

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1963

---

**ENROLLED**

SENATE BILL NO. 332

(By Mr. ....)

---

PASSED March 7 ..... 1963

In Effect July 1, 1963 Passage



Filed in Office of the Secretary of State  
of West Virginia 3-15-63  
JOE F. BURDETT  
SECRETARY OF STATE

#332

**ENROLLED**

**Senate Bill No. 332**

---

[Passed March 7, 1963; in effect July 1, 1963.]

---

AN ACT to amend and reenact section one, article one, chapter twenty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the director of workmen's compensation, certain duties, his appointment, oath, bond, salary, seal and copies of orders, records and proceedings; and providing for legal services.

*Be it enacted by the Legislature of West Virginia:*

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

**Article 1. General Administrative Provisions.**

**Section 1. Director of Workmen's Compensation; Ap-  
2 pointment; Legal Services by Attorney General; Addi-  
3 tional Duties; Safety Program.**—There shall be a state

4 director of workmen's compensation who shall be ap-  
5 pointed by the governor by and with the advice and con-  
6 sent of the senate for a term of six years and shall hold  
7 his office subject to the will and pleasure of the gov-  
8 ernor. An appointment may be made to fill a vacancy  
9 or otherwise when the senate is not in session, but shall  
10 be acted upon at the next session thereof. The person  
11 so appointed shall take the oath or affirmation prescribed  
12 by section five of article four of the constitution, and  
13 such oath shall be certified by the person who administers  
14 the same and shall be filed in the office of the secretary  
15 of state. He shall give bond in the penalty of twenty-five  
16 thousand dollars conditioned for the faithful performance  
17 of the duties of his office, which bond shall be approved  
18 by the attorney general as to form, and by the governor  
19 as to sufficiency. The surety of such bond may be a bond-  
20 ing or surety company, in which case the premiums shall  
21 be paid out of the appropriation made for the administra-  
22 tion of this chapter. The director shall hold no position  
23 of trust or profit, or engage in any occupation or business,  
24 interfering or inconsistent with his duties as such director.

25 The director shall receive an annual salary of ten thou-  
26 sand dollars, payable out of the workmen's compensation  
27 fund. The director shall have an official seal for the au-  
28 thentication of his orders and proceedings, upon which  
29 seal shall be engraved the words, "West Virginia Director  
30 of Workmen's Compensation", and such other design as  
31 the director may prescribe. The courts in this state shall  
32 take judicial notice of the seal of the director, and in all  
33 cases copies of orders, proceedings, or records in the office  
34 of the West Virginia director of workmen's compensation,  
35 shall be equal to the original in evidence.

36 The attorney general shall perform all legal services  
37 required by the director under the provisions of this  
38 chapter: *Provided, however,* That in any case in which  
39 an application for review is prosecuted from any final  
40 decision of the workmen's compensation appeal board to  
41 the supreme court of appeals, as provided by section four,  
42 article five of this chapter, or in any court proceedings,  
43 including a proceeding before the workmen's compensa-  
44 tion appeal board, in which such representation shall ap-  
45 pear to the director to be desirable, he may designate a

46 regular employee of his office, qualified to practice before  
47 such court, to represent him upon such appeal or proceed-  
48 ing, and in no case shall the person so appearing for the  
49 director before the court receive remuneration therefor  
50 other than his regular salary.

51 Wherever in this chapter or elsewhere in law reference  
52 is made to "workmen's compensation commissioner" or  
53 "compensation commissioner" such reference shall hence-  
54 forth be construed and understood to mean "director of  
55 compensation."

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

*C. Ray Parker*  
 Chairman Senate Committee

*Edel L. Brundage*  
 Chairman House Committee

Originated in the Senate.

Takes effect July 1 1963 passage.

*William Thayer*  
 Clerk of the Senate

*A. Blankenship*  
 Clerk of the House of Delegates

*Howard Carson*  
 President of the Senate

*Julius W. Singleton Jr.*  
 Speaker House of Delegates

The within approved this the 14th  
 day of March, 1963.

*W. W. Baum*  
 Governor

