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:


Section 1. Director of Workmen's Compensation; Appointment; Legal Services by Attorney General; Additional Duties; Safety Program.—There shall be a state
director of workmen's compensation who shall be appointed by the governor by and with the advice and consent of the senate for a term of six years and shall hold his office subject to the will and pleasure of the governor. An appointment may be made to fill a vacancy or otherwise when the senate is not in session, but shall be acted upon at the next session thereof. The person so appointed shall take the oath or affirmation prescribed by section five of article four of the constitution, and such oath shall be certified by the person who administers the same and shall be filed in the office of the secretary of state. He shall give bond in the penalty of twenty-five thousand dollars conditioned for the faithful performance of the duties of his office, which bond shall be approved by the attorney general as to form, and by the governor as to sufficiency. The surety of such bond may be a bonding or surety company, in which case the premiums shall be paid out of the appropriation made for the administration of this chapter. The director shall hold no position of trust or profit, or engage in any occupation or business, interfering or inconsistent with his duties as such director.
The director shall receive an annual salary of ten thousand dollars, payable out of the workmen's compensation fund. The director shall have an official seal for the authentication of his orders and proceedings, upon which seal shall be engraved the words, "West Virginia Director of Workmen's Compensation", and such other design as the director may prescribe. The courts in this state shall take judicial notice of the seal of the director, and in all cases copies of orders, proceedings, or records in the office of the West Virginia director of workmen's compensation, shall be equal to the original in evidence.

The attorney general shall perform all legal services required by the director under the provisions of this chapter: Provided, however, That in any case in which an application for review is prosecuted from any final decision of the workmen's compensation appeal board to the supreme court of appeals, as provided by section four, article five of this chapter, or in any court proceedings, including a proceeding before the workmen's compensation appeal board, in which such representation shall appear to the director to be desirable, he may designate a
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regular employee of his office, qualified to practice before such court, to represent him upon such appeal or proceeding, and in no case shall the person so appearing for the director before the court receive remuneration therefor other than his regular salary.

Wherever in this chapter or elsewhere in law reference is made to "workmen's compensation commissioner" or "compensation commissioner" such reference shall henceforth be construed and understood to mean "director of compensation."
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

C. Ray Parker  
Chairman Senate Committee

Ethel L. Crandall  
Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1963 passage.

J. Howard Helms  
Clerk of the Senate

C. 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.

[Signature]  
Governor