

MAR 10 9 27 AM '76

OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1976

—•—

## ENROLLED

SENATE BILL NO. 457

(By Mr. Saville, Mr. Hinkle & Mr. Steptoe)

—•—

PASSED February 28, 1976

In Effect from Passage

FILED IN THE OFFICE OF  
SECRETARY OF STATE OF  
WEST VIRGINIA

THIS DATE 3/10/76

# ENROLLED

## Senate Bill No. 457

(By MR. SAVILLA, MR. HINKLE and MR. STEPTOE)

[Passed February 28, 1976; 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 nonintoxicating beer commission; department of finance and administration; department of natural resources; department of mental health; department of public institutions; state auditor; department of commerce; department of public safety; board of vocational education; division of vocational rehabilitation; department of highways; rehabilitation environmental action program; alcohol beverage control commission; workmen's compensation fund; secretary of state; office of emergency services, and department of motor vehicles 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 claim in the amount specified below,  
8     and directs the auditor to issue warrants for the payment  
9     thereof out of any fund appropriated and available for  
10    the purpose.

11   (a) Claims against the nonintoxicating beer  
12       commission: (To be paid from General  
13       Revenue Fund)

14	(1) The F. & M. Schaefer Brewing Com-	
15	pany .....	\$ 24,474.67
16	(2) The Queen City Brewing Co. ....	\$ 8,974.82
17	(b) Claims against the department of finance	
18	and administration: (To be paid from	
19	General Revenue Fund)	
20	(1) Ronald L. Cook .....	\$ 4,375.00
21	(c) Claims against the department of natural	
22	resources: (To be paid from General	
23	Revenue Fund)	
24	(1) Larry James .....	\$ 1,500.00
25	(d) Claims against the department of mental	
26	health: (To be paid from General Reve-	
27	nue Fund)	
28	(1) James R. Clowser .....	\$ 1,020.00
29	(2) Tabitha V. Partlow .....	\$ 57.68
30	(3) Inland Mutual Insurance Company,	
31	subrogee of Tabitha V. Partlow .....	\$ 342.83
32	(4) J. Wilbur Swisher and Alice V. Swisher d/b/a	
33	Swisher's Feed and Supply Company ..	\$ 2,580.76
34	(5) Jordan, McGettigan & Yule .....	\$ 5,942.20
35	(6) Pfizer, Inc. ....	\$ 473.23
36	(7) American Can Company .....	\$ 1,125.85
37	(8) Parke, Davis & Company .....	\$ 545.96
38	(e) Claims against the department of public	
39	institutions: (To be paid from General	
40	Revenue Fund)	
41	(1) J. J. Englert Company .....	\$ 5,834.40
42	(2) Shen K. Wang, M.D. ....	\$ 15,300.00
43	(3) Physicians Fee Office .....	\$ 111.92
44	(4) Xerox Corporation .....	\$ 1,166.18
45	(5) Ashland Chemical Company .....	\$ 249.65
46	(6) Valley Welding Supply Company .....	\$ 25.70
47	(f) Claims against the state auditor: (To be	
48	paid from General Revenue Fund)	
49	(1) Archie Day, Sheriff .....	\$ 18.00
50	(2) D. A. Wright, Sheriff .....	\$ 762.00
51	(3) Russell E. Duvernoy &	
52	Henry Todd Duvernoy .....	\$ 775.00
53	(4) Frank A. Rocchio, Sheriff .....	\$ 16.00

54	(g) Claims against the department of com-		
55	merce: (To be paid from General Reve-		
56	nue Fund)		
57	(1) Ski South Magazine.....	\$	679.50
58	(h) Claims against the department of public		
59	safety: (To be paid from General Reve-		
60	nue Fund)		
61	(1) Associated Dry Goods d/b/a		
62	The Diamond Department Store.....	\$	441.96
63	(i) Claims against the board of vocational edu-		
64	cation, division of vocational rehabilita-		
65	tion: (To be paid from General Revenue		
66	Fund)		
67	(1) Richard D. Kitching, M.D.....	\$	405.00
68	(2) Charleston Area Medical Center, Inc.....	\$	2,972.37
69	(j) Claims against the department of high-		
70	ways: (To be paid from State Road		
71	Fund)		
72	(1) Mrs. Samuel Kelly.....	\$	58.00
73	(2) The Chesapeake and Potomac Tele-		
74	phone Company of West Virginia.....	\$	3,856.86
75	(3) Daniel Crockett .....	\$	257.96
76	(4) Larry W. Lohan and Pamela Lohan.....	\$	38.37
77	(5) Robert Douglas Baker.....	\$	35.00
78	(6) Mark A. Melrose, Executor of the		
79	Estate of J. J. Melrose, deceased, and		
80	Frank R. Melrose.....	\$	3,000.00
81	(7) Bobby Shafer .....	\$	305.85
82	(8) Ryan, Incorporated of Wisconsin.....	\$	40,000.00
83	(9) Kenneth E. Plants.....	\$	14,500.00
84	(10) Gerald E. Tinsley .....	\$	163.10
85	(11) Robert L. Jefferson .....	\$	100.00
86	(12) Wanda M. Gannon.....	\$	3,450.00
87	(13) Thomas Edison Hale .....	\$	8,250.00
88	(14) Larry Lee Wingate .....	\$	11,000.00
89	(15) Everett L. Dunbrack.....	\$	200.00
90	(16) Ronald E. Ferguson .....	\$	210.73
91	(17) Travelers Insurance Co., subrogee of		
92	William R. Beckner .....	\$	78.28

93	(18) Prudential Property & Casualty Insur-	
94	ance Co., subrogee of Beverly J.	
95	Maxwell .....	\$ 194.67
96	(19) Randy Cooper .....	\$ 71.44
97	(20) State Farm Mutual Automobile Insur-	
98	ance Co., subrogee of Thelma	
99	Criner .....	\$ 195.70
100	(21) Maryland Casualty Co., subrogee of	
101	Michael E. Heitz .....	\$ 134.88
102	(22) Michael E. Heitz .....	\$ 100.00
103	(23) Westfield Insurance Co., subrogee of	
104	David Sago .....	\$ 106.02
105	(24) Buckeye Union Insurance Co., subrogee	
106	of Raymond L. Maddy .....	\$ 207.93
107	(25) Kenneth S. Kayser .....	\$ 100.00
108	(26) Clyde Speer and Mildred Speer .....	\$ 328.60
109	(27) Patricia G. McFann .....	\$ 61.14
110	(28) Hershel Ray Wiley .....	\$ 300.00
111	(29) Paul G. Nohe & June D. Nohe .....	\$ 100.00
112	(30) Roy E. Brassfield, Jr. ....	\$ 69.21
113	(31) Helen Cremeans .....	\$ 391.45
114	(32) James E. White .....	\$ 43.26
115	(33) Carmie Riddle .....	\$ 87.55
116	(34) Motors Insurance Corp., subrogee of	
117	Quincy E. Holstein .....	\$ 228.00
118	(35) Fred H. Gregory .....	\$ 35.63
119	(36) Coal River Public Service District .....	\$ 201.00
120	(37) L. M. Casdorph .....	\$ 61.29
121	(38) Mr. & Mrs. T. E. Reed .....	\$ 600.00
122	(39) David R. Dietz .....	\$ 82.40
123	(40) Tygart Valley Telephone Company .....	\$ 109.79
124	(41) Dana H. Carney .....	\$ 67.61
125	(42) H. Ronald Harris .....	\$ 78.92
126	(43) T. A. Galyean, Jr., Ann T. Galyean, his	
127	wife, John G. Anderson, Trustee, and	
128	Huntington Federal Savings and	
129	Loan Association .....	\$ 7,500.00
130	(44) Clarke W. Greene .....	\$ 183.95
131	(45) James R. Lantz .....	\$ 43.30
132	(46) Velva K. Corzine .....	\$ 221.98
133	(47) Mrs. W. G. Via .....	\$ 55.10

134	(48) Monongahela Power Company.....	\$ 189.79
135	(49) Samuel Miller .....	\$ 123.60
136	(50) Harry C. Henderson .....	\$ 6,600.00
137	(51) Clyde M. Ellison .....	\$ 25.00
138	(52) James M. Duffy .....	\$ 25.00
139	(53) John L. Cooper .....	\$ 25.00
140	(54) Norfolk & Western Railway Company.....	\$ 1,258.29
141	(55) Opal Baker Thomas & Elsey Thomas.....	\$ 1,920.00
142	(k) Claims against the rehabilitation environ-	
143	mental action program: (To be paid from	
144	special account in State Road Fund)	
145	(1) Lena Solomon .....	\$ 500.00
146	(2) Edward H. Stanley .....	\$ 200.00
147	(3) Geneva Marie Burch .....	\$ 150.00
148	(l) Claims against the alcohol beverage control	
149	commission: (To be paid from Special	
150	Revenue Fund)	
151	(1) Maryland Casualty Co. ....	\$ 2,500.00
152	(m) Claims against the workmen's compensa-	
153	tion fund: (To be paid from Workmen's	
154	Compensation Fund)	
155	(1) Leonard Johnson Funeral Home, Inc.....	\$ 1,200.00
156	(n) Claims against the secretary of state: (To	
157	be paid from General Revenue Fund)	
158	(1) International Business Machines	
159	Corporation .....	\$ 70.23
160	(o) Claims against the office of emergency	
161	services: (To be paid from General	
162	Revenue Fund)	
163	(1) Jay H. Cadle, d/b/a Cadle Sanitary	
164	Service .....	\$ 10,492.50
165	(p) Claims against the department of motor	
166	vehicles: (To be paid from State Road	
167	Fund)	
168	(1) Mid-Mountain Mack, Inc. ....	\$ 2,088.02
169	Total of all claims .....	\$205,003.08
170	The Legislature finds that the above moral obligations	
171	and the appropriations made in satisfaction thereof shall	
172	be the full compensation for all claimants, and that prior	

173 to the payments to any claimant provided for in this bill,  
174 the court of claims shall receive a release from said  
175 claimant releasing any and all claims for moral obliga-  
176 tions arising from the matters considered by the Legisla-  
177 ture in the finding of the moral obligations and the  
178 making of the appropriations of said claimant. The court  
179 of claims shall deliver all releases obtained from claim-  
180 ants to the department against which the claim was  
181 allowed.



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

*James L. Davis*  
Chairman Senate Committee

*Clarence C. Chambers*  
Chairman House Committee

Originated in the Senate.

To take effect from passage.

*J. C. Ouellette Jr.*  
Clerk of the Senate

*W. B. Blankenship*  
Clerk of the House of Delegates

*W. T. Bratherton Jr.*  
President of the Senate

*Lewis H. H. Harris*  
Speaker House of Delegates

The within *approved* this the *9th*  
day of *March*, 1976

*And A. Harris Jr.*  
Governor





PRESENTED TO THE  
GOVERNOR

Date 3/3/76

Time 5:05 p.m.