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OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1975

— ● —

ENROLLED

Committee Substitute for

HOUSE BILL No. 1078

(By Mr. *Speaker, Mr. McManus and Mr. Leibert*)

— ● —

PASSED March 7, 1975

In Effect from Passage



C 641

1070

ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 1078

(By MR. SPEAKER, MR. McMANUS, and MR. SEIBERT)

[Passed March 7, 1975; 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 alcohol beverage control commissioner and the department of public institutions to be moral obligations of the state and directing payment thereof.

1 The Legislature has heretofore made findings of fact that
2 the state has received the benefit of the commodities and ser-
3 vices rendered by certain claimants herein and has considered
4 claims against the state, the alcohol beverage control com-
5 missioner and the department of public institutions, agencies
6 thereof, which have arisen due to over-expenditures of depart-
7 mental appropriations by officers of such state spending unit,
8 such claims having been previously considered by the court of
9 claims which also found that the state has received the benefit
10 of the commodities and services rendered by each claimant, but
11 were denied by the court of claims on the purely statutory
12 grounds that to allow such claims would be condoning illegal
13 acts contrary to the laws of the state. The Legislature, pursuant
14 to its findings of fact and also by the adoption of the findings

15 of fact by the court of claims as its own, and, while not con-
 16 doning such illegal acts, hereby declares it to be the moral
 17 obligation of the state to pay each such claim in the amount
 18 specified below, and directs the auditor to issue warrants upon
 19 receipt of a properly executed requisition supported by an
 20 itemized invoice, statement or other satisfactory document as
 21 required by section ten, article three, chapter twelve of the
 22 code of West Virginia, one thousand nine hundred thirty-one,
 23 as amended, for the payment thereof out of any fund appro-
 24 priated and available for the purpose.

25 (a) Claims against the alcohol beverage control commissioner:
 26 To be paid from Special Revenue Fund

| | | |
|----|---------------------------------|------------|
| 27 | (1) Helen L. Freed | \$ 850.00 |
| 28 | (2) W. M. Harris | \$ 850.00 |
| 29 | (3) Wilda F. Currence | \$ 775.00 |
| 30 | (4) Barbara Rae Norton | \$ 700.00 |
| 31 | (5) Aluna J. Ware | \$ 550.00 |
| 32 | (6) Mary Louise Singleton | \$ 550.00 |
| 33 | (7) Wayne L. Main | \$1,000.00 |
| 34 | (8) Louise H. Harper | \$ 625.00 |
| 35 | (9) Shirley Ann Kimble | \$ 625.00 |
| 36 | (10) Leonard D. Watson | \$ 775.00 |
| 37 | (11) Donal L. Smith | \$ 775.00 |
| 38 | (12) Cecile H. Ruddell | \$ 850.00 |
| 39 | (13) James F. Kirby | \$ 850.00 |
| 40 | TOTAL | \$9,775.00 |

41 (b) Claims against the Department of Public Institutions:
 42 To be paid from General Revenue Fund

| | | |
|----|---|-------------|
| 43 | (1) Midland Wholesale Grocery Company | \$ 151.23 |
| 44 | (2) State Food Stores, Inc. | \$ 80.00 |
| 45 | (3) Wheeling Hospital, Inc. | \$ 864.20 |
| 46 | (4) Medical Supply Company, Inc. | \$ 13.50 |
| 47 | (5) Independent Dressed Beef Company, Inc. \$ | 369.60 |
| 48 | (6) Norteman Packing Co. | \$ 5,652.11 |
| 49 | (7) Cook Motor Lines, Inc. | \$ 9.36 |
| 50 | (8) Electronic Materials Corporation | \$ 62.38 |
| 51 | (9) Schering Corporation | \$ 419.05 |

| | | |
|----|--|-------------|
| 52 | (10) Oscar Ruttenberg, d/b/a Ruttenberg's | |
| 53 | Store | \$ 149.61 |
| 54 | (11) West Virginia State Industries | \$25,071.62 |
| 55 | (12) Storck Baking Company, Inc. | \$ 1,699.24 |
| 56 | (13) Polis Brothers | \$ 672.80 |
| 57 | (14) Mt. Clare Provision Company | \$ 4,459.14 |
| 58 | (15) Lever Brothers Company | \$ 1,160.60 |
| 59 | (16) Physicians Fee Office | \$ 109.85 |
| 60 | (17) Industrious Blind Enterprise | \$ 402.12 |
| 61 | (18) Pepsi-Cola Bottling Co. of | |
| 62 | Moundsville, Inc. | \$ 1,057.20 |
| 63 | (19) M & W Distributors, Inc. | \$ 46.94 |
| 64 | (20) Valley Welding Supply Company | \$ 98.58 |
| 65 | (21) Southern Chemical Company, a Division | |
| 66 | of Southern Machinery Company | \$ 4,090.78 |
| 67 | (22) Tri-State Drug Company | \$ 131.46 |
| 68 | (23) Standard Brush & Broom Company | \$ 175.98 |
| 69 | (24) Reynolds Memorial Hospital | \$ 1,289.07 |
| 70 | (25) Dermatology Service, Inc. | \$ 40.00 |
| 71 | (26) A. H. Robins Company | \$ 320.00 |
| 72 | (27) William McNinch, d/b/a McNinch | |
| 73 | Hardware | \$ 19.10 |
| 74 | (28) The National Colloid Company | \$ 220.00 |
| 75 | (29) Columbia Gas of West Virginia, Inc. | \$ 7,283.91 |
| 76 | (30) Aristotle A. Rabanal, M. D. | \$ 15.00 |
| 77 | (31) Louis Anthony Co., Inc. | \$ 1,545.70 |
| 78 | (32) American Can Company | \$ 565.00 |
| 79 | (33) Merck, Sharp & Dohme | \$ 694.36 |
| 80 | (34) Mutual Wholesalers of Wheeling, Inc. | \$ 5.76 |
| 81 | (35) West Virginia Newspaper Publishing Co. | \$ 98.70 |
| 82 | (36) Wheeling Electric Company | \$ 1,219.36 |
| 83 | (37) Kellogg Sales Company | \$ 1,840.00 |
| 84 | (38) Marion Paper, Inc. | \$ 4,366.74 |
| 85 | (39) Exxon Company, U.S.A. | \$ 219.71 |
| 86 | (40) Wheeling Wholesale Grocery Co. | \$ 445.00 |
| 87 | (41) Procter & Gamble Distributing Co. | \$ 266.50 |
| 88 | (42) Monroe, Division of Litton Business | |
| 89 | Systems, Inc. | \$ 32.00 |
| 90 | (43) The Upjohn Company | \$ 79.05 |
| 91 | (44) Hoffmann-LaRoche, Inc. | \$ 526.50 |
| 92 | (45) C & P Telephone Co. of West Virginia ... | \$ 39.76 |

| | | |
|-----|--|-------------|
| 93 | (46) Myers Drug Store, Inc. | \$ 83.00 |
| 94 | (47) Alling & Cory | \$ 72.45 |
| 95 | (48) Hong I. Seung, M. D. | \$ 40.00 |
| 96 | (49) Marshall County Cooperative, Inc. | \$ 82.13 |
| 97 | (50) The Kroger Co. | \$ 31.86 |
| 98 | (51) Ohio Valley Medical Center, Inc. | \$ 32.00 |
| 99 | (52) Standard Brands Incorporated | \$ 948.00 |
| 100 | (53) Economics Laboratory, Inc. | \$ 3,396.00 |
| 101 | (54) Wyeth Laboratories, Division of | |
| 102 | American Home Products Corporation | \$ 176.00 |
| 103 | (55) Hillandale Farms, Inc. | \$ 318.75 |
| 104 | (56) Winans Sanitary Supply Company, Inc. | \$ 46.80 |
| 105 | (57) Consolidated Midland Corporation | \$ 210.00 |
| 106 | (58) Robert E. Durig, O. D. | \$ 801.00 |
| 107 | (59) Doctors Asaad, Inc. | \$ 100.00 |
| 108 | (60) Doctors Barger and Gordon, Inc. | \$ 1,035.19 |
| 109 | (61) Ambulatory Care Associates, Inc. | \$ 20.00 |
| 110 | (62) Ohio Valley Drug Company | \$ 30.00 |
| 111 | (63) IBM Corporation | \$ 218.75 |
| 112 | (64) The City of Moundsville Water | |
| 113 | Department | \$ 2,464.19 |
| 114 | (65) Crescent Print Shop | \$ 42.97 |
| 115 | (66) Pfizer Inc. | \$ 3,788.52 |
| 116 | (67) Valley Animal Clinic | \$ 89.00 |
| 117 | TOTAL | \$82,105.18 |

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

James L. Davis
Chairman Senate Committee

Robert C. Thurston
Chairman House Committee

Originated in the House.

Takes effect from passage.

James L. Davis
Clerk of the Senate

W. B. Blakeship
Clerk of the House of Delegates

W. B. Blakeship
President of the Senate

Louis W. McMane
Speaker House of Delegates

The within approved this the 20th
day of March, 1975.

Arch A. Shantz Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 3/14/75

Time 11:45 a.m.