

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1972



ENROLLED

HOUSE BILL No. 1170

(By Mr. Buck and Mrs. Kinsaid)



PASSED March 10 1972

In Effect from Passage

MAR 29 11 35 PM '72
OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-29-72

1170

ENROLLED

House Bill No. 1170

(By MR. BUCK and MR. KINCAID)

[Passed March 10, 1972; in effect from passage.]

AN ACT finding and declaring certain claims against the state and its agencies to be moral obligations of the state, and directing the auditor to issue warrants for the payments thereof.

Be it enacted by the Legislature of West Virginia:

§1. Finding and declaring certain claims against the department of highways; state building commission; West Virginia board of regents; department of finance and administration; adjutant general; office of the governor; department of mental health; state auditor; department of natural resources; alcohol beverage control commissioner; and department of labor, to be moral obligations of the state, and directing payment thereof.

1 The Legislature has considered the findings of fact and
2 recommendations reported to it by the court of claims
3 concerning various claims against the state and agencies
4 thereof, and in respect to each of the following claims
5 the Legislature adopts those findings of fact as its own,
6 and hereby declares it to be the moral obligation of the
7 state to pay each such claim in the amount specified
8 below, and directs the auditor to issue warrants for the
9 payment thereof out of any fund appropriated and avail-
10 able for the purpose.

11	(a)	Claims against the department of highways:	
12	(1)	Estate of L. M. Gates, by Florence	
13		C. Gates, Executrix	\$ 89.25
14	(2)	Safeco Insurance Company	166.86
15	(3)	Frank & Arnold Whitehair	107.08
16	(4)	William Bryant	400.00
17	(5)	Bertha G. Barton	2,531.00
18	(6)	Harleysville Mutual Insurance Co.	
19		subrogee of Lena Nancy Shaver	226.88
20	(7)	Arden Harmon	27.86
21	(8)	Vecellio and Grogan, Inc., and	
22		Foster and Creighton Co.	5,331.25
23	(9)	Lurleen (Mrs. John, Jr.) Buckner....	171.96
24	(10)	Steve and Mary Bukovinsky	725.00
25	(11)	Nationwide Insurance Co., subrogee	
26		for Fred or Carolyn Runyon	553.65
27	(12)	Collins and Ruth Rivers	3,246.00
28	(13)	Tri-State Stone Corporation	112,910.24
29	(14)	Earl L. Wright	106.75
30	(15)	Herbert and Lovie Thomas	900.00
31	(16)	Joseph and Kathleen Sands	1,450.00
32	(17)	Gloria L. Randolph	235.00
33	(18)	Clyde W. Reinhart	3,381.99
34	(19)	Jerry A. Robey	42.23
35	(20)	Paul W. Dixon	6,500.00
36	(21)	Paul W. Dixon	1,210.00
37	(22)	Roy W. Powers	131.32
38	(23)	Vecellio and Grogan, Inc.	5,895.68
39	(24)	Robert D. Smith	220.42
40	(25)	Murl E. Atkins	945.57
41	(26)	Sam Caldwell	1,082.95
42	(27)	A. M. Foley	3,530.54
43	(28)	The Trustees, Kanawha Aerie No.	
44		1040, Fraternal Order of Eagles....	2,776.09
45	(29)	Kayton Theatre, Inc.	701.81
46	(30)	Anna Carter Murad, widow and sole	
47		devisee of Louis F. Murad, de-	
48		ceased, and Ida Cater, widow	1,296.95
49	(31)	Progressive Investments, Inc.	1,249.04
50	(32)	Freda Tabit, widow and devisee of	
51		Andrew Tabit, deceased	1,874.38

52	(33)	Algie Chiles	751.57
53	(34)	Joseph W. Drasnin, trading and doing	
54		business as Drasnin's Men's Shop	2,400.00
55	(35)	Mary Ellis	437.00
56	(36)	John Fragale, d/b/a Top Hat Billiards	159.78
57	(37)	Aetna Insurance Company, subrogee	
58		of John Fragale, d/b/a Top Hat	
59		Billiards	55.11
60	(38)	Fidelity-Phoenix Insurance Com-	
61		pany, subrogee of John Fragale,	
62		d/b/a Top Hat Billiards	27.55
63	(39)	Home Insurance Company, subrogee	
64		John Fragale, d/b/a Top Hat	
65		Billiards	55.11
66	(40)	New Hampshire Insurance Company,	
67		subrogee of John Fragale, d/b/a	
68		Top Hat Billiards	55.11
69	(41)	Phoenix Assurance Company, sub-	
70		rogee of John Fragale, d/b/a Top	
71		Hat Billiards	68.88
72	(42)	Phoenix Insurance Company, sub-	
73		rogee of John Fragale, d/b/a Top	
74		Hat Billiards	68.88
75	(43)	Eddie Gonano, trading and doing	
76		business as Ed's Place	3,032.53
77	(44)	Belva Halsey, d/b/a Belva's	
78		Beauty Shop	1,000.00
79	(45)	L. J. Hark, trading and doing business	
80		as Drasnin's Tailor Shop	2,280.88
81	(46)	Robert W. Jackson, trading and doing	
82		business as Henderson's Drug Store	2,368.27
83	(47)	E. W. Kelly, trading and doing busi-	
84		ness as E. W. Kelly Store	1,450.00
85	(48)	Mearns, Inc., a corporation, trad-	
86		ing and doing business as The	
87		Fashion Shop	11,000.00
88	(49)	Montgomery Hardware Company, Inc.	5,125.01
89	(50)	Montgomery Motors, Inc.	1,055.37
90	(51)	Aetna Insurance Company, subrogee	
91		of Montgomery Motors, Inc.	4,723.55

92	(52)	Fidelity-Phoenix Insurance Company,	
93		subrogee of Montgomery Motors,	
94		Inc.	7,834.13
95	(53)	Home Insurance Company, subrogee	
96		of Montgomery Motors, Inc.	11,336.52
97	(54)	Phoenix Insurance Company, sub-	
98		rogee of Montgomery Motors, Inc.	10,000.00
99	(55)	The Phoenix Insurance Company	37,536.42
100	(56)	O. E. Palmer, Administrator, c t a	
101		d b n the estate of A. A. Mitchell,	
102		deceased, and Mary Rose	269.00
103	(b)	Claims against the state building	
104		commission:	
105	(1)	First National Bank of South	
106		Charleston, as assignee of C & D	
107		Equipment Company	29,907.68
108	(2)	Orpha E. Jones	5,425.00
109	(c)	Claims against the West Virginia	
110		board of regents:	
111	(1)	State Farm Mutual Automobile In-	
112		surance Co., as subrogee for	
113		Damaris O. Wilson	97.56
114	(2)	Appraisal & Realty Service, Inc.	750.00
115	(3)	Thomas Oliver Mucklow	1,595.00
116	(d)	Claims against the department of	
117		finance and administration:	
118	(1)	Retreading Research Associates, Inc.	5,400.00
119	(2)	Columbia Ribbon & Carbon Manu-	
120		facturing Company	3,186.80
121	(e)	Claims against the Adjutant General:	
122	(1)	Andy & Lora Shanabarger	89.00
123	(f)	Claims against the office of the governor:	
124	(1)	George N. Peraldo, d/b/a Pauley	
125		Drilling Company	11,119.33
126	(2)	United Air Lines, Inc.	1,040.20
127	(g)	Claims against the department of mental	
128		health:	
129	(1)	Singer Sheet Metal Company, Inc.	5,928.00
130	(h)	Claims against the state auditor:	
131	(1)	Maciej Gal	3,100.46

132	(i)	Claims against the department of	
133		natural resources:	
134	(1)	Budget Rent A Car of Cleveland, Inc.	44.59
135	(2)	Fred E. Blair	1,464.00
136	(3)	Willard Blair	1,236.00
137	(4)	Trebag Enterprises, Inc.	3,000.00
138	(j)	Claims against the alcohol beverage	
139		control commissioner:	
140	(1)	Blanton M. Friddle	946.95
141	(k)	Claims against the department of labor:	
142	(1)	Lawrence Barker	300.00
143		The Legislature finds that the above moral obligations	
144		and the appropriations made in satisfaction thereof shall	
145		be the full compensation for all claimants, and that prior	
146		to the payments to any claimant provided for in this	
147		bill, the court of claims shall receive a release from said	
148		claimant releasing any and all claims for moral obliga-	
149		tions arising from the matters considered by the Legis-	
150		lature in the finding of the moral obligations and the	
151		making of the appropriation for said claimant. The court	
152		of claims shall deliver all releases obtained from claimants	
153		to the department against which the claim was allowed.	

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

Russell G. Beall

Chairman Senate Committee

Phyllis J. Rutledge

Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard W. Carsons

Clerk of the Senate

Ch. Blankenship

Clerk of the House of Delegates

E. H. McCourt

President of the Senate

Levin N. McManus

Speaker House of Delegates

The within *approved* this the *27th*
March
day of _____, 1972.

Arha Sharrif

Governor

PRESENTED TO THE
GOVERNOR

Date 3/20/72
Time 10:17 a.m.