

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1978

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ENROLLED

HOUSE BILL No. 1669

(By Mr. Kincaid + Mr. Teets )

— ● —

PASSED March 10, 1978

In Effect - from - Passage



**ENROLLED**

**H. B. 1669**

(By MR. KINCAID and MR. TEETS)

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[Passed March 10, 1978; in effect from passage.]

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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:*

**CLAIMS AGAINST THE STATE.**

**§1. Finding and declaring certain claims against the nonintoxicating beer commission; department of education; governor's office of economic and community development; department of natural resources; department of corrections; department of health (division of mental health); state auditor; board of regents; department of motor vehicles; department of agriculture; board of vocational education (division of vocational rehabilitation); department of public safety; office of emergency services; state tax department; department of welfare; and department of highways, 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 such  
7 claim in the amount specified below, and directs the auditor

8 to issue warrants for the payment thereof out of any fund  
9 appropriated and available for the purpose.

- 10 (a) Claim against the Nonintoxicating Beer Commission:  
11 (To be paid from General Revenue Fund)
- 12 (1) Lonnie W. Bradbury ..... \$ 1,569.20
- 13 (b) Claim against the Department of Education,  
14 Division of Vocational Education:  
15 (To be paid from General Revenue Fund)
- 16 (1) Dunbar Printing Company ..... \$ 759.20
- 17 (c) Claims against the Governor's Office of  
18 Economic and Community Development:  
19 (To be paid from General Revenue Fund)
- 20 (1) Jones Printing Company, Inc. .... \$ 235.00  
21 (2) Sam Siclair, d/b/a Galion Canvas  
22 Products Company ..... \$ 808.80
- 23 (d) Claims against the Department of Natural  
24 Resources:  
25 (To be paid from General Revenue Fund)
- 26 (1) Mrs. Richard L. Cooper ..... \$ 475.00  
27 (2) Raleigh Motor Sales, Inc. .... \$ 1,452.36  
28 (3) Jerry Austin Rexrode ..... \$ 2,943.72  
29 (4) Edith Ann Thompson &  
30 Roger Dale Thompson ..... \$ 9,627.36
- 31 (e) Claims against the Department of  
32 Corrections:  
33 (To be paid from General Revenue Fund)
- 34 (1) Boone Remodeling Co. .... \$ 16,930.00  
35 (2) Cecil E. Jackson Equipment, Inc. .... \$ 415.24  
36 (3) Friden Mailing Equipment Corporation .. \$ 147.00  
37 (4) S. B. Wallace & Co. .... \$ 157.49
- 38 (f) Claims against the Department of Health,  
39 Division of Mental Health:  
40 (To be paid from General Revenue Fund)
- 41 (1) Clendenin Lumber & Supply Company ... \$ 458.85  
42 (2) Peggy S. Gott ..... \$ 4,332.00  
43 (3) Otis Elevator Company ..... \$ 95.00  
44 (4) Polis Brothers ..... \$ 239.90

45	(5) Mary Jo Sharp .....	\$	458.00
46	(6) Travenol Laboratories, Inc. ....	\$	53.52
47	(g) Claims against the State Auditor:		
48	(To be paid from General Revenue Fund)		
49	(1) Phyllis J. Rutledge, Circuit Clerk of		
50	Kanawha County, West Virginia .....	\$	314.00
51	(h) Claims against the Board of Regents:		
52	(To be paid from General Revenue Fund)		
53	(1) Direct Mail Service Co. ....	\$	750.00
54	(2) Jacquelyn B. Eisenberg, parent and next		
55	friend of Mark Harrold Eisenberg .....	\$	1,500.00
56	(3) Sanders Floor Covering, Inc. ....	\$	1,819.00
57	(4) Thompson's of Morgantown, Inc. ....	\$	901.77
58	(i) Claims against the Department of Motor		
59	Vehicles:		
60	(To be paid from State Road Fund)		
61	(1) Sandra S. Clemente .....	\$	73.75
62	(2) George M. Custer .....	\$	300.00
63	(3) IBM Corporation .....	\$	123.65
64	(4) Moore Business Forms, Inc. ....	\$	195.97
65	(5) Anthony R. Rosi .....	\$	271.60
66	(6) 3M Business Products Sales, Inc. ....	\$	957.50
67	(j) Claims against the Department of		
68	Agriculture:		
69	(To be paid from General Revenue Fund)		
70	(1) Hogan Storage & Transfer Company ...	\$	6,000.00
71	(k) Claims against the Board of Vocational		
72	Education, Division of Vocational		
73	Rehabilitation:		
74	(To be paid from General Revenue Fund)		
75	(1) Arthritis Care Associates .....	\$	25.40
76	(2) Kanawha Valley Radiologists, Inc. ....	\$	109.00
77	(3) New Martinsville/Wetzel County Emergency		
78	Squad, Inc. ....	\$	162.00
79	(1) Claim against the Department of Public		
80	Safety:		
81	(To be paid from General Revenue Fund)		
82	(1) H. M. Hills, Jr. & Luis A. Loimil .....	\$	105.00

83	(m) Claim against the Office of Emergency	
84	Services:	
85	(To be paid from General Revenue Fund)	
86	(1) Richard L. Weekly .....	\$ 2,170.83
87	(n) Claim against the State Tax Department:	
88	(To be paid from General Revenue Fund)	
89	(1) Donald M. Bondurant .....	\$ 5,585.34
90	(o) Claim against the Department of Welfare:	
91	(To be paid from General Revenue Fund)	
92	(1) Thomas F. Lambert .....	\$ 457.60
93	(p) Claims against the Department of Highways:	
94	(To be paid from State Road Fund)	
95	(1) Elvin S. Alford .....	\$ 2,800.00
96	(2) Curtis Allison .....	\$ 244.85
97	(3) David E. Alvis .....	\$ 99.85
98	(4) Appalachian Power Co. ....	\$ 2,303.35
99	(5) Frank G. Barr .....	\$ 595.68
100	(6) Olie G. Bastin and Priscilla Bastin .....	\$ 4,500.00
101	(7) Raymond N. Belmont .....	\$ 80.00
102	(8) Downer B. Boley .....	\$ 926.83
103	(9) Boone Sales, Inc. ....	\$ 1,100.00
104	(10) Charles A. Bowman .....	\$ 154.50
105	(11) Minnie Lee Brown .....	\$ 4,500.00
106	(12) Darrell E. Buckner &	
107	Betty S. Buckner .....	\$ 63.46
108	(13) Eleanor F. Charbeneau &	
109	Eleanor B. Charbeneau .....	\$ 253.45
110	(14) David L. Clark, Sr. ....	\$ 5,572.00
111	(15) Michael H. Coen and Ruth Coen .....	\$ 65,000.00
112	(16) Ishmael Collins .....	\$ 500.00
113	(17) Virginia Sue Cook .....	\$ 112.27
114	(18) Clyde W. Cummings &	
115	Betty L. Cummings .....	\$ 1,030.00
116	(19) Billy Joe Davis .....	\$ 750.00
117	(20) Frank Davis and Billy Joe Davis,	
118	d/b/a Davis Auto Parts .....	\$ 21,125.00
119	(21) Clarence V. Eastes, Jr. ....	\$ 144.20
120	(22) Albert D. Fentress and	
121	Hazel S. Fentress .....	\$ 122.68
122	(23) Bradford G. Frazier .....	\$ 160.48

123	(24)	Timothy J. Grimmett .....	\$	271.44
124	(25)	Michael J. Hart .....	\$	46.49
125	(26)	Hartford Accident &		
126		Indemnity Company .....	\$	21,326.50
127	(27)	Robert M. Hastings & Linda Hastings,		
128		d/b/a Hastings Stables .....	\$	365.00
129	(28)	Barbara Henson .....	\$	128.14
130	(29)	Clifford E. Honsaker, Jr. ....	\$	10.14
131	(30)	Kermit Reed Hubbs .....	\$	435.90
132	(31)	McHenry Hudnall, Jr. ....	\$	147.73
133	(32)	Robert H. Johnson .....	\$	900.00
134	(33)	Marvin Kidd .....	\$	52.50
135	(34)	Moses Kolesar .....	\$	6,500.00
136	(35)	Theodore Korthals & Emile Korthals ...	\$	3,500.00
137	(36)	Eugene Lafferty and Wanda Lafferty ...	\$	10,500.00
138	(37)	Linda Lester and Leon Lester .....	\$	187.63
139	(38)	Gerald J. Lynch .....	\$	206.76
140	(39)	Hugh C. Mayfield .....	\$	400.00
141	(40)	Arthur Maynard and Mollie Maynard ...	\$	2,475.00
142	(41)	Norman Maynard & Shirley Maynard ...	\$	1,250.00
143	(42)	Helen L. Norvell, Executrix of the Estate		
144		of Glen Hartsel Norvell, deceased .....	\$	15,000.00
145	(43)	Arizona M. Offutt .....	\$	1,625.00
146	(44)	John C. Perkins, Jr. and Wanda Perkins ...	\$	72.30
147	(45)	Anna Jane Phillips .....	\$	82.40
148	(46)	Thelma Ratcliff & William Glen Ratcliff ..	\$	4,500.00
149	(47)	Ray R. Reed and Sharon Reed .....	\$	5,000.00
150	(48)	Franklin Ross and Elsie M. Ross .....	\$	347.80
151	(49)	Charles E. Schooley .....	\$	7,000.00
152	(50)	Saleem A. Shah and Theresa A. Shah .....	\$	3,500.00
153	(51)	Carolyn Crisp Sherwood .....	\$	237.00
154	(52)	Mary Jo Shreve .....	\$	100.00
155	(53)	Lawrence Craig Skaggs .....	\$	102.23
156	(54)	State Chemical Manufacturing Co. ....	\$	2,217.50
157	(55)	Fred K. Testa and Claudia I. Testa .....	\$	4,500.00
158	(56)	Paul Edward Tucker .....	\$	93.32
159	(57)	Marvin Roy Welch .....	\$	50.00
160	(58)	Whitmyer Brothers, Inc. ....	\$	110,082.53
161	(59)	John R. Wilder and Norma J. Wilder ...	\$	233.36
162		Total of all claims .....	\$	378,565.32

163     The Legislature finds that the above moral obligations and  
164     the appropriation made in satisfaction thereof shall be the full  
165     compensation for all claimants, and that prior to the payments  
166     to any claimant provided for in this bill, the court of claims  
167     shall receive a release from said claimant releasing any and  
168     all claims for moral obligations arising from the matters con-  
169     sidered by the Legislature in the finding of the moral obliga-  
170     tions and the making of the appropriations for said claimant.  
171     The court of claims shall deliver all releases obtained from  
172     claimants to the department against which the claim was  
173     allowed.

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

James L. Davis  
Chairman Senate Committee

Clarence C. Chustian Jr.  
Chairman House Committee

Originated in the House.

Takes effect from passage.

J. C. Willan, Jr.  
Clerk of the Senate

C. J. Blockenship  
Clerk of the House of Delegates

W. T. Brotherton Jr.  
President of the Senate

Donald L. Zopp  
Speaker House of Delegates

The within is approved this the 21  
day of March, 1978.

John R. Rhyll  
Governor



APPROVED AND SIGNED BY THE GOVERNOR

RECEIVED

MAR 17 10 46 AM '78

OFFICE OF THE GOVERNOR

Date

March 21, 1978

Time

11:45 A.M.

RECEIVED

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OFFICE  
SECY. OF STATE