WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1976

ENROLLED
SENATE BILL NO. 457

(By Mr. Davenport, Mr. Hooker, Mr. Stipan)

PASSED February 25, 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 nonin­
toxicating beer commission; department of finance and
administration; department of natural resources; depart­
ment 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; re­
habilitation 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.

The Legislature has considered the findings of fact and
recommendations reported to it by the court of claims
concerning various claims against the state and agencies
thereof, and in respect to each of the following claims
the Legislature adopts those findings of fact as its own,
and hereby declares it to be the moral obligation of the
state to pay each claim in the amount specified below,
and directs the auditor to issue warrants for the payment
thereof out of any fund appropriated and available for
the purpose.

(a) Claims against the nonintoxicating beer
commission: (To be paid from General
Revenue Fund)
(1) The F. & M. Schaefer Brewing Company $ 24,474.67
(2) The Queen City Brewing Co. $ 8,974.82
(b) Claims against the department of finance and administration: (To be paid from General Revenue Fund)
(1) Ronald L. Cook $ 4,375.00
(c) Claims against the department of natural resources: (To be paid from General Revenue Fund)
(1) Larry James $ 1,500.00
(d) Claims against the department of mental health: (To be paid from General Revenue Fund)
(1) James R. Clowser $ 1,020.00
(2) Tabitha V. Partlow $ 57.68
(3) Inland Mutual Insurance Company, subrogee of Tabitha V. Partlow $ 342.83
(4) J. Wilbur Swisher and Alice V. Swisher d/b/a Swisher’s Feed and Supply Company $ 2,580.76
(5) Jordan, McGettigan & Yule $ 5,942.20
(6) Pfizer, Inc. $ 473.23
(7) American Can Company $ 1,125.85
(8) Parke, Davis & Company $ 545.96
(e) Claims against the department of public institutions: (To be paid from General Revenue Fund)
(1) J. J. Englert Company $ 5,834.40
(2) Shen K. Wang, M.D. $ 15,300.00
(3) Physicians Fee Office $ 111.92
(4) Xerox Corporation $ 1,166.18
(5) Ashland Chemical Company $ 249.65
(6) Valley Welding Supply Company $ 25.70
(f) Claims against the state auditor: (To be paid from General Revenue Fund)
(1) Archie Day, Sheriff $ 18.00
(2) D. A. Wright, Sheriff $ 762.00
(3) Russell E. Duvernoy & Henry Todd Duvernoy $ 775.00
(4) Frank A. Rocchio, Sheriff $ 16.00
(g) Claims against the department of commerce: (To be paid from General Revenue Fund)

(1) Ski South Magazine ........................................ $ 679.50

(h) Claims against the department of public safety: (To be paid from General Revenue Fund)

(1) Associated Dry Goods d/b/a The Diamond Department Store .......... $ 441.96

(i) Claims against the board of vocational education, division of vocational rehabilitation: (To be paid from General Revenue Fund)

(1) Richard D. Kitching, M.D. ................................ $ 405.00
(2) Charleston Area Medical Center, Inc. ........... $ 2,972.37

(j) Claims against the department of highways: (To be paid from State Road Fund)

(1) Mrs. Samuel Kelly ........................................ $ 58.00
(2) The Chesapeake and Potomac Telephone Company of West Virginia .... $ 3,856.86
(3) Daniel Crockett ........................................ $ 257.96
(4) Larry W. Lohan and Pamela Lohan ................ $ 38.37
(5) Robert Douglas Baker ................................ $ 35.00
(6) Mark A. Melrose, Executor of the Estate of J. J. Melrose, deceased, and Frank R. Melrose .............. $ 3,000.00
(7) Bobby Shafer ........................................ $ 305.85
(8) Ryan, Incorporated of Wisconsin ................. $ 40,000.00
(9) Kenneth E. Plants ....................................... $ 14,500.00
(10) Gerald E. Tinsley ................................... $ 163.10
(11) Robert L. Jefferson ................................ $ 100.00
(12) Wanda M. Gannon ...................................... $ 3,450.00
(13) Thomas Edison Hale ................................ $ 8,250.00
(14) Larry Lee Wingate ................................... $ 11,000.00
(15) Everett L. Dunbrack ................................ $ 200.00
(16) Ronald E. Ferguson ................................ $ 210.73
(17) Travelers Insurance Co., subrogee of William R. Beckner .......... $ 78.28
(18) Prudential Property & Casualty Insurance Co., subrogee of Beverly J. Maxwell ........................................ $ 194.67
(19) Randy Cooper ........................................ $ 71.44
(20) State Farm Mutual Automobile Insurance Co., subrogee of Thelma Criner ........................................ $ 195.70
(21) Maryland Casualty Co., subrogee of Michael E. Heitz ........................................ $ 134.88
(22) Michael E. Heitz ........................................ $ 100.00
(23) Westfield Insurance Co., subrogee of David Sago ........................................ $ 106.02
(24) Buckeye Union Insurance Co., subrogee of Raymond L. Maddy ........................................ $ 207.93
(25) Kenneth S. Kayser ........................................ $ 100.00
(26) Clyde Speer and Mildred Speer ........................................ $ 328.60
(27) Patricia G. McFann ........................................ $ 61.14
(28) Hershel Ray Wiley ........................................ $ 300.00
(29) Paul G. Nohe & June D. Nohe ........................................ $ 100.00
(30) Roy E. Brassfield, Jr. ........................................ $ 69.21
(31) Helen Cremeans ........................................ $ 391.45
(32) James E. White ........................................ $ 43.26
(33) Carmie Riddle ........................................ $ 87.55
(34) Motors Insurance Corp., subrogee of Quincy E. Holstein ........................................ $ 228.00
(35) Fred H. Gregory ........................................ $ 35.63
(36) Coal River Public Service District ........................................ $ 201.00
(37) L. M. Casdorph ........................................ $ 61.29
(38) Mr. & Mrs. T. E. Reed ........................................ $ 600.00
(39) David R. Dietz ........................................ $ 82.40
(40) Tygart Valley Telephone Company ........................................ $ 109.79
(41) Dana H. Carney ........................................ $ 67.61
(42) H. Ronald Harris ........................................ $ 78.92
(43) T. A. Galyean, Jr., Ann T. Galyean, his wife, John G. Anderson, Trustee, and Huntington Federal Savings and Loan Association ........................................ $ 7,500.00
(44) Clarke W. Greene ........................................ $ 183.95
(45) James R. Lantz ........................................ $ 43.30
(46) Velva K. Corzine ........................................ $ 221.98
(47) Mrs. W. G. Via ........................................ $ 55.10
(48) Monongahela Power Company $189.79
(49) Samuel Miller $123.60
(50) Harry C. Henderson $6,600.00
(51) Clyde M. Ellison $25.00
(52) James M. Duffy $25.00
(53) John L. Cooper $25.00
(54) Norfolk & Western Railway Company $1,258.29
(55) Opal Baker Thomas & Elsey Thomas $1,920.00
(k) Claims against the rehabilitation environmental action program: (To be paid from special account in State Road Fund)
(1) Lena Solomon $500.00
(2) Edward H. Stanley $200.00
(3) Geneva Marie Burch $150.00
(l) Claims against the alcohol beverage control commission: (To be paid from Special Revenue Fund)
(1) Maryland Casualty Co. $2,500.00
(m) Claims against the workmen’s compensation fund: (To be paid from Workmen’s Compensation Fund)
(1) Leonard Johnson Funeral Home, Inc. $1,200.00
(n) Claims against the secretary of state: (To be paid from General Revenue Fund)
(1) International Business Machines Corporation $70.23
(o) Claims against the office of emergency services: (To be paid from General Revenue Fund)
(1) Jay H. Cadle, d/b/a Cadle Sanitary Service $10,492.50
(p) Claims against the department of motor vehicles: (To be paid from State Road Fund)
(1) Mid-Mountain Mack, Inc. $2,088.02
Total of all claims $205,003.08
The Legislature finds that the above moral obligations and the appropriations made in satisfaction thereof shall be the full compensation for all claimants, and that prior
to the payments to any claimant provided for in this bill, the court of claims shall receive a release from said claimant releasing any and all claims for moral obligations arising from the matters considered by the Legislature in the finding of the moral obligations and the making of the appropriations of said claimant. The court of claims shall deliver all releases obtained from claimants to the department against which the claim was allowed.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

W. T. Satherley Jr.
President of the Senate

Speaker House of Delegates

The within ___ ___ ______________, this the ___ day of ___ ___ ___ ___ 1976

Andra. Moore
Governor