

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1973

ENROLLED

Com. Sub.

SENATE BILL NO. 2028

(By Mr. *Fanning*
Original Sponsor)

PASSED April 14, 1973

In Effect from Passage



FILED IN THE OFFICE
EDGAR F. HEISKELL III
SECRETARY OF STATE
THIS DATE 5/3/73

2028

ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 2028
(Mr. Fanning, *original sponsor*)

[Passed April 14, 1973; 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; board of regents; department of public institutions; department of public safety; department of natural resources; state tax department; adjutant general; department of finance and administration; the governor; and board of vocational rehabilitation, 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 con-
3 cerning various claims against the state and agencies thereof,
4 and in respect to each of the following claims the Legislature
5 adopts those findings of fact as its own, and hereby declares
6 it to be the moral obligation of the state to pay each
7 such claim in the amount specified below, and directs the
8 auditor to issue warrants for the payment thereof out
9 of any fund appropriated and available for the purpose.

10 (a) **Claims versus the Department of Highways:**

11 To be paid from State Road Fund

12	(1) Harry N. Walker d/b/a Gauley Esso	
13	Service Center -----	\$ 900.00
14	(2) A. D. and Eulah M. Strader -----	896.00
15	(3) Monongahela Power Company -----	148.84
16	(4) Bliss R. Wotring -----	750.00
17	(5) James B. Frazier -----	10,000.00
18	(6) Lou Irene Frazier -----	1,000.00
19	(7) Jamy Lou Frazier, an infant by and through	
20	James B. Frazier, her next friend, and James B.	
21	Frazier -----	500.00
22	(8) James B. Frazier, Administrator of Estate	
23	of Michael Scott Frazier, deceased -----	10,541.95
24	(9) Joseph C. and Emma Lou Jones -----	265.54
25	(10) William B. and Helen McClure -----	137.55
26	(11) Foremost Insurance Company -----	550.00
27	(12) Peter Shaffron, Jr. -----	114.33
28	(13) S. J. Groves & Sons and Turman Con-	
29	struction Company -----	38,404.45
30	(14) Virgil Donald Seebaugh and Ava Marie	
31	Seebaugh -----	750.00
32	(15) W. Va. Welding Supply Company -----	1,660.00
33	(16) C. P. McDorman -----	50.00
34	(17) Vergie Warner -----	100.00
35	(18) Carpenter Addition Water Company ---	124.74
36	(19) Delbert J. Matheny -----	200.00
37	(20) Larry L. Betonte and Judith A.	
38	Betonte -----	700.00
39	(21) Amos Preece -----	1,200.00
40	(22) Charles Gravely -----	106.61
41	(23) Oscar Vecellio, Inc. -----	4,970.48
42	(24) Carl A. Brown -----	750.00
43	(25) Clarence E. Brown -----	600.00
44	(26) Marlene J. Downey -----	100.00
45	(27) Harry Ellison -----	1,500.00
46	(28) Leo R. Harrah -----	6,000.00
47	(29) Ralph W. Waugh -----	700.00
48	(30) Thomas Eugene Carelli and Frank	
49	Carelli, d/b/a the Smoke House -----	1,300.00
50	(31) Wilson Jacobs and Eugene Jacobs -----	4,225.00
51	(32) David McClellan -----	1,700.00
52	(33) B. H. Child & Co., Inc. d/b/a Fort	
53	Pitt Shoe Store -----	3,700.00
54	(34) Elsie McCall Duncan d/b/a Mac's	

55	Jewelry Store -----	2,621.30
56	(35) State Farm Insurance Co., Assignee	
57	of Margaret Roeser and Harriet	
58	Davidson -----	464.00
59	(36) Thomas C. and Nellie Sheppard, Sr. ---	2,444.03
60	(37) J. R. Hardy -----	160.68
61	(38) Cory Auto Parts Company -----	10,000.00
62	(39) The Firestone Tire & Rubber	
63	Company -----	6,000.00
64	(40) Darrell Bailey -----	437.13
65	(41) State Farm Mutual Automobile Insurance	
66	Company, as subrogee of Diana K. Smith,	
67	its insured -----	78.80
68	(42) State Farm Mutual Automobile Insurance	
69	Company, as subrogee of Corliss P.	
70	McDorman, its insured -----	277.81
71	(43) Gertrude A. Myers and Lena M.	
72	Brown -----	1,000.00
73	(44) State Farm Mutual Automobile Insurance	
74	Company, as subrogee of Ralph Henne,	
75	its insured -----	36.05
76	(45) State Farm Mutual Automobile Insurance	
77	Company, as subrogee of Robert L. Hulett,	
78	its insured -----	46.35
79	(b) Claims versus the Governor's Office:	
80	To be paid from General Revenue	
81	(1) The Fairmont Times and	
82	West Virginian -----	210.00
83	(c) Claims versus the Board of Regents:	
84	To be paid from General Revenue	
85	(1) Joe L. Smith, Jr., Inc. d/b/a Biggs-	
86	Johnston-Withrow -----	372.98
87	(d) Claims versus the State Tax Department:	
88	To be paid from General Revenue	
89	(1) General Foods Corporation -----	28,590.95
90	(e) Claims versus the Department of Public	
91	Institutions:	
92	To be paid from General Revenue	
93	(1) Harold E. Bondy, M. D. -----	2,000.00

94 (2) Radiological Consultants Association -- 2,815.00

95 (f) **Claims versus the Department of Finance**
96 **and Administration:**

97 To be paid from General Revenue

98 (1) City of Charleston ----- 91,329.00

99 (g) **Claims versus the Department of Natural**
100 **Resources:**

101 To be paid from General Revenue

102 (1) Flossie Grace Pudder ----- 8,000.00

103 (2) Robert J. Pudder ----- 3,000.00

104 (h) **Claims versus the Department of Public Safety:**

105 To be paid from General Revenue

106 (1) Frank Prozillo ----- 155.61

107 (2) Mary Jane Starvaggi ----- 25,000.00

108 (3) Wilma Lee Morris ----- 1,500.00

109 (i) **Claims versus the Adjutant General:**

110 (1) Monongahela Power Company ----- 298.43

111 The Legislature finds that the above moral obligations
112 and the appropriations made in satisfaction thereof shall
113 be the full compensation for all claimants, and that prior
114 to the payments to any claimant provided for in this bill,
115 the court of claims shall receive a release from said
116 claimant releasing any and all claims for moral obligations
117 arising from the matters considered by the Legislature
118 in the finding of the moral obligations and the making
119 of the appropriations for said claimant. The court of claims
120 shall deliver all releases obtained from claimants to the
121 department against which the claim was allowed.

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

H. Darrel Darby
Chairman Senate Committee

Clarence C. Chester Jr.
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Harold W. Carson
Clerk of the Senate

C. A. Blonsky
Clerk of the House of Delegates

W. T. Brotherton Jr.
President of the Senate

Lewis H. McPherson
Speaker House of Delegates

The within approved this the 27th
day of April, 1973.
Anna M. Mason J.
Governor

PRESENTED TO THE
GOVERNOR

Date 4/27/73

Time 2:05 p.m.

RECEIVED

MAY 3 9 34 AM '73

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA