WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1979

ENROLLED
SENATE BILL NO. 523

(By Mr. Hawley & 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.

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 such 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.
### Claims against the Board of Regents:

(To be paid from General Revenue Fund)

<table>
<thead>
<tr>
<th>Claimant</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abbott Laboratories</td>
<td>$637.72</td>
</tr>
<tr>
<td>Ace Glass, Inc.</td>
<td>$71.49</td>
</tr>
<tr>
<td>Air Products and Chemicals, Inc.</td>
<td>$204.37</td>
</tr>
<tr>
<td>The C &amp; P Telephone Company of WV</td>
<td>$144.34</td>
</tr>
<tr>
<td>Central States Resources, Inc.</td>
<td>$17,356.03</td>
</tr>
<tr>
<td>Climate Makers of Charleston, Inc.</td>
<td>$903.00</td>
</tr>
<tr>
<td>The Cracker-Fells Company</td>
<td>$560.86</td>
</tr>
<tr>
<td>Cutter Laboratories, Inc.</td>
<td>$1,248.00</td>
</tr>
<tr>
<td>Lillian Dalessio</td>
<td>$300.00</td>
</tr>
<tr>
<td>Diagnostic Isotopes, Inc.</td>
<td>$81.60</td>
</tr>
<tr>
<td>Ehrenreich Photo-Optical Ind. Inc.</td>
<td>$388.95</td>
</tr>
<tr>
<td>Fairmont Supply Company</td>
<td>$20.40</td>
</tr>
<tr>
<td>Hubbard Pump Co.</td>
<td>$20.89</td>
</tr>
<tr>
<td>Light Gallery and Supply Co.</td>
<td>$31.00</td>
</tr>
<tr>
<td>Roche Laboratories, Inc.</td>
<td>$1,702.50</td>
</tr>
<tr>
<td>State Farm Mutual Auto Insurance Co., subrogee of Dana Lee Selvig</td>
<td>$308.99</td>
</tr>
<tr>
<td>Stuart's Drug &amp; Surgical Supply Co.</td>
<td>$757.16</td>
</tr>
<tr>
<td>Syva, Inc.</td>
<td>$80.48</td>
</tr>
<tr>
<td>Uarco, Inc.</td>
<td>$713.18</td>
</tr>
<tr>
<td>Todd W. Ware and Taylor Publishing Co.</td>
<td>$3,096.51</td>
</tr>
<tr>
<td>Warren Associates</td>
<td>$23.20</td>
</tr>
<tr>
<td>John M. Weber</td>
<td>$3,400.00</td>
</tr>
</tbody>
</table>

### Claims against the Department of Corrections:

(To be paid from General Revenue Fund)

<table>
<thead>
<tr>
<th>Claimant</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bernhardt's Clothing Inc.</td>
<td>$1,986.80</td>
</tr>
<tr>
<td>Davis Memorial Hospital</td>
<td>$3,233.19</td>
</tr>
<tr>
<td>Memorial General Hospital</td>
<td>$10,077.71</td>
</tr>
<tr>
<td>Positive Peer Culture, Inc.</td>
<td>$26,341.15</td>
</tr>
<tr>
<td>Albert K. Tyre</td>
<td>$178.10</td>
</tr>
</tbody>
</table>

### Claim against the Department of Employment Security:

(To be paid from Employment Security Fund)

<table>
<thead>
<tr>
<th>Claimant</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Odlund Haney Spangler, Jr.</td>
<td>$88.50</td>
</tr>
</tbody>
</table>
Claim against the Department of Finance and Administration:
(To be paid from General Revenue Fund)
1. Guyan Transfer and Sanitation, Inc. $4,290.00

Claims against the Department of Health:
(To be paid from General Revenue Fund)
1. American Hospital Supply $424.32
2. Carl L. Baker, Jr. $6,450.01
3. H. M. Curry $6,273.89
4. Jack L. Rader $4,907.41
5. Henry Elden & Associates $71,889.00
6. Moore Business Forms, Inc. $51.42
7. Orkin Exterminating, Inc. $212.00
8. Silas C. Wiersma $1,120.00

Claims against the Department of Highways:
(To be paid from State Road Fund)
1. William J. Adkins, Dorothy Marie Adkins, Armilda Wiley, and Dorothy Marie Adkins, as next friend of Mary Jane Adkins and Peggy Joyce Adkins $2,000.00
2. Wayne Bayliss $251.83
3. Jeffrey D. Bubar $92.24
4. The C & P Telephone Co. of WV $1,399.97
5. Claywood Park Public Service District $162.50
6. Stanley N. Cosner $246.00
7. B. H. Cottle and B. H. Cottle, Executor of the Estate of Lucy M. Cottle, deceased $1,200.00
8. James H. Curnutte, Jr. & Deborah L. Curnutte $4,604.73
9. Rush Fields $1,142.18
10. A. M. Fredlock, II $235.20
12. Charles R. Gore $332.49
13. Halliburton Services $228.56
14. Linda E. Hamilton $92.00
15. Douglas Haney $309.50
16. Howard A. Haynes $300.19
Enr. S. B. No. 523]

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
of Beverly King $ 2,500.00
99 (23) Forest Joe King, as father & next friend
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
of James Walter Stevens and Timothy Stevens $ 8,450.06
118 (39) Connie Ann Stone $ 176.73
119 (40) Charles E. Taylor & Mary P. Taylor $ 1,566.75
120 (41) Willard P. Teets, Attorney in Fact for
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 Vehicles:
(To be paid from State Road Fund)
130 (1) Wood County Bank $ 2,749.55
(h) Claims against the Department of Natural Resources:
   (To be paid from General Revenue Fund)
   (1) The C & P Telephone Co. of WV $ 442.36
   (2) Henry Elden & Associates $ 4,000.00
   (3) Alice Marcum $ 2,171.00
   (4) McCloy Construction Company, Inc. $ 27,000.00
   (5) Ostrin Electric Co. $ 997.50

(i) Claims against the Department of Public Safety:
   (To be paid from General Revenue Fund)
   (1) Richard L. Cunningham $ 290.00
   (2) Joseph Larry Garrett $ 290.56
   (3) Ora T. Herron $ 18.00
   (4) Harry Glenn Lucas, Jr. $ 283.52
   (5) Lowell J. Maxey $ 259.20

(j) Claims against the Division of Vocational Rehabilitation:
   (To be paid from General Revenue Fund)
   (1) Icy Mae DeWeese $ 202.50
   (2) Ethel Engegno $ 4,989.22
   (3) Rondal Fury $ 4,296.92
   (4) Ralph Keeling $ 4,593.88
   (5) Paul Leach $ 2,394.65
   (6) Ralph Parker $ 2,070.77
   (7) Elva Petts $ 3,985.42
   (8) Gertrude Preston $ 5,771.49
   (9) James Preston $ 5,888.75
   (10) Private Diagnostic Clinic (Duke University Medical Center) $ 399.18
   (11) Harry Wells $ 3,423.80
   (12) Arthur White $ 5,217.75

(k) Claims against the Governor's Office—Emergency Flood Disaster Relief:
   (To be paid from General Revenue Fund)
   (1) Gladys Barfield $ 700.16
   (2) Thelma J. Stone $ 2,500.00
   (3) Patricia Wilson, George P. Wilson, and Gladys V. Wilson $ 1,200.00
<table>
<thead>
<tr>
<th>Line</th>
<th>Claimant</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>170</td>
<td>Alert Sanitation</td>
<td>$2,350.00</td>
</tr>
<tr>
<td>171</td>
<td>Alex Ray</td>
<td>$1,175.00</td>
</tr>
<tr>
<td>172</td>
<td>Robert L. and Mae Massie</td>
<td>$465.00</td>
</tr>
<tr>
<td>173</td>
<td>Claim against the Public Service Commission:</td>
<td></td>
</tr>
<tr>
<td>174</td>
<td>(To be paid from Special Revenue Fund)</td>
<td></td>
</tr>
<tr>
<td>176</td>
<td>Transport Motor Express, Inc.</td>
<td>$837.00</td>
</tr>
<tr>
<td>177</td>
<td>Claim against the Treasury Department:</td>
<td></td>
</tr>
<tr>
<td>178</td>
<td>(To be paid from General Revenue Fund)</td>
<td></td>
</tr>
<tr>
<td>179</td>
<td>Patrick Plaza Dodge, Inc.</td>
<td>$142.50</td>
</tr>
</tbody>
</table>

The Legislature finds that the above moral obligations and the appropriation 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 for 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

Norman E. Chafin  
Chairman House Committee

Originated in the Senate.

To take effect from passage.

J. W. Billings  
Clerk of the Senate

C. R. Blankenship  
Clerk of the House of Delegates

Jim Metcalf  
President of the Senate

Earl W. Corley  
Speaker House of Delegates

The within is approved this the 20

day of March, 1979.

John P. Bell  
Governor