

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-20-79

Time 2:10 p.m.

**WEST VIRGINIA LEGISLATURE**

**REGULAR SESSION, 1979**

**ENROLLED**

**SENATE BILL NO. 523**

(By Mr HANLAN & Mr. HICKLE)

PASSED March 7 1979

In Effect from Passage



No. 523

# ENROLLED

## Senate Bill No. 523

(By MR. HANLON and MR. HINKLE)

---

[Passed March 7, 1979; 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:*

### CLAIMS AGAINST THE STATE.

§1. Finding and declaring certain claims against the board of regents; department of corrections; department of employment security; department of finance and administration; department of health; department of highways; department of motor vehicles; department of natural resources; department of public safety; division of vocational rehabilitation; governor's office—emergency flood disaster relief; public service commission; and treasury department, to be moral obligations of the state and directing payment thereof.

1 The Legislature has considered the findings of fact  
2 and recommendations reported to it by the court of  
3 claims concerning various claims against the state and  
4 agencies thereof, and in respect to each of the follow-  
5 ing claims the Legislature adopts those findings of fact  
6 as its own, and hereby declares it to be the moral  
7 obligation of the state to pay each such claim in the  
8 amount specified below, and directs the auditor to issue  
9 warrants for the payment thereof out of any fund  
10 appropriated and available for the purpose.

11	(a)	Claims against the Board of Regents:	
12		(To be paid from General Revenue Fund)	
13	(1)	Abbott Laboratories .....	\$ 637.72
14	(2)	Ace Glass, Inc. ....	\$ 71.49
15	(3)	Air Products and Chemicals, Inc. ....	\$ 204.37
16	(4)	The C & P Telephone Company of	
17		WV .....	\$ 144.34
18	(5)	Central States Resources, Inc. ....	\$ 17,356.03
19	(6)	Climate Makers of Charleston, Inc. ....	\$ 903.00
20	(7)	The Crocker-Fells Company .....	\$ 560.86
21	(8)	Cutter Laboratories, Inc. ....	\$ 1,248.00
22	(9)	Lillian Dalessio .....	\$ 300.00
23	(10)	Diagnostic Isotopes, Inc. ....	\$ 81.60
24	(11)	Ehrenreich Photo-Optical Ind. Inc. ....	\$ 388.95
25	(12)	Fairmont Supply Company .....	\$ 20.40
26	(13)	Hubbard Pump Co. ....	\$ 20.89
27	(14)	Light Gallery and Supply Co. ....	\$ 31.00
28	(15)	Roche Laboratories, Inc. ....	\$ 1,702.50
29	(16)	State Farm Mutual Auto Insurance Co.,	
30		subrogee of Dana Lee Selvig .....	\$ 308.99
31	(17)	Stuart's Drug & Surgical Supply Co. ....	\$ 757.16
32	(18)	Syva, Inc. ....	\$ 80.48
33	(19)	Uarco, Inc. ....	\$ 713.18
34	(20)	Todd W. Ware and Taylor Publishing	
35		Co. ....	\$ 3,096.51
36	(21)	Warren Associates .....	\$ 23.20
37	(22)	John M. Weber .....	\$ 3,400.00
38	(b)	Claims against the Department of	
39		Corrections:	
40		(To be paid from General Revenue Fund)	
41	(1)	Bernhardt's Clothing Inc. ....	\$ 1,986.80
42	(2)	Davis Memorial Hospital .....	\$ 3,233.19
43	(3)	Memorial General Hospital .....	\$ 10,077.71
44	(4)	Positive Peer Culture, Inc. ....	\$ 26,341.15
45	(5)	Albert K. Tyre .....	\$ 178.10
46	(c)	Claim against the Department of	
47		Employment Security:	
48		(To be paid from Employment	
49		Security Fund)	
50	(1)	Odlund Haney Spangler, Jr. ....	\$ 88.50

51	(d)	Claim against the Department of Finance	
52		and Administration:	
53		(To be paid from General Revenue Fund)	
54	(1)	Guyan Transfer and Sanitation, Inc. ....	\$ 4,290.00
55	(e)	Claims against the Department of Health:	
56		(To be paid from General Revenue Fund)	
57	(1)	American Hospital Supply .....	\$ 424.32
58	(2)	Carl L. Baker, Jr. ....	\$ 6,450.01
59	(3)	H. M. Curry .....	\$ 6,273.89
60	(4)	Jack L. Rader .....	\$ 4,907.41
61	(5)	Henry Elden & Associates .....	\$ 71,889.00
62	(6)	Moore Business Forms, Inc. ....	\$ 51.42
63	(7)	Orkin Exterminating, Inc. ....	\$ 212.00
64	(8)	Silas C. Wiersma .....	\$ 1,120.00
65	(f)	Claims against the Department of	
66		Highways:	
67		(To be paid from State Road Fund)	
68	(1)	William J. Adkins, Dorothy Marie	
69		Adkins, Armilda Wiley, and Dorothy	
70		Marie Adkins, as next friend of Mary	
71		Jane Adkins and Peggy Joyce	
72		Adkins .....	\$ 2,000.00
73	(2)	Wayne Bayliss .....	\$ 251.83
74	(3)	Jeffrey D. Bubar .....	\$ 92.24
75	(4)	The C & P Telephone Co. of WV .....	\$ 1,399.97
76	(5)	Claywood Park Public Service District .....	\$ 162.50
77	(6)	Stanley N. Cosner .....	\$ 246.00
78	(7)	B. H. Cottle and B. H. Cottle, Executor	
79		of the Estate of Lucy M. Cottle,	
80		deceased .....	\$ 1,200.00
81	(8)	James H. Curnutte, Jr. & Deborah L.	
82		Curnutte .....	\$ 4,604.73
83	(9)	Rush Fields .....	\$ 1,142.18
84	(10)	A. M. Fredlock, II .....	\$ 235.20
85	(11)	Teresa K. Gillispie & Johnny Wayne	
86		Gillispie .....	\$ 99.13
87	(12)	Charles R. Gore .....	\$ 332.49
88	(13)	Halliburton Services .....	\$ 228.56
89	(14)	Linda E. Hamilton .....	\$ 92.00
90	(15)	Douglas Haney .....	\$ 309.50
91	(16)	Howard A. Haynes .....	\$ 300.19

92	(17)	Arnold G. Heater & Geraldine Heater	\$ 2,500.00
93	(18)	Alvin O. Hunter	\$ 223.00
94	(19)	R. L. Jarrell	\$ 291.42
95	(20)	Peggy Keyser	\$ 113.56
96	(21)	Forest Joe King	\$ 11,000.00
97	(22)	Forest Joe King, as father & next friend	
98		of Beverly King	\$ 2,500.00
99	(23)	Forest Joe King, as father & next friend	
100		of Denny Joe King	\$ 2,500.00
101	(24)	Patricia Ann King	\$ 20,000.00
102	(25)	Herman F. Lilly	\$ 1,200.00
103	(26)	Deloris J. Lively	\$ 98.88
104	(27)	Charles P. Long	\$ 43.76
105	(28)	Harold Mahaffee	\$ 94.24
106	(29)	Rhoda Raynett McIntyre	\$ 500.00
107	(30)	Morrison Printing Co., Inc.	\$ 3,000.00
108	(31)	Larry Roton	\$ 177.73
109	(32)	Mae Russell	\$ 700.00
110	(33)	James Ryan	\$ 800.00
111	(34)	Joyce Ryan	\$ 6,250.00
112	(35)	Robert Smith and Elizabeth Smith	\$ 4,000.00
113	(36)	A. A. Spagnuolo	\$ 480.00
114	(37)	Barbara H. Spitzer	\$ 300.00
115	(38)	Polly Stevens, Guardian of the Estate	
116		of James Walter Stevens and Timo-	
117		thy Stevens	\$ 8,450.00
118	(39)	Connie Ann Stone	\$ 176.73
119	(40)	Charles E. Taylor & Mary P. Taylor	\$ 1,566.75
120	(41)	Williard P. Teets, Attorney in Fact for	
121		Percy E. Teets	\$ 3,000.00
122	(42)	John Tillinghast & Janet Tillinghast	\$ 4,000.00
123	(43)	Vecellio & Grogan, Inc.	\$117,122.44
124	(44)	W. F. Webb	\$ 1,100.00
125	(45)	Patrick West	\$ 950.00
126	(46)	Loraine White & Velma White	\$ 1,000.00
127	(g)	Claim against the Department of Motor	
128		Vehicles:	
129		(To be paid from State Road Fund)	
130	(1)	Wood County Bank	\$ 2,749.55

131	(h)	Claims against the Department of	
132		Natural Resources:	
133		(To be paid from General Revenue Fund)	
134	(1)	The C & P Telephone Co. of WV	\$ 442.36
135	(2)	Henry Elden & Associates	\$ 4,000.00
136	(3)	Alice Marcum	\$ 2,171.00
137	(4)	McCloy Construction Company, Inc.	\$ 27,000.00
138	(5)	Ostrin Electric Co.	\$ 997.50
139	(i)	Claims against the Department of	
140		Public Safety:	
141		(To be paid from General Revenue Fund)	
142	(1)	Richard L. Cunningham	\$ 290.00
143	(2)	Joseph Larry Garrett	\$ 290.56
144	(3)	Ora T. Herron	\$ 18.00
145	(4)	Harry Glenn Lucas, Jr.	\$ 283.52
146	(5)	Lowell J. Maxey	\$ 259.20
147	(j)	Claims against the Division of	
148		Vocational Rehabilitation:	
149		(To be paid from General Revenue Fund)	
150	(1)	Icy Mae DeWeese	\$ 202.50
151	(2)	Ethel Engegno	\$ 4,989.22
152	(3)	Rondal Fury	\$ 4,296.92
153	(4)	Ralph Keeling	\$ 4,593.88
154	(5)	Paul Leach	\$ 2,394.65
155	(6)	Ralph Parker	\$ 2,070.77
156	(7)	Elva Petts	\$ 3,985.42
157	(8)	Gertrude Preston	\$ 5,771.49
158	(9)	James Preston	\$ 5,888.75
159	(10)	Private Diagnostic Clinic (Duke Uni-	
160		versity Medical Center)	\$ 399.18
161	(11)	Harry Wells	\$ 3,423.80
162	(12)	Arthur White	\$ 5,217.75
163	(k)	Claims against the Governor's Office—	
164		Emergency Flood Disaster Relief:	
165		(To be paid from General Revenue Fund)	
166	(1)	Gladys Barfield	\$ 700.16
167	(2)	Thelma J. Stone	\$ 2,500.00
168	(3)	Patricia Wilson, George P. Wilson, and	
169		Gladys V. Wilson	\$ 1,200.00

170	(4)	Alert Sanitation .....	\$	2,350.00
171	(5)	Alex Ray .....	\$	1,175.00
172	(6)	Robert L. and Mae Massie .....	\$	465.00

173 (1) Claim against the Public Service

174 Commission:

175 (To be paid from Special Revenue Fund)

176	(1)	Transport Motor Express, Inc. ....	\$	837.90
-----	-----	------------------------------------	----	--------

177 (m) Claim against the Treasury Department:

178 (To be paid from General Revenue Fund)

179	(1)	Patrick Plaza Dodge, Inc. ....	\$	142.50
-----	-----	--------------------------------	----	--------

180 The Legislature finds that the above moral obligations  
181 and the appropriation made in satisfaction thereof shall  
182 be the full compensation for all claimants, and that  
183 prior to the payments to any claimant provided for in  
184 this bill, the court of claims shall receive a release from  
185 said claimant releasing any and all claims for moral  
186 obligations arising from the matters considered by the  
187 Legislature in the finding of the moral obligations and  
188 the making of the appropriations for said claimant. The  
189 court of claims shall deliver all releases obtained from  
190 claimants to the department against which the claim  
191 was allowed.

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

*James L. Davis*  
Chairman Senate Committee

*Clarence B. Christensen*  
Chairman House Committee

Originated in the Senate.

To take effect from passage.

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

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

*H. J. Baskin*  
President of the Senate

*Clayton M. Lee, Jr.*  
Speaker House of Delegates

The within is approved this the 20  
day of March, 1979.

*John D. Ralston*  
Governor



RECEIVED

MAR 10 12 10 PM '79

OFFICE OF THE GOVERNOR

RECEIVED

19 MAR 21 P 3:08

OFFICE  
OF STATE