

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963

ENROLLED

SENATE BILL NO. 245

(By Mr. Comm Sub.)

PASSED Mar. 6 1963

In Effect July 1-1963 Passage

Filed in Office of the Secretary of State
of West Virginia 3-14-63
JOE F. BURDETT
SECRETARY OF STATE

#245

ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 245

[Passed March 6, 1963; in effect July 1, 1963.]

AN ACT to amend and reenact sections four and twenty-four, article three, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the state fire marshal's office and funds to pay the salaries and expenses incidental to the operation thereof.

Be it enacted by the Legislature of West Virginia:

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

Section 4. Salary of Fire Marshal; Employment of As-
2 sistants and Clerks; Expenses.—The state fire marshal

3 shall receive such salary as may be fixed by the insurance
4 commissioner and may employ a deputy fire marshal and
5 such personnel as may be necessary for the orderly en-
6 forcement of the provisions of this article and may incur
7 such expenses as may be necessary in the performance
8 of the duties of his office, including necessary traveling
9 expenses, not to exceed such sums as are available for
10 the payment of the salaries and expenses of the state fire
11 marshal's office pursuant to the provisions of section
12 twenty-four of this article.

Sec. 24. Fund for Maintenance of Office of State Fire

2 **Marshal.**—For the purpose of maintaining the office of
3 state fire marshal and paying the expenses incidental
4 thereto every insurance company other than life doing
5 business in this state, except farmers' mutual fire insur-
6 ance companies, shall pay to the state fire marshal an-
7 nually on or before the first day of March, in addition
8 to the taxes now required by law to be paid by such com-
9 panies, one-half of one per cent of the net direct premium
10 receipts of such companies on insurance against the
11 hazard of fire and on that portion of all other net direct

12 premiums reasonably applicable to insurance against the
13 hazard of fire which are included in other coverages, and
14 received by it for insurance on property or risks in this
15 state during the calendar year next preceding as shown
16 by their annual statement under oath to the insurance
17 department. The money so received by the state fire
18 marshal shall be paid by him into the treasury where it
19 shall be set aside as a special fund for the maintenance
20 of the office of state fire marshal and the expenses inci-
21 dental thereto. The salaries of the fire marshal, deputy
22 fire marshal, assistant fire marshals, and other employees
23 of the fire marshal's office, and the expense of operation
24 and maintenance of such office, shall be payable only
25 from the special fund provided for in this section, or
26 from any surplus funds available from the insurance
27 commissioner's fund created by chapter thirty-three, ar-
28 ticle three, section thirteen of this code, or provided by
29 appropriation or contribution.

30 In the event of a controversy as to the proper determ-
31 ination of the premium base on which this tax is to be
32 computed, a hearing may be had by said fire marshal on

33 the application of any interested person, corporation or
34 association, which hearing shall be held after reasonable
35 notice. Appeal from any finding or holding of said fire
36 marshal may be by petition to the circuit court of Kana-
37 wha county within thirty days of such finding or holding.

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

A. Ray Parker
Chairman Senate Committee

Ethel L. Randall
Chairman House Committee

Originated in the Senate.

Takes effect July 1-1963 passage.

Howard Myer
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

Howard Wilson
President of the Senate

Julius W. Bigelow Jr.
Speaker House of Delegates

The within approved this the 13th
day of March, 1963.

W. M. Baum
Governor