, canals and waterways, aeronautics, aircraft and airways; (b) motor vehicle administration and registration; (c) licensing of motor vehicle operators and chauffeurs; (d) traffic regulation and laws of the road; and (e) regulation of motor carriers of passengers and property for hire.

15. *Committee on Rules:* (a) Rules, joint rules, order of business and parliamentary rules in general; (b) recesses and final adjournments of the House and the Legislature; (c) payment of money out of the contingent or other fund of the House or creating a charge upon the same; (d) employees of and services to the House, and purchase of furniture, supplies and office equipment; (e) election and qualification of members of the House and state officers, privileges of members and officers of the House, and witnesses attending the House or any committee thereof; (f) punishment of members of the House for disorderly conduct; and punishment of any person not a member for contempt, disrespectful behavior in the presence of the House, obstructing its proceedings,

and for any assault, threat or abuse of a member of the House; (g) House printing; (h) House Library, statuary and pictures, acceptance or purchase of works of art for the Capitol, purchase of books and manuscripts for the House, erection of monuments to the memory of individuals (i) sale of food and administration and assignment of office space in the House wing of the Capitol; and (j) Resolutions referred to the Committee on Rules pursuant to Rule 110.

16. *Committee on Senior Citizen Issues*: Proposal, revision and recodification of statutory provisions relating to all senior citizen issues.

17. *Committee on Small Business, Entrepreneurship and Economic Development*: (a) small business; (b) entrepreneurship; (c) e-commerce; (d) e-government; (e) economic development; (f) job creation; and (g) commerce generally.

18. *Committee on Veterans' Affairs and Homeland Security*: (a) Veterans' measures; (b) education of veterans; (c) cemeteries of the State in which veterans of any war or conflict are or may be buried; (d) measures generally affecting the health and welfare of veterans; (e) measures relating to detection, protection against, response to, and recovery from, terrorist attacks, internal or external; and (f) military affairs. (HR4, Reg. Sess., 1947; HR2, Reg. Sess., 1967; HR4, Reg. Sess., 1977; HR6, Reg. Sess., 1981; HR24, Reg. Sess., 1986; HR2, Reg. Sess., 2001; HR2, Reg. Sess., 2003; HR2, Reg. Sess., 2005; HR1, Reg. Sess., 2009; HR4, Reg. Sess., 2014; HR1, Reg. Sess., 2015; HR1, Reg. Sess., 2017)

**Effect of 1947 amendment.** This rule originally prescribed the duties of the Committee on Elections and Privileges. The 1947 amendment changed the name to Committee on Elections.

**Effect of 1967 amendment.** This amendment abolished the Committee on Elections and transferred its functions to the Committee on Rules and revised the rule to include jurisdiction of all standing committees.

**Effect of 1977 amendment.** Created the Committee on Government Organization and prescribed its duties.

**Effect of 1981 amendment.** Removed Committee on State and Federal Affairs from Standing Committees.

**Effect of 1986 amendment.** Changed Committee on Health and Welfare to the Committee on Health and Human Resources.

**Effect of 1996 amendment.** Created the Committee on Veterans' Affairs.

**Effect of 2001 amendment.** Expanded the duties and changed the Committee on Industry and Labor to the Committee on Industry and Labor, Economic Development and Small Business.

**Effect of 2003 amendment.** Changed the name of the Committee on Veterans' Affairs to the Committee on Veterans' Affairs and Homeland Security and sets forth its duties and jurisdiction.

**Effect of 2005 amendment.** Added the Committee on Pensions and Retirement and set forth its duties and jurisdiction.

**Effect of 2009 amendment.** This amendment separated the Committee on Agriculture and Natural Resources into two separate committees and set forth their duties. It also expanded the duties and changed the name of the Committee on Industry and Labor, Economic Development and Small Business to the Committee on Energy, Industry and Labor, Economic Development and Small Business. Additionally, it added the Committee on Senior Citizen Issues and prescribed its duties.

**Effect of 2014 amendment.** Combined the Committee on Agriculture and the Committee on Natural Resources into one committee and set forth its duties; removed the Committee on Constitutional Revision from the Standing Committees; and separated the Committee on Energy, Industry and Labor, Economic Development and Small Business into two separate committees and set forth their duties.

**Effect of 2015 amendment.** Revised language regarding the jurisdiction of the Committee on Rules and the Committee on Veterans' Affairs and Homeland Security.

**Effect of 2017 amendment.** Added the Committee on Prevention and Treatment of Substance Abuse and set forth its duties and jurisdiction.

## **Composition of Committees**

78. The Committee on Rules shall consist of not less than fifteen nor more than twenty-five members, which number shall include the Speaker, Majority Leader and Minority Leader; the Committee on Interstate Cooperation of seven members; and all

other standing committees shall consist of not less than fifteen nor more than twenty-five members, except that the number of members of the Committee on Pensions and Retirement shall be appointed in accordance with Joint Rule 29 or in such number as may be determined by the Speaker. (HR4, Reg. Sess., 1947; HR2, Reg. Sess., 1957; HR22, Reg. Sess., 1963; HR2, Reg. Sess., 1967; HR6, Reg. Sess., 1997; HR2, Reg. Sess., 2001; HR2, Reg. Sess. 2003; HR2, Reg. Sess., 2005; HR1, Reg. Sess., 2011; HR1, Reg. Sess., 2015)

**Effect of 1947 amendment.** The rule was completely rewritten and the jurisdiction of the committee expanded and delineated.

**Effect of 1957 amendment.** At this time the number of members of the Committee on Rules was contained in Rule 76 at not less than five nor more than nine. The amendment changed the number to not less than seven nor more than twelve, and included the Speaker, majority leader and minority leader within the committee membership.

**Effect of 1963 amendment.** The rule was rewritten expanding and detailing the duties and jurisdiction of the Committee on Rules. Among new duties given the committee were prescribing qualifications and recommending persons to fill positions under Rule 9.

**Effect of 1967 amendment.** The amendment rewrote the rule fixing membership of all standing committees.

**Effect of 1997 amendment.** The amendment increased the maximum number of members of the Committee on Rules by two.

**Effect of 2001 amendment.** The amendment decreased the maximum number of members of the Committee on Rules by two.

**Effect of 2003 amendment.** Increased the maximum number of members of the Committee on Rules by four.

**Effect of 2005 amendment.** Increased the membership of the Committee on Rules and specified that the Speaker may set the number of members on the Committee on Pensions and Retirement.

**Effect of 2011 amendment.** The amendment increased the maximum number of members of the Committee on Rules from eighteen to twenty.

**Effect of 2015 amendment.** The amendment increased the maximum number of members of the Committee on Rules twenty-five.

### **Duties of Committees**

79. The several standing committees shall not only consider matters specifically referred to them, but whenever deemed practicable suggest such legislation as will provide upon general principles for all similar cases. It shall be the duty of each committee to inquire into the condition and administration of the laws relating to the subjects which it has in charge; to investigate the conduct and look to the responsibility of all public officers and agents concerned; and to suggest such measures as will correct abuses, protect the public interests, and promote the public welfare. (HR2, Reg. Sess., 1967)

**Effect of 1967 amendment.** This rule, originally dealing with the duties of the Committee on Finance, was rewritten and made applicable to standing committees generally.

### **Bill Not to Be Divided among Committees, Speaker May Direct Second Reference**

80. A bill may not be divided among two or more committees although it may contain matters properly within the jurisdiction of several committees, but must be referred to one committee as an entirety.

When the Speaker is of the opinion that a bill should be considered by more than one committee, at the time of referring it, or at the time the bill is reported from a committee to which it has been referred, he may direct that when the committee to which it is referred completes its consideration thereof and makes a recommendation with respect thereto, the committee's report shall also recommend that it be referred to the additional committee or committees as directed by the Speaker. When a bill is so reported, it shall automatically be referred as directed, unless by unanimous consent the House shall dispense with such second reference. (HR2, Reg. Sess., 1967; HR1, Reg. Sess., 2017)

**Effect of 1967 amendment.** This rule, originally applicable to the Committee on Claims only, was rewritten.

**Effect of 2017 amendment.** Added language to the rule that allows the Speaker to refer a bill at the time the bill is reported from a committee to which it had been referred.

### **Reports of Committees**

81. The several standing committees shall have leave to report by bill or otherwise. All committees shall submit their reports to the House in writing, and the same shall be printed in the Journal. Reports of committees shall be advisory only. Committee chairmen shall see that the originals of all bills, resolutions, and such other documents as are referred to them are returned to the House, with the report upon the matter to which they pertain. (HR4, Reg. Sess., 1947)

**Effect of 1947 amendment.** Originally, this rule dealt with functions of the Standing Committee on Executive Offices and Library, which was rescinded by the amendment and successive rules renumbered.

### **Discharging Committee from Consideration of Bill**

82. When a bill or resolution has been in the hands of a committee five legislative days after having been referred to it, the committee may be discharged from further consideration of the bill or resolution by a majority vote of all the members present. The chairman of a committee may move that his committee be discharged from consideration of the matter at any time after commitment. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Deleted language at the end of the rule that read “and after the fiftieth day of the session any member may move to discharge a committee from consideration of any bill or resolution at any time after the same has been referred to it”.

### **Committee Meetings**

83. Meetings of all committees shall be upon a call of the chairman, but no committee shall sit during a session of the House without leave of the House. It shall be the duty of the chairman of a committee to announce, or have announced, from the floor of the House, or by the Speaker or Clerk, during the session of the

House, the time and place of the next meeting of the committee, and at such time, if practicable, announce the bills, resolutions or other business to be considered at such meeting. In case of failure of the chairman of any committee to call a meeting of such committee upon the request of a member, then fifty percent or more of the members of such committee shall have a right to call a meeting of such committee.

Notwithstanding any other rule to the contrary, on motions to report a bill or a resolution to the House, to table a bill or a resolution or to postpone consideration of a bill or a resolution indefinitely, the clerk of the committee shall make a record of the vote and following adjournment of the meeting make available to the public a list showing those voting in the affirmative or those voting in the negative, whichever shall be the smaller number, and those absent and not voting.

All meetings of standing committees shall be open, except a standing committee may, by a majority vote of the members present, hold an executive session for the specific purposes of: (1) Conducting committee discussion of legislative personnel; (2) conducting committee discussion of state government personnel; (3) consideration of and action on charges against a member of the House; or (4) where such meetings involve compiling information, investigating accusations or taking testimony which, if publicly disclosed, might unjustly injure or unfairly reflect on the reputation of innocent persons: *Provided*, That the Committee on Rules, while holding an executive session for the specific purposes of (1), (2), (3) and (4) above, shall by roll call vote record any definitive action and shall make such vote record available to the public.

In no other instances shall a vote be taken while a standing committee is holding an executive session. (HR27, Reg. Sess., 1965; HR5, Reg. Sess., 1970; HR5, Reg. Sess., 1971; HR11, Reg. Sess., 1975; HR7, Reg. Sess., 1976)

**Effect of 1965 amendment.** A provision was added at the end of the rule providing that no one not a member except the Clerk should be present in a committee when a vote was taken.

**Effect of 1970 amendment.** The provision of the rule prohibiting anyone other than the clerk of a committee to be present when a vote was taken was changed to provide that all committee meetings except executive sessions should be open to the public.

**Effect of 1971 amendment.** The last paragraph of the rule was added by the amendment.

**Effect of 1975 amendment.** Inserted word "resolution" in the first two paragraphs following the word "bills", and added the last paragraph as shown in the text above.

**Effect of 1976 amendment.** Deleted paragraph providing for executive session to set special daily calendar.

### **Committee Hearings**

84. Subject to the provisions hereof, a public hearing shall be held upon the timely written request of any member or citizen on any bill that is placed upon a committee agenda. A request for a public hearing shall be considered timely if the request is made prior to the bill being explained in the committee in which the request is made.

If the request for a public hearing is made in writing before the committee agenda has been published, the Chair of the Committee shall remove such measure from the agenda and schedule the public hearing prior to considering the measure.

If the request for a public hearing is made after the committee agenda has been published, either: (1) The Chair of the Committee shall remove such measure from the agenda and schedule the public hearing prior to considering the measure; (2) for any measure referred to an additional committee, the Chair of the Committee in which the request was made may proceed to consider the measure, in which case the public hearing shall be held by the additional committee to which the measure is referred, if such measure is



placed on the agenda of such additional committee, prior to the additional committee's consideration of the measure; or (3) if the measure is not referred to an additional committee, the Chair may proceed to consider the measure and hold the public hearing prior to the measure being considered for passage.

For purpose of this Rule 84, publication of notice of public hearing shall be deemed to have been effective when the public hearing has been announced on the floor of the House. The subject, time and location of any public hearing shall also be placed on the legislative website. No public hearing shall be scheduled sooner than the second calendar day following announcement of the hearing on the floor of the House.

The Chair of the Committee may limit the time of proponents and opponents at such hearing. The hearing may be conducted by the entire committee or a subcommittee thereof, as the committee shall direct.

When a bill is referred to more than one committee, no more than one hearing shall be required when properly and timely requested under the provisions of this rule: *Provided*, That a public hearing request made after the 43<sup>rd</sup> day on House bills or after the 53<sup>rd</sup> day on Senate bills shall not be in order unless such bill is originated in committee, in which case the request for a public hearing shall be granted and the public hearing shall be scheduled in accordance with this Rule: *Provided further*, That after the 43<sup>rd</sup> day, in order to conduct the business of the House in a timely and efficient manner, the House may, by a vote of a majority of the members present, provide for a hearing to be held sooner than the second calendar day following announcement of the hearing on the floor of the House and may limit the number and length of public hearings, if there are public hearing requests pending for more than five bills in any committee. (HR 27, Reg. Sess., 1965; HR2, Reg. Sess., 1971; HR6, Reg. Sess., 2002; HR44, Reg. Sess., 2012; HR1, Reg. Sess., 2017)

**Effect of 1965 amendment.** The amendment provided for committee hearings to be held either by the full committee or a subcommittee and directed that all hearing should be open to the public.

**Effect of 1971 amendment.** The amendment rewrote the first paragraph and added the second paragraph.

**Effect of 2002 amendment.** Clarifies when public hearings shall be held and eliminates the necessity of holding duplicate hearings.

**Effect of 2012 amendment.** The amendment completely rewrote the rule, setting forth details for requests for and the holding of, public hearings.

**Effect of 2017 amendment.** Revised and clarified guidelines for the committee hearing process and timelines of when public hearings are to be held.

### **Witnesses Before Committees**

84a. Every committee of the House shall administer oaths to any person, except current members or employees of the West Virginia Legislature, appearing before the committee at any meeting, with the exception of a public hearing, or during the deliberations of any committee. If any witness to whom an oath has been administered shall refuse to answer a question put to such witness by any member of the committee, the committee may report such refusal to the House and upon motion duly made by any member of the House, the House may cause to be issued a subpoena to compel such witness to appear before the committee to give testimony. Upon appearance pursuant to subpoena the witness may be questioned by the chairman and any member of the committee.

The Clerk of the House, the chairman of the committee, the committee clerk or any member of the committee may administer the oath to the witness and may require that such oath be subscribed to by the witness. (HR1, Reg. Sess., 2017; HR5, Reg. Sess., 2017)

**Effect of 2017 amendments.** Required persons appearing before a committee to be administered an oath.

### **Committee Clerks**

85. The Speaker shall assign to the various committees such clerks and other clerical and stenographic help as may be necessary

to properly carry on the work of the committees. Committee clerks shall keep such records and perform such duties as the chairmen of the respective committees may direct.

### **Committee Records**

86. The chairman of each committee shall keep, or cause to be kept, a record in which there shall be entered:

(a) The time and place of each hearing, and of each meeting of such committee.

(b) The attendance of committee members at each meeting.

(c) The names and addresses of all persons appearing before the committee, with the name of person, persons, firm or corporation, and addresses, in whose behalf such appearance is made.

(d) The vote of each member on all motions, bills, resolutions and amendments acted upon, when a yea and nay vote is taken.

Such a record shall be read and approved at the next regular meeting of the committee. The committee records shall be open to inspection of the public at proper times and places and at the close of the session shall be filed with the Clerk of the House.

### **Committee Quorum; Subcommittees**

87. A majority of any committee shall constitute a quorum for the transaction of business. A subcommittee, which shall report to the regular committee, may be appointed to consider and report to the committee on any matter referred to it.

### **Minority Views**

88. The minority of any committee may present its recommendations in writing with the report of the committee, and

the same shall be printed in the Journal, and said recommendation may, by a vote of the House, be substituted for and become the report of the committee. If the minority or any committee presents its recommendations after the report of the committee has already been received, it shall still be printed in the Journal.

**Effect of 2017 amendment.** Added the last sentence to the rule

### **House Rules to Govern Committee**

89. The rules governing the proceedings of the House shall apply to the proceedings of the committee, insofar as the same are applicable.

### **Select or Special Committees**

90. Select or special committees may be provided for on motion or resolution, designating the number and object, and, unless otherwise ordered, shall be appointed by the Speaker.

### **Conference Committees and Reports**

91. All reports of conference committees shall be presented after having been signed by a majority of the conferees of each House and be printed in the Journal. No matter shall be considered by said committee, or reported upon by it, except that in disagreement between the two houses.

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## **BILLS, RESOLUTIONS AND PETITIONS**

### **BILLS AND JOINT RESOLUTIONS**

#### **Time Limit on Introducing**

91a. No House joint resolution and no House bill, other than a House supplementary appropriation bill or a House bill originating in a House standing or select committee, shall be introduced

in the House after the thirty-fifth day of a regular session unless permission to introduce the joint resolution or bill be given by a House resolution, setting out the title to the joint resolution or bill and adopted by a two-thirds vote of the House members present. The thirty-fifth day of the regular session held in the year two thousand nine and every fourth year thereafter shall be computed from and include the second Wednesday of February of such years. When permission is requested to introduce a joint resolution or bill under provisions of this rule, duplicate copies of the joint resolution or bill shall accompany the resolution or bill when introduced. (HR22, Reg. Sess., 1981; HR17, Reg. Sess., 1994; HR11, Reg. Sess., 1995; HR3, Reg. Sess., 2008; HR1, Reg. Sess., 2015; HR 1, Reg. Sess., 2017).

**Effect of 1981 amendment.** The rule was rewritten in order to provide for introduction of House bills after the fiftieth day by a simple House resolution rather than a concurrent resolution. The rule also provides that bills may originate in committee after the fiftieth day.

**Effect of 1994 amendment.** The rule was changed to set the last day for bill introduction at the forty-first day of the session, instead of the fiftieth.

**Effect of 1995 amendment.** The rule was changed to set the last day for bill introduction at the forty-fifth day of the session, instead of the forty-first.

**Effect of 2008 amendment.** The rule was changed to set the last day for bill introduction at the forty-first day of the session, instead of the forty-fifth.

**Effect of 2015 amendment.** The rule was changed to set the last day for bill introduction at the forty-second day of the session, instead of the forty-first.

**Effect of 2017 amendment.** The rule was changed to set the last day for bill introduction at the thirty-fifth day of the session, instead of the forty-second. Also changed the required number of copies to two for joint resolutions and bills to reflect the practices of the House.

## Method of Introducing

92. Bills for introduction in the House on the opening day of any session of the Legislature may be filed with the Clerk not later than the day preceding the opening of such session. During sessions bills to be introduced shall be filed with the Clerk not later than

12:00 o'clock meridian on the legislative day next preceding their introduction. Before formal introduction, the Clerk shall number such bills as are presented and edit and correct them as to form. When the time for introducing bills is reached in the regular order of business, the Clerk shall report each of said bills by title in the same manner as if it were introduced from the floor. This rule shall not deny a member the right to introduce a bill from the floor in case of urgency. (HR26, Reg. Sess., 1963; HR3, 1st Ex. Sess., 1968; HR3, Reg. Sess., 1972)

**Effect of 1963 amendment.** The "fiscal note" rule was added.

**Effect of 1968 amendment.** The amendment changed the time for filing bills for introduction from 4:00 P.M. to 12:00 Noon.

**Effect of 1972 amendment.** The amendment rewrote the rule, the principal change being to remove the "fiscal note" provisions from this rule and place them in a new rule, 95a.

### **Bill Carryover**

92a. Any bill or joint resolution pending in the House at the time of *sine die* adjournment of the First Regular Session of a Legislature, or extended First Regular Session thereof, which has not been rejected, laid on the table or postponed indefinitely by the House, shall carry over in its original form to the Second Regular Session only at the request of the sponsor of the bill or resolution, such request to be made to the Clerk of the House not later than thirty days prior to the commencement of the session.

After receiving notice from the first-named sponsor of his or her intent to carry over the bill, the Clerk of the House shall notify all cosponsors that the bill will be carried over. All cosponsors shall have ten days after the date of notice to notify the Clerk of the House that their names should be removed from the bill to be carried over.

Any such bill or joint resolution shall retain its original number and shall be deemed to be reintroduced on the first day of the Second

Regular Session and shall, except as otherwise directed by the Speaker, be treated as referred to the committee or committees to which it was originally referred.

In the case of any House bill or joint resolution which has been passed or adopted by the House, such bill or resolution shall likewise be deemed to be reintroduced and referred, except as otherwise directed by the Speaker, to the committee or committees to which it was originally referred.

This rule shall not apply to any bill or joint resolution solely sponsored by a former member, to supplemental appropriation or budget bills, to bills which promulgate legislative rules, to bills which expire or continue state agencies pursuant to the West Virginia Sunset Law, to bills of a local nature, or to any bill or joint resolution introduced during any extraordinary session. (HR 2, Reg. Sess., 1988; HR 12, Reg. Sess., 1996; HR1, Reg. Sess., 2017)

**Effect of 1988 amendment.** Allowed House bills or joint resolutions pending at the time of *sine die* adjournment of the 1st Regular Session to carryover to the 2nd Regular Session.

**Effect of 1996 amendment.** Allowed bill or joint resolution to be carried over at the request of the first-named sponsor. Allows cosponsors to have ten days after date of notice to notify Clerk to have their name removed.

**Effect of 2017 amendment.** Changed the rule to require that the sponsor must request that a bill or joint resolution be carried over, and that such request must be made thirty days prior to session instead of ten.

### **Bills to Be Presented in Duplicate**

93. All bills for introduction shall be presented in duplicate, bearing the name of the first-named sponsor and the name or names of all sponsors by whom they are to be introduced. The original copy shall constitute the official bill for use of committees and for the permanent files of the House, and one copy shall be for the Clerk's office files. (HR3, 1st Ex. Sess., 1968; HR12, Reg. Sess., 1996; HR29, Reg. Sess., 2011)

**Effect of 1968 amendment.** The amendment rewrote the rule, the principal change being to require a bill for introduction to be presented in quadruplicate instead of triplicate.

**Effect of 1996 amendment.** Provides for placing the name of the first-named sponsor and the name or names of all cosponsors on all bills to be introduced.

**Effect of 2011 amendment.** The principal change was to require a bill for introduction to be presented in duplicate instead of quadruplicate.

### **Joint Sponsors of Bill**

94. A bill may be introduced bearing the names of not more than eleven members as joint sponsors of the bill. (HR40, Reg. Sess., 1937; HR18, Reg. Sess., 1992; HR15, Reg. Sess., 2005)

**Note:** This rule was originally adopted as Rule 94a. In 1992, the number was increased to seven and in 2005, it was raised to eleven.

### **Introduction of Bills by Request**

94a. A bill may be introduced by request. All bills introduced by request shall bear the words “by request,” following the designation of the name or names of the bill sponsor or sponsors. (HR13, Reg. Sess., 1988)

**Effect of 1988 amendment.** Allowed for the introduction of bills by request.

### **Removal or Addition of Name as Sponsor of a Bill or Resolution**

94b. Any Delegate whose name appears as a cosponsor of a bill or resolution may have his or her name removed as a sponsor of the bill or resolution by submitting a written request to the House Clerk not later than the day the bill or resolution is reported from its final committee: *Provided*, That the removal shall only be permitted if the member is not the last remaining sponsor of the bill or resolution.

Any Delegate wishing to be added as a cosponsor of a bill or resolution shall be added by the Clerk if written request is made to the Clerk not later than the day the bill or resolution is reported from its final committee if the lead sponsor of the bill or resolution agrees in writing to the addition and if the bill has less than the maximum number of sponsors allowed by these rules.



Nothing herein requires reprinting by the Clerk of paper copies of the bill to reflect the addition or removal of sponsors. Any such changes shall appear in electronic form only until reprinting of the bill is required by these rules. (HR8, Reg. Sess., 2015)

**Effect of 2015 amendment.** This rule was created to change the process for adding or removing a member as a sponsor of a bill or resolution.

### Reference to Committees

95. Bills introduced by any member, on motion for leave, or by any standing committee, shall be read by their titles and referred to the appropriate committee without printing, and all such bills shall be treated in committee as resolutions of inquiry. If the committee report a bill different from one so introduced, either by amendment or substitution, such bill shall be received and treated in the House as the original bill, and the committee report and Journal of the House shall show that the bill was either amended or substituted in committee: *Provided*, That in no instance shall a House or Senate bill be referred to the Committee on Rules. (HR2, Reg. Sess., 1975)

**Effect of 1975 amendment.** No bill shall be referred to the Committee on Rules.

### Fiscal Notes

95a. Prior to consideration, by the House or by any committee thereof, of any bill which either increases or decreases the revenue or fiscal liability of the State or any county, municipality or other subdivision of the State or in any manner changes or modifies any existing tax or rate of taxation, such bill shall have attached thereto a fiscal note, which “fiscal note” shall conform to the requirements as to form and content prescribed by the “Fiscal Note Manual,” prepared and adopted by the Committee on Rules to govern preparation of fiscal notes to bills introduced in the House of Delegates.

In the case of a bill which either increases or decreases the revenue or fiscal liability of the State or any county, municipality or other

subdivision of the State, nothing herein shall prohibit consideration of such a bill if, in the opinion of the chairman of the committee to which the bill has been referred, or in the opinion of the Speaker, a reasonable time has elapsed since a fiscal note was requested and no fiscal note or an incomplete fiscal note has been furnished.

It shall be the responsibility of the legislator introducing a bill to obtain such note when required. Such note shall be attached to the bill when filed for introduction, if at all possible, and shall accompany any bill requiring such note when the same is reported from committee.

A legislator introducing a bill requiring an increase in the revenue or fiscal liability of the State or any county, municipality or other subdivision of the State should have attached thereto the legislator's specific plan, idea, method or manner for generating the revenue needed or required by the proposed bill.

The jackets of all measures with fiscal notes attached or requiring such notes shall have the words "Fiscal Note" or the initials "FN" clearly stamped or endorsed thereon.

Rule 95a, as amended herein, shall not take effect until January 15, 1989.

No Act shall be void or voidable for noncompliance with this rule. (HR7, Reg. Sess., 1979; HR14, Reg. Sess., 1988)

**Note:** A fiscal note rule was adopted in 1963 as a part of Rule 92, but was suspended from session to session until it went into effect at the 1969 Regular Session.

**Effect of 1979 amendment.** Effective January 15, 1980, fiscal notes are required of all political subdivisions. The amendment also allowed a bill to be considered, if in the opinion of the chairman of a committee or the Speaker a reasonable time has elapsed since a fiscal note was requested.

**Effect of 1988 amendment.** Provides for legislator introducing bill to attach plan, method or manner for generating necessary revenue.

### **Correctional System Fiscal Impact Note**

95b. Prior to consideration, by the House or by any committee thereof, of any bill which proposes to create new criminal conduct punishable by incarceration, or either increases or decreases any criminal penalty involving a term of incarceration, the Division of Corrections, in conjunction with any applicable State agency, shall provide a correctional system fiscal impact note outlining the projected fiscal impact on the State's correctional system of the legislative proposal. The note shall include projected increases or decreases in persons incarcerated, the fiscal impact the proposal likely will have on existing availability of correctional facilities and facility space; whether the proposal will likely decrease or increase inmate populations and, in the case of increased inmate populations, whether additional costs will necessarily be incurred for expanded and increased correctional or jail facilities, equipment and personnel and, if so, the projected cost therefor.

In the case of a bill which either increases or decreases the revenue or fiscal liability of the State or any county, municipality or other subdivision of the State, nothing herein shall prohibit consideration of such a bill if, in the opinion of the chairman of the committee to which the bill has been referred, or in the opinion of the Speaker, a reasonable time has elapsed since a fiscal note was requested and no fiscal note or an incomplete fiscal note has been furnished.

No act shall be void or voidable for noncompliance with this rule. Rule 95b, as herein set forth, shall take effect January 1, 2007. (Com. Sub. for HR31, Reg. Sess., 2005)

**Effect of 2005 amendment.** Added the last three paragraphs to the rule.

### **Economic Impact Statement**

95c. Upon the introduction of any legislation which has a potential impact on the state's economy, the Speaker may request

from any institution under the authority of the West Virginia Higher Education Policy Commission, including but not limited to any state college or university, West Virginia University, or Marshall University, a review of the proposed legislation for purposes of preparing an Economic Impact Statement. The Economic Impact Statement may address the probable effect of any proposed legislation on the economy of the State of West Virginia including, but not limited to, the effect of the legislation on employment, job creation or reduction, and compensation. The statement shall include the names of those persons who participated in the drafting of the statement, including the time spent preparing the statement. The institution shall also make available a lead author of the statement or other qualified representative of the institution to discuss the statement with any committee of the House in which the legislation was referred. The Speaker may also request from any institution that produced a statement, a follow-up study two and five years following enactment of the legislation to analyze the economic impacts of the legislation. It shall be the responsibility of the Speaker to obtain any requested Economic Impact Statement, which shall be based on generally accepted methodology. The Rules Committee may, but is not required to, make by resolution recommendations as to the form and additional contents of the Economic Impact Statement.

The phrase “Economic Impact Statement” or the initials “ES” must be clearly stamped or endorsed on the jackets of all bills that have statements attached to them. The failure to comply with any provision of this Rule shall not prohibit the consideration or passage of any proposed legislation. (HR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Created rule relating to Economic Impact Statement.

### **What Bills to Contain**

96. Bills proposing laws or changes in laws shall consist of a title, beginning with the words “A BILL to” and contain a brief statement of the object of the proposed measure, and if it amends

or changes a law, a reference to the law proposed to be changed. The bill proper shall begin with the enacting clause, “*Be it enacted by the Legislature of West Virginia,*” and state at large the measure proposed. [Const., Art. VI, §30.]

### **Bill Not to Embrace More Than One Object**

97. No bill shall embrace more than one object, and that shall be stated in the title, and no law shall be revived or amended by reference to its title only; but the law revived, or the section amended, shall be inserted at large in the new act. [Const., Art. VI, §30.]

### **Reporting Bills from Committee**

98. When a bill is reported from committee with the recommendation that it do pass, it shall be placed on the calendar for the succeeding day and come up on first reading unless the House by action otherwise directs. If on the calendar when referred, it shall be replaced on the reading from which it was taken.

If a bill be reported favorably with amendments, the report and Journal shall so show, and when the bill reaches second reading the committee amendments shall be acted upon before other amendments are offered, except amendments to the committee amendments.

If a committee to which a bill has been referred reports that the same ought not to pass, the Speaker shall immediately propound the question, “Shall the bill be rejected?” If this question is decided in the negative, the bill shall be disposed of in the same manner as if reported favorably.

### **Printing of Bills**

99. (HR2, Reg. Sess., 1967; Rescinded by HR1, January 11, 2017.)

**Effect of 1967 amendment.** The amendment changed the stage at which bills are to be printed from when advanced to second reading to when reported from committee.

**Effect of 2017 amendment.** The rule was completely abolished and Rule 104 rewritten to reflect current technology and practices.

### **Recommitment of Bills**

100. A bill may be recommitted at any time before it passes. Should such recommitment take place after its engrossment, and an amendment be reported, the bill shall be placed on second reading when reported back.

### **Reading Bills**

101. Before any bill is read by the Clerk, he shall state to the House whether it is on first, second or third reading.

### **Bills to Have Three Readings**

102. No bill shall become a law until it has been fully and distinctly read on three different days, unless in case of urgency, by a vote of four fifths of the members present, taken by yeas and nays on each bill, this rule be dispensed with. Upon any bill there may be a motion to dispense with the constitutional rule, in order that the bill may be read twice or three times on the same day, and upon the first or second reading of any bill there may be a motion to dispense with the constitutional rule in order that the bill may, upon such reading, be read by its title: *Provided*, That in all cases there shall be three readings on each bill, and that an engrossed bill shall be fully and distinctly read. [Const., Art. VI, §29]

### **Bills - First Reading**

103. The first reading of a bill shall be for information; and if opposition be made to it, the question shall be, "Shall the bill be rejected?" If no opposition be made, or if the question to reject be lost, it shall be regarded as ordered to its second reading, unless the

House otherwise specially directs. On the first reading of a bill, it may at any stage of the reading be rejected on motion.

### **Bills - Printing and Availability to Members**

104. Electronic versions of all bills shall be made available promptly on the Chamber Automation System once introduced and printed version of all bills will be made available when requested from the Legislative Print Shop. (HR31, Reg. Sess., 1971; HR4, Reg. Sess., 2002; HR7, Reg. Sess., 2005; HR 1, Reg. Sess., 2017)

**Effect of 1971 amendment.** The amendment rewrote the rule. The last paragraph was added.

**Effect of 2002 amendment.** The last paragraph was added as a result of the installation of the Chamber Automation System.

**Effect of 2005 amendment.** Provides that the House may consider bills, resolutions and other documents in case of failure of the Chamber Automation System or failure of the Clerk to provide reproduced copies of the measures to be considered.

**Effect of 2017 amendment.** Updated the rule to reflect current printing practices.

### **Amending and Engrossing Bills**

105. On the second reading of a bill on the demand of any two members, it shall be read section by section for amendment, and when the amendments as may be moved are disposed of, the question, unless the House otherwise order, shall be, if a House bill, “Shall the bill be engrossed and ordered to the third reading?” If a House bill shall be ordered to its engrossment and third reading, and amendments have been made thereto, the type from which the bill was originally printed shall be changed to conform with the amendments. The bill shall then be reprinted and shall be the engrossed bill, and shall be designated as such. If no amendments are made the bill as originally printed may be ordered to its third reading and shall become the engrossed bill, and shall be designated as such. All House bills ordered to their engrossment and third reading shall be jacketed and engrossed with their number, title, by

whom introduced, and if the bill is finally passed, the date of its passage and the signature of the Clerk. If a House bill is passed by the Senate and returned to the House without amendment, or if amended and the amendment or amendments be agreed to, it shall then be turned over to the Joint Committee on Enrolled Bills. In the case of a Senate bill on second reading, if the same be amended by the House and passed as amended, the amendment or amendments shall be noted in full on slips of paper in typewriting and attached to the bill at the proper place by the Clerk before the bill is returned to the Senate, and all the amendments shall also appear in the House Journal.

### **Time Bills to Go into Effect**

106. In the passage of a bill by the House, a motion may be made that it take effect from its passage, or at some time other than ninety days after its passage; and if said motion be adopted by a vote of two thirds of all the members elected to the House, taken by yeas and nays, the Clerk shall communicate that fact to the Senate along with the bill. [Const., Art. VI, §30]

### **Senate Bills**

107. Senate bills passed by the Senate and reported to the House shall be referred to the appropriate committee unless the House otherwise directs. After this they shall be treated in the same manner as House bills.

## **RESOLUTIONS**

### **Resolutions**

108. Resolutions shall be of three classes, as follows:

(1) *Joint Resolutions*: All proposed amendments to the State Constitution shall take the form of a joint resolution, which shall be subject to the rules which govern the proceedings on bills,



except that it shall be read on three several days, and, to be adopted, must on its third reading be agreed to by a two-thirds vote of the members elected to the House. When a proposed amendment to the Constitution is under consideration, the vote of a majority of the members present shall be sufficient to decide an amendment thereto or any collateral or incidental questions thereto short of the final question.

(2) *Concurrent Resolutions*: Concurrent resolutions shall be used for the purpose of expressing the sentiments of the Legislature, for authorizing expenditures incidental to the sessions and business of the Legislature, for agreeing upon adjournments beyond the constitutional limitation, for creating special joint committees, for raising a joint assembly and other inferior and incidental purposes of legislation, and such other purposes as the Legislature may deem proper. The adoption of such resolutions must be concurred in by both houses.

(3) *House Resolutions*: These simple resolutions shall be used for expressing the will or order of the House on matters in which the concurrence of the Senate is not necessary. A House resolution shall be proper to express the sentiments of the body, to authorize expenditures from its contingent fund, for agreeing upon any question, and for all incidental purposes pertaining to the organization and work of the House. (HR2, Reg. Sess., 1967)

**Effect of 1967 amendment.** The amendment inserted the word "State" preceding the word "Constitution" in line one of subdivision (1).

**Note:** Joint resolutions are used only for amendments to the State Constitution and to ratify amendments to the Federal Constitution. Such resolutions do not have to be submitted to the Governor for his approval.

### **Policy of the House as to Concurrent and House Resolutions; Defining Purpose and Scope of Such Resolutions**

108a. It is hereby declared to be the policy of the House of Delegates that concurrent and house resolutions be limited to the

general purposes set forth in subdivisions (2) and (3) of Rule 108 and shall be restricted to expressions of sentiments and actions having a bearing upon matters incident to legislative business and the functioning of the legislative process insofar as possible.

Such resolutions shall not embrace congratulatory expressions to individuals, organizations, associations or other entities having no relation to the Legislature or public affairs generally, athletic events, scholastic contests, or any other matter not related to the scope and areas of legislative business: *Provided*, That this rule shall not bar the introduction of resolutions memorializing deceased members of the Legislature and public officials or commending or congratulating public officials on actions in connection with governmental affairs.

Any concurrent or house resolution shall be submitted to the Clerk for determination of compliance with this rule. (HR3, Reg. Sess., 1974; HR1, Reg. Sess., 2015)

**Effect of 1974 amendment.** This section was added by HR 3, Reg. Sess., 1974. Resolutions shall not embrace congratulatory expressions to individuals, organization, etc., having no relation to the Legislature. All resolutions must have preintroduction review by the Committee on Rules.

**Effect of 2015 amendment.** Required concurrent or House resolutions to be submitted to the Clerk instead of the Committee on Rules for determination of compliance with this rule.

### **Introduction of Resolutions**

109. All resolutions to be introduced in the House shall be filed with the Clerk not later than two hours prior to the convening of the session at which they are to be introduced. They shall be presented in duplicate and copies shall be for the same purpose as that of bills. When the proper order of business is reached, the Clerk shall proceed in the same manner as if they were introduced from the floor. This rule does not deny a member the right to introduce a resolution from the floor in case of urgency. The different classes of resolutions shall be numbered by the Clerk and entered in full in the Journal. (HR3, 1st Ex. Sess., 1968; HR1, Reg. Sess., 2017)

**Effect of 1968 amendment.** The word "triplicate" was changed to "quadruplicate."

**Effect of 2017 amendment.** The word "quadruplicate" was changed to "duplicate."

### **Action on Resolutions**

110. Upon introduction, all resolutions shall be read by their titles, referred to the appropriate committee, and be inserted in full in the Journal. Resolutions other than joint resolutions, proposing amendments to the State Constitution, reported from committee shall lie over one day and come up under the ninth order of business the following legislative day.

Joint resolutions proposing amendments to the State Constitution shall be treated as bills and proceedings thereon shall be in accordance with section two, article fourteen of the State Constitution.

Resolutions adopted by the Senate and reported to the House shall be subject to the same rule as that governing resolutions introduced in the House.

## **PETITIONS**

### **Petitions**

111. All petitions, remonstrances, memorials and other papers addressed to the House shall be filed by the member with the Clerk prior to the convening of the House. When in the regular order of business the time is reached for presenting petitions or any such papers, the Clerk shall read a list of those on file, giving the member's name presenting same and a brief summary of the contents thereof, and the same shall be referred to the committee of the member's selection unless otherwise ordered by the House. Each member, upon filing any such petition, remonstrance or other paper, shall endorse thereon his name, and if not so endorsed it shall not be received. The Journal shall show the name of the member

presenting such papers, a brief resume of the contents thereof, and the disposition made of same. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Technical cleanup.

## AMENDMENTS

### Submitted to Clerk

112. Amendments are to be submitted to the Clerk in writing and a duplicate copy is to be filed electronically for viewing in the Chamber Automation System. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** The rule was rewritten to reflect current technology.

### Must Be Germane

113. No amendment shall be in order that is not germane to the matter under consideration; and the Speaker, when the question is raised, shall rule as to the admissibility of the proposed amendment.

### Time for Offering

114. Amendments may be offered to any bill or joint resolution and acted upon on their second reading and before they are ordered to their engrossment and third reading. No bill shall be amended on third reading, except by unanimous consent of the members present. Amendments to resolutions other than joint resolutions shall be in order at any time the same are being considered. Committee amendments shall be subject to amendment and shall be disposed of before any other amendments are in order.

### Reading and Stating

115. Amendments shall be read by the Clerk and stated by the Speaker before being acted upon.

### By Striking Out Enacting Clause

116. A motion to amend by striking out the enacting clause of a bill shall have precedence over another motion to amend, and, if carried, the bill or resolution is rejected.

**Amendment to an Amendment**

117. A motion to amend a pending amendment may be received, but until it is disposed of no other motion to amend will be in order. But pending such amendment, a motion to amend in the nature of a substitute, and a motion to amend that substitute, may be received, but shall not be voted upon until the original matter is perfected.

**Amendment to Have Precedence Over Substitute**

118. If a substitute for a bill or resolution be offered, a motion to amend the original bill or resolution shall have precedence.

**Motion to Amend to Have Precedence Over One to Strike Out**

119. If a motion be made to strike out part of a bill or resolution, a motion to amend the part proposed to be stricken out shall have precedence.

**Filling Blanks**

120. In filling blanks, the largest sum and longest time proposed shall be first put, and the question shall be put on names in the order they were nominated.

**No Amendment by Way of Rider**

121. No amendment by way of rider shall be received to any bill after engrossment.

**Agreeing to Senate Amendments**

122. When a House bill or House joint resolution shall be amended by the Senate, the question on agreeing to the bill or resolution as amended shall be again voted on by yeas and nays, and the result entered on the Journal, and in such a case the affirmative vote of a majority of the members elected to the House shall be necessary. [Const., Art. VI, §31]

**Amendment by Section**

123. If a bill is being considered section by section, only amendments to the section under consideration shall be in order. After all sections have been considered separately, the whole bill shall be open for amendment except that an amendment seeking to strike out matter previously inserted and containing substantially no new proposition shall not be in order.

**Amending Titles**

124. After the passage of a bill or joint resolution, amendments to its title may be offered when the title is read for approval.

**Amendments to Senate Bills**

125. Any Senate bill or resolution may be amended in the same manner as a House bill or resolution. If a Senate bill or resolution is amended, the same shall be noted by the Clerk on the jacket containing same before it is reported to the Senate.

After the reading of a Senate amendment to a House bill or resolution, the question shall be, "Will the House concur in the Senate Amendment?" But it shall be in order to move that the House concur in the Senate amendment with an amendment; or that the House refuse to concur and ask the Senate to recede.

If the Senate shall refuse to concur in a House amendment to a Senate bill or resolution, the following motions shall be in order and shall be privileged in the order named: First, That the House recede; Second, That the House insist and ask for a committee of conference; Third, That the House adhere.

**Amendments to Be Printed in Journal**

126. All amendments proposed, unless withdrawn, shall be printed in the Journal.

### **Speaking on Amendments**

127. On an amendment being moved, a member who has spoken to the main question may speak again to the amendment.

### **JOURNAL**

#### **Clerk to Keep**

128. The Clerk of the House, under the direction of the Speaker, shall keep a full and correct Journal of the proceedings.

#### **Approval and Correction**

129. When the Journal has been read to the end that any mistake made in the entry may be corrected, if no objection is made, it shall stand approved; but if objection be made, the first question of the House shall be to dispose of the same, and when such objections are disposed of and the Journal corrected, as the House may order, it shall stand as approved.

#### **Printing Official Copies**

130. After the printed Journal has been approved and fully marked for correction, the type from which it was printed shall be changed in accordance therewith. From the type so corrected shall be printed the number of copies required by law for the regular bound volumes of the Journal, which shall be properly indexed. In addition thereto six copies shall be printed on 6x9 heavy weight bond paper, with a certificate at the end thereof, certifying that the same is the Official Journal of the House and the same shall be signed by the Speaker and Clerk. Such printed Journal shall be the official record of the House. They shall be bound in flexible binding, and bear the imprint on the back, "Official Journal of the House of Delegates of West Virginia," with designation of regular or special session, as the case may be, and the year. After being signed by the proper officers, two of these copies shall be retained in the office of the Clerk, and one copy shall be lodged in the office of the Governor, one with

the Secretary of State, one with the Department of Archives and History, and one with the Clerk of the Senate.

### **Journal to Be Printed Daily**

131. It shall be the duty of the Clerk to furnish a copy of each day's proceedings of the Journal to the Legislative Print Shop. An electronic version of the Journal is to be posted on the Chamber Automation System and printed copies are to be available on request prior to the start of the next session. (HR 1, Reg. Sess., 2017)

**Effect of 2017 amendment.** The rule was revised to reflect current technology and practice.

### **Form and Content of Journal**

132. The Journal shall be kept and published in minute form so as to show a running account of all proceedings and actions taken. Every written motion, unless it be withdrawn on the same day submitted and before action has been taken thereon, and such other material and matters required by these rules and the joint rules of the Senate and House shall be printed in the Journal. No remarks of members, speeches, newspaper editorials and articles, or other material shall be printed in the daily Journal, except explanations of votes as provided by these rules and such portions of remarks as may be necessary for the record in instances where a member may be called to order for words spoken in debate.

The Clerk shall keep and publish an Appendix to the bound and official Journals of each session of the House. There shall be included in the Appendix all remarks of members and other material ordered printed by the House.

An address or remarks by a member made on the floor of the House may be printed in the Appendix with the consent of the House on the request of the member making such address or remarks or by request of another member, if the member making such address or remarks consents to said request.



### **Inserting Remarks in Journal**

132a. (HCR 15, Regular Session 1959; rescinded by HR 2, Regular Session 1961.)

**Note:** A typographical error in the Journal shows the repealed rule as 122a instead of 132a.

## **CHANGE OR SUSPENSION OF RULES**

### **Rescinding or Amending Rules**

133. All propositions to amend or rescind any standing rule or order of the House shall be by resolution and be at once referred, without debate, to the Committee on Rules, and shall be reported therefrom within five legislative days thereafter. Any such resolution may be adopted by a majority vote, a quorum being present. (HR4, Reg. Sess., 1974)

**Effect of 1974 amendment.** The rule was rewritten with the principal change being that a standing rule or order after being referred to the Committee on Rules shall be reported therefrom within five legislative days.

**Note:** The power to make its rules of procedure is given the House under Sec. 24, Art. 6 of the Constitution.

### **Suspension of Rules**

134. These rules shall not be suspended, except by a vote of at least two thirds of the members present. Unless there be a unanimous consent for the suspension of rules, the vote shall be determined by yeas and nays.

**Note:** The motion to suspend the rules is usually preceded by a member requesting unanimous consent of the House to do a particular thing. If no one objects, the House is deemed to assent, and what is desired is allowed accordingly. If objection is made, then the member may move that the rules be suspended for the specific purpose or object he has in view. A motion to lay on the table may not be applied to a motion to suspend the rules. (Hind's Precedents, Sec. 5405.)

## **Manual and Rules**

135. On any question of order or parliamentary practice where the rules of the House or the joint rules of the House and Senate are silent or inexplicit, Jefferson's Manual and the Digest of the Rules and Practices of the House of Representatives of the United States Congress shall be considered as authority.

**Note:** Jefferson's Manual was prepared by Thomas Jefferson for his own guidance as President of the United States Senate in the years he was Vice President, from 1797 to 1801. The House of Representatives, in 1837, by rule which still exists, provided that the provisions of the Manual should "govern the House in all cases to which they are applicable and in which they are not inconsistent with the standing rules and orders of the House." The Manual is regarded by English parliamentarians as the best statement of what the law of Parliament was at the time Jefferson wrote it. (House Manual and Digest), 70th Congress, 1st Sess., Sec. 278.

## **MISCELLANEOUS RULES**

### **Persons Admitted to the Floor – Members' Gallery**

136. No person except members of the Congress of the United States, members of the State Senate, former members of the West Virginia Legislature, the Clerk of the Senate, duly accredited representatives of the press, radio and television, and legislative employees engaged in the proper discharge of their duties shall be admitted within the House Chamber while the House is in session. No introductions shall be made while the House is in session. At the convening of the House, the Sergeant at Arms shall see that all persons not entitled to the privilege of the floor under this rule retire from the Chamber.

The west or center balcony of the House Chamber shall be designated "Members' Gallery" and reserved for guests of members of the House, and admission thereto shall be by pass in such form as may be approved by the Committee on Rules and signed by member

issuing the same to a guest. (HR2, Reg. Sess., 1961; HR2, Reg. Sess., 1967)

**Effect of 1961 amendment.** The rule was completely rewritten. Various persons who were formerly admitted to the House Chamber while the House was in session were eliminated from the rule, including ex-Governors, judges, former officers of the House and Senate, members of other state Legislatures, heads of state departments, elective state officers, the Governor's secretary; prohibited introductions while the House is in session; and designated the west gallery as the "Members' Gallery" and provided manner for admission of guests thereto.

**Effect of 1967 amendment.** The word "employees" was substituted for "attaches."

### **Smoking and Use of Tobacco Products Prohibited**

136a. Smoking and the use of tobacco products are prohibited in the House chamber and House galleries during sessions and in House committee rooms during committee meetings or public hearings. (HR19, Reg. Sess., 1990; HR6, Reg. Sess., 2000)

**Effect of 1990 amendment.** Prohibited use of tobacco in House chamber and galleries during sessions and in committee rooms during meetings or public hearings.

**Effect of 2000 amendment.** Prohibited smoking in the vestibule of the House Chamber.

### **Attire of Persons Admitted to Floor**

136b. No member of the House or any person who has privileges of the floor, except pages, individuals authorized to be present for special ceremonies, television camera operators, media photographers, sound technicians and maintenance personnel, shall be admitted to the floor of the House while the House is in session unless properly attired. Minimum standards of dress shall consist of the wearing of a coat and tie and dress pants by males and the wearing of a suitable dress or an appropriate blouse and skirt or pants suit by females. Jeans or shorts shall not constitute proper attire. (HR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Specifies that jeans or shorts do not constitute proper attire.

### **Lobbying in the House Chamber**

137. No person engaged in lobbying, including persons entitled to the privilege of the floor under Rule 136 when engaged in lobbying activities, shall be permitted upon the floor of the House or in the foyer thereto at any time during a session of the Legislature. If any person not a member while within the Chamber when the House is in session attempts in any manner whatsoever to influence the vote or opinion of any member upon any subject of legislative consideration, he shall be removed from the Chamber and be debarred therefrom during the remainder of the session. Any employee who shall, at any time, engage in such activity shall be subject to immediate dismissal. (HR2, Reg. Sess., 1961; HR2, Reg. Sess., 1963; HR2, Reg. Sess., 1967)

**Effect of 1961 amendment.** The rule was rewritten. The last sentence relative to dismissal of House employees for engaging in lobbying was a new provision.

**Effect of 1963 amendment.** This amendment made the rule applicable to persons entitled to the floor under Rule 136 such as former members.

**Effect of 1967 amendment.** The word “employee” was substituted for the word “attache.”

### **Registration of Lobbyist**

137a. Rescinded by H. R. 19, February 6, 1978.

**Effect of 1978 amendment.** The rule was rescinded and a joint rule was added to cover both houses.

**Note:** Joint Rule 28 was created by SCR1, Reg. Sess., 1978, and later rescinded by SCR2, 2<sup>nd</sup> Ex. Sess., 1990. Lobbyist currently register with the West Virginia Ethics Commission.)

### **Use of electronic communication devices prohibited**

137a. Unless authorized by the speaker, no person may use a cell phone to make or receive a call on the House floor during a session. A cell phone or other electronic device may be used in the vestibule of the House Chamber or other locations designated by the Speaker. Members are prohibited from communicating by any means with

any person not on the House floor, other than other members of the Legislature or legislative staff, regarding the passage or defeat of any pending legislative matter, while such matter is being debated or considered for passage. (HR6, Reg. Sess., 2005; HR1, Reg. Sess., 2017)

**Effect of 2005 amendment.** The rule was added to prohibit the use of cell phones or other electronic communications devices on the floor during a session of the House.

**Effect of 2017 amendment.** Updates the rule by making technical changes regarding electronic devices.

### **News Correspondents and Reporters**

138. (a) Any person accorded the privilege of the press gallery or press table must be a news correspondent or reporter for a newspaper, a radio or television station, or of a recognized press association, who is not engaged in any department of state government, or in any other business; and no more than one representative of each shall be admitted to the press table or press gallery at one time.

(b) All applications for admission to the press gallery or press table must be made to the Speaker. Such applications shall state the name and location of the newspaper, news association, radio or television station, and be signed by the applicant. The Speaker may request the news representatives to establish a committee on accreditation of applicants, and he shall consider recommendations made by such committee.

(c) The Speaker shall verify statements made in such application, and if the application is approved by him, he shall issue a correspondent's card, signed by him.

(d) The correspondents shall not visit the members in their seats during the session of the House, and shall abide by such rules and regulations as may be adopted by the Rules Committee of the House.

(e) The card issued by the Speaker must be presented when required by any Sergeant at Arms. It shall not be transferable. The transfer or loan of such card to anyone shall be followed by its cancellation and the withdrawal of all its privileges from the correspondent so offending.

(f) The gallery or press tables allotted to news correspondents shall be for their exclusive use, and persons not holding correspondents' cards shall not be entitled to admission thereto.

### **Lounging Prohibited in the Hall of the House**

139. It shall be the duty of the Sergeant at Arms to prevent all persons not connected with the Legislature from assembling in the halls at any time when the House is not in session for the purpose of lounging or loafing. For the purpose of enforcing this rule, the Sergeant at Arms or his assistants shall be in attendance at all times, and the persistent neglect or disregard of this rule shall be cause for dismissal by the Speaker, or removal.

### **Peddling Prohibited**

140. No person shall be permitted to hawk, peddle or offer for sale any article of traffic at any time within the hall of the House; and it shall be the duty of the Sergeant at Arms to strictly enforce this rule.

### **Regulating Use of Halls**

141. The Speaker shall have power to regulate the use of the halls and stairways of the part of the Capitol building used by the House for refreshments and like purposes when the Legislature is in session.

### **Oaths**

142. The Speaker or Clerk shall have authority to administer any oaths required by the business of the House.

**Janitors**

143. The janitors appointed for or assigned to the House shall, under direction of the Speaker, have care of the House Chamber, committee rooms and halls of the House and keep the same in a neat and proper condition at all times.





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**RULES OF  
THE SENATE**



# **RULES OF THE SENATE**

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## **QUORUM**

1. A majority of the members elected to the Senate shall constitute a quorum and a quorum shall be necessary to proceed to business, but two members may adjourn, and three members may order a call of the Senate, send for absentees and make any order for their censure or discharge. On a call of the Senate, the doors shall not be closed against any member until his or her name shall have been twice called.

2. In case a less number than a quorum of the Senate shall convene, the members present are hereby authorized to send the Sergeant at Arms, or any other person or persons by them authorized, for any and all absent members as the majority of such members shall agree, at the expense of such absent members, respectively, unless such excuse for nonattendance shall be made as the Senate, when a quorum is convened, shall judge sufficient; and, in that case, the expense shall be paid out of the contingent fund of the Senate. This rule shall apply, as well to the first meeting of the Senate at the legal time of meeting, as to each day of the session, after the hour has arrived to which the Senate stood adjourned.

## **OFFICERS**

3. The Senate, at the commencement of each new Legislature, shall elect as its officers a President, Clerk, Sergeant at Arms and Doorkeeper. If at any time the President is obligated to act as Governor pursuant to Article VII, Section 16 of the Constitution of West Virginia, the Senate shall immediately elect one of its remaining members to serve as Acting President. The Acting President shall act and serve at all times when the duly elected President is acting as

Governor and shall perform all of the duties of the office of Senate President without limitation, including any duties imposed by the Constitution of West Virginia, any statute, the Senate Rules and any adopted Joint Rules of the Senate and House of Delegates, and he or she shall receive the compensation and expenses of the President of the Senate as provided in article two-a, chapter four of the Code of West Virginia. The Acting President shall not be in the line of succession to act as Governor under the provisions of Article VII, Section 16 of the Constitution of West Virginia. The majority vote of all the members elected to the Senate shall be necessary for the election of these officers and the vote shall be by voice vote and be recorded in the Journal. [Const., Art. VI, §24; SR1, Reg. Sess., 2011; SR6, Reg. Sess., 2011; SR1, Reg. Sess., 2015]

**Effect of 2011 amendment.** Provided for election of Acting President

**Effect of 2015 amendment.** Technical cleanup.

4. The President of the Senate or Acting President shall appoint a President *pro Tempore*, who, during the absence of the President or Acting President, if any, shall preside and perform all the duties of the President. (SR1, Reg. Sess., 2011; SR1, Reg. Sess., 2015.)

**Effect of 2011 amendment.** Inserted phrase “or Acting President”.

**Effect of 2015 amendments.** Technical cleanup.

5. The presiding officer may call a member to the chair who shall perform the duties of the chair until the presiding officer returns to the chair, but no member by virtue of such appointment shall preside for a longer period than three consecutive legislative days. (SR1, Reg. Sess., 2015.)

**Effect of 2015 amendments.** Striking “President” and inserting “presiding officer”.

6. The Clerk of the Senate shall not allow any records or papers to be taken from the table or out of his or her custody except by a chair of a committee to which they may have been referred and then



only upon a proper receipt therefor and except as required by these rules or by the Joint Rules of the Senate and House of Delegates. (SR1, Reg. Sess., 2015.)

**Effect of 2015 amendments.** Striking “chairperson” and inserting “chair”.

## **ORDER OF BUSINESS AND PROCEDURE**

7. The order of business of the Senate shall be:

1. To read, correct and approve the Journal.
2. Introduction of guests.
3. To dispose of communications from the House of Delegates and the Executive.
4. To receive reports from standing committees.
5. To receive reports from select committees.
6. To receive bills, resolutions, motions and petitions.
7. To act upon unfinished business of the preceding day and resolutions lying over from the previous day, and no resolution shall lose its place on the calendar by not being acted upon on the day following that on which it was offered.
8. Senate and House bills and joint resolutions on third reading.
9. Senate and House bills and joint resolutions on second reading.
10. Senate and House bills and joint resolutions on first reading.
11. Introduction of guests.
12. Remarks by members of the Senate.
13. Miscellaneous business. (SR3, Reg. Sess., 1985; SR1, Reg. Sess., 2015.)

**Effect of 1985 amendment.** Created order of business “Introduction of Guests.”

**Effect of 2015 amendments.** Inserting references to joint resolutions under the 8th, 9th and 10th order of business.

8. Every member desiring to speak shall stand in his or her own place, address the presiding officer and, upon being recognized, shall proceed, confining oneself to the question under debate, avoiding all indecorous or disrespectful language. The presiding officer may recognize the member by name; but no member in debate or remarks shall designate another by name. (SR1, Reg. Sess., 2015.)

**Effect of 2015 amendments.** Striking “President” and inserting “presiding officer.”

9. Any member may call for a division of any question before the vote thereon is taken, if it comprehend propositions so distinct in substance that, one being taken away, a substantive proposition will remain for the decision of the Senate, but the member calling for the division of a question shall state in what manner it shall be divided. A motion to strike out and insert is not divisible. (SR1, Reg. Sess., 2017.)

**Effect of 2017 amendment.** Clarifies procedure when dividing a question.

10. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition and shall not prevent a subsequent motion to simply strike out. The rejection of a motion simply to strike out shall not prevent a subsequent motion to strike out and insert.

11. No question shall be debated until it has been propounded by the presiding officer. The presiding officer, after calling a member to assume the chair, the mover of the question, the chair of the committee that reported the matter or the sponsor of the bill or resolution, in that order of preference, shall have the right to explain his or her views in preference to any other member. (SR1, Reg. Sess., 2015.)

**Effect of 2015 amendments.** Striking “President” and inserting “presiding officer”.

12. No member shall speak more than twice upon the same question without leave of the Senate or more than once until every member choosing to speak shall have spoken, except that the mover of the question shall have the right to close the debate thereon.

13. While the presiding officer is putting the question, any member who has not spoken before to the matter may speak to the question before the negative is put. (SR1, Reg. Sess., 2015.)

**Effect of 2015 amendments.** Striking “President” and inserting “presiding officer”.

## BILLS AND RESOLUTIONS

14. No Senate bill, other than a Senate supplementary appropriation bill, and no Senate joint resolution shall be introduced in the Senate after the forty-first day of a regular session unless permission to introduce the bill or the joint resolution be given by a Senate resolution, setting out the title to the bill or the joint resolution and adopted by two-thirds vote of the members present. When permission is requested to introduce a bill or joint resolution under the provisions of this rule, duplicate copies of the bill or the joint resolution shall accompany the resolution when introduced and all such bills or joint resolutions shall be filed electronically with the Clerk’s office.

Standing and select committees of the Senate may originate a bill or joint resolution and report the same after the forty-first day.

The forty-first day of the regular session held in the year one thousand nine hundred seventy-seven and every fourth year thereafter shall be computed from and include the second Wednesday of February of such years. (SR19, Reg. Sess., 1981; SR28, Reg. Sess., 1983; SR6, Reg. Sess., 2011; SR1, Reg. Sess., 2015.)

**Effect of 1981 amendment.** The rule was completely rewritten.

**Effect of 1983 amendment.** Permitting Committee to originate a bill or resolution and report the same after the forty-first day.

**Effect of 2011 amendment.** Required duplicate copies of bills or joint resolutions as well as electronic filing.

**Effect of 2015 amendment.** Technical cleanup and authorizes select committees to introduce bills or resolutions after the 41st day.

15. Each bill or resolution for introduction shall be presented in duplicate and electronically, bearing the name of the member or members by whom it is to be introduced, and shall be filed with the Clerk not later than twelve o'clock meridian on the legislative day next preceding its introduction: *Provided*, That the pre-filing requirement shall not apply to the first day of any session of the Legislature. A bill may be introduced by request. All bills introduced by request shall bear the words "By Request", following the designation of the name or names of the bill sponsor or sponsors.

The Clerk shall designate one copy of a bill or resolution the official copy and it shall constitute the official bill or resolution for use of committees and for the permanent files of the Senate. One copy shall be used for printing.

Each bill or resolution shall be numbered, edited and corrected as to form by the Clerk and reported by the Clerk to the Senate on the next legislative day, under the sixth order of business. In case of urgency, on motion for leave agreed to by a majority of the members present, a member may introduce a bill or resolution from the floor. (SR 36, Reg. Sess., 1994; SR 6, Reg. Sess., 2011; SR11, Reg. Sess., 2011; SR1, Reg. Sess., 2015.)

**Effect of 1994 amendment.** The amendment rewrote the rule concerning the introduction of bills "by request."

**Effect of 2011 amendments.** Required duplicate copies of bills or joint resolutions as well as electron filing. (SR11 restored language omitted in SR6.)

**Effect of 2015 amendment.** Technical cleanup.

15a. Prior to any committee reporting a bill to the floor, any bill which either increases or decreases the revenue or fiscal liability of the State or any county, municipality or other subdivision of the State or in any manner changes or modifies any existing tax or rate of taxation, such bill shall have attached thereto a fiscal note, if available.

It shall be the responsibility of the legislator introducing a bill to obtain such note when required, which shall conform to the requirements as to form and content as prescribed by the Clerk.

The jackets of all measures with fiscal notes attached or requiring such notes shall have the words “Fiscal Note” or the initials “FN” clearly stamped or endorsed thereon. (SR 7, Reg. Sess., 1986; SR1, Reg. Sess., 2015)

**Effect of 1986 amendment.** Inserted phrase “county, municipality or other subdivision of the State”.

**Effect of 2015 amendment.** Technical cleanup. Change fiscal note requirement from prior to final consideration to prior to reporting; Removes reference to “Fiscal Note Manual”; and authorizes the Clerk to prescribe the form of fiscal notes.

15b. Upon the introduction of any legislation which has a potential impact on the state’s economy, the presiding officer may request from any institution under the authority of the West Virginia Higher Education Policy Commission, including, but not limited to, West Virginia University and Marshall University, a review of the proposed legislation for purposes of preparing a “Jobs and Wages Impact Statement”. Any such statement shall be based on generally accepted methodology and shall conform to the requirements as to form and content as prescribed by the Clerk: *Provided*, That the Clerk shall prescribe that all Jobs and Wages Impact Statements shall include an analysis of both the jobs that are projected to be gained or lost if the legislation is adopted and any wage impact associated with the projected job changes, including wage increases or decreases in existing jobs, wages of jobs lost, wages of new jobs and the net impact on wages.

The phrase “Jobs and Wages Impact Statement” or the initials “JWS” must be clearly stamped or endorsed on the jackets of all bills that have statements attached to them. No act is void or voidable if it does not contain a “Jobs and Wages Impact Statement” even when requested. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Establishes procedures for requesting and creating a “Job Impact Statement”.

16. All concurrent and simple resolutions when introduced shall lie on the table at least one day, and then be referred to the appropriate committee unless the Senate directs otherwise by majority vote of the members present.

It is hereby declared to be the policy of the Senate that concurrent resolutions be limited to the general purposes of expressing the sentiments of the Legislature, for authorizing expenditures incidental to the sessions and business of the Legislature, for agreeing upon adjournments beyond the constitutional limitation, for creating special joint committees, for raising a joint assembly and other inferior and incidental purposes of legislation, and such other purposes as the Legislature may deem proper. The adoption of such resolutions must be concurred in by both houses.

Concurrent resolutions shall be restricted to expressions of sentiments and actions having a bearing upon matters incident to legislative business and the functioning of the legislative process insofar as possible.

Concurrent resolutions shall not embrace congratulatory expressions to individuals, organizations, associations or other entities having no relation to the Legislature or public affairs generally, athletic events, scholastic contests, or any other matter not related to the scope and areas of legislative business: *Provided*, That this rule shall not bar the introduction of resolutions memorializing deceased members of the Legislature and public officials or

commending or congratulating public officials on actions in connection with governmental affairs. . (SR 1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup and Striking Clerk's determination of compliance with the rule.

17. Unless otherwise directed by the Committee on Rules all bills, resolutions or business originating in the Senate shall be considered at the appropriate order of business in the order in which they are introduced, and all bills and resolutions received from the House of Delegates shall be introduced in the order in which they are received and shall be considered at the appropriate order of business in their numerical order.

18. All bills and joint resolutions introduced shall be read by their titles and referred to the appropriate committee and shall be treated in committee as resolutions of inquiry. If the committee reports a bill or resolution different, either by amendment or substitution, from the one introduced, it shall be received and treated by the Senate as the original bill or resolution. All Senate bills and joint resolutions reported by a committee shall be made available, with the proposed committee amendments on the foot thereof, and shall be then read a first time, unless in any of the aforesaid cases the Senate directs otherwise by majority vote of the members present. All bills and resolutions passed or adopted by and reported from the House of Delegates shall be read by their titles and referred to the appropriate committee unless the Senate directs otherwise by majority vote of the members present. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Striking requirements for printing and inserting requirement that bills and joint resolutions reported by a committee be made available and rearranging sentences.

18a. Any bill, resolution or business which does not follow the procedures of Rule Nos. 17 and 18 shall remain in the possession of the Committee on Rules. (SR3, Reg. Sess., 1985; SR 1, Reg. Sess., 2015)

**Effect of 1985 amendment.** The amendment added Rule 18a.

**Effect of 2015 amendment.** Technical cleanup.

19. All bills shall be read on three different days, unless in case of urgency, by four-fifths vote of the members present, taken by yeas and nays, on each bill, this rule be dispensed with. Joint resolutions proposing amendments to the Constitution of West Virginia shall be read on three different days which readings shall not be suspended. [Const., Art. VI, §29] (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup and inserting the constitutional requirement that amendments to the State Constitution be read on three different days which readings shall not be suspended.

20. All engrossed bills shall be fully and distinctly read when put upon their passage. [Const., Art. VI §29]

21. On each reading of the bill the Clerk shall state whether it is the first, second or third reading of such bill, but no bill shall be put upon its second reading until the same shall have been made available to the members of the Senate at least one day previous to such reading, unless the Senate directs otherwise by majority vote of the members present. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup and Striking requirement for printing and delivering and inserting requirement that bills put on second reading be made available.

21a. Upon motion of any member, on any legislative day or the day preceding, the Senate may, by two-thirds vote of those present, establish a period of time known as “Bill Reading Docket”.

Such motion shall state each bill to be read, the time and order for such bill reading docket to commence and to conclude, and may provide for the adjournment or recess of the Senate for not more than one legislative day, during which reading of the docket no motion, except a motion to postpone the reading of the bills,



by two-thirds vote of those elected, shall be heard. A quorum shall not be required during the reading of the docket. Any and all members requesting that a bill be read shall be present at all times in the Chamber during its reading.

All bills read on the bill reading docket shall be considered as having been read fully and distinctly. (SR 26, Reg. Sess., 1989; SR1, Reg. Sess., 2015)

**Effect of 1989 amendment.** The amendment added Rule 21a.

**Effect of 2015 amendment.** Technical cleanup.

22. On the first reading of a bill, a motion to reject the bill shall be in order.

23. If a committee shall have reported adversely to a bill or resolution, the presiding officer immediately after the report of said committee is read shall put the question, "Shall the bill be rejected?" or "Shall the resolution be rejected?" which question shall have precedence over all motions, except a motion to adjourn. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Striking *President* and inserting *presiding officer* and Inserting form of question resolutions.

24. A bill or joint resolution shall be amended only on second reading: *Provided*, That after the passage of a bill or adoption of a joint resolution, amendments to its title may be offered. When a bill or joint resolution is being read for amendment, it shall be read section by section on the demand of any two members. When the amendments which may be moved shall be disposed of, the question shall be taken on ordering a Senate bill or joint resolution to be engrossed and ordered to third reading and on ordering a House bill or joint resolution to third reading. If a Senate bill or joint resolution should be ordered to its engrossment and third reading, and amendments thereto have been made, the bill or joint resolution shall be changed to conform to the amendments and

become the engrossed bill or joint resolution. If no amendments are made, the original bill or joint resolution may be ordered to its third reading and shall become the engrossed bill or joint resolution. All Senate bills or joint resolutions so ordered shall be jacketed, endorsed with their number, title, by whom introduced, and if the bill or joint resolution is finally passed or adopted, the date of its passage or adoption and the signature of the Clerk. If a Senate bill or joint resolution should be passed or adopted by the House and returned to the Senate without amendments, or if amended, and the amendments should be agreed to, the bill or joint resolution shall be enrolled by the Clerk. Enrolled Senate bills shall be delivered to the Joint Committee on Enrolled Bills. In the case of a House bill or joint resolution on second reading if the same be amended, the amendment or amendments shall be noted in full and attached to the bill or joint resolution at the proper place by the Clerk before the bill or joint resolution is returned to the House, and all amendments shall appear in the Senate Journal. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Inserting provision related to title amendments; Including joint resolution language; striking reference to original printing of bills; striking reference to reprinting amended bills; and striking reference to amendments being noted in typewriting on slips of paper.

25. When a bill or joint resolution is put upon its passage or adoption, respectively, the presiding officer shall propound the question, "Shall the bill pass?" or "Shall the resolution be adopted?" On the passage or adoption, respectively, of every bill or joint resolution, the vote shall be taken by yeas and nays. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Striking *President* and inserting *presiding officer* and striking form of propounding the question on striking out.

26. When a Senate bill or Senate joint resolution passed by the Senate shall be amended by the House of Delegates, the question on agreeing to the bill or joint resolution, as amended, shall be again voted on by yeas and nays in the Senate. In all such cases the

affirmative majority vote of all the members elected to the Senate shall be necessary. [Const., Art. VI, §31.] (SR1, Reg. Sess., 2015.)

**Effect of 2015 amendment.** Technical cleanup.

## COMMITTEES

27. At the commencement of each Legislature, the following standing committees shall be appointed and shall consist of the number of members indicated in the parentheses following the name of the committee:

1. On Agriculture and Rural Development (11).
2. On Banking and Insurance (13).
3. On Confirmations (9).
4. On Economic Development (14).
5. On Education (14).
6. On Energy, Industry and Mining (13).
7. On Enrolled Bills (5).
8. On Finance (17).
9. On Government Organization (14).
10. On Health and Human Resources (13).
11. On Interstate Cooperation (7).
12. On the Judiciary (17).
13. On the Workforce (11).
14. On Military (9).
15. On Natural Resources (13).
16. On Pensions (7).

17. On Rules (11); (the presiding officer of the Senate is to be ex officio chair).
18. On Transportation and Infrastructure (9). (SR3, Reg. Sess., 1991; SR 3, Reg. Sess., 1993; SR 3, Reg. Sess., 1997; SR 3, Reg. Sess., 2003; SR 3, Reg. Sess., 2005; SR3, Reg. Sess., 2007; SR6, Reg. Sess., 2011; SR1, Reg. Sess., 2013; SR1, Reg. Sess., 2015; SR1, Reg. Sess., 2017)

**Effect of 1991 amendment.** Changed composition of committees, added Committee on Pensions and Eliminated Committee on Ways and Means.

**Effect of 1993 amendment.** Changed composition of committees.

**Effect of 1997 amendment.** Changed number of members serving on the Committee on Government Organization from 14 to 15.

**Effect of 2003 amendment.** Renamed the Committee on Small Business the Committee on Economic Development.

**Effect of 2005 amendment.** Changed composition of committees and renamed the Committee on Transportation the Committee on Transportation and Infrastructure.

**Effect of 2007 amendment.** Changed composition of five committees.

**Effect of 2011 amendment.** Changed number of members serving on the Committee on Rules from 10 to 11 and added Committee on Enrolled Bills.

**Effect of 2013 amendment.** Renamed the Committee on Agriculture the Committee on Agriculture and Rural Development.

**Effect of 2015 amendment.** Technical cleanup; striking reference to ex officio cochairperson of Committee on Interstate Cooperation; and striking *chairperson* and inserting *chair*.

**Effect of 2017 amendment.** Renamed the Committee on Labor the Committee on the Workforce.

28. All standing committees shall be appointed by the President. The President shall designate the chair of each standing committee and may also designate a vice chair of any standing committee.

The chair of each standing committee of the Senate shall cause a record to be kept of every meeting of such committee, wherein shall be entered:

(a) The time and place of each committee meeting and every hearing had before the committee.

(b) The attendance of members of the committee at each meeting thereof.

(c) The name of any person appearing before the committee and the interest represented by him or her.

(d) The vote of each member of the committee when a yea and nay vote is taken.

Any member of such standing committee may cause a notation to be made upon the record aforesaid of the reason for his or her absence at any former meeting of the committee; and, in the absence of any such explanatory note, the presumption shall be that his or her absence was without reasonable cause.

The chair of each standing committee shall, upon request, make the record of any yea and nay vote taken, in open or executive session, available for public inspection no later than the next legislative day after the close of the standing committee meeting at which such yea and nay vote was taken.

The several standing committees may report bills, resolutions, amendments, or any proposal originating therein, as well as committee substitutes for Senate bills, resolutions, or other proposals, which may be referred to additional committees. A committee substitute, with the consent of the original sponsor, shall carry the name of the original sponsor. Reports of committees shall be advisory only. All committees shall submit their reports to the Senate in writing and the same shall be recorded in the Journal.

On the adjournment of each session of the Legislature, the chair of the respective committees shall deliver to the Clerk of the Senate the record book herein provided for, and it shall be the duty of such

Clerk to preserve the same among the archives of his or her office. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Striking *chairperson* and inserting *chair*; inserting provision permitting originating bills and resolutions to be referred to additional committees; and striking requirement for printing and inserting requirement that committee reports be recorded in the Journal.

28a. Every committee shall have authority, upon its own motion adopted by a majority of the members present and voting, to administer oaths to any witness appearing before the committee. If any witness to whom an oath has been administered shall refuse to answer a question put to such witness by any member of the committee, the committee may report such refusal to the Senate, and the Senate may cause to be issued a subpoena to compel such witness to appear before the committee to give testimony. Upon appearance pursuant to subpoena, the witness may be questioned by the chairman and members of the committee. The Clerk of the Senate, the chairman of the committee and, in the absence of the chairman, any member of the committee may administer the oath to the witness and may require that such oath be subscribed to by the witness. (SR1, Reg. Sess., 2017)

**Effect of 2017 amendment.** Created new rule, authorizing committees to administer oaths to witnesses appearing before them.

29. The presiding officer shall refer bills and resolutions introduced, and such other matters as the presiding officer shall deem appropriate, to standing or select committees. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Striking *President* and inserting *presiding officer* and Authorizing the presiding officer to refer bills and resolutions to select committees.

30. Select committees shall consist of not less than three nor more than five members, unless the Senate directs otherwise by majority vote of the members present. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup.

31. The Committee on Rules shall examine the oaths taken by each member and the evidence of their election and report to the Senate.

The Committee on Rules shall report in all cases of privileges and contested elections, the principles and reasons on which their resolutions are founded.

The Committee on Rules shall see that all papers belonging to the Clerk's Office are properly labeled and filed and that the books belonging to the office are chronologically arranged.

32. All meetings of Senate standing committees, other than executive sessions, shall be open to the public, and an executive session may be held only by majority vote of the members present. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup.

33. When the Senate shall resolve itself into the Committee of the Whole, the presiding officer shall leave the chair and appoint a member to preside in the committee.

The Committee of the Whole shall consider and report on such subjects as may be committed to it by the Senate. The Rules of the Senate shall be observed in the Committee of the Whole, so far as they are applicable, except the rules limiting the number of times speaking, concerning the previous question and taking the yeas and nays. The proceedings in the Committee of the Whole shall not be recorded in the Journal of the Senate, except so far as reported to the Senate by the chair of the committee. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup; Striking *President* and inserting *presiding officer*; and striking *chairperson* and inserting *member*.

34. Any bill, resolution or business may, by majority vote of the members present, be withdrawn from the committee to which

it had been referred or be taken from the table, and placed upon the calendar of the Senate in such order of business as the Senate may direct: *Provided*, That those bills, resolutions or business referred to the Committee on Rules under authority of Rule No. 17 may by two-thirds vote of the members present be withdrawn from the Committee on Rules. (SR3, Reg. Sess., 1985; SR1, Reg. Sess., 2015)

**Effect of 1985 amendment.** Provided for withdrawal of legislation pending before the Rules Committee.

**Effect of 2015 amendment.** Technical changes.

### DECORUM AND DEBATE

35. If a member be called to order for words spoken in debate, the person calling the member to order shall repeat the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to the censure of the Senate, for words spoken in debate if any other member has spoken or other business has intervened after the words spoken and before the exception to them was taken.

36. While the presiding officer is reporting or putting a question, no one shall entertain private discourse or walk into, out of or across the Chamber. When a member is addressing the presiding officer, no one shall entertain private discourse or pass between the member and the presiding officer. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Striking *President* and inserting *presiding officer* and Inserting provision for decorum while a member is addressing the presiding officer.

37. No member or other person except the Clerk and the Clerk's assistants shall visit or remain by the Clerk's table while the yeas and nays are being taken.

38. During any debate, any Senator, though he or she has spoken to the matter, may arise and speak to the orders of the Senate, if they



be transgressed, in case the presiding officer does not. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Striking “President” and inserting “presiding officer”.

38a. Smoking and the use of other tobacco products shall be prohibited in the Chamber. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Created new rule prohibiting smoking and tobacco use in the Chamber.

38b. The use of electronic devices in the Chamber shall be limited to official legislative business when at all possible and any such devices shall be muted at all times. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Created new rule limiting the use of electronic devices in the Chamber.

38c. Proper business dress attire shall be worn by all those admitted to the floor of the Chamber while the Senate is in session, which includes a coat and tie for men. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Created new rule inserting dress code provision during floor sessions.

## MOTIONS

39. When a question is pending, no motion shall be received except:

1. To adjourn.
2. To lay on the table.
3. For the previous question.
4. To postpone the question to a different day.
5. To commit.
6. To amend.
7. To postpone indefinitely.

These several motions shall have precedence in order in which they are arranged.

40. The following motions shall be decided without debate, and shall not be amended:

1. To adjourn.
2. To fix the time to which the Senate shall adjourn.
3. To lay on the table.
4. For the previous question.
5. To suspend the constitutional rule requiring bills to be read on three different days.
6. To recess. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** In item 5, changed “several” to “different”.

41. There shall be a motion for the previous question, which being ordered by a majority of the members present, shall have the effect to cut off all debate and bring the Senate to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions, or may be made to embrace all authorized motions or amendments and include the bill to its engrossment and third reading and then, on renewal and second of said motion, to its passage or rejection. It shall be in order, pending a motion for, or after the previous question shall have been ordered on its passage, for the presiding officer to entertain and submit a motion to commit with or without instructions to a standing or select committee. A motion to lay upon the table pending a motion for the previous question shall be in order only when the previous question has been moved on the second or third reading of a bill.

A call of the Senate shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the presiding officer that a quorum is not present.

All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Striking “President” and inserting “presiding officer”.

### RECONSIDERATION OF VOTE

42. After any question has been decided in the affirmative or in the negative, it shall be in order for any member who voted with the prevailing side to move for a reconsideration of the vote thereon at any time on the same day or the next succeeding day of actual session. Any member may make the motion to reconsider, when the yeas and nays have not been taken. If the Senate refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order. No vote shall be reconsidered upon motions to adjourn, to lay on the table, to take from the table or for the previous question.

The motion to reconsider may be put and acted upon when made. If seconded, it shall take precedence of all other questions, except the consideration of a conference report and the motion to adjourn, and unless by motion postponed until some future date be acted upon at once. When a motion to reconsider is made and not acted upon at the time, it shall be placed upon the calendar, under unfinished business, and be acted upon the next succeeding day of actual session. A motion to reconsider shall not be withdrawn without leave of the Senate.

No bill, resolution, message, report, amendment or motion, upon which a motion is pending to reconsider the vote thereon, shall be taken out of the possession of the Senate until final disposition of the motion to reconsider. No motion for reconsideration of the vote on any question, which has gone out of the possession of the Senate,

shall be in order unless subsequently recalled by vote of the Senate and in possession of the Clerk.

When a motion to reconsider has been adopted, its effect shall be to place before the Senate the original question in the exact position it occupied before it was voted upon. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Clarifying procedure on the motion to reconsider when yeas and nays have not been taken and technical cleanup.

## VOTING

43. Every member within the Chamber, when a question is put, shall vote unless he or she is immediately and particularly interested therein, meaning an interest that affects the member directly and not as one of a class, or the Senate excuses him or her. A member may raise an inquiry to the presiding officer regarding whether he or she should not vote or should be excused from voting on a particular matter, but the member may still be required to vote. All motions to excuse a member from voting must be made by the member requesting to be excused before the Senate divides, or before the call of the yeas and nays is commenced, and it shall be decided without debate, except that the member making the motion to be excused from voting may briefly state the reason why it ought to be adopted. No members may pair on any question. (SR1, Reg. Sess., 2015; SR1, Reg. Sess., 2017)

**Effect of 2015 amendment.** Technical cleanup.

**Effect of 2017 amendment.** Clarifying procedure for making inquiry into being excused from voting and Prohibiting the practice of pairing.

44. The yeas and nays shall be taken on motions to dispense with the constitutional rule requiring a bill to be fully and distinctly read on three different days; on setting the effective date of an act of the Legislature; on agreeing to a joint resolution proposing an amendment to the Constitution of West Virginia; on the passage of a bill notwithstanding the objections of the Governor; on the passage of

a supplementary appropriation bill; on the passage of a Senate bill or Senate joint resolution amended by the House; on all questions where a specific vote is required by the Constitution of West Virginia, the Joint Rules of the Senate and House of Delegates, or by these rules; on the passage of a bill; and on quorum calls: *Provided*, That the yeas and nays shall be taken on demand of any member on any question unless another member objects. Upon any such objection the presiding officer shall inquire of the membership if the demand for the yeas and nays is sustained. If the demand is so sustained by one tenth of the members present, the yeas and nays shall be taken, and, if the demand is not sustained by one tenth of the members present, then the yeas and nays shall not be taken.

The result of all votes taken by yeas and nays shall be recorded in the Journal. When the yeas and nays are recorded in the Journal, the result of the vote as to total yeas, nays and absentees shall be recorded, with the names of the Senators voting yea or nay, and those absent.

When the yeas and nays are ordered, or a call of the Senate is directed, the names of the members shall be called in alphabetical order; excepting, however, the name of the presiding officer, which shall be called last.

After completion of a roll call vote, no member shall speak to explain his or her vote. A member's vote explanation shall not be recorded in the daily Journal. A member may have his or her vote explanation recorded in the bound Journal provided the member obtains the floor and makes this request immediately following announcement of the results of the roll call vote and disposition of the matter and delivers his or her written vote explanation to the Clerk within three legislative days during the session or, if there are less than three legislative days remaining in the session, within seventy-two hours after adjournment *sine die*. The Clerk shall note on the daily Journal for the day of the roll call vote that the member has reserved the privilege of having his or her vote explanation

recorded later in the bound Journal. (SR23, Reg. Sess., 1983; SR1, Reg. Sess., 2015)

**Effect of 1983 amendment.** Specified procedure as to demand for roll call.

**Effect of 2015 amendment.** Striking *President* and inserting *presiding officer* and changing requirements from printing and inserting to recording vote explanations in the Journal.

45. On all roll calls of the yeas and nays when the voting machine is not used, and before the result is announced, the Clerk shall at the request of any member read either the names of those who voted yea or of those who voted nay, whichever is the smaller number, and the names of those absent and not voting, if any, and shall announce that all others voted either yea or nay, whichever is the larger number. In the event of a tie vote, the Clerk shall upon such request read the names of those who voted yea and the names of those absent and not voting, if any, and shall announce that all others voted nay. At that time any member shall have the right to correct any mistake committed in enrolling his or her name. The vote then shall be announced and the count recorded in the Journal. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup.

45a. The voting machine may be used in taking the yeas and nays on any question, including quorum calls. When the machine is used for quorum calls, a member shall indicate “present” by use of the green “yea” button.

When using the voting machine, the presiding officer shall announce the question to be voted upon and direct the Clerk to prepare the machine. The presiding officer shall then state, “The members will now vote.” After reasonable time has been given for all members to vote, the presiding officer shall ask, “Have all members voted?” The presiding officer shall then direct the Clerk to close the machine and ascertain the result. The presiding officer shall promptly announce the result. Voting shall be continuous and shall be per-

mitted until the result thereof is announced by the presiding officer: *Provided*, That any vote cast after the machine has been closed shall be stated by the presiding officer as having been cast and such shall be recorded in the Journal: *Provided, however*; That no vote may be cast after the vote has been announced.

While the members are voting and before the machine is closed, the wall display boards shall continuously display the vote of each member and the total pending vote.

Under no circumstance shall a member or nonmember vote on behalf of another member.

All other rules governing voting and the taking of the yeas and nays, insofar as applicable, shall apply to taking votes by means of the voting machine. (SR11, Reg. Sess., 1981; SR1, Reg. Sess., 2015)

**Effect of 1981 amendment.** The rule was completely rewritten.

**Effect of 2015 amendment.** Striking provision for using voting machine on a division vote; striking *President* and inserting *presiding officer*; and other cleanup, such as striking requirement that Clerk hand vote result to presiding officer.

## MESSAGES

46. The Clerk of the Senate may interchange messages with the Clerk of the House of Delegates at any time. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Authorizes Clerk of the Senate and Clerk of the House to interchange messages at any time.

47. Messages may be received in any stage of business except when the presiding officer is reporting or putting a question or while the yeas and nays are being taken. Messages and reports received by the Clerk, which do not require action by the Senate, shall be considered received by the Senate and filed with the Clerk and shall be recorded in the Journal. (SR1, Reg. Sess., 2015; SR1, Reg. Sess., 2017)

**Effect of 2015 amendment.** Clarifying when messages may be received and striking *President* and inserting *presiding officer*.

**Effect of 2017 amendment.** Authorizing Clerk to receive, file and record reports and messages that require no further action by the Senate.

48. When a bill or resolution of the House of Delegates is passed or rejected by the Senate, the fact of its passage or rejection, with the bill or resolution shall be communicated to the House of Delegates.

### JOURNAL

49. The Journal of the Senate shall be daily prepared by the Clerk and shall be read, corrected and approved the succeeding day. It shall be published under the supervision of the Clerk and made available to the members without delay. After the Journal has been approved and fully marked for corrections, regular bound volumes of the Journal from the type so corrected shall be printed. In addition thereto six copies shall be printed with a certificate at the end thereof signed by the presiding officer and Clerk of the Senate certifying that the same is the Official Journal of the Senate. They shall be bound and bear the imprint on the back, "Official Journal of the Senate of West Virginia", with designation of regular or extraordinary session and the year. After being signed by the proper officers, two of these copies shall be retained in the office of the Clerk, one copy shall be lodged in the office of the Governor, one with the Secretary of State, one with the Division of Archives and History and one with the Clerk of the House of Delegates. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Clarifying procedure for making the Journal available daily; clarifying procedure for correcting and printing the bound Journal; striking *ten* and inserting *six* copies of the Official Journal of the Senate; and striking *President* and inserting *presiding officer*.

### ABSENCE OF MEMBERS

50. No member shall absent himself or herself from the service of the Senate during its sittings without leave of the Senate, except



in case of his or her sickness or other unavoidable cause which may prevent his or her attendance.

### **POWER OVER MEMBERS**

51. No Senator shall be taken into custody by the Sergeant at Arms on any question of complaint of breach of privilege until the matter is examined by the Committee on Rules and reported to the Senate, unless by order of the presiding officer. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Striking “President” and inserting “presiding officer”.

52. The Senate may punish its own members for disorderly behavior, and, with the concurrence of two thirds of the members elected thereto, expel a member, but not twice for the same offense. [Const., Art. VI, §25.] (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup.

### **POWER OVER OTHERS**

53. The Senate may punish by imprisonment any person not a member for disrespectful behavior in its presence, for obstructing any of its officers in the discharge of their duties, or for any assault, threat or abuse of any member for words spoken in debate, but such imprisonment shall not extend beyond the termination of the session. [Const., Art. VI, §26.] (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup.

### **GUESTS AND PRIVILEGE OF THE FLOOR**

54. No person except members of the House of Delegates, former members of the West Virginia Legislature who are not lobbyists, duly accredited representatives of the press, radio and television and legislative officers, employees and interns engaged in the

proper discharge of their duties shall be admitted to the floor of the Chamber while the Senate is in session. The rear or east balcony of the Chamber shall be reserved for guests of the members of the Senate, and admission thereto shall be by pass signed by the presiding officer and the member seeking admission of the guest. (SR3, Reg. Sess., 1992; SR 1, Reg. Sess., 2015)

**Effect of 1992 amendment.** Removed provision allowing introduction of guests during recess.

**Effect of 2015 amendment.** Authorizing privileges of the floor to interns engaged in the proper discharge of their duties and striking *President* and inserting *presiding officer*.

## LOBBYING

55. No person, not a member of the Senate, shall, when the Senate is in session, seek in any manner whatsoever, including electronic communications, to influence the vote or opinion of any Senator on any subject of legislative consideration, under penalty of disbarment from the Chamber for the remainder of the legislative session. No employee of the Senate shall, at any time, engage in such activity, under penalty of immediate dismissal by the Committee on Rules. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Clarifying prohibition on lobbying by any means, including electronic devices, during floor sessions.

## NOMINATIONS AND CONFIRMATIONS

56. Unless the Senate directs otherwise by majority vote of the members present, when nominations shall be made in writing to the Senate, a future day shall be assigned for taking them into consideration and the nominations shall be referred to the Committee on Confirmations.

When considering and acting on the nominations, the Senate shall be in open session. The voting on each nomination shall be

by yeas and nays. The result of Senate action upon any nomination shall be forthwith certified in a formal communication signed by the presiding officer and attested by the Clerk. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup; striking references to the Governor; and striking *President* and inserting *presiding officer*.

57. The phrase “next meeting of the Senate” contained in Article VII, Section 9 of the Constitution of West Virginia means any time the full Senate is convened and includes, but is not limited to, any regular session, any extraordinary session called during any recess or adjournment of the Legislature, during any impeachment proceeding or any time the Senate is convened for the purpose of electing a presiding officer. (SR 13, Reg. Sess. 1990; SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup and clarifying meaning of phrase “next meeting of the Senate”.

## CONSTITUTIONAL AMENDMENT

58. When an amendment to be proposed to the Constitution of West Virginia is under consideration, the majority vote of the members present shall be sufficient to decide an amendment thereto or any collateral or incidental questions. A proposed amendment to the Constitution of West Virginia, to be adopted, shall be agreed to by two-thirds vote of the members elected to the Senate. When an amendment to be proposed to the Constitution of West Virginia is under consideration, the majority vote of the members present shall be sufficient to decide an amendment thereto or any collateral or incidental questions. A proposed amendment to the Constitution of West Virginia, to be adopted, shall be agreed to by two-thirds vote of the members elected to the Senate. [Const., Art. XIV, §2.] (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup and striking *must* and inserting *shall* regarding the vote needed to adopt an amendment to the Constitution of West Virginia.

### ADJOURNMENT

59. When the Senate adjourns each day, it shall stand adjourned to 11 o'clock A.M. the next day, unless the Senate directs otherwise by majority vote of the members present, and every member shall keep his or her seat until the presiding officer leaves the chair. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Striking *President* and inserting *presiding officer*, technical cleanup; and changing time from 2 P.M. to 11 A. M.

### AMENDING RULES

60. All propositions to amend these standing rules or any order of the Senate shall be by resolution and be at once referred, without debate, to the Committee on Rules and shall be reported therefrom within seven legislative days. Any such resolution may be adopted by majority vote. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup.

### SUSPENSION OF RULES OR ORDERS

61. Unless there be unanimous consent, no standing rule or order of the Senate shall be suspended except by two-thirds vote of the members present. (SR1, Reg. Sess., 2015)

**Effect of 2015 amendment.** Clarifying when voting is necessary for suspending the rules or orders of the Senate.

### PARLIAMENTARY PROCEDURE

62. In all cases not provided for by the Rules of the Senate or any adopted Joint Rules of the Senate and House of Delegates, the Senate shall be governed by *Jefferson's Manual and Rules of the House of Representatives of the United States Congress* and practices thereunder.

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**JOINT RULES**

**OF THE**

**SENATE AND HOUSE**





## JOINT RULES OF THE SENATE AND HOUSE OF DELEGATES

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### **Joint Assembly**

1. Whenever there shall be a joint assembly of the two houses, a brief account of the proceedings shall be entered upon the Journal of each house, except in the joint assembly for counting votes for state officers.

**Note:** It is the custom to hold joint assemblies in the House Chamber and they are presided over by the Speaker. In such sessions the Clerk of the House acts as Clerk, assisted by the Clerk of the Senate. The President of the Senate is given a seat to the right of the Speaker and seats are arranged for the members of the Senate.

### **Joint Assembly to Open and Publish Election Returns**

2. As soon as the Senate, being organized, is informed that the House of Delegates is ready to proceed, as provided by Article VII, Section 3 of the Constitution of West Virginia, to open and publish the returns of the election for state officers, the Senate, preceded by its presiding officer and other officers, shall repair in a body to the hall of the House of Delegates. Upon their arrival the Sergeant at Arms of the House of Delegates shall announce the presence of the Senate. The presiding officer of the Senate shall then address the Speaker of the House, stating that a majority of the Senate has assembled in the hall of the House of Delegates to be present at the opening and publishing of the returns of the elections for State officers, held on the \_\_\_\_\_ day of \_\_\_\_\_. The Speaker of the House of Delegates shall invite the presiding officer of the Senate to a seat upon his right, and the other members of the Senate and officers thereof to take seats assigned to them, and after announcing that a majority of the House of Delegates is present,

shall then open and publish the returns of said election, proceeding by counties in alphabetical order, the Clerks of the two houses each taking down the returns as announced by the Speaker, to be entered upon the Journal of the House, and when completed and tabulated the Speaker shall announce the votes received by each person voted for, for each of said offices, and those receiving the largest number of votes, shall be by him declared duly elected; and the Senate shall then return to its hall, and if any two or more candidates for any of said offices have an equal and the highest number of votes for the same office, the two houses shall immediately proceed to choose one of such persons for said office by a joint vote, as provided by Article VII, Section 3 of the Constitution of West Virginia. (SCR17, Reg. Sess., 2011; SCR12, Reg. Sess., 2015)

**Effect of 2011 amendment:** Changed references from President to Presiding Officers throughout the Joint Rules.

**Effect of 2015 amendment:** Technical cleanup.

### **Disagreement and Conference**

3. (a) Whenever a measure of one house is amended in the other and the house in which it originated shall refuse to concur in the amendment, the house amending the measure may either insist or recede therefrom. But when a measure originating in one house is amended in the other, the house in which it originated may amend such amendment and a motion therefor shall take precedence of a motion to concur. If said house refuses to concur, the other house may either recede from or insist upon its amendment, and a motion to recede shall take precedence of a motion to insist. The motion to lay on the table or to postpone indefinitely shall not be in order in respect to the motion to recede from or to insist.

A motion to recede having failed shall be equivalent to the adoption of a motion to insist and shall be so entered upon the Journal. A motion to insist being decided in the negative shall be equivalent to the adoption of a motion to recede and shall be so entered upon the Journal. If the motion to insist prevails, the house so insisting shall

request a committee of conference on the subject of disagreement and shall appoint a committee therefor. The other house may thereupon appoint such committee. Unless a different number is agreed upon, such conference committee shall consist of five members from each house.

Such committee shall consider and report upon only the subject matter of the amendment or amendments which were in disagreement, with necessary consequential changes. The committee shall meet at a convenient time, to be agreed upon by their Chairs, and upon notifying all conferees of the time and place of any such meeting, and having conferred freely, shall report to their respective houses the result of the conference. In case of agreement, the report shall be first made, with the papers referred accompanying it, to the house which refused to concur, and there acted upon; and such action, with the papers referred, shall be immediately reported by the Clerk to the other house. In case of disagreement, the papers shall remain with the house in which the measure originated. If an agreement is reached, the report shall be made and signed in duplicate by at least a majority of the conferees from each house, one of the duplicates being retained by the conferees of each house.

(b) With respect to any conference agreed to within the first fifty-one days of a regular session, the conference committee shall report to each house within seven days of agreement to conference or be discharged, except that upon a concurrent resolution duly adopted by a majority of those present and voting in each house, the presiding officer of each house may extend the conference not to exceed an additional three days. In no event shall a conference committee report to each house later than 8:00 P.M. on the sixtieth day.

With respect to any conference agreed to after the fifty-first-day of a regular session, or any time during any extraordinary session, the conference committee shall report to each house within three days after agreement to conference or be discharged, except that such conference may be extended by concurrent resolution duly

adopted by a majority of those present and voting in each house, for a period not to exceed one additional day. In no event shall a conference committee report to each house later than 8:00 P.M. on the sixtieth day.

Any conference committee which fails to report within the time limits established by this rule shall be deemed to be discharged, and the papers referred shall remain with the house in which the measure originated.

Any conference report shall, upon recognition by the presiding officer, be communicated to each house by its Clerk and made available to members of each house. Each house shall designate a location or office where copies of such report shall be made available. The Clerk shall communicate availability of conference reports by an announcement to the members of said house during session. Such announcement can be made at any time upon recognition by the presiding officer, and the Clerk shall duly note the time of said announcement. Except as provided herein, the conference report shall lie over one day and shall not be considered in either house until at least the next day following, but thereafter it shall be proper to take up consideration of the conference report at any time otherwise permitted by the rules of such house whether or not such house met on the preceding day: *Provided*, That after the fifty-ninth day of any regular session or on any day of any extraordinary session a conference committee report may be considered the same day if availability of written copies of such report is communicated to that house while in session at least two hours prior to any consideration: *Provided, however*, That the conference report may be taken up for immediate consideration at any time by a two-thirds vote of the members of that house present.

Nothing herein shall affect the right of the presiding officer of either house to appoint or discharge any conference committee as heretofore provided, such right to appoint and discharge such committee being subject to the rules of each respective house.

The provisions of subsection (b) above shall not apply to the Budget Bill. (SCR6, Reg. Sess., 1986; SCR17, Reg. Sess., 2007; SCR12, Reg. Sess., 2015)

**Effect of 1987 amendment.** The amendment added a notice requirement of conferees and inserted all remaining language in the rule, beginning with subdivision (b).

**Effect of 2007 amendment.** Changed the time a Conference Committee must report to each house from 6:00 P.M. to 9:00 P.M.

**Effect of 2015 amendment.** Changed the time a Conference must report to each house from 9:00 P.M. to 8:00 P.M.

### **Messages Between the Houses**

4. When a message is sent by one house to the other, it shall be communicated by the Clerk thereof to the Clerk of the house to which it is sent, but no message shall be received during a call of the roll. The Clerk of one house may communicate a message to the Clerk of the other at any time. (SCR 17, Reg. Sess., 2011; SCR 12, Reg. Sess., 2015; SCR1, 2017)

**Effect of 2011 amendment.** Clarified that the Clerk of one house communicates messages to the other house.

**Effect of 2015 amendment.** Changed the words “after adjournment” to “at any time” in the second sentence.

**Effect of 2017 amendment.** Deleted language requiring the house receiving the message to be in session.

### **Bill Processing**

5. (a) Legislation recommended by the Governor or by executive departments or agencies is requested to be filed in the respective Clerks’ offices, and a copy sent to Legislative Services, no later than the tenth day of each regular session of a Legislature.

(b) No bill or joint resolution shall be considered on third reading in its house of origin after the fiftieth day, unless authorization shall be granted by a concurrent resolution adopted by a two-thirds vote

of the members present of both houses: *Provided*, That the Budget Bill, or any salary or supplementary appropriation bills, may be considered at any time.

(c) This rule may be suspended by adopting a concurrent resolution approved by a two-thirds majority of those present and voting in each house. A house desiring to suspend this rule may adopt a concurrent resolution and proceed as if the concurrent resolution had been adopted in both houses and the rule suspended. Any bill or joint resolution passed pursuant to such concurrent resolution may be communicated to the other house with the concurrent resolution or at any time after the concurrent resolution has been communicated to the other house. The other house may proceed to consider such bill or joint resolution only after adopting the concurrent resolution. The provisions of this rule shall not apply to any extended regular session or to any extraordinary session. (Reg. Sess., 1987; SCR 2, Reg. Sess., 1988; SCR 52, Reg. Sess., 2003; SCR12, Reg. Sess., 2015)

**Effect of 1987 amendment.** A new Rule 5 was added, the principal elements being the filing of Governor's bills with the respective Clerks by the tenth day of each regular session and the provision prohibiting the consideration of bills in their house of origin on third reading after the fifty-third day. Provisions for suspension of the rule are also set forth.

**Effect of 1988 amendment.** Limited provisions of Rule 5 to regular session only.

**Effect of 2003 amendment.** Changed the provision prohibiting the consideration of bills in their house of origin on third reading after the fifty-third day to the fiftieth day.

**Effect of 2015 amendment.** Deleted the first phrase in paragraph (a).

### **Processing of Bills Authorizing the Promulgation of Proposed Legislative Rules; Duplication and Distribution of Proposed Legislative Rules.**

5a. A "bill authorizing the promulgation of proposed legislative rules" or a "bill of authorization" is a measure intended to be enact-

ed as general law, which incorporates by reference a proposed legislative rule, with or without amendments or substitutions set forth in the bill, and which authorizes the promulgation and implementation of the proposed legislative rule. The processing of bills authorizing the promulgation of proposed legislative rules shall be governed by the standing rules of the Senate and the House of Delegates, which are supplemented by the provisions of this joint rule. In the case of any conflict between this rule and a standing rule of the Senate or the House of Delegates, the provisions of this rule shall control.

(1) The requirement of either house that bills shall be presented in duplicate applies to bills authorizing the promulgation of proposed legislative rules, but does not apply to the proposed legislative rule which the bill incorporates by reference. Of the duplicate copies, only the designated original copy shall have appended thereto the full text of the proposed legislative rule as finally approved by the agency seeking permission for its promulgation. Other copies of the full text of the proposed legislative rule shall be made available to members of the Legislature as hereinafter provided.

(2) Copies of the full text of each proposed legislative rule shall be reproduced by printing or duplication by the Clerk prior to, or as soon as is reasonably practicable after, the introduction of the bill which would authorize by law the promulgation of the proposed legislative rule. Prior to such printing or duplication, a notation shall be affixed to the proposed legislative rule which identifies the bill number of the introduced bill which would authorize its promulgation and which also identifies the committee or committees of the house to which the bill is to be referred by the presiding officer following its introduction. Otherwise, the copies printed or duplicated shall conform to the copy of the proposed legislative rule appended to the original bill, so as to facilitate the consideration and amendment of the rule throughout the legislative process.

(3) The Clerk shall furnish to any member, upon his or her request, without cost, one copy of the full text of a proposed legis-

lative rule as reproduced by the Clerk in accordance with the provisions of subsection (2) of this Joint Rule. For any request for an additional copy or copies of the proposed legislative rule, the member requesting the copy or copies shall pay to the Clerk, in advance, a charge which the Clerk has reasonably determined to be adequate to cover the actual cost of the printing or duplication: *Provided*, That the provisions herein for the Clerk to furnish a member with an additional copy or copies, with a cost charged, may not interfere with or delay the prompt and otherwise timely consideration of bills of authorization by the house or its committees or subcommittees.

(4) Whenever the standing rules of either house require the printing or reprinting of a bill, the rules apply to bills authorizing the promulgation of a proposed legislative rule with the same force and effect as they apply to other bills. However, no printing or reprinting of the proposed legislative rule which is incorporated by reference in the bill of authorization shall be required, other than the printing required by subsection (2) of this Joint Rule.

(5) Whenever the standing rules of either house require a bill to be read, or fully and distinctly read, the rules apply to bills authorizing the promulgation of a proposed legislative rule with the same force and effect as they apply to other bills. However, no reading of the proposed legislative rule which is incorporated by reference in the bill of authorization shall be required. (HCR 3, Reg. Sess., 1994; SCR12, Reg. Sess., 2015)

**Effect of 1994 amendment.** The amendment added a new rule setting forth the procedure to be followed in processing bills authorizing the promulgation of proposed legislative rules. The rule requires that the full text of the proposed legislative rule as finally approved by the agency seeking permission for its promulgation be appended to the designated original copy of such introduced bill.

**Effect of 2015 amendment.** Technical cleanup.

### **One House to Notify Other of Rejection of Bill**

6. When a bill or resolution passed in one house is rejected in the other, notice thereof shall be sent to the house in which the same shall have been passed.



### **Record of Bills and Resolutions**

7. The Clerks of the two houses shall keep separate records or registers, in which shall be recorded every action taken by the Senate and House on each bill and resolution.

### **Clerks to Endorse Bills or Resolutions**

8. The Clerks of the two houses shall endorse on each bill or resolution a statement of any action taken by their respective bodies. (SCR12, Reg. Sess., 2015)

**Effect of 2015 amendment.** Added the word “resolution”.

### **Messages to be in Writing**

9. Messages to either house of the action of the other shall be in writing, signed by the Clerk of the house sending the message. (SCR12, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup.

### **Each House to Have Control of Own Printing**

10. Each house may order the printing of documents without the consent of the other. (SCR12, Reg. Sess., 2015)

**Effect of 2015 amendment.** Eliminated language detailing types of documents.

### **Joint Committees**

11. Joint standing committees of the Senate and House shall be appointed as follows:

(1) *Joint Committee on Enrolled Bills* -- To consist of five members from each house.

(2) *Joint Committee on Joint Rules* -- To consist of the presiding officers and two members of each house, to be appointed by the presiding officers.

(3) *Joint Committee on Pensions and Retirement --*

(a) The Joint Committee on Pensions and Retirement shall continually study and investigate public retirement systems. All pension and retirement related legislation introduced in the Legislature shall be referred to the committee in addition to any other reference the presiding officer may designate. Upon reference of any pension or retirement related legislation, the committee shall forward such legislation to the actuary of the Consolidated Public Retirement Board or other actuary or actuarial firm who shall return an actuarial letter or note to the committee prior to the committee's consideration of such legislation.

(b) The committee shall consist of seven members of the Senate to be appointed by the presiding officer of the Senate and seven members of the House of Delegates to be appointed by the presiding officer of the House of Delegates. If possible, no more than five of the seven members appointed by the presiding officers of the Senate and the House of Delegates, respectively, may be members of the same political party.

(c) The committee shall make a continuing study and investigation of retirement benefit plans applicable to nonfederal government employees in this state. The powers and duties of the committee include, but are not limited to, the following:

(1) Studying retirement benefit plans applicable to nonfederal government employees in the State of West Virginia, including, without limitation, federal plans available to such employees;

(2) Making recommendations within the scope of the study with particular attention to financing of the various pension funds and financing of accrued liabilities;

(3) Considering all aspects of pension planning and operation, and making recommendations designed to establish and maintain sound pension policy as to all funds;

(4) Filing a report to each regular session of the Legislature concerning activities conducted between sessions;

(5) Analyzing each item of proposed pension and retirement legislation, including amendments thereto, with particular reference to analysis as to cost, actuarial soundness and adherence to sound pension policy, and reporting of its findings in regard thereto to the Legislature; and

(6) Maintaining reference materials concerning pension and retirement matters, including, without limitation, information as to laws and systems in other states.

(d) The committee shall hold meetings at such times and places as it may designate. The presiding officer of each house shall appoint a cochair of the committee. When the Legislature is not in session, the committee shall meet and conduct its business as a joint committee.

When the Legislature is in session, in addition to joint meetings, the members of either house may meet separately from members of the other house to conduct committee business concerning pension and retirement related legislation introduced or originated in that house. When the members meet separately, they may function as other committees of that house. As far as practicable, relevant information, including actuarial letters or notes, gathered by members meeting separately from the other house shall be sent to the cochair of the other house if it is considering the same or similar legislation. (SCR 1 and SCR 19, Reg. Sess., 1965)

**Effect of 1965 amendments.** The rule was amended by SCR 1 to increase the membership of the Joint Committee on Government and Finance from five to seven members from each house; and SCR 19 amended the rule by eliminating all reference to the Joint Committee on Government and Finance. The latter amendment was a result of making the committee a statutory body (Code 4-3).

**Effect of 2015 amendment.** Added new language regarding the Joint Committee on Pensions and Retirement.

12. Other joint committees may be created by concurrent resolution or by approval of the presiding officers of each house. (SCR12, Reg. Sess., 2015)

**Effect of 2015 amendment.** Added new rule regarding the process for creating new joint committees.

### **Engrossed Bills to Be Filed with Clerk of the House**

13. All engrossed bills passed by, and joint and concurrent resolutions adopted by, both houses shall be filed with the Clerk of the House of Delegates to be kept with the rolls of the Legislature and to be used in printing and publishing the Acts of the Legislature. (SCR12, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup

### **Joint Committee on Enrolled Bills**

14. The Joint Committee on Enrolled Bills shall consist of five members of the Senate and five members of the House of Delegates, to be appointed by the presiding officer of each house, whose duty it shall be to compare carefully all bills and joint resolutions passed by both houses, with the enrollment thereof, and to correct any errors or omissions they may discover and to make reports to their respective houses, from time to time, of the correctly enrolled bills or joint resolutions. It shall be in order for the Joint Committee on Enrolled Bills to report at any time.

### **Printing Enrolled Bills**

15. After a bill has been passed by both houses, the text from which it was originally printed shall be corrected as to any typographical errors that may not previously have been corrected and to include any amendments that may have been made by either house since the last printing of the bill. After the text has been so corrected, not less than fifty copies of the bill shall be printed. One of the copies, when properly authenticated, shall become the Enrolled Bill. In the case of

enrolled bills authorizing the promulgation of a proposed legislative rule, a copy of the full text of the proposed legislative rule which the bill incorporates by reference shall be appended to the bill which has been properly authenticated and designated to be the Enrolled Bill. The copy appended to the Enrolled Bill shall conform to the copy of the full text of the proposed legislative rule appended to the introduced bill. Copies of the proposed legislative rule are not to be appended to the additional copies of the Enrolled Bill. Following action by the Governor, or the failure or refusal of the Governor to approve or disapprove a bill of authorization, the copy of the Enrolled Bill with the proposed legislative rule appended is the copy of the bill filed with the Secretary of State in accordance with the provisions of Rule 19 of these Joint Rules. (HCR 2, 1st Ex. Sess., 1968; HCR 3, Reg. Sess., 1994; SCR 12, Reg. Sess., 2015)

**Effect of 1968 amendment.** The number of enrolled bills to be printed was increased from 200 to 350 copies.

**Effect of 1994 amendment.** The last four sentences were added to the rule, stipulating that in cases of enrolled bills authorizing the promulgation of a proposed legislative rule, a copy of the full text of such proposed legislative rule shall be appended to one of the four copies of the enrolled bill presented to the Governor. Following the Governor's action, such bill is to be filed with the text of the legislative rule with the Secretary of State.

**Effect of 2015 amendments.** Changed number of bills to be printed, and deleted the requirement to provide copies of enrolled bills to judges and deleted the requirement that bills be printed on certain paper.

### **Authentication of Enrolled Bills**

16. Enrolled Bills shall be authenticated by the signature of the Chair of the House Committee and the Chair of the Senate Committee, composing such Joint Committee on Enrolled Bills, but in the absence of such Chair another member of the committee may act in his stead, and they shall require all bills and joint resolutions before such authentication to be free from interlineations or erasures and destroy any previous enrollment containing any interlineations or erasures. A certificate, showing in which house the bill originated and when it takes effect, signed by the Clerks of the two houses, shall be endorsed on the bill. After enrolled bills and joint resolutions

are authenticated as aforesaid, they shall be signed by the presiding officer of each house. (SCR 17, Reg. Sess., 2015; SCR 15, Reg. Sess., 2015)

**Effect of 2011 amendment.** Procedural change.

**Effect of 2015 amendment.** Technical change.

### **Presenting Enrolled Bills to Governor**

17. After a bill shall have thus been signed in each house, it shall be presented by the Joint Committee on Enrolled Bills to the Governor, for his approval. The said committee shall report the day of presentation to the Governor, which time shall be entered on the Journal of each house. (SCR 15, Reg. Sess., 2015)

**Effect of 2015 amendment.** Changed reference from “said committee” to “Joint Committee on Enrolled Bills”.

### **Record of Enrolled Bills**

18. It shall be the duty of the Clerk of the House of Delegates, as Keeper of the Rolls of the Legislature, to keep a record book of all bills presented to the Governor for his approval. The title and number of each bill presented to the Governor shall be entered in this book, and when a bill is presented to the Governor, the date presented and the signature of the Governor, showing receipt of same, shall be entered at the side of each title. (SCR 17, Reg. Sess., 2011; SCR 12, Reg. Sess., 2015)

**Effect of 2011 amendment.** Made Clerk of the House Keeper of the Rolls of the Legislature.

**Effect of 2015 amendment.** Changed the word “him” to “the Governor” and other technical cleanup.

### **Action of Governor on Bills**

19. When the Legislature is in session, any bill, including an appropriation bill or any part thereof, disapproved by the Governor shall be returned to the house in which it originated, with objections

thereto, within five days after receipt thereof, Sundays excepted, or become a law. If the Legislature, by adjournment, prevents the return of a disapproved bill, other than an appropriation bill, within such time, it shall be filed by the Governor in the office of the Secretary of State with objections within fifteen days, Sundays excepted, after adjournment, or become a law. If the Legislature, by adjournment, prevents the return of a disapproved appropriation bill or any part thereof, it shall be filed by the Governor in the office of the Secretary of State with objections within five days after adjournment, or become a law. When any bill, including an appropriation bill or any part thereof, is disapproved after adjournment of the Legislature and such bill with the Governor's objections is filed in the office of the Secretary of State within the prescribed time as aforesaid, the Governor shall notify the house in which the bill originated.

Every bill approved by the Governor shall, within the prescribed time after it is presented, as aforesaid, be filed by the Governor in the office of the Secretary of State and the fact of such approval communicated by the Governor to the house in which said bill originated.

Any bill which shall be neither approved nor disapproved by the Governor shall immediately, after the expiration of the time fixed by the Constitution of West Virginia in which he may disapprove the same, be filed in the office of the Secretary of State, who shall forthwith engross thereon a certificate to the following effect: "I certify that the foregoing act, having been presented to the Governor for approval, and not having been returned to the house of the Legislature in which it originated within the time prescribed by the Constitution of the State, has become a law without approval." and shall date and sign the same. The Governor shall notify the house in which the bill originated of each bill becoming a law without his approval.

When a bill is returned to either house of the Legislature with the objections of the Governor, proceedings thereon shall be governed by Article VII, Section 14 of the Constitution of West Virginia. In

such cases the Clerk of the Senate and the Clerk of the House of Delegates shall engross the action, if any, of their respective houses on the reconsideration of the bill and sign the same.

The action of the Governor on all bills presented shall be appropriately noted in the Journals of the two houses. [Const., Art. VI, §51(D); Art. VII, § § 14, 15] (HCR 2, Reg. Sess., 1971; SCR 12, Reg. Sess., 2015)

**Effect of 1971 amendment.** The amendment rewrote the rule bringing it into conformity with the latest amendments to the Constitution.

**Effect of 2015 amendment.** Technical cleanup and clarification of “fifteen days” excluding Sundays

### **Joint Meetings of Committees**

20. Whenever any bill has been referred by the Senate to one of its standing committees, and the same or like bill has been referred by the House to one of its committees, the Chairs of the respective committees, when in their judgment the interest of legislation or the expedition of business will be better served thereby, may arrange for a joint meeting of their committees for the consideration of such bill. All joint committee meetings shall be presided over by the Chair of the Senate committee. (SCR12, Reg. Sess., 2015)

**Effect of 2015 amendment.** Technical cleanup.

### **What Shall Be Printed in the Journal**

21. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, the titles of all bills and the title and text of all resolutions.

(b) A record of all votes taken by yeas and nays as required by the Constitution of West Virginia, the rules of the respective houses and these rules; and a brief statement of the contents of each petition, memorial or paper presented to each house.



(c) A true and accurate account of the proceedings of each house. (HCR 2, 1st Ex. Sess., 1968; SCR12, Reg. Sess., 2015)

**Effect of 2011 amendment.** Added the words “of West Virginia” in paragraph (b).

### **Manner of Printing the Journal and Bills**

22. In printing the daily Journal of the proceedings of each house there shall be printed at the top of each page, except the first, the date of the Journal; and on the last page of each day’s Journal shall be printed the calendar for the next day.

At the top of the first page of each bill, preceding the title and number thereof, there shall be printed the name of the person by whom, or the committee by which, it was introduced and the date of introduction; and at the top of each page, except the first, shall be printed the number of the bill.

### **Regulation and Use of Legislative Offices, Chambers, Halls, Stairways and Corridors**

23. The presiding officer of each house shall have power to assign and regulate the office space in the portions of the Capitol used by their respective houses and to grant permission for the use of such space and the legislative Chambers for other than legislative purposes. They shall also have jurisdiction over all halls, stairways and corridors in the areas used by their respective houses. The presiding officers may submit any question or request arising under the foregoing provisions of this rule to the Committee on Rules of their respective houses for determination and action.

The area on the second floor between the legislative Chambers and surrounding the rotunda on the second floor shall be under the jurisdiction of the Joint Committee on Rules. It shall be the duty of this committee to maintain and preserve the aesthetic features of this area of the Capitol. No display or exhibition of any material or objects in this area shall be permitted without approval of the committee.

Attaching pictures, posters, cards or placards on the walls in any manner whatsoever in the halls, stairways and corridors in the areas used by the respective houses and in the area between the legislative Chambers surrounding and to the east and west of the rotunda is prohibited. (SCR 1, Reg. Sess., 1973; SCR 17, Reg. Sess., 2011)

**Effect of 1973 amendment.** The rule was rewritten. The provisions giving the Joint Committee on Rules jurisdiction over certain areas adjoining the legislative chambers and the prohibition against attaching pictures, posters, cards or placards on the walls are new.

**Effect of 2011 amendment.** Technical cleanup.

## **Resolutions**

24. Resolutions requiring concurrent action may originate in either house and shall be of two kinds, namely:

*Joint Resolutions:* These resolutions shall be used for proposing amendments to the Constitution of West Virginia and for ratifying amendments to the Constitution of the United States. Joint resolutions proposing amendments to the Constitution of West Virginia shall be adopted as provided in Article XIV, Section 2 of said Constitution.

*Concurrent Resolutions:* Such resolutions shall be used for all purposes not covered by joint resolutions as defined above. (SCR 1, Reg. Sess., 1963; SCR 12, Reg. Sess., 2015)

**Effect of 1963 amendment.** The amendment made it clear that only joint resolutions proposing amendments to the State Constitution be adopted as provided by the Constitution.

**Effect of 2015 amendment.** Technical cleanup.

## **Suspension of Joint Rules**

25. Joint Rules may only be suspended by a two-thirds vote of each house taken by yeas and nays, or by unanimous consent. (SCR12, Reg. Sess., 2015.)

**Effect of 2015 amendment.** This rule was completely rewritten.

### **Transfer of Appropriations Between Items**

26. The Clerk of the Senate, with the approval of the presiding officer, is authorized to make written request to the State Auditor for the transfer of amounts between items of the total appropriations for the Senate in order to protect or increase the efficiency of the service. Upon receipt of such written request, the State Auditor shall transfer the amounts as requested. (SCR 37, Reg. Sess., 1975; SCR 17, Reg. Sess., 2011)

**Effect of 1975 amendment.** The amendment provided for the transfer of amounts between items of the total appropriations by the Clerk of the Senate.

**Effect of 2011 amendment.** Changed President to presiding officer.

27. The Clerk of the House of Delegates, with the approval of the presiding officer, is authorized to make written request to the State Auditor for the transfer of amounts between items of the total appropriations for the House of Delegates in order to protect or increase the efficiency of the service. Upon receipt of such written request, the State Auditor shall transfer the amounts as requested. (SCR 37, Reg. Sess., 1975)

**Effect of 1975 amendment.** The amendment provided for the transfer of amounts between items of the total appropriations by the Clerk of the House.

28. The Clerk of the Senate and the Clerk of the House of Delegates, with the approval of the presiding officers, are authorized to make a joint written request to the State Auditor for the transfer of amounts between items of the total appropriations for joint expenses of the Legislature in order to protect or increase the efficiency of the service. Upon receipt of such written request, the State Auditor shall transfer the amounts as requested. (SCR 37, Reg. Sess., 1975; SCR 17, Reg. Sess., 2011)

**Effect of 1975 amendment.** The amendment provided for the transfer of amounts between items of the total appropriations by the Clerk of the Senate and the Clerk of the House of Delegates.

**Effect of 2011 amendment.** Changed Speaker and President to presiding officer.

### **Governing Powers**

29. The presiding officers of each house, as selected in accordance with the Constitution of West Virginia, the Rules of the Senate, the Rules of the House of Delegates, respectively, these Joint Rules and laws of the State, shall have the power to and are hereby authorized to act on behalf of the Legislature as required by the business and legal affairs of the Legislature unless otherwise directed by a majority vote of both houses while the Legislature is in session or by the majority vote of the Joint Committee on Government and Finance while the Legislature is not in session. (SCR 49, Reg. Sess., 2002; SCR 17, Reg. Sess., 2011; SCR 12, Reg. Sess., 2015)

**Effect of 2002 amendment.** The amendment added a new rule setting forth the procedure to allow the Senate President and the House Speaker to act on behalf of the Legislature as required by the business and legal affairs of the Legislature.

**Effect of 2011 amendment.** Added the words “of West Virginia” in the first sentence.

**Effect of 2015 amendment.** Deleted Rules 28, 29 and 30 and renumbered remaining rules.

### **Receipt of Constitutional Petitions and Resolutions**

30. Any application from a county commission or a verified petition from the voters of a county seeking to reform, alter or modify a county commission pursuant to Article IX, Section 13 of the Constitution of West Virginia and any related documents that may be subsequently submitted shall be filed with the Clerk of the Senate and the Clerk of the House of Delegates. The Clerk of the Senate and the Clerk of the House of Delegates shall verify that the application, petition or related document has been properly submitted to the other Clerk before processing it in his or her respective house. Such applications, petitions and related documents not submitted to both the Clerk of the Senate and the Clerk of the House of Delegates

will not be submitted to either house for processing or consideration by the Legislature.

When the Legislature is not sitting in regular session, upon receipt of an application, petition or related document from a county commission by the Clerk of the Senate and the Clerk of the House of Delegates, it shall be processed as a regular order of business at the next regular session following receipt of the application, petition or related document.

An application or petition to reform, alter or modify a county commission filed with the Legislature on or after the tenth day of a regular legislative session may not be processed or considered by the Legislature until the next regular legislative session.

An application or petition to reform, alter or modify a county commission filed with the Legislature is only valid for the session in which it was processed and such application or petition not acted upon during that session is null and void.

If an application or petition to reform, alter or modify a county commission filed with the Legislature is determined by the Legislature to have an unconstitutional provision, then the Legislature may: (a) Request that the application or petition be corrected and resubmitted; or (b) make changes necessary to meet the constitutional objection. A corrected application or petition may be processed by the Legislature if there is sufficient time remaining in the session for full consideration. If any request by the Legislature to correct an application or petition prevents full consideration of that application or petition during the session in which it would have been considered, the Senate and the House of Delegates may process the corrected application or petition at the next regular session. (SCR34, Reg. Sess., 2008; SCR 12, Reg. Sess., 2015)

**Effect of 2008 Amendment.** The amendment added a new rule setting forth the procedure concerning petitions and resolutions to the Legislature, requesting

the Legislature to reform, alter or modify a County Commission, pursuant to Article IX, Section 13 of the Constitution. The Rule requires the filing of documents with the Clerks of the House and Senate, verification of application, petition or related documents. The Rule further specifies that the petition shall be valid for the Session for which it was processed.

**Effect of 2015 Amendment.** Technical cleanup.

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## SPEAKER OF THE HOUSE

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**TIM ARMSTEAD**  
**Speaker**

TIM ARMSTEAD, Republican, of Elkview, Kanawha County, 40th District. Appointed to the House of Delegates September 1998; elected to the House 1998, 2000, 2002, 2004, 2006, 2008, 2010, 2012, 2014 and 2016. Served as Minority Leader in the 78th, 79th, 80th and 81st Legislatures. Elected Speaker of the House on January 14, 2015, at the beginning of the 82nd Legislature; re-elected January 11, 2017, the 57th Speaker of the House of Delegates. *See* other biographical information on page 395.

## OTHER ELECTIVE OFFICERS OF THE HOUSE

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### CLERK OF THE HOUSE

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**STEPHEN J. HARRISON****Kanawha County****Republican**

**Born** October 25, 1966, in Charleston, West Virginia **Parents** John and Gail Harrison **Education** Brown University, A.B. **Wife** Kristen Elizabeth Berry **Children** Benjamin Trey, Maggie Joy **Affiliations** Former Vice President, Poca Valley Bank; Former Assistant Track & Field Coach, West Virginia Wesleyan College; Former Member, Flinn Elementary Local School Improvement Council; District 1 Academic All-American in college foot-

ball, 1989; Ivy All-Stars, 1989 Epson Ivy Bowl; Former Chairman, Legislative Prayer Breakfast Committee; Co-Chairman, House Freshman Caucus, 71st Legislature **Legislative Service** Elected to the House 1992-2000; Elected to the Senate 2002; Elected Clerk of the House January 14, 2015; re-elected January 11, 2017, the 23rd Clerk of the House of Delegates **Other Public Service** Delegate, 2008 Republican National Convention; Former Intern, Governor's Office of Community and Industrial Development **Religion** Christian **Address** Room 212M, House of Delegates, State Capitol, Charleston 25305 **Telephone** (304) 340-3200 **O.**

## DOORKEEPER



**FRANK LARESE**  
**Kanawha County**  
**Republican**

Manufacturer's Representative **Born** June 27, 1946 in Fayetteville, West Virginia **Wife** Katherin A. Rayhill Larese of Hamlin, West Virginia **Children** Marc F. Larese, wife Ann Stevens Larese **Parents** Frank and Virginia Larese **Grandchildren** Hunter and Hailey **Education** Fayetteville High School, Art Institute of Pittsburgh **Legislative Service** Elected Doorkeeper January 14, 2015; re-elected January 11, 2017, the 54th Doorkeeper of the House

**Other Public Service** Fayetteville Town Council 1970-1972; Town of Belle Town Council, expired term 1982-1984 **Religion** Roman Catholic, member Good Shepherd Church **Address** 310 5th Street, Belle 25015 **Telephone** (304) 949-5178 **H.** (304) 340-3321 **O.** (304) 444-9405 C.

## SERGEANT-AT-ARMS



**MARSHALL W. CLAY**  
**Fayette County**  
**Republican**

Retired **Born** March 20, 1957 in Oak Hill, West Virginia **Parents** Anna M. Clay and the Late Donald L. Clay **Education** Rittman High School, Rittman Ohio; Cum Laude, Mountain State University, B.S. Legal Studies/Pre-Law **Spouse** Ruthann **Children** Jason **Military Service** U.S. Navy 1975-1995, Senior Chief Gas Turbine Technician **Legislative Service** Elected Sergeant-

at-Arms January 14, 2015; re-elected January 11, 2017, the 45th Sergeant-at-Arms of the House **Other Public Service** 2008 Rollins-Burke Graduate Intern; Legislative assistant for the Minority during the 78th, 80th and 81st Legislatures **Religion** Protestant **Address** 1437 Cunard Road, Fayetteville 25840 **Telephone** (304) 574-3983 **H.** (304) 340-3233 **O.**

## BIOGRAPHIES OF HOUSE MEMBERS

### FIRST DELEGATE DISTRICT

[Hancock County and a Portion of Brooke County]



**PAT MCGEEHAN**  
**1st District, Hancock County**  
**Republican**  
**Vice Chair, Committee on**  
**Homeland Security**

Business Sales and Author **Born** October 22, 1979, In Enid, Oklahoma, the son of the late Colonel Mark McGeehan and Jodie Juszcak **Education** B.S., US Air Force Academy **Children** Kennedy McGeehan **Affiliations** Knights of Columbus (3rd Degree); Catholic Sunday School Teacher **Legislative**

**Service** Elected to the House 2008; 2014-2016 **Legislative Positions Held** Vice Chair, Committee on Homeland Security, 82nd Legislature **Military Service** U.S. Air Force, 1998-2006 **Religion** Roman Catholic **Address** 616 Florida Avenue, Chester 26034 **Telephone** (304) 374-7018 **C.**



**MARK P. ZATEZALO**  
**1st District, Hancock County**  
**Republican**  
**Vice Chair, Committee on Energy**

Hydrogeologist **Born** March 16, 1952, in Steubenville, Ohio **Parents** William and Danica Zatezalo **Education** B.S., Geology, West Virginia University; M.A., University of Missouri **Wife** Martha **Children** Jennifer and Danica **Affiliations** Serbian Orthodox Church; AHEPA; Weirton Chamber of Commerce **Other Public Service** Chairman, City of Weirton Redevelopment Authority **Legislative Service** Elected to the

House 2014-2016 **Religion** Orthodox Christian **Address** 540 North 12th Street, Weirton 26062 **Telephone** (304) 748-1624 **H.** (304) 491-0937 **C.**



**SECOND DELEGATE DISTRICT**

[Portions of Brooke and Ohio Counties]



**PHILLIP W. DISERIO**  
**2nd District, Brooke County**  
**Democrat**

Retired Electrician **Born** December 13, 1959, in Wheeling, West Virginia **Education** 1978 graduate of Brooke High School; 1984 graduate of Steubenville Electrical Joint Apprenticeship **Wife** Sandra Perito Diserio **Children** Cassie and husband Cory Maynard, Carissa and fiance Chase Tourville, Carlie **Grandchildren** Cory Jr., Julianna **Affiliations** Former President, Brooke-Hancock Central Labor Council; Brooke County

EDA; Brooke-Hancock Regional Planning Commission; Former member, West Virginia Parkway Authority **Legislative Service** Appointed January 23, 2012, to fill the vacancy created by the resignation of the Hon. Tim Ennis; elected to the House 2012; 2016 **Legislative Positions Held** Vice Chair, Committee on Energy, Industry and Labor, 81st Legislature **Religion** Catholic **Address** 623 Wabash Drive, Follansbee 26037 **Telephone** (304) 527-3585 **H.** (304) 340-3367 **O.**

**THIRD DELEGATE DISTRICT**

[A Portion of Ohio County]



**SHAWN FLUHARTY**  
**3rd District, Ohio County**  
**Democrat**

Attorney **Born** January 5, 1984, in Wheeling, West Virginia **Parents** Douglas and Mary Ellen Fluharty **Education** West Virginia University School of Journalism, 2006; West Virginia University College of Law, 2009 **Affiliations** WV Bar Association, Ohio County Bar Association, WV Association for Justice **Recipient** 2015 WV State Journal Generation Next Top 40 Under 40 **Legislative Service** Elected to the House 2014-2016 **Other Public Service** Commissioner,

Wheeling Human Rights Commission **Address** 42 Walnut Avenue, Wheeling 26003 **Telephone** (304) 281-8195 C. (304) 232-5300 **O.**



**ERIKKA STORCH**  
**3rd District, Ohio County**  
**Republican**  
**Chair, Committee on Political Subdivisions**  
**Chair, Committee on Interstate Cooperation**

President -- Wheeling Area Chamber of Commerce **Born** December 21, 1970 in Fort Belvoir, Virginia, the daughter of John E. and Linda R. Kerr **Education** B.S. and MBA, Business Administration Specialization Accounting, Wheeling Jesuit University **Husband** Thomas R. Storch, Jr. **Children** Seth, Alexis, Payton **Affiliations** Sustaining Member, Junior League of

Wheeling; Employer Trustee, National Shopmen Pension Fund; IW 549/550 Fringe Benefit Funds Employer Trustee Secretary; Wheeling CVB Board; Wheeling National Heritage Area Board; Wheeling Health Right Board; REDP Board **Recipient** 2001 West Virginia Executive Magazine Young Gun; 2005 Wheeling News Register Faces of the Future; 2008 West Virginia State Journal Generation Next; 2009, West Virginia Contractor's License; 2013 Inaugural Recipient, National Association of Manufacturers, Women in Manufacturing STEP Award **Legislative Service** Elected to the House 2010-2014 **Legislative Positions Held** Chair, Committee on Political Subdivisions, 82nd Legislature; Chair, Committee on Interstate Cooperation, 82nd Legislature **Religion** Methodist **Address** 5 Edgwood Street, Wheeling 26003 **Telephone** (304) 232-9494 **H.** (304) 233-2575 **O.**

**FOURTH DELEGATE DISTRICT**

[Marshall County and a Portion of Ohio County]



**JOE CANESTRARO**  
**4th District, Marshall County**  
**Democrat**

Lawyer/Assistant Prosecuting Attorney for Marshall County **Born** November 9 in Wheeling, West Virginia **Parents** Son of Ronald Canestraro (deceased) and Mrs. Charlotte Canestraro **Education** B.A. - Political Science, WVU. M.P.A., WVU. J.D. - Duquesne University School of Law. **Affiliations** Marshall Co. Bar Association; Member Marshall Co. Garibaldi Lodge; National Rifle Association; Member WV State BA; Marshall Co. Democratic Women's

Club. **Legislative Service** Elected to the House 2016. **Other Public Service** Former District 2 Representative for WV State BAR Young Lawyers Section. **Religion** Roman Catholic. **Address** 48 Washington Ave., Benwood, WV 26301. **Email** joe.canestraro@gmail.com **Telephone** (304) 233-2267 **H.** (304) 845-3580 **O.** (304) 280-5400 C.



**MICHAEL T. FERRO**  
**4th District, Marshall County**  
**Democrat**

Retired Teacher/Coach **Born** April 19, 1951, in Miami, Florida, the son of Thomas Ferro (Deceased) and Dorothy Glusich **Education** B.A., West Liberty State College; M.A. +45, West Virginia University **Wife** Roseann Warsinsky **Children** Brett, Christopher, Adam **Affiliations** Trustee, Moundsville-Marshall County Public Library; Member, Garibaldi Lodge; Marshall County Coaches' Association; National Education Association; West Virginia Education Association;

Lifetime Member, Marshall County Education Association; National Rifle Association; West Virginia Association of Retired Employees, Marshall County Chapter **Legislative Service** Elected to the House 2008-2016 **Legislative Positions Held** Vice Chair, Committee on Enrolled Bills, 80th Legislature; Vice Chair, Committee on Constitutional Revision, 81st Legislature; Assistant Majority Whip, 81st Legislature **Other Public Service** Member, Marshall County Democratic Executive Committee **Religion** Roman Catholic **Address** 32 Ninth Street, McMechen 26040 **Telephone** (304) 233-4729 **H.**

**FIFTH DELEGATE DISTRICT**

[Wetzel County and a Portion of Monongalia County]



**DAVE PETHTEL**  
**5th District, Wetzel County**  
**Democrat**

Retired Teacher **Born** January 28, 1951, in Wheeling, West Virginia, the son of the late Forrest and Helen Pethtel **Education** A.B., Glenville State College; M.A., West Virginia University; M.A. + 45 hours, West Virginia University **Wife** Mary Ann Pethtel **Children** Kevin, Eric **Affiliations** Member, W.V.E.A.; N.E.A.; W.C.E.A.; Community Sportsman's Club; Littleton Lodge, #131 AF&AM; L.O.O.M.; Wetzel County Farm Bureau; National Rifle Association;

Board of Directors, Clay Battelle Health Services Association; West Virginia Democratic Legislative Council **Legislative Service** Elected to the House 1988-1992; 1998-2016 **Legislative Positions Held** Chairman, Committee on Interstate Cooperation, 70th and 71st Legislatures; Vice Chairman, Committee on Constitutional Revision, 71st Legislature; Assistant Majority Whip, 75th, 76th, 77th, 78th, 79th, 80th and 81st Legislatures; Vice Chairman, Committee on Insurance, 75th Legislature; Chairman, Committee on Industry and Labor, 76th and 77th Legislatures; Vice Chairman, Committee on Industry and Labor, 78th Legislature; Vice Chairman, Committee on Pensions and Retirement, 79th Legislature; Chairman, Committee on Pensions and Retirement, 80th and 81st Legislatures **Religion** Methodist **Address** P.O. Box 990, Hundred 26575 **Telephone** (304) 775-5472 **H.**

**SIXTH DELEGATE DISTRICT**

[Doddridge and Tyler Counties and a Portion of Pleasants County]

**WM. ROGER ROMINE****6th District, Doddridge County****Republican****Vice Chair, Committee on Agriculture**

Retired School Administrator **Born** January 27, 1944, in Doddridge County, West Virginia, the son of Basil and Mary Romine **Education** Salem College, B.S.; West Virginia University, M.A. **Wife** Judith Ann Davis (deceased); Elizabeth Wetzel Romine **Children** Rhonda Fitzsimmons, Lynn Romine, Tara Romine, Kim Walker, Wm. Roger (Rocky) Romine II, Jill Billeter **Affiliations**

Member, Masonic Lodge of West Union; Parkersburg Shrine; Elk's Lodge; Lions International; Former Member, WVEA; WVASA; AASA; President, WARSE of Tyler County; Former Vice Chairman, NPPIC; Former Classroom Teacher, Principal, and Central Office Administrator **Other Public Service** Member of the Board, Northern Panhandle Work Force Investment Board and Doddridge County Economic Development Board **Legislative Service** Elected to the House 2000-2016 **Legislative Positions Held** Vice Chair, Committee on Agriculture, 82nd Legislature **Religion** Methodist **Address** 106 Church Street, West Union 26456 **Telephone** (304) 771-0018 **Capitol** (304) 340-3226.

**SEVENTH DELEGATE DISTRICT**

[Ritchie County and a Portion of Pleasants County]



**JASON S. HARSHBARGER**  
**7th District, Ritchie County**  
**Republican**

Natural Gas Storage Project Management **Born** 1974, in Parkersburg, West Virginia **Education** B.S., Marietta College **Wife** Michelle D. Harshbarger **Children** Mackenzie **Affiliations** Life Member NRA, Farm Bureau, Ruffed Grouse Society, Ritchie County Economic Development Authority Board Member, WV Hugh O' Brian Youth Leadership Corporate Board Treasurer (past President), Mid-Ohio Valley Technical Institute Advisory Committee

**Legislative Service** Elected to the House 2016 **Other Public Service** Ritchie County 4-H, Youth Softball Coach **Religion** Christian

**EIGHTH DELEGATE DISTRICT**

[A Portion of Wood County]



**EVERETTE W. ANDERSON JR.**  
**8th District, Wood County**  
**Republican**  
**Chair, Committee on Energy**

Educator **Born** August 9, 1948, in Parkersburg, West Virginia, son of the late Everette W. and Imogene I. Anderson **Education** Marshall University, B.A.; West Virginia University, M.A. **Affiliations** Member, NEA; WVEA; WCEA; American Legion, Post 159; Wood County Farm Bureau; West Virginia Cattlemen's Association **Legislative Service** Elected to the House 1992-

2016 **Legislative Positions Held** Speaker Pro Tempore, 82nd Legislature **Other Public Service** Member of Governor's Commission on Quality and Equity in Education **Military Service** U. S. Air Force **Religion** Presbyterian **Address** 1011 Highland Avenue, Williamstown 26187 **Telephone** (304) 375-7880 **H.**

**NINTH DELEGATE DISTRICT**

[Wirt County and a Portion of Wood County]



**RAY L. HOLLEN**  
**9th District, Wirt County**  
**Republican**

Retired USCG and Retired WV State Policeman  
**Born** April 7, 1965 in Steubenville, Ohio  
**Education** A.S. & B.A. Marshall University  
**Wife** Lisa Hollen **Children** Naddine Border and Courtney Hollen and 3 granddaughters  
**Parents** Patricia Moore and the Late Ray Hollen Sr. **Affiliations** WV Farm Bureau Member, Leader at Rock Church - Parkersburg, NRA Member, Military Officers Association,

Reserve Officers Association, Mid Ohio Valley Aviation Association, WV Troopers Association, Disabled American Veterans Chapter 32, American Legion **Legislative Service** Elected to the House 2016 **Other Public Service** WV State Trooper **Religion** Christian - Nondenominational  
**Address** 262 Hales Lndg, Elizabeth 26143 **Telephone** (681) 236-2090 **H. Email** ray.hollen@wvhouse.gov

**TENTH DELEGATE DISTRICT**

[A Portion of Wood County]



**VERNON CRISS**  
**10th District, Wood County**  
**Republican**

Executive **Born** September 25, 1954 **Education** Parkersburg High School and West Virginia Wesleyan College **Wife** Virginia Miller **Children** Brandi, Alex, Whitney, and Brooke **Parents** Mr. and Mrs. A. V. Criss, Jr. **Affiliations** Camden Clark Foundation. Allohak Council of the Boy Scouts of America **Legislative Service** Appointed to the House December 8, 1987; Elected to the House 1988; 2016. **Religion**

Methodist **Address** P.O. Box 1652 Parkersburg 26102 **Telephone** (304) 481-0167 **C.**



**J. FRANK DEEM**  
**10th District, Wood County**  
**Republican**

Businessman, Oil and Gas Producer **Born** March 20, 1928 in Harrisville, West Virginia **Education** Mountain State Business College; West Virginia University; Marietta College, B.S. **Wife** Rebecca Lewellyn **Children** Deborah Ann, Pamela, Michael Stephen, Patti Carol, Kathy, John Fulton, Zachary Wilson, Cate Shuman **Affiliations** WVU-P Foundation Board; Member, Farm Bureau; BPOE; Chamber of Commerce; American Legion; Five time Delegate to the Republican

National Convention; Independent Oil and Gas Association (I.O.G.A.); Recipient of Distinguished WV Award, Oil and Gas Man of the Year; Honorary Degree - WVUP; 1st Presbyterian Church, Parkersburg; Member of Rotary International **Other Public Service** WVUP Foundation Board, Ethics Commission (Retired) **Military Service** U.S. Navy WWII **Legislative Service** Elected to the House 1954-1962; elected to the Senate 1964-1972; elected to the Senate 1978; elected to the House 1988; elected to the Senate 1994-2006; elected to the House 2014-2016 **Religion** Protestant **Address** 5518 Second Avenue, Vienna 26105 **Telephone** (304) 481-3404 **C.** (304) 295-6593 **O.** (304) 295-9188 **F.**





**JOHN R. KELLY**  
**10th District, Wood County**  
**Republican**  
**Vice Chair, Committee on Energy**

Retired, E. I. Dupont **Born** September 23, 1946 in Parkersburg, West Virginia **Wife** Rebecca **Children** John Jr., Betsy **Parents** the Late Jennings and Norene Kelly **Education** Glenville State RBA **Affiliations** Mt. Olive #3 AF and AM; Scottish Rite Bodies; Nemesis Shrine; American Legion Post 15, VFW Post 1212; United States Air Force Honor Guard Association; NRA **Legislative Service** Elected to the House 2014-2016 **Other Public**

**Service** Parkersburg City Council January 1985 - December 1996, January 2013 - November 2014 **Military** U.S. Air Force August 1967 - February 1971 **Religion** Methodist **Address** 2802 Brookview Street, Parkersburg 26104 **Telephone** (304) 428-2846 **H.**

## ELEVENTH DELEGATE DISTRICT

[Roane County and a Portion of Jackson County]



**MARTIN "RICK" ATKINSON III**  
**11th District, Roane County**  
**Republican**  
**Vice Chair, Committee on Small Business, Entrepreneurship and Economic Development**

Retired Stella-Jones/BPB **Born** October 18, 1948 **Education** WVU, 1971, Business and Economics **Wife** Jeanette **Children** Martin IV, Ryan and Jesse **Legislative Service** Appointed to the House in 2015 to replace Bob Ashley; elected to the House 2016 **Religion** First Baptist Church in Spencer, WV **Address** 4250 Ripley Road, Reedy 25270 **Telephone** (304) 927-1563 **H.** (304) 532-7660 **O.**

**E-mail** martin.atkinson@wvhouse.gov

**TWELFTH DELEGATE DISTRICT**

[A Portion of Jackson County]

**STEVE WESTFALL****12th District, Jackson County****Republican****Chair, Committee on Insurance****Vice Chair, Committee on Enrolled Bills**

State Farm Insurance Agent **Born** in Gassaway, West Virginia **Wife** Libby (Miles) Westfall **Parents** The late Carl and Marvel Westfall **Education** Braxton County High School, Glenville State College, B.A. in Education **Legislative Service** Elected to the House 2012-2016 **Legislative Positions Held** Vice Chair, Committee on Insurance **Religion** Methodist **Address** P.O.

Box 249, Ripley 25271 **Telephone** (304) 372-9315 **H.** (304) 532-8875 **C.** (304) 372-9117 **O.**

**THIRTEENTH DELEGATE DISTRICT**

[Portions of Jackson, Mason and Putnam Counties]

**SCOTT BREWER****13th District, Mason County****Democrat**

Union Carpenter **Parents** Robert S Brewer (Deceased) Erma R (Patterson) Brewer (Deceased) **Wife** Linda L (Dye) Brewer **Children** Michael Scott Brewer II, Tory Daniel Brewer **Education** Point Pleasant High School. **Legislative Service** Elected to the House 2016 **Religion** Christian **Address** P.O. Box 981, New Haven 25265 **Email** brewerforhouse@gmail.com **Telephone** (304) 593-5010 **H.** **Email** scott.brewer@wvhouse.gov

**JOSHUA KURT HIGGINBOTHAM**

**13th District, Putnam County  
Republican**

Author **Born** July 23, 1996 **Education** Poca High School (2014); History and Political Science, University of Charleston (2017) **Parents** Kurt and Trina Higginbotham **Affiliations** NRA Member; Former DECA President and Political Director; Newman Civic Fellow; Putnam County Farm Bureau Member; Board of Directors for Shiloh Ministries; Former Director of Generation Impact Center **Legislative Service** Elected to the House 2016 **Religion** Christian **Address** 93 Richard Drive, Poca 25159

**FOURTEENTH DELEGATE DISTRICT**

[Portions of Mason and Putnam Counties]

**JIM BUTLER**

**14th District, Mason County  
Republican**

**Chair, Committee on Homeland Security**

Excavating Contractor, Logging Contractor, Classic Auto Restoration **Born** September 18, 1965 **Military Service** United States Marine Corps Helicopter Crewchief HMM163 **Education** Basic Helicopter Mechanics, Advanced Helicopter Mechanics, Naval Water Survival School, Navy Land and Jungle Environment Survival School, Aircraft Maintenance Administration, Nuclear Weapons Transport, Ground Support Equipment School and Crane Operators Instruction and License, Naval Shipboard Firefighting School, and Aircraft Weapons Training and Instruction School **Family** Married to Anna Maria Butler **Children** Blayne and Kayla Butler **Affiliations** First Church of God, Point Pleasant WV, Mason County Chamber of Commerce, Mason County Farm Bureau, Mason County Development Authority Advisory Committee, Marine Corps League, AM Vets Lifetime Member American Legion, Harley Owners Group Lifetime Member and Treasurer, Mason County Taxed Enough Already, Mason County Republican Executive Committee **Legislative Service** Elected to the House 2012-2016 **Positions Held** Vice Chair, Committee on Political Subdivisions, 82nd Legislature **Address** PO Box 296, Henderson 25105 **Telephone** (304)340-3199 **O.**

**FIFTEENTH DELEGATE DISTRICT**

[A Portion of Putnam County]

**GEOFF FOSTER****15th District, Putnam County****Republican****Vice Chair, Committee on Industry and Labor**

Construction Supply **Born** May 10, 1986 in Charleston, West Virginia **Legislative Service** Elected to the House 2014-2016 **Religion** Christian **E-mail** Geoff.Foster@wvhouse.gov

**SIXTEENTH DELEGATE DISTRICT**

[Portions of Cabell and Lincoln Counties]

**SEAN HORNBUCKLE****16th District, Cabell County****Democrat**

Financial Advisor with Edward Jones **Born** September 2, 1985 in Huntington, West Virginia **Children** Tristan **Parents** the late Moses and Pat Hornbuckle **Education** Huntington High School; B.A., Sports Management and Marketing, Marshall University; M.B.A, Marshall University **Affiliations** Cammack Children's Center, Board of Directors, Huntington; Little League Board of Directors, YMCA Youth Basketball and Soccer

Coach **Legislative Service** Elected to the House 2014-2016 **Other Public Service** Cabell County Democrat Executive Committee, City of Huntington Planning Commission; Mayor Steve Williams' Transition Team; Cabell County Democratic Women's Club; Associate Member; Cabell County Young Dems; Career Wealth Network **Religion** Christian **Address** 501 6th Avenue, Huntington 25701 **Telephone** (304) 360-1015 **H.**



**CAROL DEVINE MILLER**  
**16th District, Cabell County**  
**Republican**  
**Majority Whip**

Property Management; Owner, Swann Ridge Bison Farm **Born** November 4, 1950, in Columbus, Ohio, the daughter of Ohio Congressman Samuel L. Devine and Betty Devine **Education** Bexley High School; B.A., Columbia College, Columbia, South Carolina **Husband** Matt F. Miller **Children** Chris, wife Cassie, Sam, wife Katie, and four

Grandchildren **Affiliations** Member, Milton Rotary Club; Cabell County Farm Bureau; Musical Arts Guild; National Rifle Association; West Virginia Federation of Republican Women; Huntington Cabell Republican Women; Past Chairman, Cabell County Republican Executive Committee; Society of Mayflower Descendants; Colonial Darnes, D.A.R. **Legislative Service** Elected to the House 2006-2016 **Legislative Positions Held** Assistant Majority Leader, 82nd Legislature, Chair, Committee on Small Business, Entrepreneurship and Economic Development, 82nd Legislature **Other Public Service** Former Member, Women's Heart Advisory Board, St. Marys Regional Heart Institute; Former Member of the Board, Marshall University Society of Yeager Scholars; Former Member of the Board, West Virginia Commission for the Arts; Former Member of the Board, Communities in Schools; Former Board Member, Marshall University Artist Series **Religion** Fifth Avenue Baptist Church, Choir Member **Telephone** (304) 781-2020 **H.**



**CHARLES E. "CHUCK" ROMINE**  
**16th District, Cabell County**  
**Republican**

Retired State Farm Insurance Co. **Born** January 16, 1936, in Spencer, West Virginia **Parents** Charles E. Romine Sr., Shirley M. Reed **Wife** Phyllis J. Cremeans. **Children** Charles E. Romine III, Col. Dr. David C. Romine, Bradley R. Romine, Anne R. Smith **Education** Huntington High School (1954) Marshall College (1958) BBA Management **Affiliations** C-H Mental Health Assn., Goodwill Industries, MU Alumni Board, Huntington

Regional Chamber, Rotary Club, Milton Area Development Assn. 4-H All Star, Elected to the Huntington Foundation "Wall of Fame" 2013 **Legislative Service** Elected to the House 1968-1972; 1998; 2016 **Other Public Service** Cabell, Huntington Board of Health (10 years), Red Cross Board (15 years). **Religion** 5th Ave. Baptist. **Address** 151 Woodland Dr., Huntington 25705 **Telephone** (304) 654-2018 **H.**

**SEVENTEENTH DELEGATE DISTRICT**

[Portions of Cabell and Wayne Counties]

**CHAD LOVEJOY****17th District, Cabell County****Democrat**

Attorney **Born** September 15, 1973 **Parents** Steve and Joan Lovejoy **Education** B.A. in English, West Virginia University; J.D., West Virginia University College of Law **Wife** Sara Lovejoy **Children** Kaitlin, Luke, Ethan and Dylan **Affiliations** Board Member of Huntington City Mission, First Stage Theatre Company and Scottish Rite Foundation for Marshall University Children's Speech and Hearing Center.

**Legislative Service** Elected to the House in 2016 **Religion** Christian **Address** 186 Graystone Drive, Huntington 25701 **Telephone** (304) 638-7415 **H.** (304) 522-3038 **O.**

**MATTHEW A. ROHRBACH****17th District, Cabell County****Republican****Vice Chair, Committee on Senior Citizen Issues**

Physician **Born** May 12, 1959 in Huntington, West Virginia **Education** Marshall University; Marshall University Medical School; University of Tennessee, internship; University of Kentucky, residency; East Tennessee State University, fellowship **Spouse** Vera A. Rose, M.D. **Children** Rachel **Parents** Henry and Florence Rohrbach **Affiliations** Cabell County Republican Executive

Committee; Teubert Foundation Trustee; Knight of the Golden Horseshoe; Mountaineer Boys State **Legislative Service** Elected to the House 2014-2016 **Religion** American Baptist **Address** 25 Kensington Lane, Huntington 25705 **Telephone** (304) 563-9040 C. (304) 528-4659 **O.**



**EIGHTEENTH DELEGATE DISTRICT**

[A Portion of Cabell County]



**KELLI SOBONYA**  
**18th District, Cabell County**  
**Republican**  
**Chair, Committee on**  
**Legislative Rule - Making Review**

Realtor/Former business owner **Born** July 13, 1963, in Ironton, Ohio, the daughter of Curt and Becky Davis **Education** Ambridge High School; Institute of Computer Management, Pittsburgh; REDC Real Estate Development Center **Husband** Ed Sobonya **Children** Andrew Sobonya, Abby Reale and 2 Grandchildren **Affiliations** Member, West Virginia Civil Air

Patrol; Barboursville Rotary Club; Barboursville Lions Club; Beta Sigma Phi; National Rifle Association; National Association of Realtors; Board of Directors, WV Association of Realtors; Government Affairs Committee, WV Association of Realtors; Board of Directors, Huntington Board of Realtors; Chair, Legislative Committee, Huntington Board of Realtors; Harley Owners Group; West Virginia Federation of Republican Women; Huntington-Cabell County Republican Women **Legislative Positions Held** Chair, Committee on Legislative Rule - Making Review, 82nd Legislature; Vice Chair, Committee on Industry and Labor, 82nd Legislature **Legislative Service** Elected to the House 2002- 2016 **Other Public Service** Appointed by Cabell County Commission, two terms, E-911 Advisory Board **Religion** Church of Christ **Address** P.O. Box 367, Barboursville 25504 **Telephone** (304) 417-0869 **H.** (304) 736-6655 **O.**

**NINETEENTH DELEGATE DISTRICT**

[A Portion of Wayne County]



**KENNETH PAUL HICKS**  
**19th District, Wayne County**  
**Democrat**

Attorney **Born** September 18, 1955 in Detroit, Michigan **Spouse** Sara Tonya **Children** Kenny Jr., Jared Hicks and Bethany Hatfield **Parents** Betty Lorene and Otis Ray Hicks (both deceased) **Education** Buffalo High School, Wayne County, Marshall University, B.A.; University of Toledo, J.D. **Affiliations** Former President, Cabell County BAR Association; West Virginia, Ohio, Kentucky, Georgia, Florida State and Federal Bars; Cabell County Bar Association, Cabell Wayne Association for the Blind Board of Directors; First Baptist Church of Kenova **Legislative Service** Elected to the House 2014-2016 **Religion** Baptist **Address** 182 Hidden Valley Road, Kenova 25530 **Telephone** (304) 453-3523 **H.** (304) 208-6350 **C.** (304) 525-3201 **O.**



**ROBERT MICHAEL THOMPSON**  
**19th District, Wayne County**  
**Democrat**

Teacher, Wayne County **Born** in Huntington, WV  
**Education** B.A. in Secondary Education, Marshall University **Affiliations** American Federation of Teachers; West Virginia Farm Bureau; Wayne County EDA; Wayne County Farmers Co-Op;  
**Legislative Service** Elected to the House 2016  
**Other Public Service** Town of Wayne Council  
**Address** Wayne, WV

**TWENTIETH DELEGATE DISTRICT**

[Portions of Logan and Mingo Counties]

**JUSTIN J. MARCUM****20th District, Mingo County  
Democrat**

Attorney; Small Business Owner **Born** in Huntington, West Virginia **Education** The Appalachian School of Law, Juris Doctorate; Marshall University; BBA in Economics and Finance; Mayo Technical College, Electricity **Wife** Latisha J. Marcum **Children** Tenley Ann Marcum; Kiptyn Tagg Marcum **Affiliations** Top 40 Under 40 Attorney Award; Top 100 Attorney Award; Energy, Mineral and Law Society; Who's Who in Law; Ancient Free

and Accepted Mason; Beni Kedem Shriner; West Virginia State Bar; former underground coal miner; Sunday School teacher; Omicron Delta Epsilon; Kentucky Colonel; Member, High Country Hunting Club; Member, American Bar Association; Member, National Rifle Association; Member, Friends of Coal; Member, Fraternal Order of ELKS; Member, Mingo County Schools; Advisory Committee on Dropout Prevention **Legislative Service** Appointed January 18, 2012, to fill the vacancy created by the resignation of the Hon. K. Steven Kominar; Elected to the House 2012-2016 **Legislative Positions Held** Vice Chair, Committee on Legislative Rule-Making Review, 81st Legislature **Other Public Service** Elected to the West Virginia State Democratic Executive Committee (2010); Former President of Mingo County Young Democrats; Appointed to Mingo Central High School Counseling Advisory Council, 2012; Bar of the US Supreme Court; WV Bar Criminal Law Committee **Religion** Baptist **Address** P.O. Box 2531, Williamson 25661 **Telephone** (304) 235-1475 **O.**

**TWENTY-FIRST DELEGATE DISTRICT**

[Portions of McDowell, Mingo and Wyoming Counties]

**MARK DEAN****21st District, Mingo County****Republican**

Principal **Born** June 18, 1980 in Logan, WV  
**Education** Bachelor's in Education, Concord College (2003), Master's in School Leadership, Marshall University (2005) **Parents** Daniel and Debbie Dean **Spouse** Brandy Dean **Affiliations** Phi Sigma Phi National Fraternity, WVEA; Former Basketball and Baseball Coach; Knight of the Golden Horseshoe; Mingo County Republican Executive Committee.

**Legislative Service** Elected to the House 2016 **Religion** Baptist

**Address** P.O. Box 15, Verner 25650 **Telephone** (304) 601-3425 **H.**

**E-mail** mark.dean@wvhouse.com

**TWENTY- SECOND DELEGATE DISTRICT**  
[Portions of Boone, Lincoln, Logan and Putnam Counties]



**JEFFERY A. ELDRIDGE**  
**22nd District, Lincoln County**  
**Democrat**

Self Employed **Born** January 13, 1967 in Xenia, Ohio **Parents** James Walter Eldridge, Sr., and Dorothy Sue Hill **Spouse** Stacy Nowicki-Eldridge **Children** Joshua, Jillian and Madeline **Education** B.A., Education, Social Studies, Marshall University; M.A.B.A., Counseling, LSW in Social Work, Marshall University **Affiliations** Volunteer coach, youth basketball programs **Legislative Service** Elected to the House 2004-2010; 2012-2016 **Leg-**

**islative Positions Held** Assistant Majority Whip, Chair, Committee on Parks and Recreation, 78th Legislature; Vice Chair, Committee on Homeland Security, 81st Legislature; Co-Chair, Committee on Parks and Recreation and Natural Resources 78th, 79th and 81st Legislatures **Address** 4754 Coal River Road, Alum Creek 25003 **Telephone** (304) 928-9728 **C.** (304) 756-3817 **H.**



**ZACK MAYNARD**  
**22nd District, Lincoln County**  
**Republican**

Self-Employed **Born** March 29, 1992 in Munster, IN **Wife** Brittany Maynard **Parents** Ezra and Glenith Maynard **Education** B.S., Business Management, West Virginia Institute of Technology **Affiliations** Member, National Rifle Association; Member, West Virginia Farm Bureau; Member, West Virginians for Life **Legislative Service** Elected to the House 2016 **Other Public Service** Member, Lincoln Economic Development Authority **Religion** Baptist **Address** 42 Frances Creek, Harts

25524 **Telephone** (304) 687-4099 **H.** (304) 310-1065 **O.**

**TWENTY-THIRD DELEGATE DISTRICT**

[A Portion of Boone County]



**RODNEY A. MILLER**  
**23rd District, Boone County**  
**Democrat**

Retired Sheriff/Executive Director WV Sheriffs' Association **Born** January 27, 1961 in Madison, WV. **Parents** Ardella Miller and the late Delvin Miller. **Wife** Cozetta **Children** Jennifer and Michael **Education** B.A., West Virginia State University; A.S., West Virginia University Institute of Technology **Affiliations** Life Member of the National Sheriffs' Association; Past President/Lifetime Member of the West Virginia Sheriff's

Association; Past President/Lifetime member of Deputy Sheriffs' Association; Past President Boone County Lodge 120 -Fraternal Order of Police; Past WV State Trustee WVFOP; Past President Madison Rotary; Odell Lodge #115 A.F.&A.M.; Scottish Rite Bodies; Beni Kedem Shrine, ROJ Court 111; Boone Lodge #170 IOOF; WV Wing Civil Air Patrol; Law Enforcement Officer of Year Award - WV State VFW; Boone County AFT; Friends of Marshall; WV High School Soccer Coaches Association; HS Soccer Coach; WVU Alumni Assoc. - Boone County Chapter; Past President, Boone County **Other Public Service** Boone County Sheriff 2005-2012; West Virginia Sheriffs Bureau of Professional Standards; Past Chair - Governor's Commission on Crime, Delinquency & Corrections - Law Enforcement Training Subcommittee; West Virginia Sheriff's Bureau; Consolidated Public Retirement Board; WV Investment Management Board; Past Cub Master Pack 392, BSA **Legislative Service** Elected to the House 2016 **Religion** Baptist - Madison Baptist Church, Madison, WV **Address** 325 1st Street West, Madison 25130 **Telephone** (304) 369-6022 **H.** (304) 346-2232 **O.** (304) 784-6341 **C.**



**TWENTY-FOURTH DELEGATE DISTRICT**

[Portions of Boone, Logan and Wyoming Counties]



**RUPERT W. PHILLIPS JR.**  
**24th District, Logan County**  
**Independent**

Sales Manager **Born** February 17, 1969, in Man, the son of Rupert W. Phillips Sr. and Jewell Wood **Education** Man High School **Children** Sophia Lauryn **Affiliations** National Rifle Association; Aracoma Lodge #99 AF&AM; Scottish Rite; Shriner, ROJ; Loyal Order of the Moose; American Legion; Friends of Coal **Military Service** United States Air Force **Legislative Service** Elected to the House 2010-2016 **Religion** Christian **Address**

P.O. Box 194, Lorado 25630 **Telephone** (304) 687-9793 **H.**



**RALPH M. RODIGHIERO**  
**24th District, Logan County**  
**Democrat**

United Parcel Service Delivery Driver **Born** May 26, 1963 in Logan, West Virginia **Parents** Ralph C. and Myrtle Rodighiero **Education** Logan High School **Wife** Terri Meadows **Children** Rafael and Dominic **Grandchildren** Roman Modesto Rodighiero, Eva Rodighiero **Affiliations** International Brotherhood of Teamsters; Gideons International; Working to Eliminate Child Abuse and Neglect (W.E.C.A.N. Program Volunteer),

Member, The First Baptist Church of McConnell, Church Youth Programs Volunteer **Legislative Service** Elected to the House 2006-2010; 2014-2016 **Religion** Baptist **Address** 142 Sayer Circle, Logan 25601 **Telephone** (304) 752-8076 **H.** (304) 784-8881 **O.**

**TWENTY- FIFTH DELEGATE DISTRICT**

[Portions of McDowell, Mercer and Wyoming Counties]

**TONY PAYNTER****25th District, Wyoming County  
Republican**

Self-Employed Trucker **Born** August 23, 1970  
in Welch, WV **Parents** the late John Paynter &  
Patricia Paynter **Legislative Service** Elected to  
the House 2016 **Religion** Christian **Address** 16298  
Rd. Bailey Highway **Telephone** (304) 894-4647 C.  
**E-mail** [tony.paynter@wvhouse.gov](mailto:tony.paynter@wvhouse.gov)

**TWENTY-SIXTH DELEGATE DISTRICT**

[Portions of McDowell and Mercer Counties]



**EDWARD "ED" EDMOND EVANS**  
**26th District, McDowell County**  
**Democrat**

Retired Science Teacher **Born** February 9, 1959 in Beckley, West Virginia. **Parents** Mason and Eddie Jane Evans **Wife** Lynda Evans **Children** Mckinsie Evans and Brandon Evans. **Education** High School - Woodrow Wilson; College - Glenville State (Class of 1982); Graduate work from Marshall University **Affiliations** Boy Scouts of America (51 years); West Virginia Education Association **Legislative Service** Elected to the House 2016 **Religion** United Methodist **Address** 454 Edgewood Ave, Welch 24801 **Telephone** (304) 436-3885 **H** (304) 673-2969 **O.**  
**E-mail** ed.evans@wvhouse.gov

**TWENTY-SEVENTH DELEGATE DISTRICT**

[Portions of Mercer and Raleigh Counties]

**JOE C. ELLINGTON, Jr.****27th District, Mercer County****Republican****Chair, Committee on****Health and Human Resources****Chair, Committee on****Prevention and Treatment of Substance Abuse**

Physician **Born** May 12, 1959, in Flushing, New York, the son of Loretta Ann DiTucci Ellington and the late Joe C. Ellington **Education** B.S., Guilford College; M.S., Ph.D., Duke University; M.D., Wake Forest University; Residency, St. Joseph

Mercy Hospital, Ann Arbor, Michigan **Wife** Sharon Perdue **Children** Dana, Alyssa, Erica, Joe III **Affiliations** Fellow, American College of Obstetricians and Gynecologists; Vice Chief of Staff at Princeton Community Hospital **Legislative Service** Elected to the House 2010-2016 **Legislative Positions Held** Chair, Committee on Health and Human Resources, 82nd Legislature **Other Public Service** Member, Mercer County Republican Executive Committee **Religion** Roman Catholic **Address** 613 Pigeon Roost Trail, Princeton 24740 **Telephone** (304) 487-6526 **H.**



**MARTY GEARHEART**  
**27th District, Mercer County**  
**Republican**  
**Chair, Committee on**  
**Roads and Transportation**

Managing Member, Gearheart Enterprises, LLC **Born** September 15, 1961 in Zeublun, North Carolina, the son of Frank and Gwenn Gearheart **Education** B.S., Concord University **Children** Keri, Sara, Leah **Grandchildren** Rylee Davies, Easton Davies **Parents** Frank and Gwenn Gearheart **Affiliations** Greater Bluefield

Chamber of Commerce **Legislative Service** Elected to the House 2010-2016 **Legislative Positions Held** Chair, Committee on Roads and Transportation, 82nd Legislature **Other Public Service** Member, West Virginia Republican Executive Committee, South; Member, Mercer County Republican Executive Committee **Religion** United Methodist **Address** 131 Henderson Avenue, Bluefield 24701 **Telephone** (304) 320-0879 **C.**



**JOHN H. SHOTT**  
**27th District, Mercer County**  
**Republican**  
**Chair, Committee on the Judiciary**

Attorney **Born** June 24, 1948 in Bluefield, West Virginia **Parents** John C. and Bonnie R. Shott **Education** Bluefield High School; B.A., Education, Davidson College; J.D., University of North Carolina School of Law, Chapel Hill **Wife** Katherine P. Baker **Children** Chris, Adam, Martha, Jeff (Deceased) **Legislative Service** Elected to the House 2008; Appointed to the

Senate May 2010; Reelected to the House 2012-2016 **Legislative Positions Held** Chair, Committee on the Judiciary, 82nd Legislature **Affiliations** Board Member, Bluefield High School Foundation; Board of Directors, First Century Bankshares, Inc.; Former trustee and deacon, First Presbyterian Church; Board Member, Bluefield Rotary Club; West Virginia State Bar **Other Public Service** Former Member and President, Mercer County Board of Education (1986-2004); Former President, Board Member, East River Soccer Association, Inc.; Former Member, Mercer County Building Commission; Former Member, Board of Directors, Greater Bluefield Chamber of Commerce; Board of Directors, Development Authority of the Greater Bluefield Area; Member, Board of Directors, Bluefield State College Research and Development Corporation; Former Member, Board of Directors, Marshall University Graduate College Foundation; Former Member, PROMISE Scholarship Board; Former Member, Board of Directors, Bluefield State College; Former Mercer County Fiduciary Commissioner; Former Assistant Prosecuting Attorney; Former Trustee, U.S. Bankruptcy Court **Religion** Presbyterian **Address** 422 Oakhurst Avenue, Bluefield 24701 **Telephone** (304) 325-7534 **H.** (304) 327-0573 **O.**

**TWENTY-EIGHTH DELEGATE DISTRICT**

[Summers, Monroe and A Portion of Raleigh County]

**ROY G. COOPER****28th District, Summers County****Republican****Chair, Committee on Veterans' Affairs**

Retired U.S. Navy; Retired Public School Teacher; Active Farmer; Small Business Owner **Born** March 5, 1945 in Warford, West Virginia **Parents** Thomas J. and Madeline Cooper **Education** B.S., Education, Concord College; A.S., Business Management, Tidewater Community College, Virginia Beach, Virginia **Wife** Marilyn Holdren Cooper **Children** Pamela and Christopher

**Affiliations** Member, Fairview Baptist Church, West Virginia Farm Bureau; Summers County Retired Teacher Association; National Rifle Association; American Federation of Teachers (Retired) **Legislative Service** Elected to the House 2012-2016 **Religion** Baptist **Address** 31 Pam's Way, Wayside 24985 **Telephone** (304) 466-5523 **H.** (304) 646-1209 **C.**

**JOHN D. O'NEAL IV****28th District, Raleigh County****Republican****Assistant Majority Leader**

Small Business Owner **Born** in Hinton, the son of Johnny and Valeria O'Neal **Education** B.A., Alderson-Broadus College; University of Virginia; Liberty University; Salem International University **Wife** Cheryl Turner **Children** Kaitlyn, John, Jacob, Keira, Jada **Affiliations** Former Educator; Coach; Raleigh County Chamber of Commerce; National Rifle Association; Fellowship

of Christian Athletes **Recipient** West Virginia State Coach of the Year **Legislative Service** Elected to the House 2010-2016 **Legislative Positions Held** Majority Whip, 82nd Legislature **Religion** Baptist **Address** 8 Oriole Place, Beckley 25801 **Telephone** (304) 894-8445 **H.** (304) 340-3164 **O.**

**TWENTY-NINTH DELEGATE DISTRICT**

[A Portion of Raleigh County]

**RICKY DUANE MOYE****29th District, Raleigh County****Democrat**

Businessman/School Bus Operator/ Examiner

**Born** December 4, 1956, in Beckley, West Virginia, the son of the late Paul and Helen Moye**Education** Public Schools; Beckley College **Wife**Aleisa Bailey **Children** Ricky, Brent, Catherine**Affiliations** Member, National Rifle Association;

Raleigh County School Service Personnel

Association; Former Member, U.M.W.A.; Member,

Raleigh County Retired School Employees

**Legislative Service** Elected to the House 2006-2016 **Legislative Positions Held** Vice Chair, Senior Citizen Issues, 79th and 80th Legislatures; Vice Chair, Committee on Homeland Security, 79th

Legislature; Vice Chair, Committee on Senior Citizen Issues, 81st Legislature

**Religion** Baptist **Address** 125 Waterbug Lane, Crab Orchard 25827 **Telephone**(304) 255-1185 **H.**



**THIRTIETH DELEGATE DISTRICT**

[A Portion of Raleigh County]

**MICK BATES****30th District, Raleigh County****Democrat**

Physical Therapist and Small Business Owner/ CEO BODYWORKS and President Praxis Corporation **Born** June 14, 1970 in Broken Hill, New South Wales, Australia **Wife** Pamela Morgan **Children** Callan, Mikeal, Clare and Allison **Parents** Mary-Monica Keating and Rodney Bates **Education** B.S., Curtin University of Technology in Physiotherapy, Perth, Australia; Certified Disability Management Specialist and Case

Manager; Clinical Instructor WVU and Marshall University Doctor of Physical Therapy Programs **Affiliations** Raleigh County Chamber of Commerce, former Board of Directors and President; West Virginia Physical Therapy Association, former National Advisory Panel on Reimbursement Policy and Planning; Private Practice Physical Therapist Association; 2004 Health Care Advisory Panel, West Virginia's Workers Compensation Commission; 2005 Young Guns Award, West Virginia Executive Magazine; 2007 Generation Next Honoree, West Virginia State Journal; Founding member Robert C. Byrd Society; Lector and Member of Knight's of Columbus, St. Francis de Sales Catholic Church; Former West Virginia School Board Member Diocese of Wheeling-Charleston **Other Public Service** 2010 elected Raleigh County Democratic Executive Committee, 2016 State Workers' Compensation Industrial Council, Office of Insurance Commission **Legislative Service** Elected to the House 2014-2016 **Religion** Catholic **Address** P. O. Box 844, Beckley 25802-0884 **Telephone** (304) 255-2376 **O.**

**THIRTY-FIRST DELEGATE DISTRICT**

[Portions of Raleigh and Wyoming Counties]



**LYNNE (CARDEN) ARVON**  
**31st District, Raleigh County**  
**Republican**  
**Vice Chair, Committee on**  
**Government Organization**

Small Business Owner, WV Vein and Skin Centers; Medical Sales; Social Services **Born** May 29, 1961 in South Charleston, West Virginia **Parents** David T. and Patricia Carden **Education** B.S., Business Administration, West Virginia State University; Associate Degree, Paralegal Studies, Marshall University **Husband** Matthew P. Arvon

**Children** Justin and Wife Megan, Kendra and Kara **Grandchildren** Braylon **Affiliations** Member, Faith Baptist Church; Friends of Coal; Raleigh County Republican Executive Committee; Mountaineer Republican Women; Marshall University Alumni; West Virginia State University Alumni **Legislative Service** Elected to the House 2012-2016 **Legislative Positions Held** Vice Chair, Committee on Government Organization, 82nd Legislature **Religion** Christian **Address** 101 Triangle Lane, Beckley 25801

**THIRTY-SECOND DELEGATE DISTRICT**

[Fayette County and Portions of Clay, Kanawha, Nicholas and Raleigh Counties]

**TOM FAST****32nd District, Fayette County****Republican****Chair, Committee on Industry and Labor**

Attorney **Born** May 15, 1966, Fairmont, West Virginia **Education** Juris Doctor, 1993, Regent University; BA in Political Science, 1989 Fairmont State **Wife** Lisa Fast **Children** Madison **Parents** Lonnie and Betty Fast **Legislative Service** Elected to the House 2014-2016 **Religion** Christian **Other Public Service** Chairman, Fayette County Republican Executive Committee 1998-2006;

Member, Fayette County Republican Executive Committee **Address** P. O. Box 332, Fayetteville 25840 **Telephone** (304) 574-0777 **O. E-mail**

Tom.Fast@wvhouse.gov

**KAYLA KESSINGER****32nd District, Fayette County****Republican****Vice Chair, Committee on Prevention and Treatment of Substance Abuse**

Director of Human Resources **Born** November 25, 1992 in Beckley, West Virginia **Parents** Michael and Jennifer Kessinger **Affiliations** Member, West Virginia for Life; Fayette County Republican Executive Committee; Fayette County Republican Women; Friends of Coal; Alumni of Mt. Hope High School; Fayette County Institute

of Technology; WVCDL; Mountain of Hope Organization **Legislative Service** Elected to the House 2014-2016 **Religion** Christian **Address** 1736 Kess Springs Court, Mt. Hope 25880 **Telephone** (304) 719-7637 **H.** (304) 719-7637 **C.** (304) 719-7637 **O.**



**SHIRLEY D. LOVE**  
**32nd District, Fayette County**  
**Democrat**

Retired Broadcaster, WOAY TV-Radio **Born** May 15, 1933, in Oak Hill, West Virginia **Education** Public Schools **Wife** Audrey Painter **Children** James C. IV, Crystal Lynn, Brian Stephen, seven grandchildren, five great-grandchildren **Affiliations** Member, Mason-Shrine; NRA; Civitan; Fayette Plateau Sportsman Club; Oak Hill United Methodist Church and Choir; West Virginia Broadcasters Hall of Fame **Legislative Service** Appointed August 14, 1994, to fill vacancy created

by the resignation of Charles Smith; Elected 1994-2004 (Senate); Elected to the House in 2016 **Legislative Positions Held** Vice Chairman, Committee on Transportation, 72nd Legislature; Chairman, Committee on Confirmations, 74th, 75th, 76th, and 77th Legislatures; Vice Chair Committee on Agriculture, 76th and 77th Legislatures **Other Public Service** Member, State Democratic Executive Committee; Former Member, West Virginia Cable Advisory Board; Former Member, West Virginia Housing Development Fund; Former Member and Chairman, Fayette County Democratic Executive Committee **Religion** Protestant **Address** P.O. Box 1173, Oak Hill 25901 **Telephone** (304) 469-4425

**THIRTY-THIRD DELEGATE DISTRICT**

[Calhoun County and Portions of Clay and Gilmer Counties]

**ROGER HANSHAW****33rd District, Clay County****Republican****Chair, Committee on Enrolled Bills****Vice Chair, Committee on****The Judiciary**

Attorney **Born** March 24, 1980 in Charleston, West Virginia **Spouse** Kirsten **Children** Kathryn **Education** West Virginia University, B.S.; West Virginia University College of Law, J.D.; University of Notre Dame, Ph.D. in Chemistry **Affiliations** West Virginia State Bar; West Virginia Bar Association;

West Virginia Farm Bureau; American Chemical Society; National Association of Parliamentarians; Clay County Business Development Authority **Legislative Service** Elected to the House 2014-2016 **Religion** Baptist **Address** 5341 Wallback Road, Wallback 25285 **Telephone** (304) 587-9947 **H.** (304) 347-2115 **O.**

**THIRTY-FOURTH DELEGATE DISTRICT**

[Braxton County and a Portion of Gilmer County]

**L. BRENT BOGGS****34th District, Braxton County****Democrat**

Railroad Engineer **Born** December 18, 1955, in Fairmont, West Virginia, the son of Charles D. and Ethel M. Westfall Boggs **Education** Glenville State College, A.S. **Wife** Jean Ann Walker **Children** Jessica, Justin **Affiliations** Member, Masons; Scottish Rite Bodies; Beni Kedem Shrine; Brotherhood of Locomotive Engineers; National Rifle Association; West Virginia Farm Bureau; Former Member, Board of Directors,

Mountaineer Food Bank; Board of Directors, Braxton County Memorial Hospital; Former President, Board of Directors, Gilmer-Braxton Technology Research Zone; Board of Directors, Highmark Blue Cross/Blue Shield; Board of Directors, Appalachian Area Agency on Aging; Board of Directors, Central West Virginia Aging Services, Inc.; Braxton County Gun Owners Association; Sons of the American Legion; Advisory Member WV Infrastructure and Job Development Council **Legislative Service** Elected to the House 1996-2016 **Legislative Positions Held** Vice Chair, Committee on Agriculture, 74th, 75th and 76th Legislatures; Chairman, Committee on Roads and Transportation, 77th Legislature; Vice Chair, Committee on Finance, 78th Legislature; Majority Leader, 79th, 80th and 81st Legislatures; Chair, Committee on Finance, 82nd Legislature **Other Public Service** Former Member, Braxton County Democratic Executive Committee **Religion** Baptist **Address** 151 Park St., Gassaway 26624 **Telephone** (304) 364-8411 **H.**

**THIRTY-FIFTH DELEGATE DISTRICT**

[A Portion of Kanawha County]



**ANDREW D. BYRD**  
**35th District, Kanawha County**  
**Democrat**

Attorney/Small Business Owner **Born** July 15, 1982 **Spouse** Christina **Education** West Virginia University, Accounting 2004, Law Degree 2008 **Parents** David and Sharon Byrd **Affiliations** First United Methodist of South Charleston; South Charleston Chamber of Commerce; St. Albans Chamber of Commerce **Legislative Service** Elected to the House 2014-2016 **Religion** Methodist **Telephone** (304) 741-3083 **C.** (304) 340-3362 **O.**



**A. A. MOORE CAPITO**  
**35th District, Kanawha County**  
**Republican**

Attorney **Born** August 30, 1982 **Spouse** Katherine **Children** Elizabeth **Parents** Senator Shelley Moore Capito and Charles Capito **Education** George Washington High School; Duke University, B.A.; Washington and Lee University, J.D. **Affiliations** First Presbyterian Church; Rotary Club of Charleston **Legislative Service** Elected to the House 2016 **Religion** Presbyterian **Address** P.O. Box 2788, Charleston 25330 **Telephone** (304) 552-

8986 **C.** (304) 340-3340 **O.** **Email** moore.capito@wvhouse.gov



**CHARLOTTE LANE**  
**35th District, Kanawha County**  
**Republican**

Attorney **Born** August 12, 1948 **Education** Marshall University, A.B.; West Virginia University, J.D. **Children** Anne-Hatton **Affiliations** Member, West Virginia State Bar; Charleston Rotary; West Virginia Bar Association **Legislative Service** Elected to the House 1978; 1984; 1990; 2016 **Other Public Service** Commissioner, West Virginia Public Service Commission, 1985-1989; Chair, Public Service Commission, 1996-2000; Commissioner U.S. International Trade Commission, 2003-2011; Interim United States Attorney, Southern District of West Virginia, 1987 **Religion** Catholic **Address** 311 Shawnee Circle, Charleston 25304 **Telephone** (304) 964-1159 **C.**





**ERIC NELSON, JR.**  
**35th District, Kanawha County**  
**Republican**  
**Chair, Committee on Finance**

Financial Consulting/Management **Born** December 4, in Charleston, West Virginia **Parents** Former Delegate Eric Nelson, Sr. and the late Ann Cabell Patrick Nelson **Education** B.S., Washington and Lee University **Wife** Pamela Tuckwiller **Children** Heather, Tripp, Sydney **Affiliations** First Presbyterian Church; Director, WesBanco Bank Inc.; Board Member, Clay Center; Member, World

Presidents Organization; Independent Oil and Gas Association; Charleston Rotary; Charleston Lodge #153; Scottish Rite; National Rifle Association; WV Farm Bureau; Leadership West Virginia Class of 2000; Former Member, National Association of Certified Valuation Analysts; National Association of Small Business Investment Companies; National Venture Capital Association; Former Board Member, Fund For the Arts; Community Council, Shawnee Hills **Legislative Service** Elected to the House 2010-2016; Member of Finance, Banking & Insurance Committee, and Rules Committees **Legislative Positions Held** Chair, Committee on Finance, 82nd Legislature **Other Public Service** Former Coach, John Adams Middle School Golf; First Presbyterian High School Girls Basketball; NCSL, Committee on State & Local Taxation (SALT); Committee on Budgets & Revenue **Religion** Presbyterian **Address** P. O. Box 186, Charleston 25321 **Telephone** (304) 343-5156



**ANDREW N. ROBINSON**  
**36th District, Kanawha County**  
**Democrat**

Real Estate Appraiser/Broker **Born** July 30, 1986, in Charleston, West Virginia **Education** Bachelor's WVU; Masters of Corporate and Organization/Communication **Child** Brayden Robinson **Parents** Nelson B. Robinson, Jr. and Joyce A. Robinson **Affiliations** WV Appraisal Institute; WV Association of Realtors; WV Auctioneers Association **Address** 5506 Staunton Ave., Charleston 25304 **Phone** (304) 545-7378



**LARRY L. ROWE**  
**36th District, Kanawha County**  
**Democrat**

Attorney **Born** in Bluefield, West Virginia, the son of Rosa Rowe and the late Eldridge E. Rowe, Sr. **Education** West Virginia University B.A.; MPA; West Virginia University College of Law, J.D. **Wife** Julia M. Beury **Legislative Service** Elected to the House 1996-1998; Elected to the Senate 2000; Elected to the House 2014-2016 **Other Public Service** Delegate, Democratic National Conventions, 1996 and 2000; Senior Law Clerk, United States

Circuit, the late Judge K.K. Hall, 1978-79; State Ethics Commission 2005-2010; West Virginia State University, Board of Governors 2010-2014, Board Chair 2011-2013; Governor's Cabinet on Children and Families, 2003-2004 **Community Service** Kanawha Valley Historical and Preservation Society, Vice President 2012-2015; St. John's Episcopal Church of Charleston, Vestry Member 2011-2014; Booker T. Washington Memorial Association, President 2003-2015; Manna Meal Volunteer, 1989-1995 and 2014-2015; Kanawha Valley Village People, Organizer and Board Member, 2013-2014; Kanawha County Library Foundation Board Member, 2010-2012; West Virginia Youth Symphony, Board Member, 2009-2013; Midland Trail Scenic Highway Association, President, 1996-2000; Legal Aid Society of Charleston, Board Chair 1981-1984; Published "History Tour of Old Malden: Booker T. Washington's Formative Years", 2014 **Religion** Episcopal **Address** 4200 Malden Dr., Malden 25306 **Telephone** (304) 925-1333 **Fax** (304) 925-1378 **e-mail** larryrowe@outlook.com



**BRAD WHITE**  
**36th District, Kanawha County**  
**Republican**  
**Vice Chair, Committee on Insurance**

Insurance Agent/Owner **Born** October 1, 1964 in Beckley, West Virginia **Education** Marshall University, B.S., Business **Spouse** Lisa Samples White **Children** Bria, Braelyn **Parents** Harold O. White and the late Wanda Y. White **Legislative Service** Elected to the House 2014-2016 **Religion** Protestant **Address** P. O. Box 4779, Charleston 25364 **Telephone** (304) 415-5030 C. (304) 926-6662 **O.**

**THIRTY-SEVENTH DELEGATE DISTRICT**

[A Portion of Kanawha County]



**MICHAEL A. PUSHKIN**  
**37th District, Kanawha County**  
**Democrat**

Taxi Driver/Musician **Born** February 8, 1970 in Charleston **Parents** Dr. Jack Pushkin and Marsha Albert **Education** George Washington High School; West Virginia University, English and Political Science **Affiliations** B’Nai Jacob Synagogue, American Federation of Musicians Local 136; WV Access To Justice Commission; Advocates for a Safe Water System; ACLU; NAACP **Legislative Service** Elected to the

House 2014-2016 **Religion** Jewish **Address** 609 Hall St., Charleston 25302  
**Telephone** (304) 344-4339 **H.**

**THIRTY-EIGHTH DELEGATE DISTRICT**

[Portions of Kanawha and Putnam Counties]



**NANCY REAGAN FOSTER**  
**38th District, Kanawha County**  
**Republican**

Business Owner **Born** August 25, in Mexico  
**Education** Long Beach Polytechnic; Over 27 years accounting experience **Husband** Ron Foster  
**Children** Ron Allen, Geoff, Brittney, Mallory, Tori, Sterling, and Alexis **Parents** Ramon and Gloria Gurrola **Affiliations** Member, Putnam County Rotary Club; Putnam County Republican Executive Committee; Putnam County Republican Women; Kanawha County Republican Women; Putnam County Chamber of Commerce; National Rifle Association; Associated Builders & Contractors; West Virginia Farm Bureau; Women's Club of Nitro; Board, Midland Trails Friends of NRA; Leadership Putnam, 2015 **Other Public Service** Appointed by Putnam County Commission, Board of Directors, Putnam County Aging Program, Inc. **Religion** Christian, Christ Temple Church **Address** P.O. Box 467, Scott Depot 25560

**THIRTY-NINTH DELEGATE DISTRICT**

[A Portion of Kanawha County]



**RONALD N. WALTERS**  
**39th District, Kanawha County**  
**Republican**  
**Chair, Committee on**  
**Pensions and Retirement**

President, R. N. Walters & Associates, L.L.C.  
**Born** June 29, 1950, in Washington, D.C., the son of Harry Neal and Betty Link Walters **Education** University of Michigan, B.S.; Willets Institute NY; Wharton School, University of Pennsylvania **Wife** Debra Cantees **Children** Ronald N. Jr., Christopher **Affiliations** Member, IIAWV; National Rifle, Charleston Alliance Association; ANA; WV Small Business Owner; Former Instructor at Fairmont State College in Economics; Former Congressional Intern, Congressman Richard Poff, Virginia **Legislative Service** Elected to the House 1992-1996; 2000-2016 **Religion** Lutheran **Address** P.O. Box 3665, Charleston 25336 **Telephone** (304) 542-1572 **H.** (304) 346-4823 **O.**

**FORTIETH DELEGATE DISTRICT**

[A Portion of Kanawha County]

**TIM ARMSTEAD****40th District, Kanawha County****Republican****Speaker**

Attorney **Born** February 26, 1965 in Charleston, West Virginia, the son of the late James E. Armstead and Myrtle Huffman Armstead **Education** B.A., University of Charleston; J.D., West Virginia University College of Law **Wife** Anna Thomas **Children** Kathleen Ann **Affiliations** President, West Virginia Historical Society, 1990-1994; Knight of the Golden Horseshoe **Legislative Service** Appointed September, 1998 to fill vacancy created by the death of Dick Henderson; Elected

to the House 1998-2016 **Legislative Positions Held** Minority Leader, 78th, 79th, 80th and 81st Legislatures; Speaker of the House 82nd Legislature **Other Public Service** Press Intern, Office of the Governor, 1985-1988; Executive Assistant to Chief of Staff, Office of the Governor, 1997-1998; Law Clerk, U.S. District Judge David A. Faber, 1991-1994; **Religion** Baptist **Address** 20 Pine Cone Drive, Elkview 25071 **Telephone** (304) 965-5169 **H. Email** armstead@wvhouse.gov

**FORTY-FIRST DELEGATE DISTRICT**

[Portions of Greenbrier and Nicholas Counties]

**JORDAN HILL****41st District, Nicholas County****Republican****Chair, Committee on****Small Business, Entrenureship  
and Economic Development**

Human Resources **Born** November 14, 1990  
in Charleston, West Virginia **Parents** Charles  
and Deborah Hill **Education** B.S. in Industrial  
Relations and Human Resources; B.S. in Public  
Service Administration, WVU Tech **Affiliations**

Sigma Alpha Pi, The National Society of Leadership and Success **Legislative  
Service** Elected to the House 2014-2016 **Religion** Christian

**FORTY-SECOND DELEGATE DISTRICT**

[Portions of Greenbrier, Monroe and Summers Counties]



**GEORGE "BOOGIE" AMBLER**  
**42nd District, Greenbrier County**  
**Republican**  
**Vice Chair, Committee on Natural Resources**

Businessman; Educator; Farmer **Born** March 8, 1950 in Alderson, West Virginia **Parents** Norma J. McFarland and the late George P. Ambler, Sr. **Education** B.S., Bluefield State College **Wife** Vicky Ellen Miller **Children** Cindy Lynn Ambler-Morgan, Chad Preston Ambler **Affiliations** Member, West Virginia Farm Bureau; National Rifle Association; National Wild Turkey Federation **Legislative Service** Elected to the House 2012-

2016 **Religion** Methodist **Address** 2904 Fort Spring Pike, Ronceverte 24970  
**Telephone** (304) 647-4145 **H.**



**STEPHEN BALDWIN, JR.**  
**42nd District, Greenbrier County**  
**Democrat**

Minister **Born** January 13, 1982 in Pinehurst, NC, raised in Lewisburg, WV **Education** BA in Political Science from Queens College; M Div from Vanderbilt University (Divinity School) **Wife** Kerry **Children** Harrison **Parents** Steve Baldwin and Jane Gillespie **Other Public Service** Greenbrier County Board of Education; Presbytery of West Virginia **Legislative Service**

Elected to the House 2016 **Religion** Presbyterian **Address** 237 Locust St., Ronceverte 24970 **Telephone** (304) 647-4400 **O.** (304) 404-4207 **C.**  
**Email** stephen.baldwin@wvhouse.gov

**FORTY-THIRD DELEGATE DISTRICT**

[Pocahontas County and a Portion of Randolph County]



**WILLIAM G. HARTMAN**  
**43rd District, Randolph County**  
**Democrat**

Retired Independent Insurance Agent **Born** April 4, 1938 in Elkins, West Virginia **Education** B.A., West Virginia University **Wife** the late Mary Cooper **Children** Dr. Holly Hartman-Adams **Affiliations** Director, David Trust Company; Director, Davis Memorial Hospital; Director, Mountain State Forest Festival Association; Director, Randolph County Development Authority; Chairman, Coalition for Corridor H; Past President, Elkins-Randolph County Chamber of Commerce; Past President, Randolph County Convention and Visitors Bureau; Past President, Professional Independent Insurance Agents of West Virginia; Past President, Elkins Kiwanis Club; Trustee, Elkins First United Methodist Church; Member, American Legion Post #29; Randolph County Farm Bureau; National Rifle Association; Fraternal Order of Police; Association of the United States Army; WV Forestry Association; Director, Elkins Mountain School **Legislative Service** Elected to the House 2002-2016 **Legislative Positions Held** Vice Chairman, Commission on Forest Management Review, 77th Legislature; Chairman, Commission on Forest Management Review, 78th Legislature; Vice Chairman, Commission on Forest Management Review, 80th Legislature; Vice Chair, Committee on Insurance, 81st Legislature; Chair, Commission on Forest Management Review, 81st Legislature **Military Service** West Virginia Army National Guard, Retired **Religion** Methodist **Address** P.O. Box 243, 222 Harpertown Road, Elkins 26241 **Telephone** (304) 636-0400 **H.**





**PHIL ISNER**  
**43rd District, Randolph County**  
**Democrat**

Lawyer **Born** January 6, 1977 in Elkins, WV  
**Education** B.S. - Marketing/Business Administration, Alderson Broaddus College (2000); J.D., WVU College of Law (2003) **Parents** Phillip D. Isner and Barbara Isner/ Carol Thompson and Gary Thompson **Legislative Service** Elected to the House 2016 **Address** P.O. Box 1878, Elkins 26421 **Phone** (304) 636-7681 **O.** (304) 340-3145 **H.** **Email** phil.isner@wvhouse.gov

**FORTY-FOURTH DELEGATE DISTRICT**

[Webster County and Portions of Nicholas, Randolph and Upshur Counties]

**DANA L. LYNCH****44th District, Webster County****Democrat**

Retired **Born** March 26 in Erbacon, West Virginia  
**Parents** Clarence and Helen **Education** Public  
Schools **Wife** Charlotte K. Arbogast **Children**  
Dana L. Lynch, Jr. (deceased) **Affiliations** Past  
Presidents of the following: Little League Foot-  
ball, Webster Springs Volunteer Fire Department,  
Webster County Fair Board of Directors, Nicholas  
Shrine Club, Nicholas Motor Corps Association of  
West Virginia Assessors and the West Virginia As-  
sociation of County Officials; Member, American

Legion Post #62; Member, Richwood Moose Lodge #770; Member, Masonic  
Lodge #116; Member, Beni Kedem Shrine; Member, Scottish Rite Bodies  
**Legislative Service** Elected to the House 2012-2016 **Other Public Services**  
Former Member, Webster Springs Town Council; Member, Senatorial Execu-  
tive Committee; Chairman, Webster County Democratic Executive Committee;  
Webster County Assessor, 28 years **Military Service** United States Army,  
1969-1971 **Religion** Baptist **Address** 176 Wood Plant Road, Webster Springs  
26288 **Telephone** (304) 847-7233 **H.**

**FORTY-FIFTH DELEGATE DISTRICT**

[A Portion of Upshur County]



**W. D. "BILL" HAMILTON**  
**45th District, Upshur County**  
**Republican**  
**Chair, Committee on Natural Resources**

Retired Independent Insurance Agency Owner  
**Born** July 14, 1950 in Buckhannon, West Virginia, the son of the late Winferd W. Hamilton and Mary J. Hamilton **Education** Buckhannon-Upshur High School; Potomac State College; Ohio State Fire Academy; Investment Institute of Atlanta **Wife** Carolyn Sue Winemiller **Children** D. Shawn and Jeremy W. Hamilton; James R. Powell, II and four grandchildren **Affiliations** Member, Franklin

Lodge #7 AF&AM; Tennerton Lions Club; Upshur Sportsmen and Conservation Club; Upshur County Shrine Club; Osiris Temple A.A.O.N.M.S. of Wheeling, WV; National Wild Turkey Federation; Buckhannon Moose Lodge #598; named "2001 Agent of the Year" by Independent Insurance Agents of West Virginia; Lifetime Member, National Rifle Association; 2005 Citizen of the Year, Southern-Upshur Business Association; Friends of Fidler's Mill; Upshur County Farm Bureau; Upshur Livestock Association **Other Public Service** West Virginia DNR Hunter Safety Instructor, 28 years **Legislative Service** Elected to the House 2002-2016 **Legislative Positions Held** Chair, Committee on Natural Resources, 82nd Legislature **Religion** Roman Catholic **Address** 120 Eastlawn Drive, Buckhannon 26201 **Telephone** (304) 472-1966 **H.**

**FORTY-SIXTH DELEGATE DISTRICT**

[Lewis County and a Portion of Upshur County]

**PATRICK STEPHEN MARTIN****46th District, Lewis County****Republican**

Business Owner **Born** May 1, 1993 **Parents** Carl J. Martin and Roberta J. Lynch **Education** Graduate of Buckhannon-Upshur High **Affiliations** Lewis County Chamber of Commerce; Upshur County Chamber of Commerce; SUBA; NRA; NAGR; Upshur CVB; Upshur Co. Farm Bureau, Lewis County Republican Club; Lewis County First Almost Heaven BBQ Bash **Legislative Service** Elected to

the House 2016 **Religion** Christian - Member of the Way of Holiness **Address** P.O. Box 910, Weston 26452 **Telephone** (304) 613-2327 **C.** **Email** patrick.martin@wvhouse.gov

**FORTY-SEVENTH DELEGATE DISTRICT**

[Barbour County and a Portion of Tucker County]

**DANNY RUSSELL WAGNER****47th District, Barbour County****Republican****Vice Chair, Committee on Veteran's Affairs**

Retired Educator and Coach **Born** October 21, 1958 in Philippi, West Virginia **Children** Cody Jordan Wagner, Samuel Kane Wagner **Parents** Russell and Mary Lou Wagner **Education** B.S., Harding University, 1981; M.A., West Virginia University, Speech Communications, 1991 **Affiliations** Barbour Church of Christ **Legislative Service** Elected to the House 2014-2016 **Religion**

Protestant **Address** 1207 Mt. Liberty Rd., Philippi 26416 **Telephone** (304) 669-1195 C.

**FORTY-EIGHTH DELEGATE DISTRICT**

[Harrison County and A Portion of Taylor County]

**DANIEL "DANNY" CHASE HAMRICK****48th District, Harrison County****Republican****Vice Chair, Committee on****Roads and Transportation****Vice Chair, Committee on****Interstate Cooperations**

Consulting, Customer Service **Born** April 27, 1988 in Clarksburg, West Virginia **Parents** Marilyn D. "Davisson" and the late David E. Hamrick **Wife** Brittany **Education** Liberty High School **Affiliations** Lost Creek Lions Club; National Rifle Association; West Virginia Farm Bureau

**Legislative Service** Elected to the House 2012-2016 **Legislative Positions Held** Vice Chair, Committee on Roads and Transportation, Vice Chair, Interstate Cooperation, 82nd Legislature **Religion** Christian **Address** P. O. Box 4386, Clarksburg 26302 **Telephone** (304) 627-1434 O.



**RICHARD J. IAQUINTA**  
**48th District, Harrison County**  
**Democrat**

Retired Teacher, Coach **Born** August 10, 1946, in Clarksburg, West Virginia, the son of Flora and Sam J. Iaquinta **Education** B.S., Fairmont State University; M.S.E., West Virginia University **Wife** Barbara Joyce Cottrill **Children** Christopher J. **Affiliations**; Knights of Columbus; Sons of Italy; Immaculate Conception Church Alter Server; Greater Clarksburg 10K Race Official; WI Middle School Football Volunteer; WVEA; Harrison County Retired Teachers Association;

NEA; Veterans of Foreign Wars, Post 73; American Legion, Post 13 **Other Public Service** YMCA Basketball; Mountain State 22 **Legislative Service** Elected to the House 2002-2012; 2016 **Legislative Positions Held** Chair, Committee on Veterans' Affairs, 78th, 79th, 80th and 81st Legislatures; Assistant Majority Whip, 80th and 81st Legislatures **Military Service** U.S. Army **Religion** Roman Catholic **Address** 139 Vermont Avenue, Clarksburg 26301 **Telephone** (304) 622-4813 **H.** (304) 629-1353 **O.**

**Email** r.iaquinta@wvhouse.gov



**TIMOTHY R. MILEY**  
**48th District, Harrison County**  
**Democrat**  
**Minority Leader**

Attorney **Born** April 11, 1966, in Cheverly, Maryland, the son of Robert and Sandra Miley **Education** B.B.A., (Finance), Southern Methodist University; J.D., Duquesne University **Wife** Susan **Daughter** Jordin **Affiliations** Member, West Virginia State Bar; Harrison County Bar Association; West Virginia Association for Justice; American Association for Justice; Harrison County Chamber of Commerce **Legislative Service**

Elected to the House 2004-2016 **Legislative Positions Held** Vice Chair, Legislative Rule-Making Review, 78th Legislature; Chairman, Committee on the Judiciary, 79th, 80th and 81st Legislatures; Speaker of the House, 81st Legislature **Religion** Wesleyan **Address** 347 Valley View Road, Bridgeport 26330 **Telephone** (304) 848-0102 **H.** (304) 326-1800 **O.** (304) 326-1801 **Fax.**



**BEN QUEEN**  
**48th District, Harrison County**  
**Republican**

Media Entrepreneur; Owner of Ben Queen Photography **Resident of** Bridgeport, West Virginia **Born** February 7, 1995 in Clarksburg, West Virginia **Education** Graduate of Bridgeport High School. Current senior at West Virginia University **Parents** Michael Queen and Paula Thompson Carter, both of Bridgeport **Legislative Service** Elected to the House 2016 **Religion** Southern Baptist - Simpson Creek Baptist Church

## FORTY-NINTH DELEGATE DISTRICT

[Portions of Marion, Monongalia and Taylor Counties]



**AMY M. SUMMERS**  
**49th District, Taylor County**  
**Republican**  
**Vice Chair, Committee on**  
**Health and Human Resources**

Registered Nurse **Born** May 3, 1963 **Spouse** Rod Summers **Children** Sarah, Molly, Zachary **Parents** The late Paul and Nel Elder **Education** B.S. Nursing, West Virginia University, M.S. Nursing, Leadership and Management, Western Governors University **Affiliations** WV Farm Bureau, WV Cattlemans Association, American Angus Association; Bridgeport United Methodist Church; Member, Grafton Lions Club; Emergency Nurses Association **Other Public Services** Taylor County Extension Service Committee Board Member, North Central Regional EMS Board Member, Past County Medical Examiner **Legislative Service** Elected to the House 2014-2016 **Address** 98 Meadland Road, Flemington 26347 **Telephone** (304) 842-7958 **H.** (304) 641-1159 **C.**

**FIFTIETH DELEGATE DISTRICT**

[A Portion of Marion County]

**MIKE CAPUTO****50th District, Marion County****Democrat****Minority Whip**

District 31 Vice President, UMWA International  
**Born** September 18, 1957, in Fairmont, West Virginia, son of Frank and Ann Caputo **Education** Rivesville High School, Class of 1975 **Wife** Christina Thorn **Children** Jessica, Joshua **Affiliations** Member, United Mine Workers of America; Knights of Columbus; L.O.O.M.; BPO; Elks; Lions **Legislative Service** Elected to the

House 1996-2016 **Legislative Positions Held** Chair, Commission on Interstate Cooperation, 75th, 76th and 77th Legislatures; Chairman, Select Committee on Mine Safety Issues, 78th and 79th Legislatures; Majority Whip, 78th, 79th, 80th and 81st Legislatures; Minority Whip, 82nd Legislature **Other Public Service** Member, Rivesville Town Council **Religion** Roman Catholic **Address** P. O. Box 585, Rivesville 26588 **Telephone** (304) 278-5419 **H.** (304) 363-7500 **O.**

**LINDA LONGSTRETH****50th District, Marion County****Democrat**

Administrator/Educator **Born** in Fairmont, West Virginia, the daughter of the late Thomas and Zelma Longstreth **Education** A.B., Fairmont State College; M.S., West Virginia University **Affiliations** Member, Marion County Democratic Women's Club; V.F.W. **Legislative Service** Elected to the House 2004-2016 **Legislative Positions Held** Vice Chair, Committee on Veterans' Affairs, 78th, 79th, 80th and 81st Legislatures; Co-Chair, Families and Children **Military Service** United

States Army Reserves (Medical Corp.), Staff Sergeant, 1981 **Religion** Christian **Address** 804 Ohio Avenue, Fairmont 26554 **Telephone** (304) 366-5251 **H.**



**GUY WARD****50th District, Marion County****Republican**

Retired Material Analyst **Born** January 10, 1956, in Grafton, West Virginia **Parents** Gary and Maxine Ward **Wife** Joyce **Children** Christopher **Education** Fairmont State University **Affiliations** Fairmont Rotary; White Hall Kiwanis; Fairmont Lions; West Virginia Three Rivers Festival; Marion County Historical Society; Valley Falls State Park Foundation; Woodlawn Cemetery; Marion County CVB; Region VI Planning and Development

**Legislative Service** Elected to the House 2016 **Other Public Service** Mayor of White Hall, Marion County **Religion** Christian **Address** 45 Timrod Drive, White Hall 26554 **Telephone** (304) 366-2990 **H.**

**FIFTY-FIRST DELEGATE DISTRICT**

[A Portion of Monongalia County]



**BARBARA EVANS FLEISCHAUER**  
**51st District, Monongalia County**  
**Democrat**

Attorney/Small Business Owner **Born** September 1, 1953, daughter of Fred J. Fleischauer and Eleanor Evans Fleischauer **Education** Allegheny College, B.A.; West Virginia University College of Law, J.D. **Husband** Bob Bastress **Children** Sarah Eleanor Evans Bastress, Rob Bastress **Affiliations** Member, American Association of University Women; Clinton District Democratic

Women's Club; League of Women Voters; Monongalia County, Mountain State and West Virginia State Bar Associations; National Organization for Women; Morgantown Rotary; Sierra Club; Stewartstown CEOS; West Virginia Employment Lawyers Association; Member of the Board of the following organizations: Milan Puskar Health Right, Valley Health Care System, National Youth Sports Project, Read Aloud of Monongalia County; West Virginians for Affordable Health Care **Legislative Service** Elected to the House 1994-2002; 2006-2016 **Legislative Positions Held** Chair, Committee on Constitutional Revision, 73rd, 74th, 75th, 76th, 78th, 79th, 80th and 81st Legislatures; Co-Chair, Equal Pay Commission, 73rd, 74th and 75th Legislatures; Co-Chair, Juvenile Task Force, 73rd, 74th and 75th Legislatures; Vice Chair, Committee on Health and Human Resources, 81st Legislature; **Other Public Service** State Democratic Executive Committee, 1998-2014; Monongalia County Deputy Sheriff's Civil Service Commission, 1991-1994 **Religion** Unitarian **Address** 235 High St., Suite 618, Morgantown 26505 **Telephone** (304) 296-7035 **O.**

**CINDY FRICH****51st District, Monongalia County****Republican****Chair, Committee on Banking****Vice Chair, Legislative Rule - Making Review**

Sales/Writer/Consultant **Born** March 19 **Parents** Dr. John and Marlene Frich **Education** B.A., Miami University, Oxford, Ohio; President's List (4.0), Dean's List; West Virginia University Post graduate **Affiliations** National Rifle Association, Life Member; National Rifle Association Foundation Banquet Chair, 4 years; West Virginia University Rifle Team Endowment Committee; National Society Daughters of the American Revolution,

Former Chapter Officer, Outstanding Junior; Rotary exchange student, Japan; West Virginia Special Olympics, official and buddy; U.S.S. West Virginia Centennial Committee; Business of Industry Council, "Legislative Excellence Award"; West Virginians Against Government Waste "Friend of the West Virginia Taxpayer Award" **Legislative Service** Elected to the House 2002-2004; 2012-2016 **Legislative Positions Held** Vice Chair, Committee on Banking and Insurance, Vice Chair, Legislative Rule-Making Review, 82nd Legislatures **Other Public Service** Republican National Committee Platform Committee, 2004; Elected Republican National Convention, 2004, 2012; Elected West Virginia State Republican Executive Committee, 1998, 2002, 2006, 2010; Morgantown MPO, Citizen's Advisory Committee; West Run Expressway Committee, Vice Chair; Region VI, Planning and Development Council; Capitol Press Credentials; Morgantown TEA Party Co-Chair, 2009 **Religion** Christian **Address** 1248 Bakers Ridge Road, Morgantown 26505 **Telephone** (304) 599-1309 **H.**



**RODNEY PYLES**  
**51st District, Monongalia County**  
**Democrat**

**Born** June 21, 1945 in Morgantown, WV  
**Education** B.A., M.A., Political Science, West Virginia University **Wife** Carol Wrobleski Pyles **Children** Janessa **Parents** Melford and Lucy Scarcella Pyles **Affiliations** Sons of Italy; Knights of Columbus; Kiwanis; Monongalia Historical Society; West Virginia Historical Society; West Virginia Political Science Association **Other Public Service** Monongalia County Assessor (1989-2012); Deputy Assessor (1985-1988); Director of Archives and History, State of WV, (1977-1985); Assistant Curator WVU Library (1971-1977); Instructor of Political Science, Alderson Broaddus College (1969 - 1971); Morgantown Historic Landmarks Commission (1986 - Present); Morgantown Museum Commission (2015 - Present); Morgantown Library Board (1988-1991); Member, State Democratic Executive Committee (2010 - Present) **Legislative Service** Elected to the House 2016 **Legislative Positions Held** Assistant Sgt at Arms 1964 **Religion** Roman Catholic, Member, St. Mary Roman Catholic Church, Star City, WV **Address** 536 Harvard Avenue, Morgantown 26505 **Telephone** (304) 599-6496 **H.** (304) 290-4200 **C. Email** rodney.pyles@wvhouse.gov



**JOE STATLER**  
**51st District, Monongalia County**  
**Republican**  
**Vice Chair, Committee on Education**

Retired Coal Industry **Born** December 8, 1952 in Morgantown, West Virginia **Wife** Louie **Children** Michelle, Kristen and Marissa **Education** High School **Legislative Service** Elected to the House 2014-2016 **Public Service** Served 10 years on Monongalia County Board of Education; Serves on many boards and commissions **Religion** Methodist **Address** 97 Long Drain Road, Core 26541 **Telephone** (304) 376-7336 **C. e-mail** Joe.Statler@wvhouse.gov



**JOHN WILLIAMS**  
**51st District, Monongalia County**  
**Democrat**

Insurance Salesman **Born** May 24, 1998 in Morgantown, WV **Parents** Jacques and Janet Williams **Education** Bachelor's Degree, WVU **Affiliations** Rotary, BNI, Saint Mary's Catholic Church **Legislative Service** Elected to the House 2016 **Other Public Service** WVU Student Government **Religion** Catholic **Address** 1496 Eastern Ave, Morgantown 26505 **Telephone** (304) 685-7669 **H. Email** john.williams@wvhouse.gov

## FIFTY-SECOND DELEGATE DISTRICT

[A Portion of Preston County]



**TERRISHIE "TERRI" FUNK SYPOLT**  
**52nd District, Preston County**  
**Republican**

Assessor, Preston County (2001-2016) **Born** December 14, 1953 in Grafton, Taylor County, WV **Parents** the late Roy and Mary Jo Braddock **Husband** David C. Sypolt **Children** Mitchel Ray Funk, wife Melody; Roy "Rick" Funk, wife Tanya **Grandchildren** Shonna, Kyle, Kristian "Buggy", Shaniah and Cody **Great Grandchild** Arenea Rose **Education** Newburg High, 1971; Fairmont State Courses, GIS, IAAO, Appraisal Courses;

Real Estate Agent-Inactive **Affiliations** Chamber of Commerce; Farm Bureau; Kinwood Lion's Club; FFA Alumni; NRA; WVCOL; Rose Member; WVFL; Friends of Coal; CEO's; 4-H Supporter **Other Public Service** Assessor Preston Co (2001-2016) **Legislative Service** Elected to the House 2016 **Religion** Christian **Address** P.O. Box 5, Kingwood 26537 **Telephone** (304) 340-3160 **O.** (304) 290-1122 **C. Email** terri.sypolt@wvhouse.gov

**FIFTY-THIRD DELEGATE DISTRICT**

[Portions of Preston and Tucker Counties]

**TONY J. LEWIS****53rd District, Preston County****Republican**

Cable Splicer, Frontier Communications/  
Farmer **Born** December 1, 1957 **Parents** Albert  
Lewis and Roberta Lewis **Wife** Lyndia Lewis  
**Children** Brittney, Toni, Carrina, Roger and  
Tucker **Grandchildren** Avery Lyn and Broghan  
Leif **Education** Aurora High School; Master  
Electrician **Affiliations** Preston County Farm  
Bureau; VFW, Life Member; American Legion

201st FA Association; Rowlesburg Lodge 165 AF&AM; Preston County Shrine;  
Scottish Rite of Wheeling; Shriner, Rowlesburg Order of the Eastern Star; Elks;  
Preston County Chamber of Commerce **Legislative Service** Elected to the  
House 2016 **Other Public Service** West Virginia National Guard (26 years),  
Deployments for Operation Desert Storm and Enduring Freedom; Underground  
Coal Miner (18 Years); Past Fire Fighter; EMT, Aurora, WV **Religion** Maple  
Spring Church of the Brethren **Telephone** (304) 735-5879 **H.** (304) 616-6114  
**C. Email** tony.lewis@wvhouse.gov

**FIFTY-FOURTH DELEGATE DISTRICT**

[Grant County and a Portion of Mineral and Pendleton Counties]

**ALLEN V. EVANS****54th District, Grant County****Republican****Chair, Committee on Agriculture**

Poultry Producer/Farmer **Born** July, son of Vincent and Velma Evans **Education** Public Schools **Wife** Beverly Riggleman **Children** Dr. Allison-Evans Wood; **Grandchild** Isabelle Wood **Affiliations** Member, Dorcas Ruritan; Grant County Farm Bureau; Petersburg Lodge #145, Scottish Rite Masons; National Rifle Association; State Poultry Committee; West Virginia Civil Air

Patrol; American Legion, Post 78; Potomac Highlands Shrine Club; President, Evans Poultry, Inc.; Board of Directors, Southern States; Board of Directors, Grant County Bank **Legislative Service** Elected to the House 1990-2016 **Legislative Positions Held** Chair, Committee on Agriculture and Natural Resources, 82nd Legislature **Other Public Service** Grant County Board of Education, 1980-1990; Past President WV Poultry Association; Former Member Southern States Board of Directors **Religion** Methodist **Address** 110 Delegate Drive, Petersburg 26847 **Telephone** (304) 257-1426 **H.** (304) 257-7730 **C.** (304) 340-3399 **O.**

**FIFTY-FIFTH DELEGATE DISTRICT**

[Hardy County and a Portion of Pendleton County]



**G. ISAAC SPONAUGLE, III**  
**55th District, Pendleton County**  
**Democrat**

Attorney **Born** March 24, 1979 in Harrisonburg, Virginia **Parents** George and Kathy Sponaugle **Education** Franklin High School; Bachelor of Science Degree in Business Administration with an emphasis in finance, West Virginia University School of Business and Economics; JD, West Virginia University School of Law **Affiliations** West Virginia State Bar Association; South Branch Valley Bar Association; Pendleton County Bar Association; West Virginia Association for Justice; Pendleton County Chamber of Commerce; Pendleton County Farm Bureau; Lifetime Member, National Rifle Association; Franklin Lions Club; Pendleton Masonic Lodge #144; Scottish Rite; York Rite; Knights Templar; Osiris Shriners; Potomac Highlands Shrine Club **Legislative Service** Elected to the House 2012-2016 **Other Public Service** Member, State Democratic Executive Committee; Chairman, Pendleton County Democratic Executive Committee; 2012 Pendleton County Outstanding Democrat of the Year **Religion** Methodist **Address** P.O. Box 578, Franklin 26807 **Telephone** (304) 358-2110 **H.** (304) 358-2337 **O.**



**FIFTY-SIXTH DELEGATE DISTRICT**

[A Portion of Mineral County]



**GARY G. HOWELL**  
**56th District, Mineral County**  
**Republican**  
**Chair, Committee on**  
**Government Organization**

Small Business Owner/Mail Order Auto Parts **Born** November 1, 1966, in Cumberland, Maryland, the son of Glenn and Gloria Howell **Education** Keyser High School; Potomac State College AA; B.S. Frostburg State University **Affiliations** Past President, Keyser Rotary Club; Associate Member, Fountain Ruritan; Member, National Society of the Sons of the American Revolution, West Virginia

Chapter; Mineral County Chamber of Commerce; National Rifle Association; SEMA; National Chairman, State Automotive Enthusiast Leadership Caucus; Former member, West Virginia Motorsports Council; Member, Keyser Moose **Recipient** 2003 United States Small Business Administration Exporter of the Year, West Virginia; 2006, A Top 40 West Virginian under 40, The State Journal; 2007, 2008, 2009, 2010, 2011 and 2012 Governor's Commendation for International Market Entry **Legislative Service** Elected to the House 2010-2016 **Legislative Positions Held** Chair, Committee on Government Organization, 82nd Legislature **Other Public Service** Former Vice President, Mineral County Planning Commission; Chairman, Mineral County Republican Executive Committee; Board Member, Potomac Highland Guild **Religion** Methodist **Address** P.O. Box 39, Keyser 26726 **Telephone** (304) 790-9022 **O.**

**FIFTY-SEVENTH DELEGATE DISTRICT**

[Portions of Hampshire and Mineral Counties]

**RUTH ROWAN****57th District, Hampshire County****Republican****Chair, Committee on Senior Citizen Issues**

Retired Educator **Born** September 12, 1948, the daughter of Clarence and Julia McMurray Llewellyn **Education** B.S., California University of Pennsylvania; M.A., West Virginia University **Husband** Thomas T. Rowan **Children** Julie Rowan Wolford, Thomas Llewellyn Rowan **Affiliations** Member, West Virginia Education

Association; West Virginia Association of Retired School Employees; Hampshire County Association of Retired School Employees; Jersey Mountain Ruritan; Slanesville Ruritan; Hampshire County Farm Bureau; West Virginians for Life; Gideons International Auxiliary; National Rifle Association; Friends of Fort Ashby; West Virginia Schools for the Deaf and Blind Advisory Board; West Virginia Schools for the Deaf and Blind Foundation; Hampshire County Adult Education, Board of Directors; West Virginia Children's Home Society, Board of Directors; Romney Children's Home Society, Advisory Council; Hampshire County Community Foundation, Board of Directors, Hampshire County Diabetes Coalition Board; Family Crisis Center, Board of Directors; Potomac Highlands Guild, Board **Legislative Service** Elected to the House 2004-2016 **Legislative Positions Held** Chair, Committee on Senior Citizen Issues, 82nd Legislature **Religion** Church of the Brethren **Address** 4070 Slanesville Pike, Points 25437 **Telephone** (304) 492-5790 **H.**

**FIFTY-EIGHTH DELEGATE DISTRICT**

[Portions of Hampshire and Morgan Counties]



**DARYL E. COWLES**  
**58th District, Morgan County**  
**Republican**  
**Majority Leader**

Businessman **Born** September 27, 1970, the son of the late Warren and Janet Cowles **Education** Berkeley Springs High School; A.A.S., Business Administration, Valley College **Wife** Nicole Catherine Eddy **Children** Korinne Marguerite, Abigail Regan, Joshua Emanuel James, Ellie Inez **Affiliations** Member, Berkeley Springs Chamber of Commerce; Morgan County Farm Bureau

**Legislative Service** Elected to the House 2006-2016 **Legislative Positions Held** Minority Whip, 81st Legislature; Majority Leader, 82nd Legislature **Other Public Service** Morgan County Economic Development Authority; Morgan County Farmland Protection Board; Region 9 Planning and Development Council; Eastern Panhandle Entrepreneurs; Western Potomac Economic Partnership **Religion** Methodist **Address** 2612 Martinsburg Road, Berkeley Springs 25411 **Telephone** (304) 258-6470 **H.**

**FIFTY-NINTH DELEGATE DISTRICT**

[Portions of Berkeley and Morgan Counties]

**SAIRA BLAIR****59th District, Berkeley County****Republican****Vice Chair, Committee on****Political Subdivisions**

Student **Born** July 11, 1996 in Frederick, Maryland  
**Parents** Craig and Andrea Blair **Education**  
 Hedgesville High School, 2014; West Virginia  
 University **Legislative Service** Elected to the  
 House 2014-2016 **Former Student Legislative**  
**Programs** Youth Leadership Association; Youth  
 in Government, 2013-2014 **Religion** Christian

**Address** 47 Wasser Drive, Martinsburg 25403 **Telephone** (304) 268-2692 **C.**  
 (304) 340-3122 **O.**

**SIXTIETH DELEGATE DISTRICT**

[A Portion of Berkeley County]

**S. MARSHALL WILSON****60th District, Berkeley County****Republican**

Author and Army Officer **Born** July 8, 1969 in South  
 Carolina **Parents** James S. C. Wilson and J. Dianne  
 Morgan **Wife** Julie **Children** Alex, Justine, Martina,  
 Hannah-Ruth, Aidan Rose, Liam, Gwynneth, Josiah,  
 Hadassah **Education** Bachelor of Arts, U.S. Army  
 Command and General Staff College **Affiliations**  
 Connections Community Church, Inwood, WV;  
 West Virginia Citizen's Defense League; American

Legion; Veterans of Foreign Wars; AM VETS **Other Public Service** Soldier  
**Legislative Service** Elected to the House 2016 **Religion** Christian **Address**  
 748 Grimaldi Way, Hedgesville 25427 **Telephone** (304) 340-3147 **O.** (304)  
 620-4446 **Email** marshall.wilson@wvhouse.gov

**SIXTY-FIRST DELEGATE DISTRICT**

[A Portion of Berkeley County]

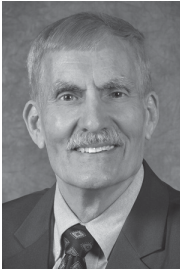
**JASON BARRETT****61st District, Berkeley County****Democrat**

Restaurant Owner **Born** July 16, 1982 **Parents** Marty Barrett; Kristi Woodward **Education** Martinsburg High School; Shepherd University **Legislative Service** Elected to the House 2012; 2016 **Other Public Service** Board Member, Shenandoah Women's Center; Martinsburg Rotary; Board Member, Eastern West Virginia Regional Airport Authority **Religion** Christian **Address** 1125 W. King Street, Martinsburg 25401

**Telephone** (304) 866-9907 **C. Email** [jason.barrett@wvhouse.gov](mailto:jason.barrett@wvhouse.gov)

**SIXTY-SECOND DELEGATE DISTRICT**

[A Portion of Berkeley County]



**JOHN OVERINGTON**  
**62nd District, Berkeley County**  
**Republican**  
**Speaker Pro Tempore**

Public Relations/Former Educator **Born** June 5, 1946, son of Robert Bruce and Helen Overington  
**Education** Washington College; George Washington University; Shepherd College **Wife** JoAnn **Affiliations** Member, Berkeley County Farm Bureau; Martinsburg-Berkeley County Chamber of Commerce; National Rifle Association; Mensa;

American Legislative Exchange Council; Berkeley County Humane Society; Bedington Ruritan; Southern Regional Education Board (1988-1991); Berkeley and Jefferson County Historical Societies; Sons of the American Revolution; Martinsburg Rotary; Izaak Walton League; Society of the War of 1812; National Taxpayers Union; West Virginia State Rifle and Pistol Association; Eastern Panhandle Business Association; Recipient, 1988 Outstanding Chairman Award, Chamber of Commerce; Recipient, Marsh Institute 2006 Public Service Award; Recipient, 2007 Humane State Legislator Award **Legislative Service** Elected to the House 1984-2016 **Legislative Positions Held** Republican Caucus Chairman, 71st Legislature; Chair, Industry and Labor, 82nd Legislature **Other Public Service** Berkeley County and West Virginia Republican Executive Committees **Religion** Episcopal **Address** 491 Hoffman Road, Martinsburg 25404 **Telephone** (304) 274-1791 **H.** (304) 274-1791 **O. E-mail:** john.overington@wvhouse.gov

**SIXTY-THIRD DELEGATE DISTRICT**

[A Portion of Berkeley County]



**MICHAEL "MIKE" FOLK**  
**63rd District, Berkeley County**  
**Republican**  
**Vice Chair, Committee on**  
**Pensions and Retirement**

Airline Pilot; Farmer **Born** in Martinsburg, West Virginia **Parents** George W. and Jo Ann Folk **Wife** Stella Hickerson **Children** Anice, Rebecca, Sarah, George Michael **Education** B.S., Economics (Cum Laude) and Psychology (Minor), Shepherd College; M.B.A., West Virginia University **Affiliations** Member, Airline Pilots Association (ALPA); Member, National Rifle Association; Farm Bureau; Aircraft Owners and Pilots Association (AOPA); Former National Agriculture Aviation Association (NAAA); Member, First Leadership Training Program for National Agriculture Aviation Association **Legislative Service** Elected to the House 2012-2016 **Legislative Positions Held** Vice Chair, Committee on Pensions and Retirement, 82nd Legislature **Other Public Service** West Virginia high school wrestling official; Tri-County 4-H Camp Counselor **Other** Former College football player, 1987-1991, Shepherd College; Taught at Shepherd College and Berkeley County Schools; Type Rated Boeing 737, Airbus 319/320, Embraer 145, ATR-42/72, Boeing 757/767 **Religion** Christian **Address** 1346 Swan Pond Road, Martinsburg 25404 **Telephone** (304) 262-9530 **H.** (304) 340-3350 **O.** (304) 279-6797 **C.**

**SIXTY-FOURTH DELEGATE DISTRICT**

[A Portion of BerkeleyCounty]

**ERIC L. HOUSEHOLDER****64th District, Berkeley County****Republican****Vice Chair, Committee on Finance**

Small Business Owner **Born** June 5, 1968, the son of Robert Dale and Judith Anne Householder  
**Education** B.S., Shepherd College; MBA, Frostburg State University **Wife** Maxine M. Householder **Stepchildren** Jamie D. Collyer, Charles J. Higgins, Kayla E. Higgins;  
**Grandchildren** Bailey A. Crouser, Gabriel

A. Delgado, Haylee E. Higgins, Israel Delgado, Caleb Higgins **Affiliations** Member, We The People of Jefferson County Tea Party; Berkeley County Blue Ridge Patriots Tea Party; Associated Builders and Contractors; National Right to Work; National Federation of Independent Businesses; National Write Your Congressman; National Rifle Association; Gun Owners of America; West Virginia Citizens Defense League; Berkeley County Chamber of Commerce; Eastern Panhandle Business Association; American Legislative Exchange Council (ALEC); Americans for Tax Reform; West Virginia Patriot Guard Rider **Legislative Service** Elected to the House 2010-2016 **Legislative Positions Held** Vice Chair, Committee on Health and Human Resources, 82nd Legislature **Religion** Vanville Church of Christ **Address** 212 Snooks Lane, Martinsburg 25405 **Telephone** (304) 262-9004 **H.** (304) 261-9468 **C.**



**SIXTY-FIFTH DELEGATE DISTRICT**

[A Portion of Jefferson County]

**JILL UPSON****65th District, Jefferson County****Republican****Vice Chair, Committee on Banking**

Former Retail Manager, Current Shepherd University School of Business Student **Born** May 18, 1966 in Los Angeles, California **Education** Shepherd University, Business Administration **Spouse** Commander Kelvin Upson, USN (Retired) **Children** Demetrius, Chandler **Affiliations** VFW Ladies Auxiliary; American Legion Ladies Auxiliary; National Rifle Association; The Well

Armed Woman; Airborne Church; Eastern Panhandle Business Association; Gateway Republican Women; GOPAC emerging leader; RNC rising star **Other** First black Republican woman elected to the House of Delegates **Legislative Service** Elected to the House 2014-2016 **Religion** Christian **Address** 336 Pebble Beach Drive, Charles Town 25414 **Telephone** (304) 728-9904 **H.**

**SIXTY-SIXTH DELEGATE DISTRICT**

[A Portion of Jefferson County]



**PAUL ESPINOSA**  
**66th District, Jefferson County**  
**Republican**  
**Chair, Committee on Education**

Businessman **Born** April 28, 1962 in Ranson, West Virginia **Parents** Victor and Faye Espinosa **Education** B.A., West Virginia Wesleyan College **Wife** Mary Catherine Weller **Children** Paul Jr., Megan and Emma **Affiliations** Past President, Rotary Club of Charles Town; Past President, Jefferson County Chamber of Commerce; Past Board Chairman, United Way of the Eastern

Panhandle; Knight of the Golden Horseshoe, 1976; YMCA Youth in Government, 1978-1980, American Legion Mountaineer Boys State, 1979; St. James Church; National Rifle Association; Eastern Panhandle Business Association; Jefferson County Farm Bureau; Jefferson County Historical Society; Manahoac District B.S.A. 2011 Distinguished Citizen; Rotary Club of Charles Town--Paul Harris Fellow, 2002 Rotarian of the Year **Legislative Services** Elected to the House 2012-2016 **Legislative Positions Held** Assistant Majority Whip; Vice Chair, Committee on Small Business, Entrepreneurship and Economic Development, 82nd Legislature **Other Public Service** Member, Jefferson County Development Authority; Past President, Jefferson County Parks and Recreation Commission **Religion** Roman Catholic **Address** 107 Hancock Court, Charles Town 25414 **Telephone** (304) 728-8139 **H.**

**SIXTY-SEVENTH DELEGATE DISTRICT**

[A Portion of Jefferson County]

**RILEY MOORE****67th District, Jefferson County****Republican**

**Born** July 1, 1980 **Parents** Arch A. Moore III and Catherine Moore **Wife** Guillermina Garcia Moore **Education** Welding Apprenticeship Program, C.S., Monroe Technology Center; BA, Government and International Politics, George Mason University **Affiliations** Shepherdstown Rotary Club; Shepherdstown Community Club; West Virginia Sons of the American Revolution;

West Virginia Farm Bureau; Eastern Panhandle Business Association; International Institute for Strategic Studies, Fellow; Center for New American Security; Next Generation National Security Leaders; Alumni Member, Foreign Policy Initiative; Future Leaders Program **Other Public Service** National Security Advisor, Foreign Wars Committee, U.S. House of Representatives; Secretary of the U.S. Congressional Delegation to the NATO Parliamentary Assembly **Legislative Service** Elected to the House 2016 **Telephone** (304) 535-8604 **O.**



**2010 POPULATION OF COUNTIES\***

| <b>County</b>    | <b>Population</b> | <b>County</b>   | <b>Population</b> |
|------------------|-------------------|-----------------|-------------------|
| Barbour .....    | 16,589            | Mineral .....   | 28,212            |
| Berkeley .....   | 104,169           | Mingo .....     | 26,839            |
| Boone .....      | 24,629            | Monongalia..... | 96,189            |
| Braxton.....     | 14,523            | Monroe .....    | 13,502            |
| Brooke.....      | 25,069            | Morgan .....    | 17,541            |
| Cabell .....     | 96,319            | Nicholas.....   | 26,233            |
| Calhoun .....    | 7,627             | Ohio.....       | 44,443            |
| Clay .....       | 9,386             | Pendleton.....  | 7,695             |
| Doddridge .....  | 8,202             | Pleasants ..... | 7,605             |
| Fayette.....     | 46,039            | Pocahontas..... | 8,719             |
| Gilmer .....     | 8,693             | Preston .....   | 33,520            |
| Grant .....      | 11,937            | Putnam.....     | 55,486            |
| Greenbrier ..... | 35,480            | Raleigh.....    | 78,859            |
| Hampshire.....   | 23,964            | Randolph .....  | 29,405            |
| Hancock .....    | 30,676            | Ritchie .....   | 10,449            |
| Hardy.....       | 14,025            | Roane.....      | 14,926            |
| Harrison.....    | 69,099            | Summers.....    | 13,927            |
| Jackson.....     | 29,211            | Taylor.....     | 16,895            |
| Jefferson.....   | 53,498            | Tucker .....    | 7,141             |
| Kanawha .....    | 193,063           | Tyler.....      | 9,208             |
| Lewis.....       | 16,372            | Upshur .....    | 24,254            |
| Lincoln.....     | 21,720            | Wayne .....     | 42,481            |
| Logan .....      | 36,743            | Webster.....    | 9,154             |
| McDowell .....   | 22,113            | Wetzel.....     | 16,583            |
| Marion.....      | 56,418            | Wirt.....       | 5,717             |
| Marshall .....   | 33,107            | Wood.....       | 86,956            |
| Mason.....       | 27,324            | Wyoming .....   | 23,796            |
| Mercer.....      | 62,264            |                 |                   |

\*Total population of West Virginia, U. S. Census as of April 1, 2010, 1,852,994.

## HOUSE OF DELEGATES APPORTIONMENT, 2011

(Based on 2010 Census)

| DIS-TRICT        | COUNTY                                                                  | NUMBER OF DELEGATES | POPULATION 2010 |
|------------------|-------------------------------------------------------------------------|---------------------|-----------------|
| 1 <sup>st</sup>  | Hancock and a portion of Brooke. . . . .                                | 2                   | 37,602          |
| 2 <sup>nd</sup>  | Portions of Brooke and Ohio . . . . .                                   | 1                   | 19,289          |
| 3 <sup>rd</sup>  | A portion of Ohio. . . . .                                              | 2                   | 38,882          |
| 4 <sup>th</sup>  | Marshall and a portion of Ohio. . . . .                                 | 2                   | 36,522          |
| 5 <sup>th</sup>  | Wetzel and a portion of Monongalia. . . . .                             | 1                   | 17,616          |
| 6 <sup>th</sup>  | Doddridge, Tyler and a portion of Pleasants. . . . .                    | 1                   | 17,728          |
| 7 <sup>th</sup>  | Ritchie and a portion of Pleasants. . . . .                             | 1                   | 17,736          |
| 8 <sup>th</sup>  | A portion of Wood. . . . .                                              | 1                   | 18,428          |
| 9 <sup>th</sup>  | Wirt and a portion of Wood. . . . .                                     | 1                   | 18,288          |
| 10 <sup>th</sup> | A portion of Wood. . . . .                                              | 3                   | 55,957          |
| 11 <sup>th</sup> | Roane and a portion of Jackson. . . . .                                 | 1                   | 18,387          |
| 12 <sup>th</sup> | A portion of Jackson. . . . .                                           | 1                   | 17,830          |
| 13 <sup>th</sup> | Portions of Jackson, Mason and Putnam. . . . .                          | 2                   | 37,271          |
| 14 <sup>th</sup> | Portions of Mason and Putnam. . . . .                                   | 1                   | 17,677          |
| 15 <sup>th</sup> | A portion of Putnam. . . . .                                            | 1                   | 18,384          |
| 16 <sup>th</sup> | Portions of Cabell and Lincoln. . . . .                                 | 3                   | 52,810          |
| 17 <sup>th</sup> | Portions of Cabell and Wayne. . . . .                                   | 2                   | 35,210          |
| 18 <sup>th</sup> | A portion of Cabell. . . . .                                            | 1                   | 17,608          |
| 19 <sup>th</sup> | A portion of Wayne. . . . .                                             | 2                   | 36,921          |
| 20 <sup>th</sup> | Portions of Logan and Mingo. . . . .                                    | 1                   | 17,621          |
| 21 <sup>st</sup> | Portions of McDowell, Mingo and Wyoming. . . . .                        | 1                   | 19,269          |
| 22 <sup>nd</sup> | Portions of Boone, Lincoln, Logan and Putnam. . . . .                   | 2                   | 35,249          |
| 23 <sup>rd</sup> | A portion of Boone. . . . .                                             | 1                   | 17,873          |
| 24 <sup>th</sup> | Portions of Boone, Logan and Wyoming. . . . .                           | 2                   | 35,250          |
| 25 <sup>th</sup> | Portions of McDowell, Mercer and Wyoming. . . . .                       | 1                   | 19,089          |
| 26 <sup>th</sup> | Portions of McDowell and Mercer. . . . .                                | 1                   | 18,624          |
| 27 <sup>th</sup> | Portions of Mercer and Raleigh. . . . .                                 | 3                   | 58,217          |
| 28 <sup>th</sup> | Portions of Monroe, Raleigh and Summers. . . . .                        | 2                   | 38,909          |
| 29 <sup>th</sup> | A portion of Raleigh. . . . .                                           | 1                   | 19,453          |
| 30 <sup>th</sup> | A portion of Raleigh. . . . .                                           | 1                   | 19,447          |
| 31 <sup>st</sup> | Portions of Raleigh and Wyoming. . . . .                                | 1                   | 19,451          |
| 32 <sup>nd</sup> | Fayette and portions of Clay,<br>Kanawha, Nicholas and Raleigh. . . . . | 3                   | 57,586          |
| 33 <sup>rd</sup> | Calhoun and portions of Clay and Gilmer. . . . .                        | 1                   | 19,378          |
| 34 <sup>th</sup> | Braxton and a portion of Gilmer. . . . .                                | 1                   | 19,446          |
| 35 <sup>th</sup> | A portion of Kanawha. . . . .                                           | 4                   | 70,630          |
| 36 <sup>th</sup> | A portion of Kanawha. . . . .                                           | 3                   | 52,906          |
| 37 <sup>th</sup> | A portion of Kanawha. . . . .                                           | 1                   | 17,917          |
| 38 <sup>th</sup> | Portions of Kanawha and Putnam. . . . .                                 | 1                   | 19,438          |

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|                  |                                                         |   |        |
|------------------|---------------------------------------------------------|---|--------|
| 39 <sup>th</sup> | A portion of Kanawha.....                               | 1 | 19,431 |
| 40 <sup>th</sup> | A portion of Kanawha.....                               | 1 | 19,455 |
| 41 <sup>st</sup> | Portions of Greenbrier and Nicholas.....                | 1 | 18,798 |
| 42 <sup>nd</sup> | Portions of Greenbrier, Monroe and Summers.....         | 2 | 38,871 |
| 43 <sup>rd</sup> | Pocahontas and a portion of Randolph.....               | 2 | 37,819 |
| 44 <sup>th</sup> | Webster and portions of Nicholas, Randolph and Upshur.. | 1 | 19,133 |
| 45 <sup>th</sup> | A portion of Upshur.....                                | 1 | 19,332 |
| 46 <sup>th</sup> | Lewis and a portion of Upshur.....                      | 1 | 18,397 |
| 47 <sup>th</sup> | Barbour and a portion of Tucker.....                    | 1 | 19,278 |
| 48 <sup>th</sup> | Harrison and a portion of Taylor.....                   | 4 | 70,424 |
| 49 <sup>th</sup> | Portions of Marion, Monongalia and Taylor.....          | 1 | 18,629 |
| 50 <sup>th</sup> | A portion of Marion.....                                | 3 | 55,380 |
| 51 <sup>st</sup> | A portion of Monongalia.....                            | 5 | 93,135 |
| 52 <sup>nd</sup> | A portion of Preston.....                               | 1 | 19,075 |
| 53 <sup>rd</sup> | Portions of Preston and Tucker.....                     | 1 | 18,897 |
| 54 <sup>th</sup> | Grant and portions of Mineral and Pendleton.....        | 1 | 19,352 |
| 55 <sup>th</sup> | Hardy and a portion of Pendleton.....                   | 1 | 19,414 |
| 56 <sup>th</sup> | A portion of Mineral.....                               | 1 | 19,396 |
| 57 <sup>th</sup> | Portions of Hampshire and Mineral.....                  | 1 | 19,419 |
| 58 <sup>th</sup> | Portions of Hampshire and Morgan.....                   | 1 | 19,151 |
| 59 <sup>th</sup> | Portions of Berkeley and Morgan.....                    | 1 | 19,190 |
| 60 <sup>th</sup> | A portion of Berkeley.....                              | 1 | 19,314 |
| 61 <sup>st</sup> | A portion of Berkeley.....                              | 1 | 18,472 |
| 62 <sup>nd</sup> | A portion of Berkeley.....                              | 1 | 17,796 |
| 63 <sup>rd</sup> | A portion of Berkeley.....                              | 1 | 17,744 |
| 64 <sup>th</sup> | A portion of Berkeley.....                              | 1 | 18,295 |
| 65 <sup>th</sup> | A portion of Jefferson.....                             | 1 | 18,261 |
| 66 <sup>th</sup> | A portion of Jefferson.....                             | 1 | 17,612 |
| 67 <sup>th</sup> | A portion of Jefferson.....                             | 1 | 17,625 |

## POLITICAL COMPOSITION — WEST VIRGINIA LEGISLATURE 1900 - 2017

| Legislature | *Year<br>Elected | House of<br>Delegates |           | *Other | Members | Senate    |             |
|-------------|------------------|-----------------------|-----------|--------|---------|-----------|-------------|
|             |                  | Members               | Delegates |        |         | Democrats | Republicans |
| 25th        | 1900             | 71                    | 21        |        | 26      | 8         | 18          |
| 26th        | 1902             | 86                    | 29        |        | 30      | 5         | 25          |
| 27th        | 1904             | 86                    | 25        |        | 30      | 5         | 25          |
| 28th        | 1906             | 86                    | 26        |        | 30      | 5         | 25          |
| 29th        | 1908             | 86                    | 25        |        | 30      | 7         | 23          |
| 30th        | 1910             | 86                    | 63        |        | 30      | 15        | 15          |
| 31st        | 1912             | 86                    | 33        |        | 30      | 15        | 15          |
| 32nd        | 1914             | 86                    | 27        |        | 30      | 9         | 21          |
| 33rd        | 1916             | 94                    | 52        | 3      | 30      | 10        | 20          |
| 34th        | 1918             | 94                    | 24        |        | 30      | 7         | 23          |
| 35th        | 1920             | 94                    | 21        |        | 30      | 4         | 26          |
| 36th        | 1922             | 94                    | 65        |        | 30      | 11        | 19          |
| 37th        | 1924             | 94                    | 40        |        | 30      | 14        | 16          |
| 38th        | 1926             | 94                    | 33        |        | 30      | 9         | 21          |
| 39th        | 1928             | 94                    | 31        | 1      | 30      | 6         | 24          |
| 40th        | 1930             | 94                    | 68        |        | 30      | 13        | 17          |
| 41st        | 1932             | 94                    | 79        |        | 30      | 24        | 6           |
| 42nd        | 1934             | 94                    | 72        |        | 30      | 24        | 6           |
| 43rd        | 1936             | 94                    | 82        |        | 30      | 24        | 6           |
| 44th        | 1938             | 94                    | 70        |        | 32      | 27        | 5           |
| 45th        | 1940             | 94                    | 74        |        | 32      | 26        | 6           |
| 46th        | 1942             | 94                    | 50        |        | 32      | 22        | 10          |
| 47th        | 1944             | 94                    | 65        |        | 32      | 21        | 11          |
| 48th        | 1946             | 94                    | 56        |        | 32      | 20        | 12          |
| 49th        | 1948             | 94                    | 78        |        | 32      | 20        | 12          |
| 50th        | 1950             | 94                    | 67        |        | 32      | 23        | 9           |



| Legislature | *Year<br>Elected | House of<br>Delegates |           |             | **Other | Members | Senate    |             |
|-------------|------------------|-----------------------|-----------|-------------|---------|---------|-----------|-------------|
|             |                  | Members               | Democrats | Republicans |         |         | Democrats | Republicans |
| 51st        | 1952             | 100                   | 67        | 33          | 32      | 22      | 10        |             |
| 52nd        | 1954             | 100                   | 76        | 24          | 32      | 23      | 9         |             |
| 53rd        | 1956             | 100                   | 58        | 42          | 32      | 21      | 11        |             |
| 54th        | 1958             | 100                   | 85        | 15          | 32      | 23      | 9         |             |
| 55th        | 1960             | 100                   | 82        | 18          | 32      | 25      | 7         |             |
| 56th        | 1962             | 100                   | 76        | 24          | 32      | 23      | 9         |             |
| 57th        | 1964             | 100                   | 91        | 9           | 34      | 27      | 7         |             |
| 58th        | 1966             | 100                   | 65        | 35          | 34      | 25      | 9         |             |
| 59th        | 1968             | 100                   | 63        | 37          | 34      | 22      | 12        |             |
| 60th        | 1970             | 100                   | 68        | 32          | 34      | 23      | 11        |             |
| 61st        | 1972             | 100                   | 57        | 43          | 34      | 24      | 10        |             |
| 62nd        | 1974             | 100                   | 86        | 14          | 34      | 26      | 8         |             |
| 63rd        | 1976             | 100                   | 91        | 9           | 34      | 28      | 6         |             |
| 64th        | 1978             | 100                   | 74        | 26          | 34      | 26      | 8         |             |
| 65th        | 1980             | 100                   | 78        | 22          | 34      | 27      | 7         |             |
| 66th        | 1982             | 100                   | 87        | 13          | 34      | 31      | 3         |             |
| 67th        | 1984             | 100                   | 73        | 27          | 34      | 30      | 4         |             |
| 68th        | 1986             | 100                   | 78        | 22          | 34      | 27      | 7         |             |
| 69th        | 1988             | 100                   | 80        | 20          | 34      | 30      | 4         |             |
| 70th        | 1990             | 100                   | 74        | 26          | 34      | 33      | 1         |             |
| 71st        | 1992             | 100                   | 79        | 21          | 34      | 32      | 2         |             |
| 72nd        | 1994             | 100                   | 69        | 31          | 34      | 26      | 8         |             |
| 73rd        | 1996             | 100                   | 74        | 26          | 34      | 25      | 9         |             |
| 74th        | 1998             | 100                   | 75        | 25          | 34      | 29      | 5         |             |
| 75th        | 2000             | 100                   | 75        | 25          | 34      | 28      | 6         |             |
| 76th        | 2002             | 100                   | 69        | 31          | 34      | 24      | 10        |             |
| 77th        | 2004             | 100                   | 68        | 32          | 34      | 21      | 13        |             |
| 78th        | 2006             | 100                   | 72        | 28          | 34      | 23      | 11        |             |
| 79th        | 2008             | 100                   | 71        | 29          | 34      | 26      | 8         |             |
| 80th        | 2010             | 100                   | 65        | 35          | 34      | 28      | 6         |             |
| 81st***     | 2012             | 100                   | 53        | 47          | 34      | 24      | 10        |             |
| 82nd        | 2014             | 100                   | 36        | 64          | 34      | 18      | 16        |             |
| 83rd**      | 2016             | 100                   | 36        | 63          | 34      | 12      | 22        |             |
|             |                  |                       |           | 1           |         |         |           |             |

\*This Column applies to House members only since only one half of the Senate is elected every two years.

\*\*Elected on ticket other than that of the Democratic or Republican parties.

\*\*\*Count reflects members who changed parties after election.

## WEST VIRGINIA LEGISLATURES

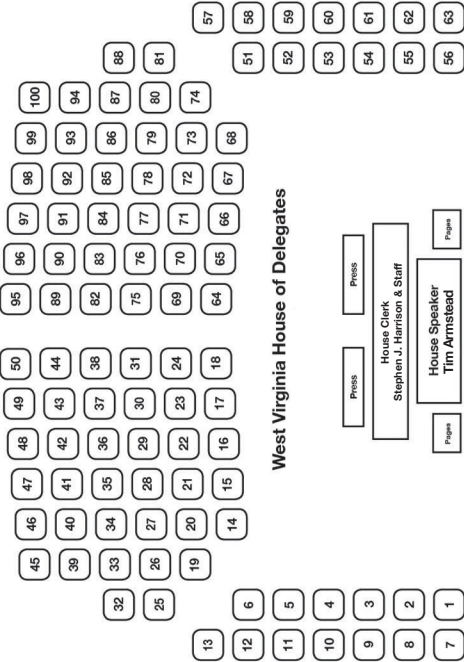
| Election Term Begins | Legislature | Election Term Begins | Legislature |      |      |
|----------------------|-------------|----------------------|-------------|------|------|
| 1863                 | 1863        | 1st                  | 1936        | 1937 | 43rd |
| 1864                 | 1864        | 2nd                  | 1938        | 1939 | 44th |
| 1865                 | 1865        | 3rd                  | 1940        | 1941 | 45th |
| 1866                 | 1866        | 4th                  | 1942        | 1943 | 46th |
| 1867                 | 1867        | 5th                  | 1944        | 1945 | 47th |
| 1868                 | 1868        | 6th                  | 1946        | 1947 | 48th |
| 1869                 | 1869        | 7th                  | 1948        | 1949 | 49th |
| 1870                 | 1870        | 8th                  | 1950        | 1951 | 50th |
| 1871                 | 1871        | 9th                  | 1952        | 1953 | 51st |
| 1872                 | 1872        | 10th                 | 1954        | 1955 | 52nd |
| 1873                 | 1873        | 11th                 | 1956        | 1957 | 53rd |
| 1875                 | 1875        | 12th                 | 1958        | 1959 | 54th |
| 1877                 | 1877        | 13th                 | 1960        | 1961 | 55th |
| 1879                 | 1879        | 14th                 | 1962        | 1963 | 56th |
| 1881                 | 1881        | 15th                 | 1964        | 1965 | 57th |
| 1883                 | 1883        | 16th                 | 1966        | 1967 | 58th |
| 1885                 | 1885        | 17th                 | 1968        | 1969 | 59th |
| 1887                 | 1887        | 18th                 | 1970        | 1971 | 60th |
| 1889                 | 1889        | 19th                 | 1972        | 1973 | 61st |
| 1891                 | 1891        | 20th                 | 1974        | 1975 | 62nd |
| 1893                 | 1893        | 21st                 | 1976        | 1977 | 63rd |
| 1895                 | 1895        | 22nd                 | 1978        | 1979 | 64th |
| 1897                 | 1897        | 23rd                 | 1980        | 1981 | 65th |
| 1899                 | 1899        | 24th                 | 1982        | 1983 | 66th |
| 1900                 | 1901        | 25th                 | 1984        | 1985 | 67th |
| 1902                 | 1903        | 26th                 | 1986        | 1987 | 68th |
| 1904                 | 1905        | 27th                 | 1988        | 1989 | 69th |
| 1906                 | 1907        | 28th                 | 1990        | 1991 | 70th |
| 1908                 | 1909        | 29th                 | 1992        | 1993 | 71st |
| 1910                 | 1911        | 30th                 | 1994        | 1995 | 72nd |
| 1912                 | 1913        | 31st                 | 1996        | 1997 | 73rd |
| 1914                 | 1915        | 32nd                 | 1998        | 1999 | 74th |
| 1916                 | 1917        | 33rd                 | 2000        | 2001 | 75th |
| 1918                 | 1919        | 34th                 | 2002        | 2003 | 76th |
| 1920                 | 1921        | 35th                 | 2004        | 2005 | 77th |
| 1922                 | 1923        | 36th                 | 2006        | 2007 | 78th |
| 1924                 | 1925        | 37th                 | 2008        | 2009 | 79th |
| 1926                 | 1927        | 38th                 | 2010        | 2011 | 80th |
| 1928                 | 1929        | 39th                 | 2012        | 2013 | 81st |
| 1930                 | 1931        | 40th                 | 2014        | 2015 | 82nd |
| 1932                 | 1933        | 41st                 | 2016        | 2017 | 83rd |
| 1934                 | 1935        | 42nd                 |             |      |      |

| NAME                       | YEARS ELECTED                                                                     | YEARS OF SERVICE<br>(DOES NOT INCLUDE<br>2017-2018 SESSIONS) |
|----------------------------|-----------------------------------------------------------------------------------|--------------------------------------------------------------|
| Deem                       | 1954-1962; 1964-1972 (Senate); 1978 (Senate); 1988; 1994-2006 (Senate); 2014-2016 | 46 Years                                                     |
| Overington                 | 1984-2016                                                                         | 32 Consecutive Years                                         |
| A. Evans                   | 1990-2016                                                                         | 26 Consecutive Years                                         |
| Anderson                   | 1992-2016                                                                         | 24 Consecutive Years                                         |
| Pethel                     | 1988-1992; 1998-2016                                                              | 24 Years                                                     |
| Walters                    | 1992-1996; 2000-2016                                                              | 22 Years                                                     |
| Boggs, Caputo              | 1996-2016                                                                         | 20 Consecutive Years                                         |
| Fleischauer                | 1994-2002; 2006-2016                                                              | 20 Years                                                     |
| Armstead                   | Appt. Sept. 10, 1998; 1998-2016                                                   | 18 Years, 4 Months Consecutive Service                       |
| R. Romine                  | 2000-2016                                                                         | 16 Consecutive Years                                         |
| Love                       | Appt. Aug. 8, 1994 (Senate); 1994-2004 (Senate); 2016                             | 14 Years, 5 Months                                           |
| Hamilton, Hartman, Sobonya | 2002-2016                                                                         | 14 Consecutive Years                                         |
| Rodighiero                 | 2006-2010; 2014-2016                                                              | 14 Years                                                     |
| Longstreth, Miley, Rowan   | 2004-2016                                                                         | 12 Consecutive Years                                         |
| Iaquinta                   | 2002-2012; 2016                                                                   | 12 Years                                                     |
| Cowles, C. Miller, Moye    | 2006-2016                                                                         | 10 Consecutive Years                                         |
| Rowe                       | 1996-1998; 2000 (Senate); 2014-2016                                               | 10 Years                                                     |
| Eldridge                   | 2004-2008; 2012-2016                                                              | 10 Years                                                     |

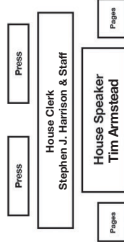
| NAME                                                                                                                                                                                              | YEARS ELECTED                                       | YEARS OF SERVICE<br>(DOES NOT INCLUDE<br>2017-2018 SESSIONS) |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|--------------------------------------------------------------|
| Ferro                                                                                                                                                                                             | 2008-2016                                           | 8 Consecutive Years                                          |
| C. Romine                                                                                                                                                                                         | 1968-1972; 1998;<br>2016                            | 8 Years                                                      |
| Frich                                                                                                                                                                                             | 2002-2004; 2012-<br>2016                            | 8 Years                                                      |
| Ellington, Gearheart,<br>Householder, How-<br>ell, Nelson, O'Neal,<br>Phillips, Storch                                                                                                            | 2010-2016                                           | 6 Consecutive Years                                          |
| Shott                                                                                                                                                                                             | 2008; May 2010-<br>Dec. 2010 (Senate);<br>2012-2016 | 6 Years                                                      |
| Marcum                                                                                                                                                                                            | Appt. Jan. 21, 2012;<br>2014-2016                   | 4 Years, 11 Months Consecu-<br>tive Service                  |
| Lane                                                                                                                                                                                              | 1978; 1984, res.<br>2/18/1985; 1990;<br>2016        | 4 Years, 1 Month                                             |
| Ambler, Arvon,<br>Butler, Cooper,<br>Espinosa, Folk,<br>Hamrick, Lynch,<br>Sponaugle, Westfall                                                                                                    | 2012-2016                                           | 4 Consecutive Years                                          |
| McGeehan                                                                                                                                                                                          | 2008; 2014-2016                                     | 4 Years                                                      |
| Criss                                                                                                                                                                                             | Appt. Dec. 8, 1987;<br>1988; 2016                   | 3 Years, 1 Month                                             |
| Diserio                                                                                                                                                                                           | Appt. Jan. 23, 2012;<br>2012; 2016                  | 3 Years                                                      |
| Bates, Blair, Byrd,<br>Fast, Fluharty, G.<br>Foster, Hanshaw,<br>Hicks, Hill,<br>Hornbuckle, Kelly,<br>Kessinger, Pushkin,<br>Rohrbach, Statler,<br>Summers, Upson,<br>Wagner, White,<br>Zatezalo | 2014-2016                                           | 2 Consecutive Years                                          |

| <b>NAME</b>                                                                                                                                                                                                                                                                | <b>YEARS ELECTED</b>        | <b>YEARS OF SERVICE<br/>(DOES NOT INCLUDE<br/>2017-2018 SESSIONS)</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------------------------------------------------------|
| Barrett                                                                                                                                                                                                                                                                    | 2012; 2016                  | 2 Years                                                               |
| Atkinson                                                                                                                                                                                                                                                                   | Appt. Oct. 4, 2015;<br>2016 | 1 Year, 1 Month                                                       |
| Baldwin, Brewer,<br>Canestraro, Capito,<br>Dean, E. Evans, N.<br>Foster, Harshbarger,<br>Higginbotham,<br>Hollen, Isner, Lewis,<br>Lovejoy, Martin,<br>Maynard, R. Miller,<br>Moore, Paynter,<br>Pyles, Queen,<br>Robinson, Sypolt,<br>Thompson, Ward,<br>Williams, Wilson | 2016                        | First Term                                                            |

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**West Virginia House of Delegates**



**ALPHABETICAL LIST OF MEMBERS OF THE HOUSE  
OF DELEGATES SHOWING SEAT NUMBERS**

|                               |     |                           |    |
|-------------------------------|-----|---------------------------|----|
| Ambler, G. (R) .....          | 7   | Folk, M. (R) .....        | 42 |
| Anderson, E. W. Jr. (R) ..... | 64  | Foster, G. (R) .....      | 21 |
| Armstead, T. (R).....         | 13  | Foster, N. (R) .....      | 29 |
| Arvon, K. (R).....            | 33  | Frich, C. (R).....        | 89 |
| Atkinson, R. (R).....         | 70  |                           |    |
|                               |     | Gearheart, M. (R).....    | 50 |
| Baldwin, S. (D).....          | 78  |                           |    |
| Barrett, J. (D).....          | 53  | Hamilton, B. (R) .....    | 47 |
| Bates, M. (D).....            | 67  | Hamrick, D. (R) .....     | 38 |
| Blair, S. (R).....            | 17  | Hanshaw, R. (R).....      | 20 |
| Boggs, B. (D).....            | 68  | Harshbarger, J. (R).....  | 8  |
| Brewer, S. (D).....           | 59  | Hartman, W. (D).....      | 56 |
| Butler, J. (R).....           | 35  | Hicks, K. (D).....        | 83 |
| Byrd, A. (D).....             | 100 | Higginbotham, J. (R)..... | 22 |
|                               |     | Hill, J. (R) .....        | 27 |
| Canestraro, J. (D).....       | 79  | Hollen, R. (R).....       | 96 |
| Capito, M. (R).....           | 93  | Hornbuckle, S. (D).....   | 80 |
| Caputo, M. (D).....           | 52  | Householder, E. (R).....  | 15 |
| Cooper, R. (R).....           | 9   | Howell, G. (R).....       | 32 |
| Cowles, D. (R) .....          | 6   |                           |    |
| Criss, V. (R).....            | 49  | Iaquinta, R. (D) .....    | 61 |
|                               |     | Isner, P. (D) .....       | 86 |
| Dean, M. (R) .....            | 43  |                           |    |
| Deem, J. (R) .....            | 95  | Kelly, J. (R).....        | 69 |
| Diserio, P. (D) .....         | 87  | Kessinger, K. (R).....    | 28 |
|                               |     |                           |    |
| Eldridge, J. (D).....         | 71  | Lane, C. (R).....         | 91 |
| Ellington, J. (R).....        | 18  | Lewis, T. (R) .....       | 41 |
| Espinosa, P. (R) .....        | 25  | Longstreth, L. (D) .....  | 88 |
| Evans, A. (R).....            | 45  | Love, S. (D).....         | 57 |
| Evans, E. (D).....            | 66  | Lovejoy, C. (D) .....     | 72 |
|                               |     | Lynch, D. (D).....        | 55 |
| Fast, T. (R) .....            | 39  |                           |    |
| Ferro, M. (D).....            | 60  | Marcum, J. (D).....       | 85 |
| Fleischauer, B. (D).....      | 74  | Martin, P. (R).....       | 34 |
| Fluharty, S. (D) .....        | 73  | Maynard, Z. (R).....      | 2  |

|                         |    |                        |    |
|-------------------------|----|------------------------|----|
| McGeehan, P. (R).....   | 48 | Rowe, L. (D).....      | 98 |
| Miley, T. (D).....      | 51 | Shott, J. (R).....     | 19 |
| Miller, C. (R).....     | 5  | Sobonya, K. (R).....   | 31 |
| Miller, R. (D).....     | 77 | Sponaugle, I. (D)..... | 63 |
| Moore, R. (R).....      | 10 | Statler, J. (R).....   | 26 |
| Moye, R. (D).....       | 81 | Storch, E. (R).....    | 44 |
| Nelson, E. (R).....     | 14 | Summers, A. (R).....   | 24 |
| O'Neal, J. (R).....     | 12 | Sypolt, T. (R).....    | 23 |
| Overington, J. (R)..... | 4  | Thompson, R. (D).....  | 84 |
| Paynter, T. (R).....    | 3  | Upson, J. (R).....     | 16 |
| Pethtel, D. (D).....    | 58 | Wagner, D. (R).....    | 75 |
| Phillips, R. (I).....   | 97 | Walters, R. (R).....   | 1  |
| Pushkin, M. (D).....    | 94 | Ward, G. (R).....      | 90 |
| Pyles, R. (D).....      | 54 | Westfall, S. (R).....  | 82 |
| Queen, B. (R).....      | 37 | White, B. (R).....     | 92 |
| Robinson, A. (D).....   | 99 | Williams, J. (D).....  | 62 |
| Rodighiero, R. (D)..... | 76 | Wilson, S. (R).....    | 11 |
| Rohrbach, M. (R).....   | 36 | Zatezalo, M. (R).....  | 65 |
| Romine, C. (R).....     | 30 |                        |    |
| Romine, R. (R).....     | 46 |                        |    |
| Rowan, R. (R).....      | 40 |                        |    |



# Standing Committees of the House

## 83rd Legislature

### Regular Session, 2017

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**SPEAKER:** Tim Armstead

**MAJORITY LEADER:** Daryl Cowles

**SPEAKER PRO TEMPORE:** John Overington

**MAJORITY WHIP:** Carol Miller

**ASSISTANT MAJORITY LEADER:** John D. O'Neal, IV

**MINORITY LEADER:** Tim Miley

**MINORITY WHIP:** Mike Caputo

**CLERK:** Steve Harrison

**DOORKEEPER:** Frank Larese

**SERGEANT-AT-ARMS:** Marshall Clay

#### ASSISTANT MAJORITY WHIPS

Saira Blair; Jim Butler; Geoff Foster; Bill Hamilton; Danny Hamrick; Eric Householder; Kayla Kessinger; Kelli Sobonya; Steve Westfall; Riley Moore, *New Member Coordinator*; Chuck Romine, *New Member Coordinator*

#### ASSISTANT MINORITY WHIPS

Michael T. Ferro, Sean Hornbuckle, Richard Iaquina, Shirley Love, David Pethtel, Isaac Sponaugle

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#### AGRICULTURE AND NATURAL RESOURCES

Allen Evans, Chair (*Agriculture*), Bill Hamilton, Chair (*Natural Resources*), Roger Romine, Vice Chair (*Agriculture*), George Ambler, Vice Chair, (*Natural Resources*), Isaac Sponaugle, Minority Chair, (*Agriculture*), Ralph Rodighiero, Minority Chair, (*Natural Resources*), Robert Thompson, Minority Vice Chair (*Agriculture*), Ken Hicks, Minority Vice Chair (*Natural Resources*), Anderson, Atkinson, Cooper, Folk, Hanshaw, Harshbarger, Lewis, C. Miller, Moore, Overington, Summers, Wagner, Baldwin, Brewer, Eldridge, Love, Lynch

#### BANKING AND INSURANCE

Cindy Frich, Chair (*Banking*), Steve Westfall, Chair (*Insurance*), Jill Upson, Vice Chair (*Banking*), Brad White, Vice Chair, (*Insurance*), Justin Marcum, Minority Chair, (*Banking*), Bill Hartman, Minority Chair (*Insurance*), Chad Lovejoy, Minority Vice Chair, (*Banking*), Andrew Robinson, Minority Vice Chair, (*Insurance*) Arvon, Capito, Criss, Deem, A. Evans, Householder, McGeehan, E. Nelson, O'Neal, C. Romine, Shott, Walters, Bates, Iaquina, Isner, Rowe, Sponaugle

#### EDUCATION

Paul Espinosa, Chair, Joe Statler, Vice Chair, Ricky Moye, Minority Chair, Sean Hornbuckle, Minority Vice Chair, Blair, Cooper, Dean, Folk, Harshbarger, Higginbotham, Kelly, Rohrbach, R. Romine, Rowan, Upson, Wagner, Westfall, Wilson, Baldwin, E. Evans, Hicks, Pyles, Rodighiero, Rowe, Thompson

**ENERGY**

Bill Anderson, Chair, John Kelly, Vice Chair (*Oil and Gas*), Mark Zatezalo, Vice Chair (*Coal*), David Pethel, Minority Chair, Jeff Eldridge, Minority Vice Chair, Hamilton, Harshbarger, Higginbotham, Kessinger, Martin, Maynard, Paynter, R. Romine, Statler, Storch, Sypolt, Upson, Ward, Boggs, Caputo, Hicks, Lynch, Marcum, Miley, Phillips

**ENROLLED BILLS**

Roger Hanshaw, Chair, Steve Westfall, Vice Chair, Lane, Marcum, Pushkin

**FINANCE**

Eric Nelson, Chair, Eric Householder, Vice Chair, Brent Boggs, Minority Chair, Mick Bates, Minority Vice Chair, Ambler, Anderson, Butler, Cowles, Ellington, Espinosa, A. Evans, Frich, Gearheart, Hamilton, C. Miller, Storch, Walters, Westfall, Barrett, Hartman, Longstreth, Moye, Pethel, Rowe, Sponaugle

**GOVERNMENT ORGANIZATION**

Gary Howell, Chair, Lynne Arvon, Vice Chair, Michael Ferro, Minority Chair, Phil Diserio, Minority Vice Chair, Atkinson, Criss, Hamrick, Hill, Lewis, Martin, Maynard, McGeehan, Paynter, Queen, C. Romine, Sypolt, Ward, Brewer, Caputo, Eldridge, Iaquina, Lynch, Marcum, Pyles, Williams

**HEALTH AND HUMAN RESOURCES**

Joe Ellington, Chair, Amy Summers, Vice Chair, Linda Longstreth, Minority Chair, Mike Pushkin, Minority Vice Chair, Arvon, Atkinson, Butler, Cooper, Criss, Dean, Hill, Hollen, Householder, Queen, Rohrbach, Rowan, Sobonya, B. White, Baldwin, Bates, Fleischauer, Fluharty, Iaquina, Love, Rodighiero

**INDUSTRY AND LABOR**

Tom Fast, Chair, Geoff Foster, Vice Chair, Scott Brewer Chair, Phil Isner, Vice Chair, Blair, Cowles, Dean, Ellington, N. Foster, Harshbarger, Hill, Householder, Overington, Shott, Sobonya, Statler, Ward, B. White, Caputo, Diserio, Ferro, Fluharty, Hicks, R. Miller, Pushkin

**INTERSTATE COOPERATION**

Erikka Storch, Chair, Danny Hamrick, Vice Chair, Ellington, Higginbotham, R. Romine, Barrett, Ferro

**JUDICIARY**

John Shott, Chair, Roger Hanshaw, Vice Chair, Barbara Fleischauer, Minority Chair, Shawn Fluharty, Minority Vice Chair, Capito, Deem, Fast, G. Foster, N. Foster, Hollen, Kessinger, Lane, Moore, O'Neal, Overington, Sobonya, Summers, Zatezalo, Byrd, Canestraro, Isner, Lovejoy, R. Miller, Pushkin, Robinson

**PENSIONS AND RETIREMENT**

Ron Walters, Chair, Mike Folk, Vice Chair, Anderson, Hamilton, O'Neal, E. Evans, Pethtel

**POLITICAL SUBDIVISIONS**

Erikka Storch, Chair, Saira Blair, Vice Chair, Rodney Miller, Minority Chair, John Williams, Minority Vice Chair, Anderson, Cowles, Folk, G. Foster, Gearheart, Hamrick, Hanshaw, Householder, Lane, Queen, Rohrbach, Statler, Summers, Barrett, Byrd, Canestraro, Longstreth, Moye, Pyles, Robinson, Rowe

**PREVENTION AND TREATMENT OF SUBSTANCE ABUSE**

Joe Ellington, Chair, Kayla Kessinger, Vice Chair, Frich, Hollen, Sobonya, Storch, Upson, Baldwin, Bates, Boggs, Hornbuckle

**ROADS & TRANSPORTATION**

Marty Gearheart, Chair, Danny Hamrick, Vice Chair, Mike Caputo, Minority Chair, Ed Evans, Minority Vice Chair, Ambler, Butler, Capito, Criss, Dean, Espinosa, Fast, Howell, Lane, Maynard, Paynter, Rohrbach, Statler, Wagner, Boggs, Canestraro, Diserio, Hartman, Moye, Phillips, Williams

**RULE MAKING REVIEW**

Kelli Sobonya, Chair, Cindy Frich, Vice Chair, G. Foster, Hanshaw, Fleischauer, Rowe

**RULES**

Tim Armstead, Chair, Anderson, Cowles, Ellington, Espinosa, Hanshaw, Howell, C. Miller, Nelson, O'Neal, Overington, Shott, Sobonya, Boggs, Caputo, Ferro, Fleischauer, Miley, Moye, Pethtel

**SENIOR CITIZEN ISSUES**

Ruth Rowan, Chair, Matt Rohrbach, Vice Chair, Dana Lynch, Minority Chair, Rodney Pyles, Minority Vice Chair, A. Evans, Kelly, Lewis, Martin, Maynard, Paynter, Queen, C. Romine, R. Romine, Sypolt, Walters, B. White, Zatezalo, Boggs, Eldridge, Ferro, Fleischauer, Love, Lovejoy, Moye, Pethtel

**SMALL BUSINESS & ECONOMIC DEVELOPMENT**

Jordan Hill, Chair, Rick Atkinson, Vice Chair, Larry Rowe, Minority Chair, Jason Barrett, Minority Vice Chair, Blair, Espinosa, N. Foster, Higginbotham, Kelly, Kessinger, Martin, C. Miller, Moore, Storch, Ward, Westfall, Wilson, Zatezalo, Bates, Byrd, Marcum, Miley, Phillips, Sponaugle, Thompson

**VETERANS AFFAIRS & HOMELAND SECURITY**

Jim Butler, Chair (*Homeland Security*), Roy Cooper, Chair (*Veterans Affairs*), Pat McGeehan, Vice Chair (*Homeland Security*), Danny Wagner, Vice Chair (*Veterans Affairs*), Andrew Byrd, Minority Chair (*Homeland Security*), Richard Iaquina, Minority Chair (*Veterans Affairs*), Stephen Baldwin, Minority, Vice Chair (*Homeland Security*), Joe Canestraro, Minority Vice Chair (*Veterans Affairs*) Arvon, Higginbotham, Hollen, Howell, Kelly, Kessinger, Lewis, Paynter, Rowan, Sypolt, Upson, Wilson, Ferro, Fleischauer, Longstreth, Lynch, Pushkin

**MINORITY CHAIRS & VICE CHAIRS**

|                                            |                                                              |
|--------------------------------------------|--------------------------------------------------------------|
| Sponaugle ( <i>Minority Chair</i> ).....   | Agriculture                                                  |
| Thompson ( <i>Minority Vice Chair</i> )    |                                                              |
| Marcum ( <i>Minority Chair</i> ).....      | Banking                                                      |
| Lovejoy ( <i>Minority Vice Chair</i> )     |                                                              |
| Moye ( <i>Minority Chair</i> ).....        | Education                                                    |
| Hornbuckle ( <i>Minority Vice Chair</i> )  |                                                              |
| Pethtel ( <i>Minority Chair</i> ).....     | Energy                                                       |
| Eldridge ( <i>Minority Vice Chair</i> )    |                                                              |
| Boggs ( <i>Minority Chair</i> ).....       | Finance                                                      |
| Bates ( <i>Minority Vice Chair</i> )       |                                                              |
| Ferro ( <i>Minority Chair</i> ).....       | Government Organization                                      |
| Diserio ( <i>Minority Vice Chair</i> )     |                                                              |
| Longstreth ( <i>Minority Chair</i> ).....  | Health and Human Resources                                   |
| Pushkin ( <i>Minority Vice Chair</i> )     |                                                              |
| Byrd ( <i>Minority Chair</i> ).....        | Homeland Security                                            |
| Baldwin ( <i>Minority Vice Chair</i> )     |                                                              |
| Brewer ( <i>Minority Chair</i> ).....      | Industry and Labor                                           |
| Isner ( <i>Minority Vice Chair</i> )       |                                                              |
| Hartman ( <i>Minority Chair</i> ).....     | Insurance                                                    |
| Robinson ( <i>Minority Vice Chair</i> )    |                                                              |
| Fleischauer ( <i>Minority Chair</i> )..... | Judiciary                                                    |
| Fluharty ( <i>Minority Vice Chair</i> )    |                                                              |
| Rodighiero ( <i>Minority Chair</i> ).....  | Natural Resources                                            |
| Hicks ( <i>Minority Vice Chair</i> )       |                                                              |
| R. Miller ( <i>Minority Chair</i> ).....   | Political Subdivisions                                       |
| Williams ( <i>Minority Vice Chair</i> )    |                                                              |
| Caputo ( <i>Minority Chair</i> ).....      | Roads and Transportation                                     |
| E. Evans ( <i>Minority Vice Chair</i> )    |                                                              |
| Lynch ( <i>Minority Chair</i> ).....       | Senior Citizen Issues                                        |
| Pyles ( <i>Minority Vice Chair</i> )       |                                                              |
| Rowe ( <i>Minority Chair</i> ).....        | Small Business, Entrepreneurship<br>and Economic Development |
| Barrett ( <i>Minority Vice Chair</i> )     |                                                              |
| Iaquinta ( <i>Minority Chair</i> ).....    | Veterans' Affairs                                            |
| Canestraro ( <i>Minority Vice Chair</i> )  |                                                              |

## ELECTIVE OFFICERS OF THE HOUSE OF DELEGATES 1863-2017

### SPEAKERS OF THE HOUSE OF DELEGATES

| Name and Politics         | County     | When Elected |
|---------------------------|------------|--------------|
| Patrick, Spicer (R)       | Kanawha    | 1863         |
| Kramer, Lee Roy (R)       | Monongalia | 1864-65      |
| Pinnell, David S. (R)     | Upshur     | 1866-67      |
| McWhorter, Henry C. (R)   | Kanawha    | 1868         |
| Fleming, Solomon S. (R)   | Harrison   | 1869         |
| Welch, William M. (R)     | Mineral    | 1870         |
| Cracraft, Elbridge G. (D) | Ohio       | 1871         |
| *Summers, Albert E. (D)   | Kanawha    | 1872         |
| *Miller, W. W. (D)        | Ohio       | 1872         |
| Monroe, Alexander (D)     | Hampshire  | 1875         |
| Gibson, Eustace (D)       | Cabell     | 1877         |
| Moffett, George H. (D)    | Pocahontas | 1879         |
| Wilson, E. Willis (D)     | Kanawha    | 1881         |
| Woods, Joseph J. (D)      | Ohio       | 1883         |
| Dennis, Thomas H. (D)     | Greenbrier | 1885         |
| Rowan, John M. (D)        | Monroe     | 1887         |
| Woods, Joseph J. (D)      | Ohio       | 1889         |
| Bennett, Louis (D)        | Lewis      | 1891         |
| Shaw, David W. (D)        | Barbour    | 1893         |
| Edwards, Wm. Seymour (R)  | Kanawha    | 1895         |
| Hanen, Samuel R. (R)      | Marshall   | 1897         |
| McKinney, Owen S. (D)     | Marion     | 1899         |
| Wilson, William G. (R)    | Randolph   | 1901         |
| Moats, Frank P. (R)       | Wood       | 1903         |
| Grosscup, Fred Paul (R)   | Kanawha    | 1905         |
| Seaman, James A. (R)      | Jackson    | 1907         |
| Strickling, J. H. (R)     | Tyler      | 1909         |
| Wetzel, C. M. (D)         | Jefferson  | 1911         |
| George, William T. (R)    | Barbour    | 1913         |
| Johnson, Vernon E. (R)    | Morgan     | 1915         |
| Thurmond, Joseph S. (D)   | Greenbrier | 1917         |
| Wolfe, J. Luther (R)      | Jackson    | 1919         |
| Keatley, Edwin M. (R)     | Kanawha    | 1921         |
| Byrne, W. E. R. (D)       | Kanawha    | 1923         |
| Keatley, Edwin M. (R)     | Kanawha    | 1925         |
| Johnson, Vernon E. (R)    | Morgan     | 1927         |
| Cummings, J. William (R)  | Ohio       | 1929         |
| Taylor, J. Alfred (D)     | Fayette    | 1931         |
| Hinte, Ralph M. (D)       | Pendleton  | 1933         |
| Pelzer, John J. (D)       | Logan      | 1935         |
| Thomas, James Kay (D)     | Kanawha    | 1937-39      |
| Arnold, Malcolm R. (D)    | Boone      | 1941         |

\*Two Speakers of the House of Delegates were elected in 1872. After the Constitution was adopted in that year, a special session of the newly elected members of the legislature was held and W. W. Miller was elected Speaker to succeed Albert E. Summers.

| Name and Politics             | County     | When Elected                 |
|-------------------------------|------------|------------------------------|
| Amos, John E. (D)             | Kanawha    | 1943-47                      |
| Flannery, W. E. (D)           | Logan      | 1949-57                      |
| **Pauley, Harry R. (D)        | McDowell   | 1959                         |
| Singleton, Julius W., Jr. (D) | Monongalia | 1961-63                      |
| White, H. Laban (D)           | Harrison   | 1965-67                      |
| ***Boiarsky, Ivor F. (D)      | Kanawha    | 1969-March 12, 1971          |
| ***McManus, Lewis N. (D)      | Raleigh    | March 13, 1971,<br>1973-1975 |
| Kopp, Donald L. (D)           | Harrison   | 1977                         |
| See, Clyde M., Jr. (D)        | Hardy      | 1979-83                      |
| Albright, Joseph P. (D)       | Wood       | 1985                         |
| Chambers, Robert C. (D)       | Cabell     | 1987-95                      |
| Kiss, Robert S. (D)           | Raleigh    | 1997-2005                    |
| Thompson, Rick (D)            | Wayne      | 2007-2013                    |
| ****Miley, Timothy R. (D)     | Harrison   | June 18, 2013                |
| Armstead, Tim (R)             | Kanawha    | 2015-2017                    |

\*\*Elected Speaker, June 23, 1958, to fill the vacancy caused by the death of W. E. Flannery, and reelected Speaker of the 1959 session.

\*\*\*Boiarsky died March 12, 1971 — McManus elected March 13, 1971.

\*\*\*\*Elected Speaker, June 18, 2013, to fill the vacancy created by the resignation of Richard Thompson.

### CLERKS OF THE HOUSE OF DELEGATES

| Name and Politics        | County    | When Elected         |
|--------------------------|-----------|----------------------|
| Hall, Granville D. (R)   | Harrison  | 1863-1865            |
| Hubbard, William P. (R)  | Ohio      | 1866-1870            |
| Burdett, William T. (D)  | Kanawha   | 1871                 |
| Peyton, J. Bernard (D)   | Kanawha   | 1872-1887; 1891-1893 |
| Hamilton, John M. (D)    | Calhoun   | 1889                 |
| Dawson, Wm. M. O. (R)    | Preston   | 1895                 |
| Hood, E. E. (R)          | Kanawha   | 1897                 |
| Byrne, William E. R. (D) | Kanawha   | 1899                 |
| Shaw, Harry (R)          | Marion    | 1901-1905            |
| Topping, C. L. (R)       | Kanawha   | 1907-1909; 1919      |
| Neely, M. M. (D)         | Marion    | 1911                 |
| Prichard, John Guy (R)   | Marion    | 1913-1915            |
| Hamilton, Robt. L. (D)   | Calhoun   | 1917; 1923           |
| Hodges, M. S. (R)        | Pendleton | 1921; 1925-1927      |
| Reed, L. V. (R)          | Tyler     | 1929                 |
| Kidd, R. H. (D)          | Taylor    | 1931                 |
| Hall, John S. (D)        | Mingo     | 1933-1939            |
| *Aliff, J. R. (D)        | Fayette   | 1941-1953            |
| *Blankenship, C. A. (D)  | Wyoming   | 1954-1981            |
| **Kopp, Donald L. (D)    | Harrison  | 1983-1995            |
| ***Gray, Gregory M. (D)  | Kanawha   | 1996-2013            |
| ****Hoover, Bo           | Kanawha   | January 8, 2015 †    |
| Harrison, Stephen J. (R) | Kanawha   | 2015-2017            |

\*Aliff resigned April 15, 1954. Blankenship appointed by Governor Marland April 15, 1954; the 19th Clerk.

\*\*Blankenship resigned January 1, 1983. Kopp appointed by Speaker See January 1, 1983; the 20th Clerk.

\*\*\*Kopp resigned December 31, 1995. Gray appointed by Speaker Chambers, January 1, 1996; elected January 10, 1996; the 21st Clerk.

\*\*\*\*†Gray resigned December 31, 2014. Bo Hoover appointed by Speaker Miley January 8, 2015; the 22nd Clerk.

**SERGEANT-AT-ARMS OF THE  
HOUSE OF DELEGATES**

| <b>Name and Politics</b> | <b>County</b> | <b>When Elected</b> |
|--------------------------|---------------|---------------------|
| Morrison, S. G. W. (R)   | Ohio          | 1863-68             |
| Dunnington, J. W. (R)    | Ritchie       | 1869                |
| Davis, D. L. (R)         | Wood          | 1870                |
| Horner, John W. (D)      | Wood          | 1871-73             |
| Moffit, W. L. (D)        | Kanawha       | 1875                |
| French, Napoleon B. (D)  | Mercer        | 1877                |
| Clark, Nathaniel S. (D)  | Wood          | 1879                |
| Cain, Harrison (D)       | Gilmer        | 1881                |
| Sargent, George P. (D)   | Barbour       | 1883                |
| Henshaw, Thornton (D)    | Berkeley      | 1885                |
| Dorr, Charles P. (D)     | Webster       | 1887                |
| Gibbs, W. Brown (D)      | Roane         | 1889-91             |
| Lynch, C. F. (D)         | Lewis         | 1893                |
| Morris, M. B. (R)        | Gilmer        | 1895                |
| Crislip, Cyrus A. (R)    | Roane         | 1897                |
| Morton, E. H. (D)        | Webster       | 1899                |
| Ramsey, W. H. (R)        | Fayette       | 1901                |
| Worden, H. N. (R)        | Tucker        | 1903-07             |
| Sutphin, Dr. S. S. (R)   | Raleigh       | 1909                |
| Wood, E. L. (D)          | Kanawha       | 1911                |
| Staats, Edgar R. (R)     | Roane         | 1913                |
| Otto, George W. (R)      | Ohio          | 1915                |
| Kenna, John E. (D)       | Kanawha       | 1917                |
| Curtis, W. H. C. (R)     | Ohio          | 1919-21             |
| Riffe, W. A. (D)         | Raleigh       | 1923                |
| *Curtis, W. H. C. (R)    | Ohio          | 1925                |
| *Johnston, J. J. (R)     | Mineral       | 1925                |
| Hutchinson, W. H. (R)    | Roane         | 1927-29             |
| Depue, Hal (D)           | Kanawha       | 1931                |
| Martin, W. W. (D)        | Greenbrier    | 1933                |
| Depue, Hal (D)           | Kanawha       | 1935                |
| Holswade, Harry (D)      | Roane         | 1937-39             |
| Graner, Lafayette (D)    | Ohio          | 1941                |
| Lemon, Frank E. (D)      | Raleigh       | 1943                |
| Drummond, W. H. (D)      | Harrison      | 1945                |
| Phillips, Hiram (D)      | Mingo         | 1947                |
| Combs, C. Fred (D)       | McDowell      | 1949                |
| Brawley, D. Earl (D)     | Kanawha       | 1951                |
| Mills, Okey A. (D)       | Raleigh       | 1953                |
| Yoak, Don (D)            | Calhoun       | 1955                |
| Tutwiler, J. O. (D)      | Raleigh       | 1957                |
| **Yoak, Don (D)          | Roane         | 1959-67             |
| **Smith, Jr., Oce W. (D) | Marion        | 1967-2011           |
| McClaskie, George (D)    | Kanawha       | 2013                |
| Clay, Marshall (R)       | Fayette       | 2015-2017           |

\*W. H. C. Curtis died May 26, 1925, and J. J. Johnston was elected to fill the vacancy.

\*\*Oce W. Smith, Jr. was elected Sergeant-at-Arms January 31, 1967, to fill a vacancy created by the resignation of Don Yoak; the 43rd Sergeant-at-Arms.



## DOORKEEPERS OF THE HOUSE OF DELEGATES

| Name and Politics        | County     | When Elected |
|--------------------------|------------|--------------|
| Holliday, William W. (R) | Ohio       | 1863-64      |
| Wheat, Joseph H. (R)     | Morgan     | 1865-66      |
| Bellville, John Q. (R)   | Ohio       | 1867-70      |
| Washbourne, O. H. (D)    | Lewis      | 1871         |
| Campbell, S. H. (D)      | Gilmer     | 1872-73      |
| Patton, William M. (D)   | Harrison   | 1875         |
| Campbell, S. H. (D)      | Gilmer     | 1877         |
| Nealis, James P. (D)     | Hampshire  | 1879-83      |
| Werniger, A. N. (D)      | Ohio       | 1885         |
| Devine, Michael B. (D)   | Tyler      | 1887         |
| Knotts, A. N. (D)        | Marion     | 1889         |
| Teamster, Thomas L. (D)  | Greenbrier | 1891         |
| Vickers, E. M. (D)       | Boone      | 1893         |
| Edmonds, William (R)     | Wood       | 1895         |
| Allen, Joseph M. (R)     | Taylor     | 1897         |
| Mitchell, Shirley H. (D) | Wirt       | 1899         |
| Ripley, J. A. (R)        | Jackson    | 1901         |
| Maynard, J. M. (R)       | Fayette    | 1903         |
| Edmonds, William (R)     | Wood       | 1905-07      |
| Buckley, John M. (R)     | Wood       | 1909         |
| Lemon, James H. (D)      | Raleigh    | 1911         |
| Fletcher, W. N. (R)      | Tyler      | 1913         |
| Davis, A. W. (R)         | Harrison   | 1915         |
| Kidd, J. W. (D)          | Braxton    | 1917         |
| Shriver, J. H. (R)       | Ritchie    | 1919         |
| Morris, Walter M. (R)    | Harrison   | 1921         |
| Combs, T. R. (D)         | Cabell     | 1923         |
| Hutchinson, William (R)  | Roane      | 1925         |
| Morrison, F. A. (R)      | Mason      | 1927         |
| Knabenshue, E. H. (R)    | Upshur     | 1929         |
| *Allison, O. O. (D)      | Hancock    | 1931         |
| **Gilbert, A. M. (D)     | Berkeley   | 1933         |
| **Kincaid, James B. (D)  | Kanawha    | 1933         |
| Finley, J. N. (D)        | Hancock    | 1935         |
| Neal, Clark (D)          | Nicholas   | 1937         |
| Crozier, Joe B. (D)      | McDowell   | 1939         |
| Combs, Grover C. (D)     | Logan      | 1941         |
| McCurdy, Azel (D)        | Cabell     | 1943         |
| Slater, Clyde (D)        | Cabell     | 1945         |
| Combs, Grover C. (D)     | Logan      | 1947         |
| Davis, Royal C. (D)      | Harrison   | 1949         |
| Schubach, Herbert (D)    | Wetzel     | 1951         |
| Wilson, Cecil W. (D)     | McDowell   | 1953         |
| Reinhart, Clyde W. (D)   | Fayette    | 1955         |
| Neal, Jacob (D)          | Nicholas   | 1957         |

\*Died March 16, 1931. Vacancy not filled.

\*\*A. M. Gilbert resigned at the beginning of second extraordinary session and James B. Kincaid was elected to fill the vacancy.

| Name and Politics                   | County             | When Elected |
|-------------------------------------|--------------------|--------------|
| ***Combs, Grover (D) . . . . .      | Kanawha . . . . .  | 1959         |
| White, Benjamin (D) . . . . .       | Kanawha . . . . .  | 1960         |
| Brawley, D. Earl (D) . . . . .      | Kanawha . . . . .  | 1961-68      |
| Casey, Mike (D) . . . . .           | Cabell . . . . .   | 1969-71      |
| ****Wingo, Dannie (D) . . . . .     | McDowell . . . . . | 1971-89      |
| Yoak, E. Don (D) . . . . .          | Roane . . . . .    | 1991-95      |
| *****Roberts, John A. (D) . . . . . | Berkeley . . . . . | 1996-2011    |
| Hively, Tom (D) . . . . .           | Kanawha . . . . .  | 2013         |
| Larese, Frank (R) . . . . .         | Kanawha . . . . .  | 2015-2017    |

\*\*\*Grover C. Combs resigned the beginning of the 1960 session and Benjamin White was elected to fill vacancy.

\*\*\*\*Casey resigned February 11, 1971. Wingo elected February 11, 1971.

\*\*\*\*\*Yoak resigned February 5, 1996 and John Roberts was elected to fill vacancy February 7, 1996; the 52nd Doorkeeper.

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## HOUSE OF DELEGATES STAFF 2017

|                                                              |              |
|--------------------------------------------------------------|--------------|
| <i>House Clerk:</i> Stephen J. Harrison.....                 | 304-340-3200 |
| <i>Assistant Clerk/Parliamentarian:</i> Bo Hoover .....      | 304-340-3204 |
| <i>Executive Assistant:</i> Anne Landgrebe.....              | 304-340-3911 |
| <i>Bill Status/Calendar Clerk:</i> Robert Altmann .....      | 304-340-3206 |
| <i>Journal/Roll Call Clerk:</i> Lynn Lewis .....             | 304-340-3208 |
| <i>Documents Clerk:</i> Lori Skull .....                     | 304-340-3360 |
| <i>Assistant Fiscal Officer:</i> Kelly Blunden .....         | 304-340-3228 |
| <i>Assistant Fiscal Officer:</i> Nina Orndorff.....          | 304-340-3227 |
| <i>Purchasing Agent:</i> Mike Bauer.....                     | 304-340-3224 |
| <i>Mail Clerk:</i> Justin Warden .....                       | 304-340-3229 |
| <br>                                                         |              |
| <i>Chief of Staff:</i> Dan Greear.....                       | 304-340-3203 |
| <i>Executive Assistant to Speaker:</i> Marilyn Parsons ..... | 304-340-3210 |
| <i>Analyst to the Speaker:</i> Jeff Billings.....            | 304-340-3104 |
| <i>Communications Director:</i> Jared Hunt .....             | 304-340-3323 |
| <i>Assistant to Majority Leader:</i> James Fuerhoff.....     | 304-340-3257 |
| <br>                                                         |              |
| <i>Counsel to Minority:</i> Joe Altizer .....                | 304-340-3259 |
| <i>Policy Analyst to Minority:</i> Jennifer McPherson.....   | 304-340-3942 |
| <i>Office Manager:</i> Emily Hanna.....                      | 304-340-3240 |
| <br>                                                         |              |
| <i>Chief Counsel to Finance:</i> Mark McOwen.....            | 304-340-3343 |
| <i>Assistant to Committee on Finance:</i> Nancy Butcher..... | 304-340-3341 |
| <i>Policy Analyst for Finance:</i> Fred Lewis .....          | 304-340-3344 |
| <i>Budget Analysts:</i>                                      |              |
| Matthew Pauley .....                                         | 304-340-3216 |
| Grant White.....                                             | 304-340-3243 |

|                                                                 |              |
|-----------------------------------------------------------------|--------------|
| <i>Chief Counsel to Judiciary:</i> Marty Wright .....           | 304-340-3382 |
| <i>Administrative Assistant to Judiciary:</i> Kim Jeffrey ..... | 304-340-3328 |
| <i>Legislative Analyst for Judiciary:</i> Mark White.....       | 304-340-3339 |
| Brian Casto.....                                                | 304-340-3264 |
| <br>                                                            |              |
| <i>Counsel to Education:</i> Melissa White .....                | 304-340-3336 |
| <i>Policy Analyst to Education:</i> David Mohr.....             | 304-340-3335 |
| <i>Administrative Assistant for Education:</i>                  |              |
| Melinda Ryan Swagger .....                                      | 304-340-3334 |
| <br>                                                            |              |
| <i>Chief Counsel to Government Organization:</i>                |              |
| Arlie Hubbard III.....                                          | 304-340-3289 |
| <i>Administrative Assistant for Government Organization:</i>    |              |
| Denise Metten .....                                             | 304-340-3192 |
| <i>Legislative Analyst for Government Organization:</i>         |              |
| Steve Thompson.....                                             | 304-340-3312 |
| <br>                                                            |              |
| <i>Counsel to Health and Human Resources:</i>                   |              |
| Charles Roskovensky.....                                        | 304-340-3338 |
| <i>Assistant to Health and Human Resources Chair:</i>           |              |
| Martha White .....                                              | 304-340-3269 |
| <i>Research Analyst for Health and Human Resources:</i>         |              |
| Sara Jones.....                                                 | 304-340-3386 |
| <br>                                                            |              |
| <i>Counsel to Minor Committees:</i> John Reed .....             | 304-340-3253 |
| <i>Research Analyst:</i>                                        |              |
| Daniel Osbourne .....                                           | 304-340-3255 |
| <br>                                                            |              |
| <i>Supplies and Maintenance:</i>                                |              |
| Eddie Belcher–Supervisor .....                                  | 304-340-3225 |
| Darrell Anderson.....                                           | 304-340-3904 |
| Kathy Hamilton.....                                             | 304-340-3281 |
| Cliff Harrison .....                                            | 304-340-3904 |
| <br>                                                            |              |
| <i>Counsel to Energy:</i> Seth Gaskins.....                     | 304-340-3254 |
| <i>Legislative Assistant to Energy:</i>                         |              |
| Pricella Coleman.....                                           | 304-340-3101 |

PRESIDENT OF THE SENATE

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**MITCH B. CARMICHAEL**  
**President of the Senate**  
**Lieutenant Governor**

MITCH B. CARMICHAEL, Republican, Jackson County, 4th District. Elected to the House 2000-2010. Elected to the Senate 2012 - 2016. Elected President of the Senate at the beginning of the 83rd Legislature, January 11, 2017. *See* other biographical information on page 461.

## OTHER ELECTIVE OFFICERS OF THE SENATE

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### CLERK

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**CLARK S. BARNES**  
**Randolph County**  
**Republican**

Businessman **Born** August 6, 1950 in Portsmouth, Virginia, the son of Howard S. and Dorothy Queen Barnes **Education** A.A.S., Davis and Elkins College; B.A., West Virginia University; M.A., Pensacola Christian College **Spouse** Debora Miller Barnes **Children** Thadeus, Erickson, Elizabeth, Rachel **Affiliations** Member, American Legion; NRA; Izaak Walton League of the United States,

Local Chambers of Commerce; West Virginia Farm Bureau; National Federation of Independent Business (NFIB); Chamber of Commerce; Past Director, National Board of Certification in Hearing Instrument Science; Buckhannon Elks Lodge **Legislative Service** Elected to the Senate 2004-2012; Elected Clerk of the Senate January 14, 2015; re-elected January 11, 2017 **Legislative Positions Held** Minority Whip, 78th, 79th, 80th and 81st Legislatures **Other Public Service** President, West Virginia Hearing Society; Past President, Wild Rivers Soccer Club; Past President, Seneca Soccer Club **Religion** Christian **Military Service** SP4, United States Army Corps of Engineers, 1973-1976 **Address** 53 Ribeye Lane, Frenchton 26219

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## SERGEANT-AT-ARMS



**ANDREW PALMER**

**Kanawha County**

**Independent**

**Security Born** July 16, 1984 in Crete, Greece

**Education** University of Crete **Parents** Marvin Robert Palmer and Spiridoyla Somarakis

**Legislative Service** Elected Sergeant at Arms January 13, 2017

## DOORKEEPER

**JEFFREY L. BRANHAM****Kanawha County****Republican**

Retired Sales Representative for the Steel Industry (37 years) **Born** May 30, 1956 **Education** Bachelor of Science in Business Administration, West Virginia University **Wife** Dianna L. Branham **Children** Tara Branham Miller, Todd Allen Branham **Parents** the late Robert L. and Geraldine J. Branham **Affiliations** Member, Deacon Board, of Emmanuel Baptist Church of Charleston, WV; Member, West Virginia Baptist Convention; Member, WVU Alumni Association **Legislative**

**Service** Elected Doorkeeper January 11, 2017



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**BIOGRAPHIES OF SENATE MEMBERS**

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**FIRST DISTRICT**

[Brooke, Hancock and Ohio Counties and a Portion of Marshall County]

**RYAN FERNS****1st District, Ohio County****Republican****Majority Leader****Vice Chair, Committee on Confirmations**

Physical Therapist; President, The Ryan Ferns Healthplex; President, Ryan's Rentals, LLC **Born** December 2, 1982, in Wheeling, West Virginia, the son of Michael and Linda Ferns **Education** B.S. Cum Laude, Business Marketing; Doctor of Physical Therapy, Wheeling Jesuit University **Affiliations** Member, American Physical Therapy

Association; West Virginia Physical Therapy Association; Elks Lodge #28; Fraternal Order of Police (Associate); Friends of Coal; Knights of Columbus; National Rifle Association; Member, St. Vincent de Paul Catholic Church; Wheeling Area Chamber of Commerce **Legislative Service** Elected to the House 2010-2012; Elected to the Senate 2014; **Legislative Positions Held** Chair, Committee on Health and Human Resources, 82nd Legislature; Vice Chair, Committee on Economic Development, 82nd Legislature; Vice Chair, Committee on Labor, 82nd Legislature **Religion** Roman Catholic **Address** 37 Jenna Way Drive, Wheeling 26003 **Telephone** (304) 280-7133 **H.**

**RYAN W. WELD****1st District, Brooke County****Republican****Chair, Committee on Military****Vice Chair, Committee on the Judiciary****Vice Chair, Committee on the Workforce****Attorney Born** May 19, 1980 in Wheeling, WV**Education** B.A. - Political Science, Fairmont State (2003); J.D. - Duquesne University (2015) **Parents**Roseanna Filberto and the late William Weld **Wife**Alexandria **Affiliations** Member, Wellsburg Urban Redevelopment Authority; Board Member, BrookeCounty Committee on Aging; Advisory Board Member, Brooke County RSUP; Captain, United States Air Force Reserves **Legislative Service** Elected to House 2014; Elected to the Senate 2016.

**SECOND DISTRICT**

[Calhoun, Doddridge, Ritchie, Tyler and Wetzel Counties  
and Portions of Gilmer, Marion, Marshall and Monongalia Counties]



**MIKE MARONEY**  
**2nd District, Marshall County**  
**Republican**

**Chair, Committee on**  
**Economic Development**  
**Vice Chair, Committee on**  
**Health and Human Resources**

Physician **Born** March 8, 1968 in Wheeling, WV  
**Education** John Marshall High School; B.A.,  
Chemistry, WVU; M.D., Marshall University  
School of Medicine; Diagnostic Radiology  
Residency and Neurology Fellowship, University  
of Maryland Medical System **Children** Matthew,

Megan **Parents** Pat and Barbara Maroney **Affiliations** Ohio County Medical  
Society; WV State Medical Association; American Medical Association;  
Radiology Society of North America; American Roentgen Ray Society;  
American Society of Neuroradiology **Legislative Service** Elected to the  
Senate 2016



**CHARLES H. CLEMENTS**  
**2nd District, Wetzel County**  
**Republican**

Retired **Born** August 21, 1943 in Huntington, WV  
**Education** A.B., Mathematics, WVU **Wife**  
Eugenia **Children** Paul S. Clements and Judith  
Charlene Murphy **Parents** Charles and Margaret  
Clements **Affiliations** Rotary; Football Official  
**Legislative Service** Elected to the House of  
Delegates 1994 - 1996; Appointed to the Senate  
2016

**THIRD DISTRICT**

[Pleasants, Wirt and Wood Counties and a Portion of Roane County]



**DONNA J. BOLEY**  
**3rd District, Pleasants County**  
**Republican**  
**President Pro Tempore**  
**Chair, Committee on Confirmations**  
**Vice Chair, Committee on Military**

Retired **Born** in Tyler County, the daughter of Glen A. and Grace Jones Northcraft **Education** WVU Parkersburg **Husband** Jack E. Boley **Children** Brian, Kari **Grandchildren** seven **Legislative Service** Appointed to the Senate 1985; Elected 1986-2016 **Legislative Positions Held** Minority Leader, 70th, 71st and 72nd Legislatures; President Pro Tempore; Chair, Committee on Confirmations; Vice Chair, Committee on Education; Vice Chair, Committee on Military, 82nd Legislature **Other Public Service** Chair, Pleasants County Republican Executive Committee; Member, State Republican Executive Committee; Past Chair, West Virginia Republican Legislative Committee; Member, Pleasants County Republican Women; Legislative Chair, West Virginia Federation of Republican Women; Republican National Committeewoman, 1992-2004; Delegate, Republican National Convention, 1988-2004; 2012; George W. Bush Senior Advisor, 2000 West Virginia Campaign; Chair, WV Women for McCain, 2008; Steering Committee Romney's Campaign, 2012; Distinguished West Virginian Award, 1968 **Religion** Methodist **Address** 2332 Greens Run Road, St. Marys 26170 **Telephone** (304) 684-3266 **H.**



**MICHAEL AZINGER**  
**3rd District, Wood County**  
**Republican**  
**Vice Chair, Committee on**  
**Interstate Cooperation**  
**Vice Chair, Committee on**  
**Banking and Insurance**

Manager, Azinger Group **Born** April 12, 1965  
 in Parkersburg, West Virginia **Parents** Former  
 Delegate Tom and Janet Azinger **Wife** Jacqueline  
**Children** Thomas, Zachary, Sophie **Education**  
 B.S., Master of Pastoral Theology **Legislative**  
**Service** Elected to the House 2014; Elected to  
 the Senate 2016 **Religion** Baptist **Address** 1007 51st Street, Vienna 26105  
**Telephone** (304) 916-2177 **C.**

**FOURTH DISTRICT**

[Jackson and Mason Counties and a Portion of Putnam and Roane Counties]



**MITCH CARMICHAEL**  
**4th District, Jackson County**  
**Republican**  
**President**

Director of Commercial Sales **Born** April 15, 1960 in Charleston, WV **Parents** William F. and Carlyn V. Carmichael **Education** B.B.A., Marshall University, Economics and Finance **Legislative Service** Elected to the House 2000-2010; Elected to the Senate 2012-2016; Majority Leader, 82nd Legislature **Religion** United Methodist **Address** 18 Colonial Dr., Ripley 25271 **Telephone** (304)

372-4667 **H.** (304) 372-4667 **O.**



**WILLIAM MICHAEL HALL**  
**4th District, Putnam County**  
**Republican**  
**Chair, Committee on Finance**  
**Vice Chair, Committee on Pensions**

**Born** November 3, 1948 in Huntington, West Virginia **Education** Marshall University, B.A., Philosophy, Minor, Political Science (1970); M.A., Gordon Conwell Seminary (1972); M. Div., Methodist School of Theology (1976) **Wife** Vicki Sue Steele **Children** Jonathan Eric, William Michael II **Parents** the late Bill and

Betty Hall **Affiliations** Former Methodist Minister; Presbyterian Church in America, Minister (1980-1994); Presbyterian Church in America, Office of Insurance Annuities and Relief, Marketing Director (1994-2004); Chairman, Life Insurance and Financial Planning Committee, National Conference of Insurance Legislators, NCOIL, 2013 to present **Legislative Service** Elected to the House 1994-2004; elected to the Senate 2006-2014 **Legislative Positions Held** Minority Whip, 75th Legislature; Minority Leader, 80th and 81st Legislatures; House of Delegates, 1994-2006; Chair, Committee on Agriculture and Rural Development; Chair, Committee on Labor, 82nd Legislature **Religion** Presbyterian **Address** 76 Crystal Springs Drive, Winfield 25213 **Telephone** (304) 549-8126 **C.** (866) 845-0989 **F. E-mail** mike.hall@wvsenate.gov



**FIFTH DISTRICT**

[Cabell County and a Portion of Wayne County]



**ROBERT H. PLYMALE**  
**5th District, Wayne County**  
**Democrat**

**Born** February 21, in Huntington, West Virginia, son of Shearl H. and Sallie (Hamer) Plymale  
**Education** Marshall University **Wife** Jennifer Thompson  
**Children** Lauren Elise, Allison Lynn, James Jeffrey  
**Affiliations** Co-Chair, Keith Albee Performing Arts, Inc; Member, Huntington Regional Chamber of Commerce; Board Member-CCCSO Huntington Museum of Art; Western Gate Land Development Corporation; Southern

Regional Education Board (SREB) Executive Committee and Advisory Council; Member, Board of Control, SREB; Treasurer, SREB; Education Commission of the States; NCSL Blue Ribbon Commission on Higher Education Finance; NCSL National Task Force on “No Child Left Behind”; NCSL Blue Ribbon Commission for Higher Education; Co-Chair, NCSL Federal Education Policy Task Force; Vice Chair of General Officers, NCSL; Early Learning Fellow, NCSL  
**Legislative Service** Elected to the Senate 1992-2016  
**Legislative Positions Held** Chair, Committee on Education, 76th, 77th, 78th, 79th, 80th and 81st Legislatures; Vice Chair, Committees on Health and Human Resources, 75th Legislature; Chair, Select Committee on PEIA, 73rd Legislature; Member, Infrastructure & Jobs Development Council, 73rd Legislature; Chair, Committee on Pensions, 72nd, 73rd, 74th and 75th Legislatures; Co-Chair, Forest Management Review Commission, 71st and 72nd Legislatures; Chair, Committee on Transportation, 71st Legislature  
**Religion** Baptist **Address** 206 Cliffview Drive, Huntington 25704 **Telephone** (304) 357-7937



**MIKE WOELFEL**  
**5th District, Cabell County**  
**Democrat**

Lawyer **Born** Huntington, West Virginia  
**Education** B.A., Marshall University, History; J.D., West Virginia University **Spouse** Julia  
**Children** Michael and Matthew **Grandchildren**  
Colin, Mady and Carter **Affiliations** St. Joseph  
Catholic Church; **Other Public Service** Assistant  
Prosecutor (1978-1980); Cabell County Juvenile  
Court Referee, WV Supreme Court of Appeals  
(1980-2012); Adjunct Professor, Marshall

University (1980-2012); Assistant Boys Basketball Coach, St. Joseph High School (1995-2003) and Huntington High School (2002-2007) (Three AAA State Titles); Irish Legends Hall of Fame (2014) **Legislative Service** Elected to the Senate 2014 **Religion** Roman Catholic **Address** 801 8th Street, Huntington 25701 **Telephone** (304) 522-6249

**SIXTH DISTRICT**

[Mercer County and Portions of McDowell, Mingo and Wayne Counties]

**MARK R. MAYNARD**

**6th District, Wayne Mingo, McDowell,**

**Mercer County**

**Republican**

**Chair, Committee on Natural Resources**

**Vice Chair, Committee on**

**Economic Development**

**Chair, Committee on Enrolled Bills**

Auto Dealer/CEO **Born** May 14, 1972 in  
Huntington, West Virginia **Education** Wayne  
H.S.; B.B.A., Marshall University, Marketing;

B.B.A., Business Management, Marshall University **Children** Morgan Chevelle  
Maynard **Parents** Richard Dale and Jewell Gay Maynard **Affiliations** President,  
Eastcoast Streetcar Association; NHRA crew member; NMCA; SEMA; AACA;  
Tread Lightly; Founding Member, Appalachian Ridge-Runners Off-Road Club;  
CEO of Maynard's Auto World **Legislative Service** Elected to the Senate 2014  
**Other Public Service** Chairman, Wayne County Executive Committee; Wayne  
County Schools Volunteer, assistant softball coach **Religion** Baptist

**CHANDLER SWOPE****6th District, Mercer County****Republican****Chair, Committee on the Workforce****Vice Chair, Committee on****Transportation and Infrastructure**

Retired **Born** August 14, 1942 in Welch, West Virginia **Education** B.S. Industrial Management, Ohio State University **Children** William C. Swope, Jr. and Susan S. Young **Parents** The late William B. Swope and Virginia M. Swope **Legislative Service**

Elected to the Senate 2016 **Telephone** (304) 920-2460 **H.** (304) 357-7843 **O.**

**SEVENTH DISTRICT**

[Logan, Boone and a Portion of Mingo and Wayne Counties]



**RICHARD OJEDA**  
**7th District, Logan County**  
**Democrat**

Retired US Army/Jr. ROTC Instructor **Born** September 25, 1970 in Rochester, Minnesota  
**Parents** Richard Sr. and Florena **Wife** Kelly Ann Ojeda **Children** Richard III and Kayla **Education** B.A., West Virginia State University; M.A., Webster University **Affiliations** VFW **Legislative Service** Elected to the Senate 2016



**RON STOLLINGS**  
**7th District, Boone County**  
**Democrat**

Physician **Born** April 24, 1955, in Madison, West Virginia, the son of the late Alma Stollings

**Education** Scott High School; B.A., M.S., West Virginia University; M.D., Marshall University School of Medicine; Wake Forest University

**Children** Whitney L. Stollings **Affiliations** Past President, West Virginia Medical Association; Past President, Madison Rotary Club **Legislative**

**Service** Elected to the Senate 2006-2014

**Legislative Positions Held** Vice Chair, Committee on Health and Human Resources, 78th and 79th Legislatures; Chair, Committee on Confirmations, 79th Legislature; Chair, Committee on Health and Human Resources, 80th and 81st Legislatures **Other Public Service** Former Member, Vice Chairman,

University System Board of Trustees; Former Member, Higher Education Policy Commission; Former Chair, Corridor G Regional Development Authority

**Religion** Protestant **Address** P.O. Box 365, Madison 25130 **Telephone** (304) 369-6194 **H.** (304) 369-5170 **O.** (304) 357-7939 **Senate Office**

**EIGHTH DISTRICT**

[Portions of Kanawha County and Putnam Counties]

**ED GAUNCH****8th District, Kanawha County  
Republican****Chair, Committee on Pensions****Chair, Committee on****Banking and Insurance****Vice Chair, Committee on****Government Organization**

Retired Insurance CEO **Born** May 12, 1947  
in Madison, West Virginia **Education** West  
Virginia State College, 1970 **Spouse** Marilyn  
**Children** Angela Beaver and Louis Gaunch

**Grandchildren** five **Affiliations** Boards: BB&T/Charleston; BB&T West  
Virginia Foundation; West Virginia State University Foundation; Believe in  
West Virginia Foundation (President); Fellowship of Christian Athletes; Sun-  
day school teacher and deacon, Emmanuel Baptist Church; Retired, former  
President, CEO of Carson Insurance Agency **Legislative Service** Elected to the  
Senate 2014 **Legislative Positions Held** Chair, Committee on Interstate Co-  
operation Chair, Committee on Pensions; Vice Chair, Committee on Banking  
and Insurance; Vice Chair, Committee on Enrolled Bills, 82nd Legislature  
**Religion** Baptist, Emmanuel Baptist Church, Charleston, WV **Address**  
524 Woodbridge Drive, Charleston 25311 **Telephone** (304) 345-9316 **H.**  
(304) 357-7841 **O. Email** ed.gaunch@wvsenate.gov



**GLENN JEFFRIES**  
**8th District, Putnam County**  
**Democrat**

Businessman **Born** July 15, 1961 in South Charleston, West Virginia **Parents** The late Keith G. and J. Pauline Jeffries **Wife** Sherry G. Jeffries **Children** Ashley G. Bailey, Jared W., Austin K., Amanda B. **Grandchildren** Eli W. Bailey and Emma F. Bailey **Education** Poca High School; West Virginia State University **Affiliations** Member, Putnam County Economic Development Authority (Operations Committee); Member, Putnam County Chamber of Commerce; Former member, Poca Valley Bank Advisory Board; Management, Trustee on the Carpenters Pension and Health Funds of West Virginia; Painters Health Fund and Apprenticeship and Training Funds of WV **Legislative Service** Elected to the Senate 2016 **Religion** Baptist, Cross Lanes Baptist Church



**NINTH DISTRICT**

[Raleigh and Wyoming Counties and a Portion of McDowell County]

**SUE CLINE**

**9th District, Wyoming County**

**Republican**

**Chair, Committee on**

**Interstate Cooperation**

Real Estate Agent **Born** May 28, 1946 in Steven Clinic Hospital, Welch WV **Education** So. Community College; Penn State; Bluefield State; Concord; Mckinley Beis College **Children** Two **Affiliations** WV State Realtors Association; **Legislative Service** Appointed January 2016; Elected to the Senate 2016

**JEFF MULLINS****9th District, Raleigh County****Republican****Vice Chair, Committee on Finance**

President and CEO of Employers' Innovative Network/Licensed Insurance Agent **Born** June 28, 1965 in Mullens, West Virginia **Spouse** Andrea **Children** Chase and Keith **Parents** William "Dude" and Beatrice "Joyce" Mullins **Education** B.S., Business Administration, Bluefield State College **Affiliations** Down Syndrome Network; Challenger Baseball team, assistant coach;

NAPEO; APA; SHRM; BNA **Legislative Service** Elected to the Senate 2014 **Legislative Positions Held** Chair, Committee on Energy, Industry and Mining; Vice Chair, Committee on Confirmations, 82nd Legislature **Religion** Christian, Glade Community Church **Address** P. O. Box 2063, Shady Spring 25918 **Telephone** (304) 357-7831 **O. Email** jeff.mullins@wvsenate.gov

**TENTH DISTRICT**

[Fayette, Greenbrier, Monroe and Summers Counties]

**KENNY MANN**

**10th District, Fayette County**

**Republican**

**Chair, Committee on Education**

Funeral Director and Substitute Teacher **Born** in Bluefield, WV **Education** B.A., Business, Concord University; Associate, Mortuary Science, Mid-America College of Funeral Service **Children** Brianna, Hannah, Haleigh and Emmett **Parents** Marvin and Judy Mann **Affiliations** Former Member of Monroe County Board of Education; WV Funeral Directors Association; President,

Ballard Volunteer Fire Department; John Dove Lodge AF&AM **Legislative Service** Elected 2016



**RONALD MILLER**  
**10th District, Greenbrier County**  
**Democrat**

Self-employed owner of Creighberhill Ltd. Company; Pastor, West Point Baptist; Pastor-Emeritus, Shuck Memorial Baptist **Born** November 12, 1954, in Geneva, New York, the son of Clyde and Phyllis Miller **Education** Greenbrier East High School; B.A., Shepherd University; M.A., Southern Seminary, Louisville, Kentucky **Wife** Cindy Lord **Children** Creighton, Hilary, Berkley **Affiliations** Member, Lewisburg Lions Club; Shuck Memorial Baptist Church;

National Independent Concessionaries Association; West Virginia Fairs and Festivals Association; Greenbrier Education Foundation; Greenbrier/Raleigh Baptist Association **Legislative Service** Elected to the Senate 2010-2014 **Legislative Positions Held** Chair, Committee on Agriculture, 80th and 81st Legislatures; Vice Chair, Committee on Government Organization, 80th and 81st Legislatures; Vice Chair, Committee on Labor, 80th and 81st Legislatures **Other Public Service** Former Circuit Clerk of Greenbrier County; Past President of WVACo **Religion** American Baptist **Address** HC 34, Box 359, Lewisburg 24901 **Telephone** (304) 497-3184 **H.** (304) 357-7959 **O.**

**ELEVENTH DISTRICT**

[Nicholas, Pendleton, Pocahontas, Randolph, Upshur and Webster Counties and a Portion of Grant County]

**GREG BOSO****11th District, Nicholas County****Republican****Chair, Committee on****Transportation and Infrastructure**

Civil Engineer **Born** October 8, 1957 in Gassaway, West Virginia **Spouse** Debbie **Children** Lee (Gregory L., II) and Karen **Parents** Joe and Charlotte Boso **Education** B.S., Civil Engineering, West Virginia Institute of Technology, 1980 **Affiliations** National Society of Professional Engineers; National Academy of

Forensic Engineers; American Society of Civil Engineers; International Code Council; WV Society of Professional Engineers International Association of Certified Home Inspectors **Other Public Service** Summersville Fire Department, 1976-present; Summersville Planning and Zoning Committee; WVSSAC Soccer Referee; Summersville Baptist Church, Deacon and Awana Commander; USSF Soccer Referee **Legislative Service** Appointed to fill vacancy created by resignation of Clark Barnes, January 16, 2015; Elected to the Senate 2016 **Religion** Christian, Baptist **Address** 401 Main Street, Summersville 26651 **Telephone** (304) 872-1308 **H.** (304) 357-7973 **O. Email** greg.boso@wvsenate.gov

**ROBERT L. KARNES****11th District, Upshur County****Republican****Vice Chair, Committee on Education**

**Born** May 13, 1969 in South Charleston, West Virginia **Wife** Amy **Children** Eight **Education** Poca High School Graduate, 1987 **Legislative Service** Elected to the Senate 2014 **Legislative Positions Held** Chair, Committee on Natural Resources; Vice Chair, Committee on Interstate Cooperation, 82nd Legislature

**TWELFTH DISTRICT**

[Braxton, Clay, Harrison and Lewis Counties and a Portion of  
Gilmer County]



**DOUGLAS EUGENE FACEMIRE**  
**12th District, Braxton County**  
**Democrat**

Owner, Grocery Chain **Born** August 22, 1961, in Gassaway, West Virginia, the son of Eugene and Barbara Facemire **Education** Braxton County High School **Wife** Tammy Gregory **Children** Corey, Kayla, Jessie **Affiliations** Member, Columbian Club, Fraternal Order of Police; Braxton County Flying Club; AOPA; Sutton Baptist Church **Legislative Service** Elected to the Senate 2008-2016 **Legislative Positions Held** Vice

Chair, Committee on Energy, Industry and Mining, 79th Legislature; Chair, Committee on Energy, Industry and Mining, 80th and 81st Legislatures; Vice Chair, Committee on Finance, 80th and 81st Legislatures **Other Public Service** Member, Co-Chair, Braxton County Democratic Executive Committee **Religion** Baptist **Address** P.O. Box 215, Sutton 26601 **Telephone** (304) 765-2231 **H.** (304) 364-9903 **O.** (304) 546-9920 **C.**



**MIKE ROMANO**  
**12th District, Harrison County**  
**Democrat**

Attorney/CPA **Born** January 18, 1961 in Clarksburg, West Virginia **Education** B.S., B.A., Accounting, WVU; J.D., West Virginia University College of Law **Spouse** Amy **Children** Emma, Michael **Parents** Melvin J. and Lucie A. Romano **Affiliations** Bar and Professional Admissions-Supreme Court of Appeals of West Virginia; U.S. District Court for the Northern and Southern Districts of West Virginia; U.S. Court of Appeals for the Fourth

Circuit; American Bar Association; West Virginia State Bar; Harrison County Bar Association; West Virginia Association for Justice; Association for Justice of America; American Institute of Certified Public Accountants; West Virginia State Society of Certified Public Accountants **Legislative Service** Elected to the Senate 2014 **Other Public Service** Commissioner, Harrison County; U.S. SEC Division of Enforcement, 1986-1992 **Religion** Catholic/Christian **Address** 128 S. Second St., Clarksburg, 26301 **Telephone** (304) 624-1100 **Email** mike.romano@wvsenate.gov



**THIRTEENTH DISTRICT**

[Portions of Marion and Monongalia Counties]



**ROBERT D. "BOB" BEACH**  
**13th District, Monongalia County**  
**Democrat**

**Born** in Morgantown, West Virginia, the son of the late Robert C. Beach, former member of the House of Delegates, and Nancy K. Beach-Davis  
**Education** Fairmont State College and Spruce Plybon School of Real Estate **Wife** Rachel Amanda Plybon **Children** Jennifer Marie, Melanie Kay, Courtney Alexandra, Samuel Clay and Robert Henry **Affiliations** Visitation Committee Member, WVU Davis School of Agriculture; Member,

Wesley United Methodist Church; WV Farm Bureau; Marion Historical Society; American Philatelic Society; Member; Member, West Virginia Holocaust Education Commission; Member, West Virginia Blue Ribbon Transportation Commission; Member, Steering Committee for the Development of the WV State Rail Plan **Legislative Service** Appointed to the House of Delegates in May, 1998 to fill the vacancy created by the death of Robert C. Beach; Elected to the House 2000-2008; Elected to the Senate 2010-2014 **Legislative Positions Held** Chair, Committee on Transportation and Infrastructure, 80th and 81st Legislatures **Other Public Service** Member, Monongalia County Planning Commission **Religion** Methodist **Address** P.O. Box 1620, Morgantown 26505 **Telephone** (304) 932-7170 **H.** (304) 357-7919 **O.**



**ROMAN W. PREZIOSO JR.**  
**13th District, Marion County**  
**Democrat**

Administrator **Born** June 29, 1949, son of the late Roman W. and Amelia A. Prezioso **Education** Fairmont State College, A.B.; West Virginia University, M.S.; Marshall University **Wife** Deborah M. Haught **Children** Christopher James **Affiliations** Board of Directors, Mon General Hospital Member of the Board; Kiwanis Club of Fairmont-Past President; Marion Regional Development Corporation; Motor Sports Advisory Committee; Phi Delta Kappa; Southern Regional Education Board, 2004 Vice Chair, 2005 Chair, Legislative Advisory Committee; Southern Legislative Conference, Chair, Health and Human Services and Public Safety Committee; Fiscal Affairs and Government Operation; State Policy Academy on Managing Systemic Education Change; West Virginia School Health Committee; West Virginia University's Eberly College of Arts and Sciences Advisory Board; Governor's Committee on School Facilities Evaluation; Marion County Chamber of Commerce's Public Servant of the Year, 8/6/2003; Times-West Virginian Public Servant of the Year 2002; American Legion Department of West Virginia 2001 Distinguished Service Award, 2/2/2002; West Virginia Nurses Association 2001 Nursing Award, 5/8/2001; Fairmont State College School of Technology, Appreciation Award, 4/23/1999; Pricketts Fort Memorial Foundation, History Maker of the Year, 10/18/1998; West Virginia Public Theatre's Producer's Award, 7/25/1998; Fairmont State College's 1997 Alumnus Achievement Award, 10/18/1997; Fairmont State College's Presidential Service Award, 5/11/1996; West Virginia State Troopers Association's Appreciation Award, 1993; American Vocational Association Region One's Legislator of the Year, 12/7/1992; Outstanding Young Men in America **Legislative Service** Elected to the House 1988-1996; Elected to the Senate 1996-2016 **Legislative Positions Held** Chair, Committee on the Military, 73rd Legislature; Chair, Student Intern Committee, 73rd, 74th, 75th and 76th Legislatures; Chair, Committee on Health and Human Resources, 75th, 76th, 77th, 78th and 79th Legislatures; Chair, Legislative Oversight Commission on Health and Human Resources 75th, 76th, 77th, 78th and 79th Legislatures; Chair, Committee on Finance, 80th and 81st Legislatures **Religion** Catholic **Address** 1806 Dogwood Drive, Fairmont 26554 **Telephone** (304) 366-5308 **H.** (304) 357-7961 **O.**

**FOURTEENTH DISTRICT**

[Barbour, Hardy, Preston, Taylor and Tucker Counties and  
Portions of Grant, Mineral and Monongalia Counties]

**DAVE SYPOLT****14th District, Preston County****Republican****Chair, Committee on****Agriculture and Rural Development****Vice Chair, Committee on****Energy, Industry and Mining**

Professional Land Surveyor **Born** September 28, 1964, the son of Charles R. and Alice Sypolt **Education** A.S., Land Surveying and Regents; Bachelor of Arts, Glenville State College **Children** three children, two grandchildren **Affiliations**

Curriculum Advisor, Glenville State College; Board of Directors, Alderson Broaddus University; Life Member, NRA; NRA Certified Pistol Safety Instructor; Life Member, Former Director, WV State Rifle and Pistol Association; Licensed Ham Radio Operator KC8YSO; Member and Former Director, WV Society of Professional Surveyors; Preston County Farm Bureau; Friends of Coal; West Virginians for Life; Preston County Chamber of Commerce **Legislative Service** Elected to the Senate 2006-2014 **Legislative Positions Held** Chair, Committee on Education, 82nd Legislature **Other Public Service** Preston County Surveyor, 2000-2004; Chair, 2006 Mountaineer Friends of the NRA Committee **Address** P.O. Box 5, Kingwood 26537 **Telephone** (304) 698-5299 **H.**



**RANDY E. SMITH**  
**14th District, Preston County**  
**Republican**  
**Chair, Committee on**  
**Energy, Industry and Mining**

Coal Miner **Born** March 3, 1960 in Oakland, Maryland **Parents** George and Iola Clem **Education** East Preston High School **Wife** Patty Smith **Children** Amy J. and husband Tim Wotring; R. Scott Smith and wife Beth **Affiliations** Member, National Rifle Association; Brookside Church of the Brethren; FFA Alumni Assoc., CTE Advisory Board **Legislative Service** Elected to the House 2012-2014; Elected to the Senate 2016 **Legislative Positions Held** Vice Chair, Energy, 82nd Legislature, House of Delegates; Assistant Majority Whip, 82nd Legislature, House of Delegates **Other Public Service** Former President of TAYL/Board; Board Member, Brookside Ministerial Board **Religion** Protestant **Address** P.O. Box 282, Davis 26260 **Telephone** (301) 616-0575 **H.**

**FIFTEENTH DISTRICT**

[Hampshire and Morgan Counties and Portions of Berkeley and Mineral Counties]



**CRAIG P. BLAIR**  
**15th District, Berkeley County**  
**Republican**  
**Majority Whip**  
**Chair, Committee on**  
**Government Organization**

Businessman; Classified Certified Water Specialist Class V; Master Electrician; Master Plumber Class V  
**Born** October 17, 1959, in Martinsburg, West Virginia, the son of Freddie L. and Jeanette Blair  
**Education** Hedgesville High School; James Rumsey Vocational Technical Center (1),

Industrial and Residential Electricity (2), Air Conditioning (3), Machine Trades  
**Wife** Andrea Dendy  
**Children** Philip Lee, Delegate Saira Grey  
**Affiliations** Member, Martinsburg/Berkeley County Chamber of Commerce; Building a Better Eastern Panhandle; National Rifle Association; West Virginia Citizens Defense League; Eastern Panhandle Business Association  
**Legislative Service** Elected to the House 2002-2008; Elected to the Senate 2012-2016  
**Religion** Christian  
**Address** 47 Wasser Dr., Martinsburg 25403  
**Telephone** (304) 754-5040 **H.** (304) 754-9031 **O.**



**CHARLES S. TRUMP IV**  
**15th District, Morgan County**  
**Republican**  
**Chair, Committee on the Judiciary**

Attorney **Born** October 3, 1960 in Winchester, Virginia, son of C. Samuel III and Mary Lou Trump **Education** Princeton University, A.B.; West Virginia University College of Law, J.D. **Wife** Susan Keller Johnston **Children** Charles Samuel V, Rebecca Loftus, Michael Johnston **Legislative Service** Elected to the House 1992-2004; Elected to the Senate 2014 **Legislative Positions Held** Chair,

Committee on the Judiciary; Vice Chair, Committee on Agriculture and Rural Development; Vice Chair, Committee on Pensions; **Legislative Positions Held** Minority Whip, 72nd and 73rd Legislatures; Minority Leader, 74th, 75th and 76th Legislatures **Other Public Service** Prosecuting Attorney, Morgan County, 1982-1992 **Religion** Episcopal **Address** 171 South Washington Street, Berkeley Springs 25411 **Telephone** (304) 258-1414 **O.** (304) 258-5133 **H.**

**SIXTEENTH DISTRICT**

[Jefferson County and a Portion of Berkeley County]

**PATRICIA RUCKER****16th District, Jefferson County****Republican****Vice Chair, Committee on****Agriculture and Rural Development**

Home Schooling Mother **Born** April 27, 1974  
in Caracas, Venezuela **Parents** Jose and Haydee  
Puertas **Husband** James M. Rucker Jr. **Children**

Catherine, Ambrose, Gregory, Xavier **Education**  
B.A. - History, Trinity College (Washington, D.C.)

**Affiliations** Member, Farm Bureau ; Eastern  
Panhandle Business Association; WV Citizens

Defense League, National Rifle Association **Legislative Service** Elected to  
the Senate 2016



**JOHN R. UNGER II**  
**16th District, Berkeley County**  
**Democrat**

Pastor **Born** January 24, 1969, in Martinsburg, West Virginia **Education** B. A., West Virginia University, Phi Beta Kappa's Albert Lee Strum Scholar; Harry S. Truman Foundation Scholar; University of Hong Kong; International Development Center (Oxford); B.A., M.A., University of Oxford, Rhodes Scholar; M. Div., Wesley Theological Seminary (Washington, D. C.) and the Lutheran Theological Seminary at Gettysburg **Affiliations** Chair, Council of State Government

(CSG) Children and Youth Task Force; Chair, Southern Legislative Council (SLC) Education Committee; Member, Executive Committee, National Conference of State Legislatures; United Way of the Eastern Panhandle; American Red Cross; Boards of Directors, Habitat for Humanity; Family Resource Network for the Eastern Panhandle; EVAK K9 Search and Rescue Team; Founder, West Virginia Campus Compact; WVU Office of Service Learning; Graduate, Leadership Berkeley; Chamber of Commerce; Martinsburg Rotary; West Virginia Farm Bureau; Recipient, American Institute of Public Service's Jefferson Award, 1993; United States Presidential Award for National Service, 1991; USA Today's ALL-USA College First Academic Team, 1992; Time Magazine College Achievement Award, 1990 **Legislative Service** Elected to the Senate 1998-2014 **Legislative Positions Held** Majority Leader, 80th and 81st Legislatures; Chair, Select Committee on Children and Poverty; Chair, Committee on Children and Families; Chair, Select Committee on Redistricting, 2011; Chair, Joint Legislative Commission on State Water Resources; Chair, Committee on Transportation and Infrastructure, 78th and 79th Legislatures; Vice Chair, Committee on Economic Development, 79th Legislature; Vice Chair, Commission on Interstate Cooperation, 78th Legislature **Other Public Service** Chaplain, Jefferson County Sheriff's Department and Past Chaplain, Hospice of the Panhandle; Founder, Past President, WV International Trade Development Council; Deputy Director, Berkeley County Emergency Services; Board Member, Berkeley County Development Authority; Local Emergency Planning Committee; Chair, Children's Summit for the Eastern Panhandle's Future; WV State Democratic Executive Committee; Policy Advisor, Hong Kong Legislative Council; Special Assistant to the Director, United States Refugee Program (Hong Kong); Member, United Nations Operation Provide Comfort, 1991, Northern Iraq; Coordinated relief efforts during monsoons and riots in Calcutta with Mother Teresa and the Missionaries of Charity, 1990; Iraq Humanitarian Relief Mission, Save the Children, 2003 **Religion** Pastor of Lutheran, United Methodist and Episcopal Churches **Address** 1022 Williamsport Pike, Martinsburg 25404 **Telephone** (304) 357-7933 **O.** (304) 357-7829 **Fax** **E-mail:** john.unger@wvsenate.gov



**SEVENTEENTH DISTRICT**  
[A Portion of Kanawha County]



**COREY J. PALUMBO**  
**17th District, Kanawha County**  
**Democrat**  
**Minority Whip**

Attorney **Born** August 16, 1972, in Charleston, West Virginia, the son of former Senator Mario J. Palumbo and Louise Corey Palumbo **Education** George Washington High School; B.A., West Virginia University; University of North Carolina School of Law **Wife** Cristin Meredith Palumbo **Children** Riley Meredith, Mario James and Michael Corey **Legislative Service** Elected to the

House 2002-2006; Elected to the Senate 2008-2016 **Legislative Positions** Chair, Committee on Enrolled Bills, 79th Legislature; Chair, Committee on the Judiciary, 80th and 81st Legislatures **Religion** Christian **Address** 600 Quarrier Street, Charleston 25301 **Telephone** (304) 746-7933 **H.** (304) 347-1781 **O.**



**TOM TAKUBO**  
**17th District, Kanawha County**  
**Republican**  
**Chair, Committee on**  
**Health and Human Resources**

Physician **Born** December 14, 1971, in Columbus, Ohio **Children** Maggie, Trevor and Molly **Parents** Tom Takubo, father; Sandy Colegrove, mother and Freddie Colgrove, stepfather **Education** Chapmanville High School; B.S. Marshall University, Science; West Virginia Osteopathic School, D.O.; West Virginia University, Internal

Medicine 2003; East Tennessee State, Pulmonary Critical Care 2007 **Legislative Service** Elected to the Senate 2014 **Legislative Positions Held** Chair, Committee on Economic Development, 82nd Legislature **Religion** Christian **Address** 272 Creekstone Ridge, South Charleston 25309 **Telephone** (304) 306-4118 **H.** (304) 400-4545

## SENATE APPORTIONMENT, 2011

(Based on 2010 Census)

| District | County                                                                                                | Number of<br>Senators | Population<br>2010 |
|----------|-------------------------------------------------------------------------------------------------------|-----------------------|--------------------|
| 1st      | Brooke, Hancock, Ohio and part of Marshall                                                            | 2                     | 103,559            |
| 2nd      | Calhoun, Doddridge, Ritchie, Tyler, Wetzel,<br>and part of Gilmer, Marion, Marshall and<br>Monongalia | 2                     | 110,917            |
| 3rd      | Pleasants, Wirt, Wood and part of Roane                                                               | 2                     | 105,887            |
| 4th      | Jackson, Mason, and part of Putnam and Roane                                                          | 2                     | 104,190            |
| 5th      | Cabell and part of Wayne                                                                              | 2                     | 112,909            |
| 6th      | Mercer and parts of McDowell, Mingo and Wayne                                                         | 2                     | 113,861            |
| 7th      | Boone, Lincoln, Logan, and part of Mingo and<br>Wayne                                                 | 2                     | 104,098            |
| 8th      | Parts of Kanawha and Putnam                                                                           | 2                     | 104,552            |
| 9th      | Raleigh, Wyoming and part of McDowell                                                                 | 2                     | 104,895            |
| 10th     | Greenbrier, Monroe, Summers and All of Fayette                                                        | 2                     | 108,948            |
| 11th     | Nicholas, Pendleton, Pocahontas, Randolph,<br>Upshur, Webster and part of Grant                       | 2                     | 114,154            |
| 12th     | Braxton, Clay, Harrison, Lewis and a part of<br>Gilmer                                                | 2                     | 113,924            |
| 13th     | Part of Marion and Monongalia                                                                         | 2                     | 113,552            |
| 14th     | Barbour, Hardy, Preston, Taylor, Tucker and part<br>of Grant, Mineral and Monongalia                  | 2                     | 113,891            |
| 15th     | Hampshire, Morgan and a part of Berkeley<br>and Mineral                                               | 2                     | 114,448            |
| 16th     | Jefferson and part of Berkeley                                                                        | 2                     | 103,550            |
| 17th     | Part of Kanawha                                                                                       | 2                     | 105,659            |

**POPULATION OF SENATORIAL  
DISTRICTS, 2011**

**First Senatorial  
District**

| <b>Counties</b> | <b>Population</b> |
|-----------------|-------------------|
| Brooke.....     | 24,069            |
| Hancock.....    | 30,676            |
| Marshall.....   | 4,371             |
| Ohio.....       | 44,443            |
| Total.....      | 103,559           |

**Second Senatorial  
District**

| <b>Counties</b> | <b>Population</b> |
|-----------------|-------------------|
| Calhoun.....    | 7,627             |
| Doddridge.....  | 8,202             |
| Gilmer.....     | 4,149             |
| Marion.....     | 11,152            |
| Marshall.....   | 28,736            |
| Monongalia..... | 14,811            |
| Ritchie.....    | 10,449            |
| Tyler.....      | 9,208             |
| Wetzel.....     | 16,583            |
| Total.....      | 110,917           |

**Third Senatorial  
District**

| <b>Counties</b> | <b>Population</b> |
|-----------------|-------------------|
| Pleasants.....  | 7,605             |
| Roane.....      | 5,609             |
| Wirt.....       | 5,717             |
| Wood.....       | 86,956            |
| Total.....      | 105,887           |

**Fourth Senatorial  
District**

| <b>Counties</b> | <b>Population</b> |
|-----------------|-------------------|
| Jackson.....    | 29,211            |
| Mason.....      | 27,324            |
| Putnam.....     | 38,338            |
| Roane.....      | 9,317             |
| Total.....      | 104,190           |

**Fifth Senatorial  
District**

| <b>Counties</b> | <b>Population</b> |
|-----------------|-------------------|
| Cabell.....     | 96,319            |
| Wayne.....      | 16,590            |
| Total.....      | 112,909           |

**Sixth Senatorial  
District**

| <b>Counties</b> | <b>Population</b> |
|-----------------|-------------------|
| McDowell.....   | 19,873            |
| Mercer.....     | 62,264            |
| Mingo.....      | 20,107            |
| Wayne.....      | 11,617            |
| Total.....      | 113,861           |

**Seventh Senatorial  
District**

| <b>Counties</b> | <b>Population</b> |
|-----------------|-------------------|
| Boone.....      | 24,629            |
| Lincoln.....    | 21,720            |
| Logan.....      | 36,743            |
| Mingo.....      | 6,732             |
| Wayne.....      | 14,274            |
| Total.....      | 104,098           |

**Eighth Senatorial  
District**

| <b>Counties</b> | <b>Population</b> |
|-----------------|-------------------|
| Kanawha.....    | 87,404            |
| Putnam.....     | 17,148            |
| Total.....      | 104,552           |

**Ninth Senatorial  
District**

| <b>Counties</b> | <b>Population</b> |
|-----------------|-------------------|
| Raleigh.....    | 78,859            |
| Wyoming.....    | 23,796            |
| Total.....      | 104,895           |

**Tenth Senatorial  
District**

| <b>Counties</b> | <b>Population</b> |
|-----------------|-------------------|
| Fayette.....    | 46,039            |
| Greenbrier..... | 35,480            |
| Monroe.....     | 13,502            |
| Summers.....    | 13,927            |
| Total.....      | 108,948           |

**POPULATION OF SENATORIAL DISTRICTS (Cont'd)**

**Eleventh Senatorial District**

| Counties         | Population |
|------------------|------------|
| Grant .....      | 8,694      |
| Nicholas .....   | 26,233     |
| Pendleton .....  | 7,695      |
| Pocahontas ..... | 8,719      |
| Randolph .....   | 29,405     |
| Upshur .....     | 24,254     |
| Webster .....    | 9,154      |
| Total .....      | 114,154    |

**Twelfth Senatorial District**

| Counties       | Population |
|----------------|------------|
| Braxton .....  | 14,523     |
| Clay .....     | 9,386      |
| Gilmer .....   | 4,544      |
| Harrison ..... | 69,099     |
| Lewis .....    | 16,372     |
| Total .....    | 113,924    |

**Thirteenth Senatorial District**

| Counties         | Population |
|------------------|------------|
| Marion .....     | 45,266     |
| Monongalia ..... | 68,286     |
| Total .....      | 113,552    |

**Fourteenth Senatorial District**

| Counties         | Population |
|------------------|------------|
| Barbour .....    | 16,589     |
| Grant .....      | 3,243      |
| Hardy .....      | 14,025     |
| Mineral .....    | 9,386      |
| Monongalia ..... | 13,092     |
| Preston .....    | 33,520     |
| Taylor .....     | 16,895     |
| Tucker .....     | 7,141      |
| Total .....      | 113,891    |

**Fifteenth Senatorial District**

| Counties        | Population |
|-----------------|------------|
| Berkeley .....  | 54,117     |
| Hampshire ..... | 23,964     |
| Mineral .....   | 18,826     |
| Morgan .....    | 17,541     |
| Total .....     | 114,448    |

**Sixteenth Senatorial District**

| Counties        | Population |
|-----------------|------------|
| Berkeley .....  | 50,052     |
| Jefferson ..... | 53,498     |
| Total .....     | 103,550    |

**Seventeenth Senatorial District**

| Counties      | Population |
|---------------|------------|
| Kanawha ..... | 105,659    |
| Total .....   | 105,659    |

| NAME              | YEARS ELECTED                                               | YEARS OF SERVICE<br>(DOES NOT INCLUDE<br>2017-2018 SESSIONS) |
|-------------------|-------------------------------------------------------------|--------------------------------------------------------------|
| Boley             | Appt. May, 1985<br>1986 - 2016                              | 30 Years, 7 Months<br>Consecutive Service                    |
| Prezioso          | 1988 - 1994 (House)<br>1996 - 2016                          | 28 Consecutive Years                                         |
| Plymale           | 1992 - 2016                                                 | 24 Consecutive Years                                         |
| Hall              | 1994 - 2004 (House)<br>2006 - 2014                          | 22 Consecutive Years                                         |
| Beach             | Appt. May, 1998<br>(House); 2000-2008<br>(House); 2010-2014 | 18 Years, 7 Months<br>Consecutive Service                    |
| Unger             | 1998 - 2014                                                 | 18 Consecutive Years                                         |
| Trump             | 1993-2006 (House);<br>2014                                  | 16 Years                                                     |
| Carmichael        | 1996-2000;<br>2008-2016                                     | 16 Consecutive Years                                         |
| Palumbo           | 2000-2010 (House);<br>2012-2016                             | 14 Consecutive Years                                         |
| Blair             | 2002 - 2006 (House)<br>2008 - 2016                          | 14 Consecutive Years                                         |
| Stollings, Sypolt | 2006 - 2014                                                 | 10 Consecutive Years                                         |
| Facemire          | 2008-2016                                                   | 8 Consecutive Years                                          |
| Miller            | 2010-2016                                                   | 6 Consecutive Years                                          |
| Ferns             | 2010-2012 (House);<br>2014                                  | 6 Consecutive Years                                          |
| Smith             | 2012-2014 (House);<br>2016                                  | 4 Years                                                      |
| Clements          | 1994-1996 (House);<br>Appt. January 2017                    | 4 Years                                                      |

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| <b>NAME</b>                                                       | <b>YEARS ELECTED</b> | <b>YEARS OF SERVICE<br/>(DOES NOT INCLUDE<br/>2017-2018 SESSIONS)</b> |
|-------------------------------------------------------------------|----------------------|-----------------------------------------------------------------------|
| Gaunch, Karnes,<br>Mullins, Romano,<br>Takubo, Woefel,<br>Maynard | 2014                 | 2 Consecutive Years                                                   |
| Azinger, Weld                                                     | 2014 (House); 2016   | 2 Consecutive Years                                                   |
| Boso                                                              | Appt. Jan. 16, 2015  | 2 Years                                                               |
| Cline                                                             | Appt. Jan. 22, 2016  | 1 Year                                                                |
| Jeffries, Mann,<br>Maroney, Ojeda,<br>Rucker, Swope               | 2016                 | First Term                                                            |

Press



Sergeant at Arms

Press



Doorkeeper



**West Virginia Senate**  
**83rd Legislature**  
**2017-2018**

Senate Clerk  
 Clark Barnes & Staff

Senate President  
 Mitch B. Carmichael

Pages

Pages



**ALPHABETICAL LIST OF SENATORS  
SHOWING SEAT NUMBERS**

Mitch B. Carmichael, President

|                            |    |                             |    |
|----------------------------|----|-----------------------------|----|
| Azinger, Mike (R).....     | 20 | Miller, Ronald F. (D).....  | 17 |
| Beach, Robert D. (D).....  | 9  | Mullins, Jeff (R).....      | 15 |
| Blair, Craig (R).....      | 13 | Ojeda, Richard (D).....     | 27 |
| Boley, Donna J. (R).....   | 21 | Palumbo, Corey (D).....     | 1  |
| Boso, Greg (R).....        | 29 | Plymale, Robert H. (D)..... | 2  |
| Carmichael, Mitch (R)..... | 25 | Prezioso, Roman (D).....    | 4  |
| Clements, Charles (R)..... | 34 | Romano, Mike (D).....       | 18 |
| Cline, Sue (R).....        | 14 | Rucker, Patricia (R).....   | 33 |
| Facemire, Douglas (D)..... | 11 | Smith, Randy (R).....       | 16 |
| Ferns, Ryan (R).....       | 5  | Stollings, Ron (D).....     | 12 |
| Gaunch, Ed (R).....        | 30 | Swope, Chandler (R).....    | 28 |
| Hall, Mike (R).....        | 6  | Sypolt, Dave (R).....       | 24 |
| Jeffries, Glenn (D).....   | 10 | Takubo, Tom (R).....        | 22 |
| Karnes, Robert L. (R)..... | 19 | Trump, Charles S. (R).....  | 8  |
| Mann, Kenny (R).....       | 7  | Unger, John R. (D).....     | 3  |
| Maroney, Mike (R).....     | 23 | Weld, Ryan (R).....         | 31 |
| Maynard, Mark R. (R).....  | 32 | Woelfel, Mike (D).....      | 26 |

# **Standing Committees of the Senate**

## **83rd Legislature**

### **2017-2018**

**Senate President – Mitch B. Carmichael**  
**President Pro Tempore - Donna J. Boley**  
**Majority Leader – Ryan Ferns**  
**Majority Whip - Craig Blair**  
**Minority Leader - Roman Prezioso**  
**Minority Whip - Corey Palumbo**

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#### **AGRICULTURE AND RURAL DEVELOPMENT**

Senators Sypolt (Chair), Rucker (Vice Chair), Clements, Cline, Mann, Maynard, Smith, Beach, Miller, Ojeda, Woelfel.

#### **BANKING AND INSURANCE**

Senators Gaunch (Chair), Azinger (Vice Chair), Clements, Hall, Mann, Maroney, Mullins, Swope, Facemire, Palumbo, Prezioso, Romano, Woelfel.

#### **CONFIRMATIONS**

Senators Boley (Chair), Ferns (Vice Chair), Azinger, Blair, Boso, Gaunch, Miller, Plymale, Prezioso.

#### **ECONOMIC DEVELOPMENT**

Senators Maroney (Chair), Maynard (Vice Chair), Blair, Boso, Cline, Mann, Smith, Swope, Takubo, Jeffries, Miller, Stollings, Romano, Woelfel.

#### **EDUCATION**

Senators Mann (Chair), Karnes (Vice Chair), Azinger, Boley, Hall, Maynard, Rucker, Swope, Trump, Beach, Plymale, Romano, Stollings, Unger.

#### **ENERGY, INDUSTRY AND MINING**

Senators Smith (Chair), Sypolt (Vice Chair), Blair, Boley, Cline, Ferns, Gaunch, Mullins, Swope, Facemire, Jeffries, Ojeda, Woelfel.

#### **ENROLLED BILLS**

Senators Maynard (Chair), Azinger, Gaunch, Palumbo, Prezioso.

#### **FINANCE**

Senators Hall (Chair), Mullins (Vice Chair), Blair, Boley, Boso, Ferns, Gaunch, Mann, Maroney, Sypolt, Takubo, Facemire, Palumbo, Plymale, Prezioso, Stollings, Unger.

**GOVERNMENT ORGANIZATION**

Senators Blair (Chair), Gaunch (Vice Chair), Boso, Clements, Maroney, Smith, Sypolt, Takubo, Weld, Facemire, Jeffries, Miller, Palumbo, Woelfel.

**HEALTH AND HUMAN RESOURCES**

Senators Takubo (Chair), Maroney (Vice Chair), Azinger, Clements, Karnes, Rucker, Trump, Weld, Palumbo, Plymale, Prezioso, Stollings, Unger.

**INTERSTATE COOPERATION**

Senators Cline (Chair), Azinger (Vice Chair), Maroney, Maynard, Sypolt, Palumbo, Unger.

**JUDICIARY**

Senators Trump (Chair), Weld (Vice Chair), Azinger, Clements, Cline, Ferns, Karnes, Maynard, Rucker, Smith, Swope, Beach, Jeffries, Miller, Ojeda, Romano, Woelfel.

**MILITARY**

Senators Weld (Chair), Boley (Vice Chair), Azinger, Clements, Cline, Sypolt, Facemire, Ojeda, Palumbo

**NATURAL RESOURCES**

Senators Maynard (Chair), Mann (Vice Chair), Cline, Karnes, Rucker, Smith, Sypolt, Takubo, Beach, Facemire, Prezioso, Stollings, Woelfel.

**PENSIONS**

Senators Gaunch (Chair), Hall (Vice Chair), Maroney, Mullins, Weld, Plymale, Romano.

**RULES**

Senators Carmichael (Chair), Blair, Boley, Ferns, Hall, Sypolt, Trump, Palumbo, Prezioso, Plymale, Stollings.

**TRANSPORTATION AND INFRASTRUCTURE**

Senators Boso (Chair), Swope (Vice Chair), Gaunch, Maroney, Maynard, Rucker, Beach, Jeffries, Plymale.

**SELECT COMMITTEE ON TAX REFORM**

Senators Karnes (Chair), Blair (Vice Chair), Ferns, Boso, Gaunch, Jeffries, Plymale

**COMMITTEE ON THE WORKFORCE**

Senators Swope (Chair), Weld (Vice Chair), Boso, Karnes, Mullins, Rucker, Smith, Beach, Jeffries, Ojeda, Stollings.

## ELECTIVE OFFICERS OF THE SENATE 1863-2017

### PRESIDENTS OF THE SENATE

| Name and Politics          | County     | When Elected |
|----------------------------|------------|--------------|
| Phelps, John M. (R)        | Mason      | 1863         |
| Stevenson, William E. (R)  | Wood       | 1864-68      |
| Farnsworth, D. D. T. (R)   | Upshur     | 1869-70      |
| Baker, Lewis (D)           | Ohio       | 1871         |
| *Sperry, Carlos A. (D)     | Greenbrier | 1872         |
| *Johnson, Daniel D. (D)    | Tyler      | 1872-75      |
| Arnett, Ulysses N. (D)     | Marion     | 1877         |
| Johnson, Daniel D. (D)     | Tyler      | 1878         |
| Summers, Albert E. (D)     | Kanawha    | 1881         |
| Farnsworth, Thomas, J. (D) | Upshur     | 1883         |
| Price, George E. (D)       | Mineral    | 1885-87      |
| Carr, Robert S. (D)        | Kanawha    | 1889         |
| McCreery, John W. (D)      | Raleigh    | 1891         |
| Wiley, Rankin, Jr. (D)     | Mason      | 1893         |
| Worley, William G. (R)     | Preston    | 1895         |
| Whitaker, Nelson E. (R)    | Ohio       | 1897         |
| Marshall, Oliver S. (R)    | Hancock    | 1899         |
| Smith, Anthony (R)         | Tyler      | 1901         |
| May, Clarke W. (R)         | Lincoln    | 1903         |
| Northcott, Gustavus A. (R) | Cabell     | 1905         |
| McDermott, Joseph H. (R)   | Monongalia | 1907         |
| Foreman, L. J. (R)         | Grant      | 1909         |
| **Kidd, R.F.               | Gilmer     | 1911         |
| **Hatfield, Dr. H. D. (R)  | McDowell   | 1911         |
| Woods, Samuel V. (D)       | Barbour    | 1913         |
| England, E. T. (R)         | Logan      | 1915         |
| Goodykoontz, Wells (R)     | Mingo      | 1917         |
| Sinsel, Dr. Charles A. (R) | Taylor     | 1919         |
| Arnold, Gohen C. (R)       | Upshur     | 1921         |
| Shaffer, Harry G. (R)      | Boone      | 1923         |
| ***Coffman, Charles G. (R) | Harrison   | 1925         |
| White, M. Z. (R)           | Mingo      | 1925-31      |
| Mathews, A. G. (D)         | Calhoun    | 1933         |
| Hodges, Charles E. (D)     | Monongalia | 1935-37      |

\*Two Presidents of the Senate were elected in 1872. After the new Constitution was adopted in that year a special session of the newly elected members of the Legislature was held and Daniel D. Johnson was elected President to succeed Carlos A. Sperry.

\*\* Two Presidents of the Senate were elected in 1911. Senator Kidd, elected first, resigned as part of an agreement between Republican and Democrat members. Subsequently and as part of the same agreement, Senator Hatfield was elected as the second President of the Senate.

\*\*\* Charles G. Coffman was elected President at the beginning of the 1925 session, but was unable to serve on account of illness, and on April 15, 1925, M. Z. White was elected as his successor.

| Name and Politics          | County   | When Elected |
|----------------------------|----------|--------------|
| LaFon, Wiliam M. (D)       | Monroe   | 1939         |
| Randolph, Byron B. (D)     | Harrison | 1941         |
| Paull, James (D)           | Brooke   | 1943         |
| Vickers, Arnold M. (D)     | Fayette  | 1945-47      |
| Johnston, W. Broughton (D) | Mercer   | 1949-51      |
| Bean, Ralph J. (D)         | Hardy    | 1953-59      |
| Carson, Howard W. (D)      | Fayette  | 1961-68      |
| Jackson, Lloyd G. (D)      | Lincoln  | 1969         |
| McCourt, E. Hansford (D)   | Webster  | 1971         |
| Brotherton W. T., Jr. (D)  | Kanawha  | 1973-79      |
| McGraw, Warren R. (D)      | Wyoming  | 1981-1983    |
| Tonkovich, Dan (D)         | Marshall | 1985-87      |
| *Tucker, Larry A. (D)      | Nicholas | 1989         |
| **Burdette, Keith (D)      | Wood     | 1989-93      |
| Tomblin, Earl Ray (D)      | Logan    | 1995-2011    |
| Kessler, Jeffrey V. (D)    | Marshall | 2011-2013    |
| Cole III, William P. (R)   | Mercer   | 2015         |
| Carmichael, Mitch B. (R)   | Jackson  | 2017         |

\* Tucker resigned September 6, 1989.

\*\* Burdette elected September 12, 1989

### CLERKS OF THE SENATE

| Name and Politics        | County    | When Elected |
|--------------------------|-----------|--------------|
| Hall, Ellery R. (R)      | Marion    | 1863-68      |
| Moore, Edward W. S. (R)  | Marion    | 1869-71      |
| Miller, Joseph S. (D)    | Cabell    | 1872-75      |
| Cunningham, E. A. (D)    | Pendleton | 1877-79      |
| Johnson, D. D. (D)       | Tyler     | 1881         |
| Alderson, John D. (D)    | Nicholas  | 1883-87      |
| Walker, George J. (D)    | Jackson   | 1889         |
| Armstrong, Holly G. (D)  | Jackson   | 1891         |
| Byrne, William E. R. (D) | Braxton   | 1893         |
| Harris, John T. (R)      | Wood      | 1895-1927    |
| Hodges, M. S. (R)        | Pendleton | 1929-31      |
| Lively, Charles (D)      | Lewis     | 1933-41      |
| Watkins, A. Hale (D)     | Marion    | 1941-43      |
| Watkins, Fred B. (D)     | Taylor    | 1943         |
| *Myers, J. Howard (D)    | Berkeley  | 1945-71      |
| *Carson, Howard W. (D)   | Fayette   | 1972-73      |
| **Dillon, J. C., Jr. (D) | Summers   | 1975-79      |
| **Willis, Todd C. (D)    | Logan     | 1980-89      |
| ***Holmes, Darrell (D)   | Kanawha   | 1989-2011    |
| Minard, Joseph M. (D)    | Harrison  | 2013         |
| Barnes, Clark (R)        | Randolph  | 2015-2017    |

\*Myers resigned January 12, 1972; Carson elected to fill vacancy.

\*\* Dillon resigned December 31, 1979; Willis elected to fill vacancy.

\*\*\* Willis resigned July 31, 1989; Holmes appointed August 15, 1989, the 19th Clerk of the Senate.

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**SERGEANTS-AT-ARMS OF THE SENATE**


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| <b>Name and Politics</b> | <b>County</b> | <b>When Elected</b> |
|--------------------------|---------------|---------------------|
| Kyle, Edmund (R)         | Wetzel        | 1863                |
| Hagans, Alpheus (R)      | Preston       | 1864-69             |
| Collett, William H. (R)  | Wood          | 1870                |
| Clark, N. S. (D)         | Wood          | 1871-73             |
| Alderson, John D. (D)    | Nicholas      | 1875-81             |
| Vandiver, Charles H. (D) | Mineral       | 1883                |
| Hays, S. A. (D)          | Gilmer        | 1885                |
| Marcum, J. H. (D)        | Wayne         | 1887                |
| Hawkins, Steele R. (D)   | Kanawha       | 1889                |
| Tracy, M. E. (D)         | Ohio          | 1891                |
| Bumgardner, W. S. (D)    | Wirt          | 1893                |
| Willey, Cyrus (R)        | Summers       | 1895                |
| Devore, J. N. (R)        | Jackson       | 1897                |
| Swisher, Charles W. (R)  | Marion        | 1899                |
| Fish, E. H. (R)          | Cabell        | 1901                |
| Largent, Lewis (R)       | Morgan        | 1903                |
| O'Brien, Thomas Jr. (R)  | Ohio          | 1905                |
| Long, Will E. (R)        | Tyler         | 1907                |
| Simms, John T. (R)       | Fayette       | 1909                |
| Mehen, James R. (D)      | Wood          | 1911-13             |
| Long, Will E. (R)        | Tyler         | 1915                |
| Petty, O. A. (R)         | Kanawha       | 1917                |
| Hill, Bonner H. (R)      | Kanawha       | 1919                |
| Smith, Jack (R)          | Cabell        | 1921                |
| Kindleberger, M. C. (R)  | Ohio          | 1923                |
| *Skeen, Herbert (R)      | Jackson       | 1925                |
| *Hallanan, John (R)      | Cabell        | 1925                |
| Bennett, D. C. (R)       | Wetzel        | 1927                |
| Mullens, Roscoe C. (R)   | Putnam        | 1929-31             |
| **Dotson, C. D. (D)      | Wood          | 1933                |
| **Elliott, C. D. (D)     | Braxton       | 1933                |
| Wolfe, Fred D. (D)       | Jackson       | 1935                |
| Dent, C. P. (D)          | Fayette       | 1937                |
| Hays, Alfred K. (D)      | Wood          | 1939                |
| Hall, Calvin N. (D)      | Lincoln       | 1941                |
| Wolfe, Fred C. (D)       | Jackson       | 1943                |
| Moler, Edward T. (D)     | Berkeley      | 1945-47             |
| Greene, Carroll (D)      | Jackson       | 1949                |
| Calloway, Vernon O. (D)  | McDowell      | 1951                |
| Pelfrey, Homer A. (D)    | Wayne         | 1953                |
| Caudle, Dave (D)         | McDowell      | 1955                |
| Williams, George D. (D)  | Lincoln       | 1957                |
| Neal, Jacob A. (D)       | Nicholas      | 1959                |
| Howell, John E. (D)      | Kanawha       | 1961-79             |
| Bevins, Estil L. (D)     | Mingo         | 1981                |
| Woodall, Emory (D)       | Lincoln       | 1983                |
| Bevins, Estil L. (D)     | Mingo         | 1985-93             |
| DeRaimo, Toney (D)       | Kanawha       | 1995-2003           |
| Wellman, Howard (D)      | Mercer        | 2005-2015           |
| Palmer, Andrew           | Kanawha       | 2017                |

\* Herbert Skeen resigned April 30, 1925. John Hallanan was elected to fill the vacancy.

\*\*C. D. Dotson resigned as Sergeant at Arms at the beginning of the second extraordinary session in 1933. C. D. Elliott was elected to fill the vacancy.

## DOORKEEPERS OF THE SENATE

| Name and Politics         | County     | When Elected |
|---------------------------|------------|--------------|
| Dunnington, W. M. (R)     | Marion     | 1863         |
| Bogges, Thomas L. (R)     | Marion     | 1864-65      |
| Mahon, Richard G. (R)     | Jackson    | 1866-67-68   |
| Hager, Robert (R)         | Boone      | 1869         |
| Charnock, John H. (R)     | Ohio       | 1870         |
| Cook, Ballard (R)         | Wyoming    | 1871         |
| Ball, Augustus (D)        | Boone      | 1872         |
| Alderson, John D. (D)     | Nicholas   | 1872-73      |
| Roach, F. D. (D)          | Wyoming    | 1875         |
| Percival, Thomas H. (D)   | Jefferson  | 1877         |
| Chilton, George S. (D)    | Kanawha    | 1879         |
| Kelley, David O. (D)      | Greenbrier | 1881-83-85   |
| Grass, Thomas J. (D)      | Lincoln    | 1887         |
| Madison, James A. (D)     | Wood       | 1889         |
| Dent, Willis (D)          | Fayette    | 1891         |
| Burton, W. S. (D)         | Putnam     | 1893         |
| Campbell, Hiram (R)       | Calhoun    | 1895         |
| Hamrick, C. C. (R)        | Webster    | 1897         |
| Hayes, C. C. (R)          | Fayette    | 1899         |
| Pettigrew, David S. (R)   | Nicholas   | 1901-03      |
| Dorsey, J. M. (R)         | Clay       | 1905         |
| Gough, C. V. (R)          | Taylor     | 1907-09      |
| Thurman, W. C. (D)        | Raleigh    | 1911         |
| Dorsey, J. M. (R)         | Clay       | 1913         |
| Smith, Jack (R)           | Cabell     | 1915-17-19   |
| Stewart, James P. (R)     | Marshall   | 1921-23      |
| Meservie, W. R. (R)       | Ritchie    | 1925         |
| Blizzard, John W. (R)     | Fayette    | 1927         |
| McDougal, A. S. (R)       | Ritchie    | 1929         |
| Marschner, A. E. (R)      | Ohio       | 1931         |
| Bell, C. W. (D)           | Nicholas   | 1933         |
| Tripplett, G. W. (D)      | Cabell     | 1935         |
| Hefner, M. H. (D)         | Braxton    | 1937         |
| Martin, Arthur M. (D)     | Cabell     | 1939         |
| Garrett, J. T. (D)        | Putnam     | 1941         |
| Cooper, W. C. (D)         | Webster    | 1943         |
| Smith, J. H. (D)          | Mercer     | 1945         |
| Watts, Oscar (D)          | Wayne      | 1947         |
| Douglas, Guy (D)          | Fayette    | 1949-51      |
| Elmore, Clarence C. (D)   | Mercer     | 1953         |
| Babich, Paul (D)          | Raleigh    | 1955         |
| Howell, John E. (D)       | Kanawha    | 1957         |
| Babich, Paul (D)          | Raleigh    | 1959-61      |
| Douglas, Guy (D)          | Fayette    | 1963-65-67   |
| Monroe, J. Brent (D)      | Nicholas   | 1969-71      |
| Chafin, G. L. "Jerry" (D) | Mingo      | 1973         |
| Bevins, Estil L. (D)      | Mingo      | 1975-77-79   |
| Grizzell, Aubrey R. (D)   | Kanawha    | 1981-87      |
| *Cotton, Porter (D)       | Kanawha    | 1989-95      |
| *Trail, Jack (D)          | Kanawha    | 1996-2007    |
| **Gallo, Anthony (D)      | Kanawha    | 2011-2015    |
| ***Branham, Jeffrey (R)   | Kanawha    | 2016-2017†   |

\*Cotton died January 4, 1996, Trail elected January 10, 1996

\*\*Gallo died June 16, 2015.

\*\*\*Jeffrey Branham appointed January 12, 2016†

**SENATE STAFF***Clerk:*

Clark S. Barnes ..... 357-7800

*Assistant Clerk:*

Lee Cassis ..... 357-7508

*Deputy Clerk:*

Kristin Canterbury ..... 357-7898

*Executive Secretary to Senate Clerk:*

Diana Ramsey ..... 357-7800

*Fiscal Officer:*

John E. Eckhart, Jr. .... 357-7926

*Fiscal Officer:*

Brandy McNabb ..... 357-7927

*Computer Technician:*

Richie Novak ..... 357-7962

*Counsel to Senate President:*

Richard Heath ..... 357-7801

*Analyst to President:*

Jordan Nuzum ..... 357-7870

*Executive Assistant to President:*

Veronica Lewis ..... 357-7801

*Director of Communications:*

Jacque Bland ..... 357-7999

*Secretary to President:*

Kay Hill ..... 357-7801

*Counsel to Majority Leader:*

Donnie Adkins ..... 357-7855

*Analyst to Majority Leader:*

Tal East ..... 357-4488

*Counsel to Minority Leader:*

Kevin Baker ..... 357-7816

*Chief Desk Clerk:*

Lora Thompson ..... 357-7893



*Chief Journal Clerk:*

Lori Nichols ..... 357-7895

*Bill Clerk:*

Xriss Hess ..... 357-7894

*Parliamentarian:*

Jacob Nichols ..... 357-7885

*Budget/Policy Analyst to Finance Committee:*

Michael T. Cook ..... 357-7910

*Budget Analyst:*

Justin Hawthorne ..... 357-7946

*Secretary Clerk to Finance Committee:*

Tammy Shamblin ..... 357-7901

*Executive Secretary to Judiciary Committee:*

Beth Lovell ..... 357-7980

*Analyst/Clerk to Judiciary Committee:*

Priscila Santos ..... 357-7908

*Counsel to Judiciary Committee:*

Jennifer Greenleaf ..... 357-7835

*Counsel to Government Organization:*

James Bailey ..... 357-7965

*Secretary to Government Organization Committee:*

Sandy Westfall ..... 357-7867

*Clerk to Government Organization:*

Isabel Kinnison ..... 357-7971

*Senior Counsel to Health and Human Resources Committee:*

Jeff Johnson ..... 357-7909

*Clerk to Health and Human Resources Committee:*

Chris DeWitte ..... 357-7997

*Counsel to Education Committee:*

Henry D. Hager II ..... 357-7871

*Counsel to Energy, Industry and Mining Committee:*

Ryan Sims ..... 357-7853

*Secretary/Clerk to Energy, Industry and Mining Committee:*

Rebecca Blaine ..... 357-7831

*Minor Committee Counsel:*

Noelle Starek..... 357-7974

*Minor Committee Support:*

Isabel Kinnison ..... 357-4484

Trina Hartley ..... 357-7889

*Supervisor, Materials and Supplies:*

Michael Burkhart ..... 357-7928

*Purchasing/Procurement Clerk:*

Terry Jarrett ..... 357-7810

*Custodian:*

Terry Stone..... 357-7929

**ROSTER**  
**OF**  
**MEMBERS OF THE**  
**HOUSE OF DELEGATES**  
**AND**  
**SENATE**



**EIGHTY-THIRD LEGISLATURE**  
**OF**  
**WEST VIRGINIA**  
**2017-2018**

HOUSE OF DELEGATES

OFFICERS

Speaker—Tim Armstead  
 Clerk—Stephen J. Harrison

Sergeant-at-Arms—Marshall Clay  
 Doorkeeper—Frank Larese

ALPHABETICAL LIST OF HOUSE MEMBERS, SHOWING DISTRICT,  
 COUNTY, ADDRESSES AND TELEPHONE NUMBERS

| Name                                          | District | County     | Occupation                               | Term                              |
|-----------------------------------------------|----------|------------|------------------------------------------|-----------------------------------|
| Ambler, George "Boogie" (R)                   | 42nd     | Greenbrier | Businessman/Educator/Farmer              | 81st - 83rd                       |
| Address: Rt. 1, Box 315, Fort Spring          |          |            | 24970                                    | Phone: 304-340-3129* 304-647-4145 |
| Anderson, Everette W. Jr. (R)                 | 8th      | Wood       | Educator                                 | 71st - 83rd                       |
| Address: 101 Highland Avenue, Williamstown    |          |            | 26187                                    | Phone: 304-375-7880               |
| Armstead, Tim (R)                             | 40th     | Kanawha    | Attorney                                 | 83rd                              |
| Address: 20 Pine Cone Drive, Elkview          |          |            | 25071                                    | Appt. 9/5/98, 73rd, 74th          |
| Arvon, Karen "Lyme" (R)                       | 31st     | Raleigh    | Medical Sales/Social Services            | 81st - 83rd                       |
| Address: 101 Triangle Lane, Beckley           |          |            | 25801                                    | Phone: 304-965-5169               |
| Atkinson III, Marlin "Rick" (R)               | 11th     | Roane      | Director of Sales                        | 81st - 83rd                       |
| Address: 4250 Ripley Road, Reedy              |          |            | 25270                                    | Phone: 304-575-5066*              |
| Baldwin, Jr. Stephen (D)                      | 42nd     | Greenbrier | Minister                                 | 82nd - 83rd                       |
| Address: 237 Locust Street, Conceverte        |          |            | 24970                                    | Phone: 304-927-1563               |
| Barrett, Jason (D)                            | 61st     | Berkeley   | Restaurant Owner                         | 83rd                              |
| Address: 1125 W King Street, Martinsburg      |          |            | 25401                                    | Phone: 304-647-4400* 304-404-4207 |
| Bates, Mick (D)                               | 30th     | Raleigh    | Physical Therapist/ Small Business Owner | 81st, 83rd                        |
| Address: P. O. Box 844, Beckley               |          |            | 25801                                    | Phone: 304-886-9907               |
| Blair, Saira (R)                              | 59th     | Berkeley   | Student                                  | 82nd- 83rd                        |
| Address: 47 Wasser Drive, Martinsburg         |          |            | 25403                                    | Phone: 304-252-2376* 304-252-1340 |
| Boggs, Brent (D)                              | 34th     | Braxton    | Railroad Engineer                        | 83rd                              |
| Address: 151 Park Street, Cassaway            |          |            | 26624                                    | Phone: 304-268-2692* 304-754-5040 |
| Brewer, Scott (D)                             | 13th     | Jackson    | Union Carpenter                          | 73rd - 83rd                       |
| Address: PO Box 981, New Haven                |          |            | 25265                                    | Phone: 304-364-8411               |
| Bulter, Jim (R)                               | 14th     | Mason      | Excavating Contractor                    | 83rd                              |
| Address: P.O. Box 296, Henderson              |          |            | 25106                                    | Phone: 304-593-5010               |
| Byrd, Andrew D. (D)                           | 35th     | Kanawha    | Attorney/Small Business Owner            | 81st - 83rd                       |
| Address: 868 Whispering Way, South Charleston |          |            | 25303                                    | Phone: 304-675-3984               |
| Canestraro, Joe (D)                           | 4th      | Marshall   | Lawyer/Assistant Prosecuting Attorney    | 83rd                              |
| Address: 48 Washington Avenue, Benwood        |          |            | 26031                                    | Phone: 304-741-3083               |
|                                               |          |            |                                          | Phone: 304-845-3580* 304-280-5400 |

|                                                        |      |            |                                          |                          |
|--------------------------------------------------------|------|------------|------------------------------------------|--------------------------|
| Capito, Moore (R)                                      | 35th | Kanawha    | Attorney                                 | 83rd                     |
| Address: P.O. Box 2788 Charleston 25330                |      |            | Phone: 304-552-8986* 304-340-            |                          |
| Caputo, Mike (D)                                       | 50th | Marion     | UMWA, District 31 Vice-President         | 73rd - 83rd              |
| Address: P.O. Box 585, Rivesville 26588                |      |            | Phone: 363-7500* 304-278-5419            |                          |
| Cooper, Roy G. (R)                                     | 28th | Summers    | Retired U. S. Navy                       | 81st - 83rd              |
| Address: HC 65, Box 112, Wayside 24985                 |      |            | Phone: 304-466-5523* 304-466-5523        |                          |
| Cowles, Daryl E. (R)                                   | 58th | Morgan     | Businessman                              | 78th - 83rd              |
| Address: 2612 Martinsburg Road, Berkeley Springs 25411 |      |            | Phone: 304-238-1880* 304-258-6470        |                          |
| Criss, Vernon (R)                                      | 10th | Wood       | Executive                                | 69th, 83rd               |
| Address: PO Box 1652, Parkersburg 26102                |      |            | Phone: 304-481-0167                      |                          |
| Dean, Mark (R)                                         | 21st | Mingo      | Principal                                | 83rd                     |
| Address: PO Box 15, Verner 25650                       |      |            | Phone: 304-601-3425                      |                          |
| Deem, Frank (R)                                        | 10th | Wood       | Businessman, Oil and Gas Produce         | 82nd-83rd                |
| Address: 5518 Second Avenue, Vienna 26105              |      |            | Phone: 304-295-6593* 304-481-3404        |                          |
| Diserio, Phillip (D)                                   | 2nd  | Brooks     | Retired Electrician                      | 81st, 83rd               |
| Address: 623 Wabash Drive, Follansbee 26037            |      |            | Phone: 304-527-3585                      |                          |
| Eldridge, Jeff (D)                                     | 22nd | Lincoln    | Self Employed                            | 77th - 79th - 83rd       |
| Address: 4754 Coal River Road, Alum Creek 25003        |      |            | Phone: 304-928-9728* 304-756-3817        |                          |
| Ellington, Joe (R)                                     | 27th | Mercer     | Physician                                | 80th -83rd               |
| Address: 613 Pigeon Roost Trail, Princeton 24740       |      |            | Phone: 304-425-3800* 304-487-6526        |                          |
| Espinosa, Paul (R)                                     | 66th | Jefferson  | General Manager, Frontier Communications | 81st - 83rd              |
| Address: 107 Hancock Court, Charles Town 25414         |      |            | Phone: 304-728-8139* 304-728-8139        |                          |
| Evans, Allen V. (R)                                    | 54th | Grant      | Businessman/Farmer                       | 70th - 83rd              |
| Address: 110 Delegate Drive, Petersburg 26847          |      |            | Phone: 304-257-1426                      |                          |
| Evans, Edward (D)                                      | 26th | McDowell   | Retired Science Teacher                  | 83rd                     |
| Address: 454 Edgewood Avenue, Welch 24801              |      |            | Phone: 304-436-3885 304-673-2969         |                          |
| Fast, Tom (R)                                          | 32nd | Fayette    | Attorney                                 | 83rd                     |
| Address: P.O. Box 332, Fayetteville 25840              |      |            | Phone: 304-574-0777*                     |                          |
| Ferro, Michael T. (D)                                  | 4th  | Marshall   | Retired Educator/Coach                   | 79th - 83rd              |
| Address: 32 Ninth Street, McMechen 26040               |      |            | Phone: 304-340-3111* 304-233-4729        |                          |
| Fleischauer, Barbara Evans (D)                         | 51st | Monongalia | Attorney/Small Business Owner            | 72nd - 75th, 78th - 83rd |
| Address: 235 High Street, Suite 618, Morgantown 26505  |      |            | Phone: 304-296-7035*                     |                          |
| Fluharty, Shawn (D)                                    | 3rd  | Ohio       | Attorney                                 | 82nd - 83rd              |
| Address: 42 Walnut Avenue, Wheeling 26003              |      |            | Phone: 304-340-3270* 281-8195            |                          |
| Folk, Michael "Mike" (R)                               | 63rd | Berkeley   | Airline Pilot; Farmer                    | 81st - 83rd              |
| Address: 1346 Swan Pond Road, Martinsburg 25404        |      |            | Phone: 304-279-6797* 262-9530            |                          |
| Foster, Nancy Regan (R)                                | 38th | Putnam     | Business Owner                           | 83rd                     |
| Address: PO Box 6, Scott Depot 25560                   |      |            | Phone: 304-340-3252                      |                          |
| Foster, Geoff (R)                                      | 15th | Putnam     | Construction Supply                      | 82nd - 83rd              |
| Address: 10 Hawthorne Street, Winfield 25213           |      |            | Phone: 304-561-4229* 561-4229            |                          |
| Frich, Cindy (R)                                       | 51st | Monongalia | Sales/Volunteer Home Care                | 76th - 77th, 81st - 83rd |
| Address: 1248 Bakers Ridge Road, Morgantown 26505      |      |            | Phone: 340-3125* 599-1309                |                          |
| Gearheart, Marty (R)                                   | 27th | Mercer     | Businessman                              | 80th - 83rd              |
| Address: 131 Henderson Drive, Bluefield 24701          |      |            | Phone: 320-0879* 320-0879                |                          |

Hamilton, Bill (R) ..... 45th ..... Upshur ..... Independent Insurance Agency Owner ..... 76th - 83rd  
 Address: P. O. Box 1192, Buckhannon 26201 ..... Phone: 304-472-1966  
 Hamrick, Danny (R) ..... 48th ..... Harrison ..... Consulting, Media Production ..... 81st - 83rd  
 Address: 20 Lena Lane, Lost Creek 26385  
 Hanshaw, Roger (R) ..... 33rd ..... Clay ..... Attorney ..... 82nd - 83rd  
 Address: 5341 Wallback Road, Wallback 25285  
 Harshbarger, Jason (R) ..... 7th ..... Ritchie ..... Natural Gas Storage Project Management ..... 83rd  
 Address: 1900 Kanawha Blvd East, Charleston 25305  
 Hartman, William G. (D) ..... 43rd ..... Randolph ..... Retired Independent Insurance Agent ..... 76th - 83rd  
 Address: P.O. Box 243, Elkins 26224  
 Hicks, Kenneth Paul (D) ..... 19th ..... Wayne ..... Attorney ..... 82nd - 83rd  
 Address: 182 Hidden Valley Road, Kenova 25530  
 Higinbotham, Joshua (R) ..... 13th ..... Jackson ..... Author ..... 83rd  
 Address: 93 Richard Drive, Poca 25270  
 Hill, Jordan (R) ..... 41st ..... Nicholas ..... Human Resources ..... 82nd - 83rd  
 Address: 1307 Webster Road, Suite 200, Summersville 26651  
 Hollen, Ray (R) ..... 9th ..... Wirt ..... Retired USCG, Retired WV State Police ..... 83rd  
 Address: 262 Hales Landing, Elizabeth 26143  
 Hornbuckle, Sean (D) ..... 16th ..... Cabell ..... Financial Services Broker ..... 82nd - 83rd  
 Address: 501 6th Avenue, Huntington 25701  
 Householder, Eric (R) ..... 64th ..... Berkeley ..... Small Business Owner ..... 80th - 83rd  
 Address: 212 Snooks Lane, Martinsburg 25405  
 Howell, Gary (R) ..... 56th ..... Mineral ..... Small Business Owner ..... 80th - 83rd  
 Address: P.O. Box 39, Keyser 26726  
 Iaquinta, Richard (D) ..... 48th ..... Harrison ..... Teacher/Coach ..... 76th - 81st, 83rd  
 Address: 139 Vermont Avenue, Clarksburg 26301  
 Isner, Phil (D) ..... 43rd ..... Randolph ..... Attorney ..... 83rd  
 Address: P.O. Box 1878, Elkins 26241  
 Kelly, John (R) ..... 10th ..... Wood ..... Retired E. I. Dupont ..... 82nd - 83rd  
 Address: 2802 Brookview Street, Parkersburg 26104  
 Kessinger, Kayla (R) ..... 32nd ..... Fayette ..... Director of Human Resources ..... 82nd - 83rd  
 Address: 1736 Kess Springs Court, Mount Hope 26104  
 Lane, Charlotte (R) ..... 35th ..... Kanawha ..... Lawyer ..... 64th, 67th, 70th, 83rd  
 Address: 311 Shawnee Circle, Charleston 25304  
 Lewis, Tony (R) ..... 53rd ..... Preston ..... Cable Splicer/Farmer ..... 83rd  
 Address: 1900 Kanawha Blvd East, Charleston 25305  
 Longstreth, Linda (D) ..... 50th ..... Marion ..... Administrator/Educator ..... 77th - 83rd  
 Address: 804 Ohio Avenue, Fairmont 26654  
 Love, Shirley (D) ..... 32nd ..... Fayette ..... Retired ..... 83rd  
 Address: P.O. Box 1173, Oak Hill 25901  
 Lovejoy, Chad (D) ..... 17th ..... Cabell ..... Attorney ..... 83rd  
 Address: 186 Graystone Drive, Huntington 25701  
 Lynch, Dana (D) ..... 44th ..... Webster ..... Retired ..... 81st - 83rd  
 Address: 176 Woodplant Road, Webster Springs 26288  
 Marcum, Justin (D) ..... 20th ..... Mingo ..... Attorney ..... 71st - 83rd  
 Address: P.O. Box 2531, Williamson 25661

|                           |      |                                              |                                                    |                               |                          |
|---------------------------|------|----------------------------------------------|----------------------------------------------------|-------------------------------|--------------------------|
| Martin, Patrick (R)       | 45th | Lewis                                        | Business Owner                                     | Phone: 304-613-2327           | 83rd                     |
| Maynard, Zack (R)         | 22nd | Boone                                        | Self Employed                                      | Phone: 304-687-4099* 310-1065 | 83rd                     |
| McGehean, Pat (R)         | 1st  | Hancock                                      | Business Sales/Author                              | Phone: 304-374-7018           | 75th - 83rd              |
| Miley, Tim (D)            | 48th | Harrison                                     | Attorney                                           | Phone: 304-326-1800* 848-0102 | 77th - 83rd              |
| Miller, Carol (R)         | 16th | Cabell                                       | Small Business Owner/Buffalo Farmer                | Phone: 304-697-6540*          | 78th - 83rd              |
| Miller, Rodney (D)        | 23rd | Boone                                        | Retired Sheriff/ Executive Director Sheriff's Assn | Phone: 304-346-2232* 369-6022 | 83rd                     |
| Moore, Riley (R)          | 67th | Jefferson                                    |                                                    | Phone: 304-535-8604           | 83rd                     |
| Moye, Ricky (D)           | 29th | Raleigh                                      | Businessman/School Bus Operator                    | Phone: 304-255-2932* 255-1185 | 78th - 83rd              |
| Nelson, Eric (R)          | 35th | Kanawha                                      | Businessman                                        | Phone: 304-343-5156           | 80th - 83rd              |
| O'Neal, John IV (R)       | 28th | Raleigh                                      | Businessman                                        | Phone: 304-894-8445           | 80th - 83rd              |
| Overington, John (R)      | 62nd | Berkeley                                     | Public Relations/Former Educator                   | Phone: 304-274-1791           | 67th - 83rd              |
| Paynter, Tony (R)         | 25th | Wyoming                                      | Truck Driver                                       | Phone: 304-894-4647           | 83rd                     |
| Pethtel, Dave (D)         | 5th  | Wetzel                                       | Educator                                           | Phone: 304-775-5472           | 69th - 71st, 74th - 83rd |
| Phillips, Rupert, Jr. (I) | 24th | Logan                                        | Sales Manager                                      | Phone: 304-687-9793           | 80th - 83rd              |
| Pushkin, Mike (D)         | 37th | Kanawha                                      | Taxi Drive/Musician                                | Phone: 304-989-6856* 344-4339 | 82nd - 83rd              |
| Pyles, Rodney (D)         | 51st | Monongalia                                   | Retired                                            | Phone: 304-290-4200* 599-6496 | 83rd                     |
| Queen, Ben (R)            | 48th | Harrison                                     | Media Entrepreneur/Photography                     | Phone:                        | 83rd                     |
| Robinson, Andrew (D)      | 36th | Kanawha                                      | Real Estate Appraiser/Broker                       | Phone: 304-545-2378           | 83rd                     |
| Rodighiero, Ralph (D)     | 24th | Logan                                        | United Parcel Service Delivery Driver              | Phone: 304-784-8881           | 77th - 83rd              |
| Rohrbach, Matthew (R)     | 17th | Cabell                                       | Physician                                          | Phone: 304-563-5040           | 82nd - 83rd              |
| Romine, Chuck (R)         | 16th | Cabell                                       | Retired State Farm Insurance                       | Phone: 304-654-2018           | 59th - 61st, 74th, 83rd  |
| Romine, William Roger (R) |      | Tyler                                        | Retired School Administrator                       | Phone: 304-771-0018           | 75th - 83rd              |
|                           |      | Address: 308 Church Street, West Union 26456 |                                                    |                               |                          |

Rowan, Ruth (R) ..... Hampshire ..... Retired Educator ..... 77th - 83rd  
Address: 4070 Slanesville Pike, Points 25437 Phone: 304-340-3157\* 492-5790

Rowe, Larry L. (D) ..... Kanawha ..... Attorney ..... 73rd - 75th; 82nd - 83rd  
Address: 202 Wayne Isaac Lane, Charleston 25306 Phone: 304-925-1333\* 925-9382

Shott, John (R) ..... Mercer ..... Attorney ..... 79th - 80th (Resigned); 82nd - 83rd  
Address: 422 Oakhurst Avenue, Bluefield 24701 Phone: 304-327-0573\* 304-325-7534

Soborya, Kelli (R) ..... Cabell ..... Realtor ..... 76th - 83rd  
Address: P.O. Box 367, Barboursville 25504 Phone: 304-736-6655

Sponaugle, Isaac (D) ..... Pendleton ..... Attorney ..... 81st - 83rd  
Address: P.O. Box 578, Franklin 26807 Phone: 3004-358-2337\* 358-2110

Statler, Joe (R) ..... Monongalia ..... Retired ..... 82nd - 83rd  
Address: 97 Long Drain Road, Core 26541 Phone: 304-879-5773

Storch, Erika (R) ..... Ohio ..... Financial Officer ..... 80th - 83rd  
Address: 5 Edgewood Street, Wheeling 26003 Phone: 304-233-2575

Summers, Amy (R) ..... Taylor ..... Registered Nurse ..... 82nd - 83rd  
Address: 98 Meadland Road, Flemington 26347 Phone: 304-842-7958

Sypolt, Terri Funk (R) ..... Preston ..... Assessor ..... 83rd  
Address: P.O. Box 5, Kingwood 26537 Phone: 304-329-1220\* 304-290-1122

Thompson, Robert (D) ..... Wayne ..... Teacher ..... 83rd  
Address: ..... Phone: 304-340-3355

Upson, Jill (R) ..... Jefferson ..... Former Retail Manager ..... 82nd - 83rd  
Address: 336 Pebble Beach Drive, Charles Town 25414 Phone: 304-728-9904

Wagner, Danny (R) ..... Barbour ..... Retired Educator and Coach ..... 82nd - 83rd  
Address: 107 Keyes Avenue, Phillippi 26416 Phone: 304-340-3398\* 669-1195

Walters, Ron (R) ..... Kanawha ..... Insurance Executive/President ..... 71st-73rd; 75th-83rd  
Address: P.O. Box 3665, Charleston 25336 Phone: 304-346-4823\* 542-1572

Ward, Guy (R) ..... Marion ..... Fairmont Community Development Partnership ..... 83rd  
Address: 45 Timrod Drive, White Hall Phone: 304-366-2990

Westfall, Steve (R) ..... Jackson ..... Insurance Agent ..... 81st - 83rd  
Address: P.O. Box 249, Ripley 25271 Phone: 304-372-9117\* 532-8875

White, Brad (R) ..... Kanawha ..... Insurance Agent/Owner ..... 82nd - 83rd  
Address: P.O. Box 4779, Charleston, 25364 Phone: 304-340-3138

Williams, John (D) ..... Monongalia ..... Insurance Sales ..... 83rd  
Address: 1496 Eastern Avenue, Morgantown 26505 Phone: 304-685-7669

Wilson, S. Marshall (R) ..... Berkeley ..... Author/Army Officer ..... 83rd  
Address: 748 Grimaldi Way, Hedgescove 25427 Phone: 304-340-3147\* 620-4446

Zatezalo, Mark (R) ..... Hancock ..... Hydrogeologist ..... 82nd - 83rd  
Address: 540 North 12th Street, Weirton 26062 Phone: 304-491-0937\* 748-1624



## SENATE

## OFFICERS

President—*Mitch B. Carmichael*  
 Clerk—*Clark Barnes*

Sergeant-at-Arms—*Andrew Palmer*  
 Doorkeeper—*Jeffrey Branham*

ALPHABETICAL LIST OF SENATE MEMBERS, SHOWING DISTRICT,  
 COUNTY, ADDRESSES AND TELEPHONE NUMBERS

| Name                  | District | County                                            | Occupation                                | Term                             |
|-----------------------|----------|---------------------------------------------------|-------------------------------------------|----------------------------------|
| Azinger, Mike (R)     | 3rd      | Wood                                              | Azinger Group                             | 83rd                             |
|                       |          | Address: 1007 51st Street, Vienna 26105           |                                           | Phone: 304-916-2177              |
| Beach, Bob (D)        | 13th     | Monongalia                                        |                                           | 75th-79th House; 80th-83rd       |
|                       |          | Address: P.O. Box 1620, Morgantown 26501          |                                           | Phone: 304-932-7170              |
| Blair, Craig (R)      | 15th     | Hampshire                                         | Businessman                               | 76th - 79th House; 81st -83rd    |
|                       |          | Address: 47 Wasser Drive, Martinsburg 25403       |                                           | Phone: 304-754-9031              |
| Boley, Donna (R)      | 3rd      | Pleasants                                         | Retired                                   | Appt. 5/14/85; 67th; 68th - 83rd |
|                       |          | Address: 2332 Greens Run Road, St. Marys 26170    |                                           | Phone: 304-684-3266              |
| Boso, Greg (R)        | 11th     | Nicholas                                          | Civil Engineer                            | 82nd - 83rd                      |
|                       |          | Address: 401 Main Street, Summersville 26651      |                                           | Phone: 304-872-1308              |
| Carmichael, Mitch (R) | 4th      | Jackson                                           | Director of Commercial Sales              | House 75th-80th; 82nd-83rd       |
|                       |          | Address: 18 Colonial Drive, Ripley 25271          |                                           | Phone: 304-372-4667              |
| Cline, Sue (R)        | 9th      | Raleigh                                           |                                           | Appt 82nd; 83rd                  |
|                       |          | Address: Box 46, Brenton 24818                    |                                           | Phone: 304-222-7484              |
| Facemire, Doug (D)    | 12th     | Braenton                                          | Owner, Grocery Chain                      | 79th - 83rd                      |
|                       |          | Address: P.O. Box 215, Sutton 26601               |                                           | Phone: 304-364-9903              |
| Ferris, Ryan (R)      | 1st      | Ohio                                              | Physical Therapist                        | 80th-82nd House; 83rd            |
|                       |          | Address: 37 Jenna Way Drive, Wheeling 26003       |                                           | Phone: 304-280-7133              |
| Gaunch, Ed (R)        | 8th      | Kanawha                                           | Retired/Former President/ Insurance       | 82nd - 83rd                      |
|                       |          | Address: 524 Woodbridge, Charleston 25311         |                                           | Phone: 304-345-9316              |
| Hall, Mike (R)        | 4th      | Putnam                                            |                                           | 72nd-77th House; 78th-83rd       |
|                       |          | Address: 79 Crystal Springs Drive, Winfield 25213 |                                           | Phone: 304-549-8126* 757-8249    |
| Jeffries, Glenn (D)   | 8th      | Kanawha                                           | Businessman                               | 83rd                             |
|                       |          | Address: 190 Labrador Lane, Red House 25168       |                                           | Phone: 304-357-7866              |
| Kames, Robert (R)     | 11th     | Upshur                                            | Information and Technology Field Services | 82nd - 83rd                      |
|                       |          | Address: P.O. Box 97, Tallmansville 26237         |                                           | Phone: 304-997-2625* 472-7035    |
| Mann, Kenny (R)       | 10th     | Greenbrier                                        | Funeral Director                          | 83rd                             |
|                       |          | Address: HC 81, Box 2A-3, Ballard 24918           |                                           | Phone: 304-646-6089              |

Maroney, Mike (R) ..... 2nd ..... Calhoun ..... Physician ..... 83rd  
 Address: 509 Wheeling Avenue, Glen Dale 26038  
 Phone: 304-357-7902  
 Maynard, Mark (R) ..... 6th ..... Wayne ..... Automobile Dealer ..... 82nd - 83rd  
 Address: 17070 Route 152 Road, Genoa 25517  
 Miller, Ronald (D) ..... 10th ..... Greenbrier ..... Self-Employed ..... 80th - 83rd  
 Address: HC34 Box 359, Lewisburg 24901  
 Mullins, Jeff (R) ..... 9th ..... Raleigh ..... Insurance ..... 82nd - 83rd  
 Address: P.O. Box 2063, Shady Spring 25918  
 Ojeda II, Richard (D) ..... 7th ..... Boone ..... Retired US Army/JROTC Instructor ..... 83rd  
 Address: P.O. Box 624, Holden 25625  
 Palumbo, Corey (D) ..... 17th ..... Kanawha ..... Attorney ..... 76th-78th House; 79th-83rd  
 Address: 1206 Williamsburg Way, 25314  
 Plymale, Robert (D) ..... 5th ..... Cabell ..... Businessman ..... 71st - 83rd  
 Address: 206 Cliffview Drive, Huntington 25704  
 Prezioso, Roman (D) ..... 13th ..... Marion ..... Administrator ..... 73rd-83rd  
 Address: 1806 Dogwood Drive, Fairmont 26554  
 Ramano, Mike (D) ..... 12th ..... Harrison ..... Attorney/CPA ..... 82nd - 83rd  
 Address: 128 South Second Street, Clarksburg 26301  
 Rucker, Patricia (R) ..... 16th ..... Jefferson ..... Home Schooling Mother ..... 83rd  
 Address: P.O. Box 507, Harpers Ferry 25425  
 Smith, Randy (R) ..... 14th ..... Tucker ..... Coal Miner ..... 81st - 82nd House; 83rd  
 Address: P.O. Box 282, Davis 26260  
 Stollings, Ron (D) ..... 7th ..... Boone ..... Physician ..... 78th - 83rd  
 Address: P. O. Box 365, Madison 25130  
 Swops, Chandler (R) ..... 6th ..... Mercer ..... Retired ..... 83rd  
 Address: 702 Three Springs Drive, Bluefield 24701  
 Sypolt, Dave (R) ..... 14th ..... Preston ..... Professional Land Surveyor ..... 78th - 83rd  
 Address: P.O. Box 5, Kingwood 26537  
 Takubo, Tom (R) ..... 17th ..... Berkeley ..... Physician ..... 82nd - 83rd  
 Address: 272 Creekstone Ridge, South Charleston 25309  
 Trump, Charles (R) ..... 15th ..... Morgan ..... Lawyer ..... 82nd - 83rd  
 Address: 171 S. Washington Street, Berkeley Springs 25411  
 Unger, John II (D) ..... 16th ..... Berkeley ..... Businessman/Economic Development ..... 82nd - 83rd  
 Address: 1022 Williamsport Pike, Martinsburg 25404  
 Weld, Ryan (R) ..... 1st ..... Hancock ..... Physical Therapist ..... 74th - 83rd  
 Address: P.O. Box 123, Wellsburg 26070  
 Woelfel, Mike (D) ..... 5th ..... Cabell ..... Lawyer ..... 82nd - 83rd  
 Address: 801 8th Street, Huntington 25701

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**LEGISLATIVE GLOSSARY**

This glossary is a compilation of terms and phrases commonly used in the legislative process.

**act, local**—legislation enacted into law with limited application.

**act, public**—legislation enacted into law. A bill which has passed both houses of the Legislature, been enrolled, certified, approved by the Governor, passed over the Governor's veto, or which has become law without the approval of the Governor.

**adjournment**—termination or closing of a session of the Legislature or committee until another set time for meeting.

**adjournment sine die**—final adjournment of legislative body —adjournment “without day” being set for reconvening.

**adoption**—approval or acceptance; usually applied to amendments, resolutions and motions.

**advise and consent**—confirmation by the Senate of certain appointees of the Governor.

**agenda**—list of action or bills to be considered by standing committees issued prior to scheduled meeting. This term is also used to denote formal proceedings at organizational sessions, joint assemblies, etc.

**amendment**—changes in pending legislation by adding, deleting or modifying material. Disagreement between the houses on amendments usually results in the request for a conference between the two houses on the distinct matters in disagreement.

**amendment, constitutional**—resolution adopted by both houses which affects the constitution and requires approval by voters at a general or special election.

**apportionment**—establishment of legislative districts based on population within boundaries established by the Legislature.

**appropriation**—money allocated by the Legislature to various departments or agencies for their operation.

**bicameral**—a Legislature composed of two houses—in West Virginia, a House of Delegates and a Senate. Only the State of Nebraska has a unicameral, or one house, Legislature.

**bill**—a proposal for the enactment of a new law, the amendment or repeal of an existing one, or appropriation of public money. The only vehicle for enactment of a law is the Legislature. Bills may originate in the House or Senate. Appropriation bills must be

passed on a roll call vote by both bodies to become law. If the Governor vetoes a measure, the Senate and House may override his decision as provided by the Constitution of West Virginia. Any bill which shall not be returned by the Governor within five days, Sundays excepted, after it shall have been presented to him shall be a law, in the same manner as if he had signed it, unless the Legislature shall by adjournment *sine die*, prevent its return, in which case it shall be filed with his objections in the office of the Secretary of State within fifteen days, Sundays excepted, after such adjournment, or become a law. Appropriation bills must be acted upon by the Governor within five days following adjournment *sine die* or become a law without his signature.

**calendar**—listing of bills and resolutions reported out of committees and ready for floor action.

**caucus**—an informal meeting of a group of members—usually of same political party—to discuss policy or legislation.

**chair**—presiding officer of the Legislature—may be member, Speaker, President or committee chair.

**chamber**—the area reserved for members and staff for conducting legislative sessions—also called “floor”.

**clerk**—chief administrative and parliamentary officer of the House or Senate elected by their respective members. The Clerk is the custodian of the official records, is charged with keeping the Journal and supervises the clerical business of the house.

**committees:**

**conference**—a committee made up of Delegates appointed by Speaker and Senators appointed by President to try to resolve differences in legislative measures. A majority of the conferees of each house is required to approve a compromise of matters in disagreement before submitting a report to the entire membership of each house for final approval. Conference reports may not be amended, must be acted upon as a whole and are limited to actual matters in disagreement.

**discharge of**—action taken by legislative body to force a bill or resolution out of committee and to floor for consideration.

**interim**—established by law or rules to work between sessions.

- joint**—committee composed of members of both houses.
- of the whole**—informal session of entire membership of House or Senate acting as one committee—presided over by chairman appointed by Speaker or President.
- reports and recommendations**—committee reports and recommendations are advisory only and do not become an act of the body until and unless ratified by the body.
- select**—appointed by Speaker or President to handle specific matters and usually dissolved when purpose accomplished.
- standing**—members appointed by Speaker and President at beginning of Legislature—have continuing responsibility in a general field of legislative activity—name reflects area of jurisdiction, i.e., education, health.
- subcommittee**—small committee appointed by standing committee chair to research and study bill or problem and to report findings to entire committee.
- concurrence**—action of one house agreeing to or approving proposal or action by the other body.
- conference**—after the stage of disagreement has been reached, a motion to ask for a conference may be made by the house refusing to recede from its amendments to a measure.
- constituent**—a citizen residing within the district of a legislator.
- convene**—to assemble—the meeting of the Legislature daily or at the beginning of the session as provided by the Constitution.
- debate**—discussion of a matter according to parliamentary rules.
- decorum**—proper conduct of legislator as set forth in House and Senate rules.
- dilatory**—deliberate use of parliamentary procedure to delay.
- division**—a method of voting in which only the numerical result is recorded.
- division of question**—procedure to separate a matter to be voted upon into two or more questions. A motion to strike out and insert may not be divided.
- do pass**—the affirmative recommendation made by a committee in sending a bill to the floor for additional action; “do pass, as amended” indicates committee recommends certain changes in bill.

- enacting clause**—that clause of a bill or of an act which formally expresses the legislative sanction. It varies in different states but usually begins “Be it enacted”.
- engrossed bill**—version of bill which includes all adopted amendments of house of origin attached to original measure.
- enrolled bill**—final official version of bill as agreed to by both houses, containing all necessary signatures.
- first reading**—reading of bill for information.
- gallery**—balcony of House or Senate chamber from which visitors may view proceedings of Legislature.
- germaneness**—the relevance or appropriateness of amendments or substitutes.
- hearing**—public meeting of a legislative committee for the purpose of taking testimony concerning pending legislation.
- hopper rule**—the rule which controls the introduction of bills and resolutions.
- indefinite postponement**—a form of final adverse disposition of a proposal for that session of the Legislature. A question which has been postponed indefinitely may not again be acted upon during the session.
- initiative**—act of permitting the people to submit issues to the Legislature or by way of constitutional amendments (presently not permitted in West Virginia except in certain municipalities).
- interim committee**—legislative committee authorized by the Legislature to study a particular subject between sessions.
- introduction of legislation**—bills may be introduced during first forty-five days of a regular session in the House and the forty-first day in the Senate. No House or Senate bill or joint resolution, other than a supplemental appropriation or a bill originating in committee, may be introduced thereafter unless permission be given by a resolution, setting out the title to the bill, and adopted by a two thirds vote of the members present and voting.
- Jefferson’s Manual**—the parliamentary authority which governs the parliamentary practices of the West Virginia Legislature in instances where the standing rules are silent or inexplicit. The Manual was prepared by Thomas Jefferson for his own guidance as President of the United States Senate from 1797

to 1801. The Manual is regarded by English parliamentarians as the best statement of what the law of Parliament was at the time Jefferson wrote it.

**journal**—official chronological record of each house—contains roll call votes, attendance records, committee assignments, daily record of events, but not a verbatim transcript.

**lay on the table**—postponement of a matter, which may later be brought up for consideration by a motion to “take from the table”. Neither motion is debatable.

**lay over**—postponement of consideration of legislative measure.

**Legislature**—in West Virginia, the House of Delegates is composed of one hundred members elected from sixty-seven delegate districts for a two-year term. The Senate is composed of thirty-four members elected from seventeen senatorial districts for a four-year term.

**lobbyist**—a person who seeks directly or indirectly to encourage the passage, defeat or modification of any legislation.

**majority**—the number of members in House and Senate generally necessary to pass legislation, etc.; also a group of legislators usually of the same political party who have the greatest number of elected members and who control top leadership positions.

**minority**—group of legislators usually of the same political party which numbers the fewest members.

**motion**—a proposal made to the presiding officer calling for specific action. The principal tool used in the transaction of legislative business. Motions are of various order, rank, precedence and class as established through parliamentary practice and rules.

**motion, main**—a formal proposal that the assembly take certain action. The consideration of a bill is a main motion. Consideration of an amendment to that bill is a subsidiary or secondary motion. Consideration of a bill may be postponed but consideration of an amendment to that bill cannot be deferred to another day if the body is to continue its deliberations on the bill. The reason is that the body in the meantime well may dispose of the main question.

**parliamentary inquiry**—a question regarding procedure, directed to the chair.

**parliamentary law**—recognized rules, precedents and usages of legislative bodies by which their procedure is regulated.

**point of order**—question raised by a member when he doubts the correctness of a procedure being followed. Such a point requires a ruling from the presiding officer, is not debatable and is subject to appeal to the house in which the point of order is raised.

**point of personal privilege**—a statement defending the rights, reputation or conduct of a legislator in his or her official capacity.

**postpone indefinitely**—a form of final adverse disposition of a proposal for that session of the Legislature. A question which has been postponed indefinitely may not again be acted upon during the session.

**postpone to a day certain**—to deter consideration to a definite later time or day.

**precedent**—an authoritative example. When in a deliberative body a certain mode of procedure has been adopted in any case, it becomes a precedent for its government in every case thereafter of a similar character.

**President**—presiding officer of the Senate elected by Senate members.

**previous question** (motion for)—a motion for the previous question halts debate, and moves the body to an immediate vote on the issue under consideration. Requires a majority present for adoption and is not debatable. *Clerk's note:* This motion has nothing to do with the last question considered by the assembly. Its present-day use has grown out of a long history of changing purpose, having been first used in the English Parliament in 1604.

**qualifications of members of Legislature**—must be a citizen of the United States, a resident for one year within the district from which he or she is elected and as a member of the Senate, a person must be twenty-five years of age.

**quorum**—a majority of the membership elected to the House or Senate necessary to conduct business.

**readings**—constitutional presentation of a bill before either house. The reading of bills is required by the Constitution and by parliamentary law and practice to give public notice as to the proposed enactment. Every bill must be read three times in each house and only once per day. The rule may be suspended to permit a bill to



be read more than once on the same day by a vote of four fifths of the members present.

**recall**—act of permitting the voters to demand the removal of public officials (presently not permitted in West Virginia except in certain municipalities).

**recess**—intermission in daily session or committee meeting.

**reconsider**—a motion to retake a vote which places the question in the same status it was prior to the vote on the question. Uniquely a motion of American origin, it may be offered only within a limited time and by any legislator who previously voted on the prevailing side. Generally, the making of the motion has a higher rank than its consideration. Does not apply to motions to adjourn, to lay on the table, to take from the table or for the previous question.

**referendum**—act of referring important legislative enactments to the public for approval (presently not permitted in West Virginia except in certain municipalities or by specific legislative enactment).

**report out**—return measure from committee to Clerk's desk with or without recommendation as to further action.

**required votes:**

**adopt amendment**—majority of the members present. If yeas and nays are demanded, the demand must be sustained by ten members.

**appeal from the decision of the chair**—when demanded by any ten (10) members—majority present.

**motion for previous question**—must be sustained by ten (10) members. Adoption of motion requires a majority present.

**override veto of Governor:**

**appropriation bills**—two thirds of all members elected.

**ordinary bills**—majority affirmative vote of all members elected.

**passage of bill by house of origin which has been amended in other house**—majority vote of all members elected in house of origin, to be determined by yeas and nays.

**resolutions proposing amendment to State Constitution**—two thirds of all the members elected.

**suspend rules**—two thirds of the members present, unless by unanimous consent.

**to dispense with constitutional rule requiring a bill to be read on three several days**—requires a four-fifths vote by yeas and nays of all members present.

**to make a bill effective from passage**—or at some time other than ninety days from passage, requires a two thirds vote taken by yeas and nays of all members elected—67 in the House and 23 in the Senate.

**yea and nay vote**—may be demanded by one tenth of members present.

**resolution**—measure used by single house to take action affecting its own procedure or expressing an opinion, sympathy, commendation, etc.

**concurrent**—measure affecting actions or procedures of both houses.

**joint**—measure used to propose amendment to State Constitution or to ratify amendment to U.S. Constitution. Action by both houses is required and they are treated in the same manner as bills except that they are not submitted to the Governor. Proposals to amend the State Constitution require a vote of two thirds of all members elected. To ratify an amendment to the U.S. Constitution requires a vote of a majority present.

**roll call**—recorded vote as opposed to viva voce or voice vote. Certain measures require a roll call vote. All roll call votes are entered upon the Journal.

**rules**—the set of regulations and parliamentary procedures adopted separately by the House and Senate. There are also joint rules.

**second reading**—reading of bill or joint resolution by reading clerk at a regularly scheduled session, usually having already been acted upon by a standing committee. The measure may be amended on the floor at this time.

**sine die**—final adjournment of a legislative body. Literally, adjournment “without day” being set for reconvening.

**Speaker**—presiding officer of the House of Delegates elected by House members.

**special order**—matter of business set for a special time and day designated.

**sponsor**—legislator or legislative committee introducing measure. Name appears on printed measure.

- strike out (motion to)**—used in amendments to bills and resolutions in order to delete unwanted language—a motion to strike out the enacting clause has the effect of killing a bill.
- substitute**—a substitute bill replaces the original measure and is designated as, for example, Com. Sub. for H. B. 10. A substitute bill is considered as the original.
- suspend the rules**—a motion which temporarily suspends the normal rules of procedure to accommodate the handling of a particular measure. Only that matter for which suspension took place can be considered. Requires approval by two thirds of the members present. Unless by unanimous consent, a roll call vote is required.
- third reading**—reading of bill or joint resolution by reading clerk at a regularly scheduled session for passage by either house.
- title**—a concise statement of the contents of a bill.
- title, short**—an abridged description of a bill.
- unanimous consent**—permission granted, without objection, by either house to a member desiring to accomplish a measure without making a motion.
- unfinished business**—business which has been laid over from a previous day.
- veto**—the action of the Governor in disapproving a legislative measure.
- voice vote**—oral expression of the members when a question is submitted for their determination. Response is given by “ayes” and “nays” and the presiding officer states his decision as to which side prevailed. Technically termed *viva voce*.
- vote, division and rising**—to vote by a show of hands or by standing. Numerical results only are recorded in division and rising votes.
- withdraw a motion**—a request to retract from further consideration a motion already offered. Requires majority approval but usually accomplished via unanimous consent.
- yeas and nays**—recorded vote of members on an issue.

**WEST VIRGINIA DELEGATION IN CONGRESS****United States Senators**

JOE MANCHIN, III (D), Fairmont (term expires 2018), 311 Hart Senate Office Bldg., Washington, D.C. 20510 Phone (202) 224-3954

SHELLEY MOORE CAPITO (R), Charleston (term expires 2020), Russell Courtyard 5, Washington, D.C. 20510 Phone (202) 224-6472

**House of Representatives****First District**

DAVID MCKINLEY (R), Wheeling, 313 Canon Office Bldg., Washington, D.C. 20515 Phone (202) 225-4172

**Second District**

ALEX MOONEY (R), Charleston, 1232 Longworth House Office Bldg., Washington, D.C. 20515 Phone (202) 225-2711

**Third District**

EVAN JENKINS (R), Huntington, 502 Canon House Office Bldg., Washington, D.C. 20515 Phone (202) 225-3452

**POPULATION OF CONGRESSIONAL  
DISTRICTS, 2010**

| <b>First Congressional<br/>District</b> |                   | <b>Second Congressional<br/>District</b> |                   |
|-----------------------------------------|-------------------|------------------------------------------|-------------------|
| <b>Counties</b>                         | <b>Population</b> | <b>Counties</b>                          | <b>Population</b> |
| Barbour .....                           | 16,589            | Berkeley .....                           | 104,169           |
| Brooke .....                            | 24,069            | Braxton .....                            | 14,523            |
| Doddridge .....                         | 8,202             | Calhoun .....                            | 7,627             |
| Gilmer .....                            | 8,693             | Clay .....                               | 9,386             |
| Grant .....                             | 11,937            | Hampshire .....                          | 23,964            |
| Hancock .....                           | 30,676            | Hardy .....                              | 14,625            |
| Harrison .....                          | 69,099            | Jackson .....                            | 29,211            |
| Marion .....                            | 56,418            | Jefferson .....                          | 53,498            |
| Marshall .....                          | 33,107            | Kanawha .....                            | 193,063           |
| Mineral .....                           | 28,212            | Lewis .....                              | 16,372            |
| Monongalia .....                        | 96,189            | Morgan .....                             | 17,541            |
| Ohio .....                              | 44,443            | Pendleton .....                          | 7,695             |
| Pleasants .....                         | 7,605             | Putnam .....                             | 55,486            |
| Preston .....                           | 33,520            | Randolph .....                           | 29,405            |
| Ritchie .....                           | 10,449            | Roane .....                              | 14,926            |
| Taylor .....                            | 16,895            | Upshur .....                             | 24,254            |
| Tucker .....                            | 7,141             | Wirt .....                               | 5,717             |
| Tyler .....                             | 9,208             | Total .....                              | 620,862           |
| Wetzel .....                            | 16,583            |                                          |                   |
| Wood .....                              | <u>86,956</u>     |                                          |                   |
| Total .....                             | 615,991           |                                          |                   |

**Third Congressional  
District**

| <b>Counties</b>  | <b>Population</b> |
|------------------|-------------------|
| Boone .....      | 24,629            |
| Cabell .....     | 96,319            |
| Fayette .....    | 46,039            |
| Greenbrier ..... | 35,480            |
| Lincoln .....    | 21,720            |
| Logan .....      | 36,743            |
| Mason .....      | 27,324            |
| McDowell .....   | 22,113            |
| Mercer .....     | 62,264            |
| Mingo .....      | 26,839            |
| Monroe .....     | 13,502            |
| Nicholas .....   | 26,233            |
| Pocahontas ..... | 8,719             |
| Raleigh .....    | 78,859            |
| Summers .....    | 13,927            |
| Wayne .....      | 42,481            |
| Webster .....    | 9,154             |
| Wyoming .....    | <u>23,796</u>     |
| Total .....      | 616,141           |

# EXECUTIVE DEPARTMENT

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(The main number for the West Virginia State Capitol is 558-3456.)

## ELECTIVE STATE OFFICERS

### (Board of Public Works)

#### **Governor**

JIM JUSTICE (D), Office, Ground Floor, Main Unit, Phone 558-2000. Residence, Executive Mansion, 1716 Kanawha Blvd., East, Phone 558-3587.

#### **Secretary of State**

MAC WARNER (R), Office, Ground Floor, K-157, Phone 558-6000.

#### **Attorney General**

PATRICK MORRISEY (R), Office, Ground Floor, E-26, Phone 558-2021.

#### **Auditor**

JOHN "J.B." McCuskey (R), Office, Ground Floor, W-100, Phone 558-2251.

#### **Treasurer**

JOHN PERDUE (D), Office, Ground Floor, E-145, Phone 558-5000.

#### **Commissioner of Agriculture**

KENT LEONHARDT (R), Office, Ground Floor, E-28, Phone 558-3550.

## GOVERNOR OF WEST VIRGINIA

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**JAMES CONLEY "JIM" JUSTICE, JR.  
GOVERNOR**

JAMES CONLEY "JIM" JUSTICE, JR., Democrat, Lewisburg, Greenbrier County, was born April 27, 1951, in Charleston. The son of James Conley Justice and Edna Ruth Justice. Married to Cathy Comer Justice, two children; son, Jay and daughter, Jill. Education: University of Tennessee; Marshall University, Bachelors Degree; Marshall University, MBA. Elected Governor November 8, 2016, the 36th Governor of the State of West Virginia.

## GOVERNORS OF WEST VIRGINIA, 1863-2018

| NAME                     | COUNTY     | POLITICS | YEAR       |       | NOTES                                                                                             |
|--------------------------|------------|----------|------------|-------|---------------------------------------------------------------------------------------------------|
|                          |            |          | ELECTED    | ENDED |                                                                                                   |
| Boreman, Arthur I.       | Wood       | R        | 1863-64-66 |       | Unopposed in 1863 and 1864; resigned Feb. 26, 1869, having been elected to U. S. Senate.          |
| Farnsworth, Daniel D. T. | Upshur     | R        | 1869       |       | State Senate 1863-1865; 1867-1870, President 1869-1870; Governor Feb. 27, 1869 to March 3, 1869.  |
| Stevenson, William E.    | Wood       | R        | 1868       |       | 1st State Senate 1863-1868, President 1864-1868.                                                  |
| Jacob, John J.           | Hampshire  | D        | 1870-1872  |       | Circuit Judge 1881-1888; House of Delegates 1868-1870, 1879.                                      |
| Mathews, Henry M.        | Greenbrier | D        | 1876       |       | Attorney General 1873-1877.                                                                       |
| Jackson, Jacob B.        | Wood       | D        | 1880       |       | Prosecuting Attorney; House of Delegates 1875-1876.                                               |
| Wilson, Emanuel W.       | Kanawha    | D        | 1884       |       | State Senate 1872-1876; Speaker, House of Delegates 1881.                                         |
| Fleming, Aretas B.       | Marion     | D        | 1888       |       | Did not assume office until Feb. 6, 1890; House of Delegates 1872-1875; Circuit Judge, 1878-1888. |
| MacCorkle, William A.    | Kanawha    | D        | 1892       |       | State Senate 1910-1914.                                                                           |
| Atkinson, George W.      | Ohio       | R        | 1896       |       | House of Representatives 1889-1891.                                                               |
| White, Albert B.         | Wood       | R        | 1900       |       | Newspaper Publisher; banker; U. S. Senate 1921-1925.                                              |
| Dawson, W. M. O.         | Preston    | R        | 1904       |       | Secretary of State 1897-1905.                                                                     |
| Glascock, William E.     | Monongalia | R        | 1908       |       | Lawyer; Circuit Clerk 1890-1902; Superintendent of Schools 1886-1890.                             |
| Hatfield, Henry D.       | McDowell   | R        | 1912       |       | Doctor; President, State Senate 1911; U. S. Senate 1929-1935.                                     |
| Cornwell, John J.        | Hampshire  | D        | 1916       |       | Lawyer; Newspaper publisher; State Senate 1898-1906.                                              |
| Morgan, E. Franklin      | Marion     | R        | 1920       |       | Chairman, Public Service Commission 1915-1919.                                                    |
| Gore, Howard M.          | Harrison   | R        | 1924       |       | U. S. Secretary of Agriculture 1924-1925.                                                         |



|                               |                 |   |           |                                                                                                       |
|-------------------------------|-----------------|---|-----------|-------------------------------------------------------------------------------------------------------|
| Conley, William G.....        | Kanawha .....   | R | 1928      | Attorney General 1908-1912.                                                                           |
| Kump, H. Guy.....             | Randolph.....   | D | 1932      | Judge, 20th Judicial Circuit 1928-1932.                                                               |
| Holt, Homer A.....            | Fayette.....    | D | 1936      | Attorney General 1932-1936.                                                                           |
| Neely, Matthew M.....         | Marion.....     | D | 1940      | House of Representatives 1913-1921; 1945-1946; U. S. Senate 1923-1929; 1931-1941, 1949-1958.          |
| Meadows, Clarence W.....      | Raleigh.....    | D | 1944      | Attorney General 1936-1942.                                                                           |
| Patteson, Okey L.....         | Fayette.....    | D | 1948      | Assistant to Governor Meadows 1945-1948.                                                              |
| Marland, William C.....       | Wyoming.....    | D | 1952      | Attorney General 1949-1952.                                                                           |
| Underwood, Cecil H.....       | Tyler.....      | R | 1956      | House of Delegates, 12 years, 1944-1956.                                                              |
| Barron, William W.....        | Randolph.....   | D | 1960      | Attorney General 1957-1960.                                                                           |
| Smith, Hulett C.....          | Raleigh.....    | D | 1964      | Commissioner of Department of Commerce 1961-1963.                                                     |
| Moore, Arch A., Jr.....       | Marshall.....   | R | 1968-1972 | House of Representatives 1957-1968.                                                                   |
| Rockefeller, John D., IV..... | Kanawha .....   | D | 1976-1980 | House of Delegates 1966-1968; Secretary of State 1969-1973; President, WV Wesleyan College 1973-1975. |
| Moore, Arch A., Jr.....       | Marshall.....   | R | 1984      | Previously elected Governor, 1968 and 1972—the first Governor ever elected to 3 four-year terms.      |
| Caperton, Gaston.....         | Kanawha .....   | D | 1988-1992 | Businessman. Elected Governor on his first attempt at public office.                                  |
| Underwood, Cecil H.....       | Cabell.....     | R | 1996      | Previously elected Governor 1956                                                                      |
| Wise, Robert E., Jr.....      | Kanawha .....   | D | 2000      | Lawyer, State Senate, 1981-82                                                                         |
| Manchin, Joe, III.....        | Marion.....     | D | 2004-2008 | U. S. House of Representatives, 1982-2000                                                             |
|                               |                 |   |           | House of Delegates, 1983-84                                                                           |
|                               |                 |   |           | State Senate 1987-96                                                                                  |
|                               |                 |   |           | Secretary of State 2001-2004                                                                          |
| Tomblin, Earl Ray.....        | Logan.....      | D | 2010-2012 | House of Delegates, 1974-78                                                                           |
| Justice, James.....           | Greenbrier..... | D | 2016      | State Senate 1980-2010                                                                                |
|                               |                 |   |           | Businessman. Elected Governor on his first attempt at public office.                                  |

# JUDICIAL DEPARTMENT

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## SUPREME COURT

ROBIN JEAN DAVIS, Capitol Complex, Bldg. 1, Rm. E-301,  
Charleston, WV 25305 Phone: 558-4811

MENIS E. KETCHUM, II, Capitol Complex, Bldg. 1, Rm. E-306,  
Charleston, WV 25305 Phone: 558-2604

ALLEN LOUGHRY, Capitol Complex, Bldg. 1, Rm. E-308,  
Charleston, WV 25305 Phone: 558-2605

BETH WALKER, Capitol Complex, Bldg. 1, Rm. E-302, Charleston,  
WV 25305 Phone: 558-2602

MARGARET L. WORKMAN, Capitol Complex, Bldg. 1, Rm. E-301,  
Charleston, WV 25305 Phone: 558-2606

## CLERK AND STAFF

RORY L. PERRY, II, Clerk, Capitol Complex, Bldg. 1, Rm. E-317,  
Charleston, WV 25305 Phone: 558-2601

GARY L. JOHNSON, Administrative Director, Capitol Complex,  
Bldg. 1, Rm. E-100, Charleston, WV 25305 Phone: 558-0145

KAYE MAERZ, State Law Librarian, Capitol Complex, Bldg. 1,  
Rm. E-404, Charleston, WV 25305 Phone: 558-2607

BRUCE KAYAHA, Chief Counsel to Court, Capitol Complex, Bldg. 1,  
Rm. E-400, Charleston, WV 25305 Phone: 558-6580

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**CIRCUIT COURTS****Judicial Circuits and Judges**

(Address: Courthouse at the various post offices listed)

**First Judicial Circuit****Brooke, Hancock and Ohio Counties**

Jason Cuomo (D), Wellsburg  
James P. Mazzone (D), Wheeling  
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**Third Judicial Circuit****Doddridge, Pleasants and Ritchie Counties**

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**Fourth Judicial Circuit****Wirt and Wood Counties**

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Jeffrey B. Reed (R), Parkersburg  
Robert A. Waters (R), Parkersburg

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David W. Nibert (D), Spencer

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Paul Farrell, Sr. (D), Huntington  
Alfred E. Ferguson (D), Huntington  
Jane Husted (D), Huntington  
Chris Chiles (D), Huntington

**Seventh Judicial Circuit  
Logan County**

Eric O'Briant (D), Logan  
William Douglas Witten (D), Logan

**Eighth Judicial Circuit  
McDowell County**

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Greenbrier and Pocahontas Counties**

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Paul M. Blake Jr. (D), Fayetteville  
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Kanawha County**

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Louis Bloom (D), Charleston  
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James Stucky (R), Charleston  
Carrie Webster (D), Charleston  
Joanna Tabit (D), Charleston

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**Braxton, Clay, Gilmer and Webster Counties**

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Richard Facemire (D), Sutton

**Fifteenth Judicial Circuit**  
**Harrison County**

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**Sixteenth Judicial Circuit**  
**Marion County**

Michael Aloï (D), Fairmont  
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**Seventeenth Judicial Circuit**  
**Monongalia County**

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Philip Gaujot (D), Morgantown  
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**Preston County**

Lawrence S. Miller, Jr. (R), Kingwood

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**Barbour and Taylor Counties**

Alan Moats (D), Grafton

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**Randolph County**

David H. Wilmoth, Elkins

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H. Charles Carl III (D), Romney  
Charles Parsons (D), Franklin

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Lewis and Upshur Counties**

Jacob E. Reger (R), Buckhannon

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Wyoming County**

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**Twenty-eighth Judicial Circuit  
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**Twenty-ninth Judicial Circuit  
Putnam County**

Joseph K. Reeder (R), Scott Depot

Phillip M. Stowers (D), Winfield

**Thirtieth Judicial Circuit  
Mingo County**

Miki J. Thompson (D), Williamson

**Thirty-first Judicial Circuit  
Monroe and Summers Counties**

Robert A. Irons (D), Union

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