WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1993

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ENROLLED

SENATE BILL NO. *51*

(By Senator ___*Wooton, et al*___)

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PASSED ___*March 1,*___ 1993

In Effect ___*from*___ Passage

ENROLLED

Senate Bill No. 51

(BY SENATORS WOOTON, DALTON, PLYMALE AND WAGNER)

[Passed March 1, 1993; in effect from passage.]

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 2. APPORTIONMENT OF REPRESENTATION.

§1-2-1. Senatorial districts.

1   (a) This section shall be known and may be cited as
2 "The Senate Redistricting Act of 1991".

3   (b) As used in this section:

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

9   (2) "Block", "block group", "census tract" and
10 "voting district" mean those geographic areas as
11 defined by the bureau of the census of the United
12 States department of commerce for the taking of the
13 one thousand nine hundred ninety census of popula-
14 tion and described on census maps prepared by the
15 bureau of the census. Such maps are, at the time of
16 this enactment, maintained by the bureau of the
17 census and filed in the office of legislative services;

18   (3) "Magisterial district" means the territory com-
19 prising a magisterial district of this state as reported to
20 and used by the bureau of the census of the United
21 States department of commerce for the taking of the
22 one thousand nine hundred ninety census of popula-
23 tion and described on census maps prepared by the
24 bureau of the census; and

25   (4) "Incumbent senator" means a senator elected at
26 the general election held in the year one thousand
27 nine hundred ninety or at any general election there-
28 after, with an unexpired term of at least two years in
29 duration.

30   (c) The Legislature recognizes that in dividing the
31 state into senatorial districts, the Legislature is bound
32 not only by the United States constitution but also by
33 the West Virginia constitution; that in any instance
34 where the West Virginia constitution conflicts with the
35 United States constitution, the United States constitu-
36 tion must govern and control, as recognized in section
37 one, article one of the West Virginia constitution; that
38 the United States constitution, as interpreted by the
39 United States supreme court and other federal courts,
40 requires state legislatures to be apportioned so as to
41 achieve equality of population as near as is practicable,
42 population disparities being permissible where justi-
43 fied by rational state policies; and that the West
44 Virginia constitution requires two senators to be
45 elected from each senatorial district for terms of four
46 years each, one such senator being elected every two
47 years, with one half of the senators being elected
48 biennially, and requires senatorial districts to be
49 compact, formed of contiguous territory and bounded

50 by county lines. The Legislature finds and declares
51 that it is not possible to divide the state into senatorial
52 districts so as to achieve equality of population as near
53 as is practicable as required by the United States
54 supreme court and other federal courts and at the
55 same time adhere to all of these provisions of the West
56 Virginia constitution; but that, in an effort to adhere
57 as closely as possible to all of these provisions of the
58 West Virginia constitution, the Legislature, in dividing
59 the state into senatorial districts, as described and
60 constituted in subsection (d) hereof, has:

61 (1) Adhered to the equality of population concept,
62 while at the same time recognizing that from the
63 formation of this state in the year one thousand eight
64 hundred sixty-three, each constitution of West Virgi-
65 nia and the statutes enacted by the Legislature have
66 recognized political subdivision lines and many func-
67 tions, policies and programs of government have been
68 implemented along political subdivision lines;

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

72 (3) Formed the senatorial districts of "contiguous
73 territory" as that term has been construed and applied
74 by the West Virginia supreme court of appeals;

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

83 (5) Also taken into account in crossing county lines,
84 to the extent feasible, the community of interests of
85 the people involved.

86 (d) The Senate shall be composed of thirty-four
87 senators, one senator to be elected at the general
88 election to be held in the year one thousand nine

89 hundred ninety-two, and biennially thereafter for a
90 four-year term from each of the senatorial districts
91 hereinafter in this subsection described and constitut-
92 ed as follows:

93   (1) The counties of Brooke and Hancock and all of
94 magisterial District One of Ohio county and voting
95 district EP 9, voting district EP 20, voting district EP
96 28, voting district EP 31, voting district EP 113, voting
97 district EP 115, voting district EP 116, voting district
98 EP 119, voting district EP 120, Block 302D and Block
99 320 of Block Group 3 in Census Tract 0002 contained in
100 voting district EP 24, Block 405B, Block 422 and Block
101 499B of Block Group 4 in Census Tract 0002 contained
102 in voting district EP 24, Block 101, Block 102, Block 103,
103 Block 104, Block 105, Block 106, Block 107, Block 108,
104 Block 109, Block 110, Block 111, Block 112, Block 113,
105 Block 114 and Block 116 of Block Group 1 in Census
106 Tract 0004 contained in voting district EP 24, Block 201
107 of Block Group 2 in Census Tract 0004 contained in
108 voting district EP 24, Block 105, Block 106, Block 107,
109 Block 109A and Block 110A of Block Group 1 in Census
110 Tract 0014 contained in voting district EP 43, Block
111 209A, Block 210, Block 211 and Block 212 of Block
112 Group 2 in Census Tract 0014 contained in voting
113 district EP 43, and Block 327, Block 328 and Block 329
114 of Block Group 3 in Census Tract 0015 contained in
115 voting district EP 43 of magisterial District Two of
116 Ohio county, and all of magisterial District Three of
117 Ohio county except voting district EP 87, voting
118 district EP 95, voting district EP 100, voting district EP
119 103 and voting district EP 104 shall constitute the first
120 senatorial district;

121   (2) The counties of Doddridge, Marshall, Ritchie,
122 Tyler, Wetzel and that portion of the county of Ohio
123 not included in the first senatorial district and voting
124 district EP 66, voting district EP 70, voting district EP
125 72, voting district EP 74 and voting district EP 78 of the
126 West Augusta magisterial district of the county of
127 Marion shall constitute the second senatorial district;

128   (3) The counties of Calhoun, Pleasants, Wirt and
129 Wood shall constitute the third senatorial district;

130   (4) The counties of Jackson, Mason, Putnam and
131 Roane shall constitute the fourth senatorial district;

132   (5) The county of Cabell and voting district EP 12,
133 voting district VTD 101, Block 103 of Block Group 1 in
134 Census Tract 0202 contained in voting district EP 11,
135 Block 199B of Block Group 1 in Census Tract 0202
136 contained in voting district EP 59, and Block 101B and
137 Block 199E of Block Group 1 in Census Tract 0202
138 contained in voting district EP 21 in the Ceredo
139 magisterial district, and that portion of voting district
140 EP 59, voting district EP 63 and Block 101, Block 102,
141 Block 103, Block 104 and Block 105 of Block Group 1 in
142 Census Tract 0051 contained in voting district EP 60 in
143 the Westmoreland magisterial district of the county of
144 Wayne shall constitute the fifth senatorial district;

145   (6) The counties of McDowell and Mingo, voting
146 district EP 41, voting district EP 42, voting district EP
147 49, voting district EP 52, voting district EP 60, voting
148 district EP 61, Block 412B, Block 415, Block 416, Block
149 417B and Block 422B of Block Group 4 in Census Tract
150 9509 contained in voting district EP 46, Block 510 of
151 Block Group 5 in Census Tract 9509 contained in
152 voting district EP 46, Block 304B of Block Group 3 in
153 Census Tract 9510 contained in voting district EP 46,
154 Block 405C, Block 412D, Block 414, Block 417, Block
155 418B, Block 419B, Block 422, Block 423, Block 424 and
156 Block 425 of Block Group 4 in Census Tract 9516
157 contained in voting district EP 63 of magisterial
158 District III in the county of Mercer, and voting district
159 EP 1, voting district EP 3, voting district EP 5, voting
160 district EP 6, voting district EP 17, voting district EP
161 18, voting district EP 19, and Block 510 of Block Group
162 5 in Census Tract 0204 contained in voting district EP
163 22, and Block 219, Block 220, Block 221, Block 222, Block
164 224, Block 225, Block 228, Block 231 and Block 232 of
165 Block Group 2 in Census Tract 0206 contained in
166 voting district EP 22 of the Butler magisterial district
167 in the county of Wayne, and voting district EP 13,
168 voting district EP 15, voting district EP 20, Block 305A,
169 Block 305C, Block 306A, Block 306C and Block 307 of
170 Block Group 3 in Census Tract 0052 contained in

171 voting district EP 11, Block 210A and Block 211A of
172 Block Group 2 in Census Tract 0201 contained in
173 voting district EP 11, Block 102, Block 104, Block 105,
174 Block 106, Block 107, Block 108, Block 109, Block 110,
175 Block 111, Block 112, Block 113, Block 114, Block 115,
176 Block 116, Block 117, Block 118, Block 119, Block 120,
177 Block 121 and Block 199A of Block Group 1 in Census
178 Tract 0202 contained in voting district EP 11, Block 225
179 and Block 226 of Block Group 2 in Census Tract 0202
180 contained in voting district EP 11, and Block 218A of
181 Block Group 2 in Census Tract 0203 contained in
182 voting district EP 11, and Block 101A, Block 102A,
183 Block 103, Block 104, Block 120A, Block 122A, Block
184 122B, Block 124A, Block 156, Block 157 and Block 199A
185 of Block Group 1 in Census Tract 0204 contained in
186 voting district EP 11, voting district EP 16, Block 101B,
187 Block 102, Block 103, Block 104, Block 105, Block 106,
188 Block 107, Block 108, Block 109, Block 110, Block 111,
189 Block 112, Block 113B, Block 114, Block 115, Block 116,
190 Block 117, Block 119, Block 120, Block 121, Block 122,
191 Block 123, Block 124 and Block 134 of Block Group 1 in
192 Census Tract 0203 contained in voting district EP 21,
193 Block 401, Block 402, Block 417 and Block 418 of Block
194 Group 4 in Census Tract 0203 contained in voting
195 district EP 21, Block 505, Block 520, Block 522 and Block
196 523 of Block Group 5 in Census Tract 0203 contained in
197 voting district EP 21 of the Ceredo magisterial district
198 in the county of Wayne, and voting district EP 30,
199 voting district EP 31, voting district EP 34, voting
200 district EP 36, voting district EP 37, and that portion of
201 voting district EP 3 of the Stonewall magisterial
202 district in the county of Wayne, and voting district EP
203 48, Block 318 of Block Group 3 in Census Tract 0206
204 contained in voting district EP 53, Block 144 and Block
205 145 of Block Group 1 in Census Tract 0207 contained in
206 voting district EP 53, Block 255B of Block Group 2 in
207 Census Tract 0207 contained in voting district EP 53,
208 Block 464B of Block Group 4 in Census Tract 0206
209 contained in voting district EP 54, and Block 319B,
210 Block 315B and Block 314B of Block Group 3 in Census
211 Tract 0209 contained in voting district EP 54 of the
212 Union magisterial district in the county of Wayne, and

213 voting district EP 14, voting district EP 19, voting
214 district EP 56, voting district EP 57, voting district EP
215 58, voting district EP 61, voting district EP 62 and
216 Block 106 of Block Group 1 in Census Tract 0051
217 contained in voting district EP 60 of the Westmoreland
218 magisterial district in the county of Wayne shall
219 constitute the sixth senatorial district;

220 (7) The counties of Boone, Lincoln and Logan and
221 that portion of the county of Wayne not included in
222 the fifth or sixth senatorial districts shall constitute
223 the seventh senatorial district;

224 (8) The county of Kanawha shall constitute the
225 eighth senatorial district;

226 (9) The counties of Raleigh and Wyoming shall
227 constitute the ninth senatorial district;

228 (10) The counties of Monroe and Summers and that
229 portion of the county of Mercer not included in the
230 sixth senatorial district, and voting district EP 68,
231 voting district EP 72 and voting district EP 74 of the
232 New Haven magisterial district of Fayette county, and
233 voting district EP 3, voting district EP 4, voting district
234 EP 5, voting district EP 9, voting district EP 10, voting
235 district EP 11, voting district EP 12, voting district EP
236 14, voting district EP 19, voting district EP 23, voting
237 district EP 24, Block 226A, Block 228A, Block 229 and
238 Block 230 of Block Group 2 in Census Tract 0202
239 contained in voting district EP 8, Block 312A, Block
240 312B, Block 312C, Block 317A, Block 317B, Block 318,
241 Block 319, Block 320A, Block 320B, Block 321, Block
242 322A, Block 322B, Block 323, Block 324, Block 325, Block
243 326, Block 327 and Block 328 of Block Group 3 in
244 Census Tract 0202 contained in voting district EP 8,
245 Block 401A, Block 409, Block 410, Block 411, Block 412,
246 Block 413, Block 414A, Block 415, Block 416 and Block
247 417 of Block Group 4 in Census Tract 0202 contained in
248 voting district EP 8, Block 536, Block 539, Block 540,
249 Block 541, Block 542, Block 543, Block 544, Block 545,
250 Block 546, Block 547, Block 548, Block 552, Block 553,
251 Block 554 and Block 555 of Block Group 5 in Census
252 Tract 0202 contained in voting district EP 8, Block 330,

253 Block 331, Block 334, Block 335, Block 337, Block 338,
254 Block 339, Block 340, Block 342, Block 343, Block 344,
255 Block 345, Block 346 and Block 347 of Block Group 3 in
256 Census Tract 0203 contained in voting district EP 13,
257 Block 101A, Block 101B, Block 102A, Block 102B, Block
258 103, Block 104, Block 105, Block 106, Block 108, Block
259 109, Block 110, Block 111, Block 112, Block 113, Block
260 114, Block 116, Block 117, Block 119, Block 120, Block
261 121A, Block 121B, Block 122, Block 123A, Block 123B,
262 Block 124A, Block 124B, Block 125A, Block 126, Block
263 127 and Block 128 of Block Group 1 in Census Tract
264 0204 contained in voting district EP 13, Block 501A,
265 Block 503, Block 504, Block 505, Block 506, Block 507,
266 Block 508, Block 509, Block 510, Block 511, Block 512,
267 Block 513, Block 514, Block 515, Block 516, Block 517,
268 Block 518, Block 519, Block 520, Block 521, Block 522,
269 Block 523A, Block 524, Block 525A, Block 526, Block
270 527A, Block 528A, Block 528B, Block 529A, Block 532,
271 Block 534A, Block 535, Block 537, Block 538, Block 549,
272 Block 550 and Block 551 of Block Group 5 in Census
273 Tract 0202 contained in voting district EP 15, Block
274 601A of Block Group 6 in Census Tract 0202 contained
275 in voting district EP 15, Block 307, Block 309A, Block
276 309B and Block 315 of Block Group 3 in Census Tract
277 0202 contained in voting district EP 16, and Block 234A
278 of Block Group 2 in Census Tract 0206 contained in
279 voting district EP 18 of the Plateau magisterial district
280 of Fayette county shall constitute the tenth senatorial
281 district;

282 (11) The counties of Clay, Greenbrier, Nicholas and
283 Webster and that portion of the county of Fayette not
284 included in the tenth senatorial district shall constitute
285 the eleventh senatorial district;

286 (12) The counties of Braxton, Gilmer, Harrison and
287 Lewis shall constitute the twelfth senatorial district;

288 (13) That portion of the county of Marion not
289 included in the second senatorial district, and all of the
290 Central magisterial district of Monongalia county, and
291 voting district EP 40, voting district EP 41, voting
292 district EP 42, voting district EP 44, voting district EP
293 46, voting district EP 47, voting district EP 49, voting

294 district EP 51, voting district EP 52, voting district EP
295 53, voting district EP 54, voting district EP 55, voting
296 district EP 56, voting district EP 58, voting district EP
297 70, voting district EP 71, voting district EP 72, voting
298 district EP 73, voting district EP 74, voting district EP
299 75 and Block 301B, Block 302B and Block 399B of Block
300 Group 3 in Census Tract 0112 contained in voting
301 district EP 48, Block 401, Block 402, Block 403, Block
302 404, Block 405, Block 406, Block 407, Block 408, Block
303 409, Block 410, Block 411, Block 412, Block 413A, Block
304 413B, Block 414, Block 415, Block 416, Block 417, Block
305 418, Block 419, Block 420, Block 421, Block 422, Block
306 423, Block 424, Block 425 and Block 499 of Block Group
307 4 in Census Tract 0112 contained in voting district EP
308 48, Block 501B, Block 502A, Block 502B, Block 502C,
309 Block 503A, Block 503B, Block 503C, Block 504A, Block
310 504B, Block 505A, Block 505B, Block 506, Block 507A,
311 Block 507B, Block 508, Block 509A, Block 509B, Block
312 510, Block 511, Block 512, Block 513, Block 514A, Block
313 514B, Block 515A, Block 515B, Block 516A, Block 516B,
314 Block 517, Block 518, Block 519A, Block 519B, Block
315 520A, Block 520B, Block 521A and Block 521B of Block
316 Group 5 in Census Tract 0112 contained in voting
317 district EP 48, Block 301, Block 302, Block 303, Block
318 304, Block 305, Block 306, Block 307, Block 308, Block
319 309, Block 311, Block 312, Block 313, Block 314, Block
320 315, Block 316, Block 317, Block 355A, Block 355B, Block
321 357A, Block 357B, Block 358, Block 360, Block 362 and
322 Block 399 of Block Group 3 in Census Tract 0115
323 contained in voting district EP 48 of the Western
324 magisterial district of Monongalia county, and that
325 portion of voting district EP 22, that portion of voting
326 district EP 30, voting district EP 32, voting district EP
327 36, voting district EP 39, voting district EP 76, voting
328 district EP 80, voting district EP 81, voting district EP
329 82, voting district EP 83, voting district EP 84, voting
330 district EP 86, that portion of voting district EP 87,
331 voting district EP 88, voting district EP 89, voting
332 district EP 91, Block 418B, Block 419C, Block 419D and
333 Block 421B of Block Group 4 in Census Tract 0108
334 contained in voting district EP 35, Block 101D, Block
335 102, Block 103, Block 105 and Block 110 of Block Group

336 1 in Census Tract 0109 contained in voting district EP
337 35, Block 731B, Block 732B, Block 733 and Block 734B
338 of Block Group 7 in Census Tract 0109 contained in
339 voting district EP 35, Block 801C, Block 802, Block 803,
340 Block 804, Block 805, Block 806B, Block 807, Block 811,
341 Block 812 and Block 813 of Block Group 8 in Census
342 Tract 0109 contained in voting district EP 35, Block
343 315B of Block Group 3 in Census Tract 0110 contained
344 in voting district EP 35, Block 599A of Block Group 5
345 in Census Tract 0116 contained in voting district EP 79,
346 Block 126, Block 127, Block 128, Block 132, Block 133,
347 Block 134, Block 135, Block 136, Block 137A, Block 137B,
348 Block 138, Block 139, Block 140, Block 141, Block 142,
349 Block 143, Block 144, Block 145, Block 146, Block 147,
350 Block 148, Block 149, Block 150, Block 151, Block 152,
351 Block 153, Block 154, Block 155, Block 156A, Block 156B,
352 Block 157, Block 158, Block 159, Block 160, Block 161,
353 Block 162, Block 163, Block 164, Block 165, Block 166,
354 Block 167, Block 168, Block 169, Block 170, Block 171,
355 Block 172, Block 173, Block 174, Block 175, Block 176,
356 Block 177, Block 178, Block 179, Block 180, Block 181,
357 Block 182, Block 183, Block 184, Block 185, Block 186,
358 Block 187, Block 199A, Block 199B, Block 199F, Block
359 199G, Block 199H and Block 199J of Block Group 1 in
360 Census Tract 0117 contained in voting district EP 79,
361 Block 613B of Block Group 6 in Census Tract 0110
362 contained in voting district EP 85, and Block 701, Block
363 702B and Block 703 of Block Group 7 in Census Tract
364 0110 contained in voting district EP 85 of the Eastern
365 magisterial district of Monongalia county shall consti-
366 tute the thirteenth senatorial district;

367 (14) The counties of Barbour, Preston, Taylor and
368 Tucker and that portion of the county of Monongalia
369 not included in the thirteenth senatorial district, and
370 all of the Union magisterial district of Grant county,
371 and all of magisterial District Two of Mineral county,
372 and voting district EP 2, voting district EP 3, voting
373 district EP 4, voting district EP 6, voting district EP 8,
374 voting district EP 27, voting district EP 28, voting
375 district EP 29, voting district EP 30, voting district EP
376 31, voting district EP 35 and that portion of voting
377 district EP 5 in magisterial District One of Mineral

378 county, and voting district EP 10, voting district EP 12,
379 voting district EP 13, voting district EP 14, voting
380 district EP 15, voting district EP 32 and that portion of
381 voting district EP 5 in magisterial District Three of
382 Mineral county shall constitute the fourteenth senator-
383 ial district;

384   (15) The counties of Hampshire, Hardy, Randolph,
385 Pendleton, Pocahontas and Upshur and that portion of
386 the county of Grant not included in the fourteenth
387 senatorial district, and that portion of the county of
388 Mineral county not included in the fourteenth senator-
389 ial district shall constitute the fifteenth senatorial
390 district;

391   (16) The counties of Berkeley, Jefferson and Morgan
392 shall constitute the sixteenth senatorial district; and

393   (17) The county of Kanawha shall constitute the
394 seventeenth senatorial district.

395   (e) The West Virginia constitution further provides,
396 in section four, article VI thereof, that where a
397 senatorial district is composed of more than one
398 county, both senators for such district shall not be
399 chosen from the same county, a residency dispersal
400 provision which is clear with respect to senatorial
401 districts which follow county lines, as required by such
402 constitution, but which is not clear in application with
403 respect to senatorial districts which cross county lines.
404 However, in an effort to adhere as closely as possible
405 to the West Virginia constitution in this regard, the
406 following additional provisions, in furtherance of the
407 rationale of such residency dispersal provision and to
408 give meaning and effect thereto, are hereby
409 established:

410   (1) With respect to a senatorial district which is
411 composed of one or more whole counties and one or
412 more parts of another county or counties, no more
413 than one senator shall be chosen from the same
414 county or part of a county to represent such senatorial
415 district;

416   (2) With respect to a senatorial district which does

417 not contain any whole county but only parts of two or
418 more counties, no more than one senator shall be
419 chosen from the same part to represent such senator-
420 ial district; and

421   (3) With respect to superimposed senatorial districts
422 which contain only one whole county, all senators
423 shall be chosen from such county to represent such
424 senatorial districts.

425   (f) Candidates for the Senate shall be nominated as
426 provided in section four, article five, chapter three of
427 this code, except that such candidates shall be nomi-
428 nated in accordance with the residency dispersal
429 provisions specified in section four, article VI of the
430 West Virginia constitution and the additional residency
431 dispersal provisions specified in subsection (e) hereof.
432 Candidates for the Senate shall also be elected in
433 accordance with the residency dispersal provisions
434 specified in said section four, article VI of the West
435 Virginia constitution and the additional residency
436 dispersal provisions specified in subsection (e) hereof.
437 In furtherance of the foregoing provisions of this
438 subsection, no person may file a certificate of candi-
439 dacy for election from a senatorial district described
440 and constituted in subsection (d) hereof if he or she
441 resides in the same county and the same such senator-
442 ial district wherein also resides an incumbent senator,
443 whether the senatorial district wherein such incum-
444 bent senator resides was described and constituted by
445 chapter ninety-nine, acts of the Legislature, one
446 thousand nine hundred eighty-two, or was described
447 and constituted in subsection (d) of this section or its
448 immediately prior reenactment. Any vacancy in a
449 nomination shall be filled, any appointment to fill a
450 vacancy in the Senate shall be made, and any candi-
451 dates in an election to fill a vacancy in the Senate shall
452 be chosen, so as to be consistent with the residency
453 dispersal provisions specified in section four, article VI
454 of the West Virginia constitution and the additional
455 residency dispersal provisions specified in subsection
456 (e) hereof.

457   (g) Regardless of the changes in senatorial district

458 boundaries made by the provisions of subsection (d)
459 hereof, all senators elected at the general election held
460 in the year one thousand nine hundred eighty-eight
461 and at the general election held in the year one
462 thousand nine hundred ninety shall continue to hold
463 their seats as members of the Senate for the term, and
464 as representatives of the senatorial district, for which
465 each thereof, respectively, was elected. Any appoint-
466 ment made or election held to fill a vacancy in the
467 Senate shall be for the remainder of the term, and as
468 a representative of the senatorial district, for which
469 the vacating senator was elected or appointed, and any
470 such election shall be held in the district as the same
471 was described and constituted at the time the vacating
472 senator was elected or appointed.

473   (h) The secretary of state may promulgate rules and
474 regulations to implement the provisions of this section,
475 including emergency rules and regulations promulgat-
476 ed pursuant to the provisions of section five, article
477 three, chapter twenty-nine-a of this code.

478   (i) In amending and reenacting this section, it is not
479 the intention of the Legislature to alter or change the
480 arrangement of the senatorial districts and the appor-
481 tionment of senators as they were intended to be
482 adopted in the prior enactment of this section subse-
483 quent to the United States census for the year one
484 thousand nine hundred ninety, nor does this reenact-
485 ment alter or change such arrangement and appor-
486 tionment. Rather, it is the intent of the Legislature in
487 amending this section to incorporate all the necessary
488 geographic areas which should have been included in
489 each senatorial district, such amendment being the
490 inclusion of two voting districts which were inadvert-
491 ently omitted from one senatorial district, which
492 inclusion does not alter or change the boundaries of
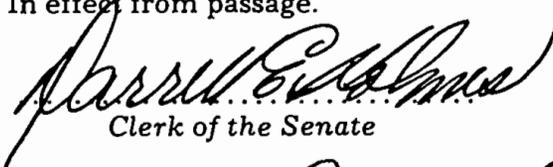493 that district.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.
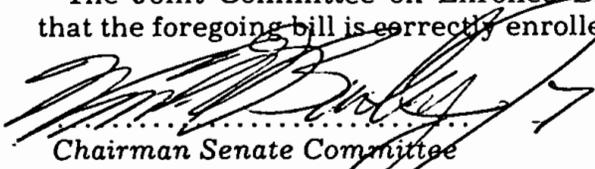
....
Chairman Senate Committee
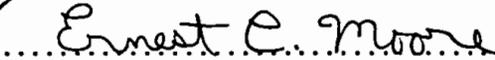
.... Ernest C. Moore ....
Chairman House Committee

Originated in the Senate.

In effect from passage.

....
Clerk of the Senate

....
Clerk of the House of Delegates

....
President of the Senate
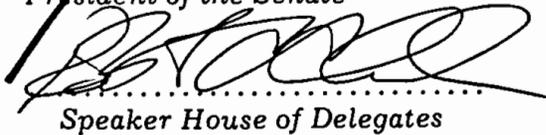
....
Speaker House of Delegates

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The within *is approved* this the ......9th..........

day of ....March..................., 1993.

....
Governor