

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-16-81

Time _____

No: 1541

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981

— ● —

ENROLLED

Com. Sub. for
HOUSE BILL No. 1541

(By Mr. Holmes + Mrs. Otte)

— ● —

Passed April 6, 1981

In Effect From Passage



ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 1541

(By MR. HOLMES and MR. OTTE)

[Passed April 6, 1981; 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 alcohol beverage control commissioner; board of regents; department of banking; department of corrections; department of finance and administration; department of health; department of highways; department of motor vehicles; department of public safety; division of vocational rehabilitation; insurance department; non-intoxicating beer commission; office of the state auditor-representation of needy persons fund; state building commission; and the supreme court-mental hygiene fund, 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 Alcohol Beverage Control Commissioner:*

11 TO BE PAID FROM SPECIAL REVENUE FUND

12 (1) Robert H. C. Kay, Trustee, Estate of
13 W. F. Harless \$ 225.00

14 (b) *Claims against the Board of Regents:*

15 TO BE PAID FROM GENERAL REVENUE FUND

16 (1) Carolyn H. Arnold \$ 38.00
17 (2) Charles L. Coffman \$ 22.41
18 (3) Cynthia Donahue \$ 348.00
19 (4) Modern Press, Inc. \$ 3,785.77
20 (5) Patsy Spatafore \$ 994.00
21 (6) Varian Associates—Instrument Division \$ 193.78

22 (c) *Claim against the Board of Regents:*

23 TO BE PAID FROM SPECIAL REVENUE FUND—

24 ACCOUNT NUMBER 8710

25 (1) Wentz Construction Company, Inc. \$ 70,249.78

26 (d) *Claim against the Department of Banking:*

27 TO BE PAID FROM GENERAL REVENUE FUND

28 (1) Edward J. Hamilton \$ 167.93

29 (e) *Claims against the Department of Corrections:*

30 TO BE PAID FROM GENERAL REVENUE FUND

31 (1) Fairmont General Hospital \$ 265.95
32 (2) Staunton Foods, Inc. \$ 1,842.65
33 (3) Stewart-Decatur Security Systems, Inc. \$ 6,755.70

34 (f) *Claims against the Department of Finance and Admini-*
35 *stration:*

36 TO BE PAID FROM GENERAL REVENUE FUND

37 (1) Program Resources, Inc. \$ 10,178.50

38 (2) Weirton Daily Times \$ 34.94

39 (g) *Claims against the Department of Health:*

40 TO BE PAID FROM GENERAL REVENUE FUND

41 (1) American Scientific Products \$ 6,626.00
 42 (2) Appalachian Homes, Inc. \$ 1,908.00
 43 (3) Appalachian Power Co. \$ 389.55
 44 (4) Associated Radiologists, Inc. \$ 6.00
 45 (5) James Earl Campbell \$ 1,500.00
 46 (6) Kenneth Ray Campbell \$ 1,500.00
 47 (7) Melvin S. Campbell \$ 1,500.00
 48 (8) E. I. du Pont de Nemours & Co. \$ 6,959.70
 49 (9) J. Robert Evans, d/b/a Motor Car
 50 Supply Co. \$ 60.94
 51 (10) Thelma E. McIntyre, Admin. of the Estate
 52 of Wilma S. McIntyre, deceased \$ 15,627.30
 53 (11) Sargent-Welch Scientific Co. \$ 663.50
 54 (12) John Slone \$ 7,500.00
 55 (13) John Slone, Admin. of the Estate of
 56 Maude Slone, deceased \$ 1,155.00
 57 (14) Trojan Steel Company \$ 9,200.00
 58 (15) Weslakin Corporation \$ 139.80

59 (h) *Claims against the Department of Highways:*

60 TO BE PAID FROM STATE ROAD FUND

61 (1) Timothy Adkins \$ 2,250.00
 62 (2) Allstate Construction & Roofing Co. . \$ 2,068.15
 63 (3) Appalachian Power Co. \$ 47,473.00
 64 (4) Jeffrey A. Bailey \$ 1,396.87
 65 (5) Mary Jo Bailey \$ 1,690.00
 66 (6) William Frank Ball,
 67 d/b/a Ball Trucking, Inc. \$ 948.00
 68 (7) David S. Barnett \$ 209.11
 69 (8) Norman E. Benson \$ 6,000.00
 70 (9) Randy N. Bleigh \$ 180.00
 71 (10) Bracken Construction Company \$ 1,928.30
 72 (11) Harley C. Butler \$ 132.16
 73 (12) Carl M. Geupel Construction
 74 Co., Inc. \$ 39,566.44

75	(13) Janet Aultz Casto	\$ 8,000.00
76	(14) Eugene W. Conn	\$ 100.00
77	(15) Violet Cook	\$ 178.87
78	(16) Richard E. Cozad	\$ 100.68
79	(17) Gloria M. Crissi	\$ 180.00
80	(18) Mr. and Mrs. Tamas A. de Kun	\$ 1,711.18
81	(19) Carol A. Demersman	\$ 225.48
82	(20) Reba C. Dunlap	\$ 218.44
83	(21) Sam Epling	\$ 292.04
84	(22) Fanning Funeral Home, Inc.	\$ 10,000.00
85	(23) J. G. Finney	\$ 230.47
86	(24) Irene E. Fragale	\$ 93.68
87	(25) Russell E. Freeman	\$ 199.53
88	(26) Randy B. Fry	\$ 900.00
89	(27) Sondra Lynn Funk	\$ 316.00
90	(28) Charles W. Garland	\$ 60.00
91	(29) Patricia K. Garrido	\$ 1,500.00
92	(30) Margaret Gibson	\$ 573.94
93	(31) Marjorie J. Gillispie	\$ 103.60
94	(32) Thomas P. Gunnoe	\$ 66.26
95	(33) Lee Roy Hamilton	\$ 2,804.25
96	(34) Gregory A. Harrison	\$ 599.09
97	(35) Cecil Ray Haught	\$ 2,300.00
98	(36) Highway Engineers, Inc.	\$ 33,181.09
99	(37) J. F. Allen Company	\$ 49,519.80
100	(38) Barney Dale Johnson	\$ 439.29
101	(39) Esther Johnson	\$ 523.68
102	(40) Maurice L. Jones	\$ 194.70
103	(41) Gary L. Knowlton	\$ 145.03
104	(42) Charles F. McCallister	\$ 1,099.43
105	(43) Sara H. McClung	\$ 80.48
106	(44) James A. McDougal	\$ 100.00
107	(45) McJunkin Corporation	\$ 1,354.50
108	(46) Carl Eugene McNeely	\$ 301.91
109	(47) Robert W. Mick	\$ 69.49
110	(48) Barbara L. Miller	\$ 52.56
111	(49) Carl Moats and Pauline Moats	\$ 165.00
112	(50) Carl C. Moles	\$ 583.74
113	(51) Virgil E. Moore	\$ 1,882.50
114	(52) Hughie C. Parks	\$ 1,212.50

115	(53) Reba Dixie Perry	\$ 2,887.07
116	(54) Zona Ruth Peters	\$ 451.00
117	(55) Roy Porterfield and Donna	
118	F. Porterfield	\$ 38.69
119	(56) Sterling L. Pullen, Jr.	\$ 2,148.81
120	(57) Glen L. Ramey	\$ 4,933.13
121	(58) Margaret K. Richardson	\$ 4,581.05
122	(59) Lee Roy Robertson	\$ 1,700.00
123	(60) Arden Leon Stull	\$ 2,070.00
124	(61) Gloria Tabit	\$ 6,950.00
125	(62) Gary Thompson	\$ 286.87
126	(63) Paul J. Underwood and	
127	Betty O. Underwood	\$ 3,777.09
128	(64) Myrtle Chaffins Watts and	
129	Elbert Watts	\$ 3,722.05
130	(65) West Virginia Telephone Company	\$ 1,293.33
131	(66) Virginia Williams	\$ 647.50
132	(67) Ernest Williamson	\$ 119.75
133	(68) Merwin B. Wingo	\$ 1,000.00
134	(69) Ernest N. Wolford &	
135	Patricia K. Wolford	\$ 1,861.82
136	(70) Albert Ted Wood	\$ 1,743.29
137	(71) David J. Yates	\$ 38.85
138	(72) E. H. Young	\$ 610.48
139	(73) Robert L. Zimmerman	\$ 250.00
140	(74) Dean R. Grim	\$ 25,000.00
141	(75) James R. Skinner d/b/a	
142	Jim's Grocery	\$ 3,000.00
143	(76) Michael J. Boland	\$ 3,500.00
144	(77) J. C. Boland	\$ 2,775.00

145 (i) *Claims against the Department of Motor Vehicles:*

146 TO BE PAID FROM STATE ROAD FUND

147	(1) General Motors	
148	Acceptance Corporation	\$ 9,147.03
149	(2) Malco Plastics, Inc.	\$ 539.58

150 (j) *Claims against the Department of Public Safety:*

151 TO BE PAID FROM GENERAL REVENUE FUND

152	(1) Appalachian Power Company	\$ 272.11
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153 (2) Johnson Controls, Inc. \$ 4,323.67

154 (k) *Claims against the Division of Vocational Rehabilitation:*

155 TO BE PAID FROM GENERAL REVENUE FUND

156 (1) Beckley Hospital, Inc. \$ 26.95

157 (2) Davis and Elkins College \$ 787.50

158 (3) Eye & Ear Clinic of
159 Charleston, Inc. (The) \$ 636.00

160 (l) *Claim against the Insurance Department:*

161 TO BE PAID FROM GENERAL REVENUE FUND

162 (1) Michael J. Davoli \$ 9,734.00

163 (m) *Claim against the Nonintoxicating Beer Commission:*

164 TO BE PAID FROM GENERAL REVENUE FUND

165 (1) Cline Distributing Company \$ 3,464.09

166 (n) *Claims against the Office of the State Auditor-*
167 *Representation of Needy Persons Fund:*

168 TO BE PAID FROM GENERAL REVENUE FUND

169 (1) James G. Anderson, III \$ 87.50

170 (2) James Michael Casey \$ 2,148.15

171 (3) Barry L. Casto \$ 1,781.02

172 (4) George M. Cooper \$ 125.00

173 (5) James A. Esposito \$ 656.25

174 (6) L. Edward Friend, II \$ 821.00

175 (7) Robert F. Gallagher \$ 1,097.00

176 (8) Nicolette Hahon Granack \$ 787.50

177 (9) Peggy O'Neal (Hart) \$ 338.96

178 (10) Jeniver J. Jones \$ 320.00

179 (11) Carroll T. Lay \$ 123.75

180 (12) Stephen C. Littlepage \$ 1,291.60

181 (13) Elizabeth M. Martin \$ 715.00

182 (14) William W. Merow, Jr. \$ 35.00

183 (15) Damon B. Morgan, Jr. \$ 610.00

184 (16) Raymond G. Musgrave \$ 644.30

185 (17) H. F. Salsbery, Jr. \$ 57.00

186 (18) Michael L. Solomon \$ 1,937.50

187	(19) Francoise D. Stauber	\$ 447.00
188	(20) Robert B. Stone	\$ 506.25
189	(21) Ward D. Stone, Jr.	\$ 150.00
190	(22) Rosemarie Twomey	\$ 435.77
191	(23) Charles W. Wilson	\$ 94.00
192	(24) Nancy S. Miller	\$ 665.00
193	(25) Larry N. Sullivan	\$ 252.50

194 (o) *Claim against the State Building Commission:*

195 TO BE PAID FROM SPECIAL REVENUE FUND

196 ACCOUNT NO 9500-09

197 (1) Zando, Martin & Milstead, Inc. \$ 18,833.45

198 (p) *Claims against the Supreme Court—*

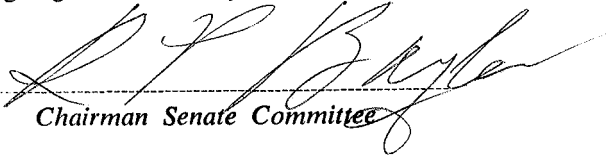
199 *Mental Hygiene Fund:*

200 TO BE PAID FROM GENERAL REVENUE FUND

201	(1) Robert N. Bland	\$ 400.00
202	(2) Samuel Broverman	\$ 211.00
203	(3) George M. Cooper	\$ 700.00
204	(4) James A. Esposito	\$ 182.50
205	(5) Jeniver J. Jones	\$ 25.00
206	(6) James A. Liotta	\$ 75.00
207	(7) Jacqui Sites	\$ 60.00
208	(8) Stenomask Reporting Service	\$ 50.00
209	(9) Eugene R. White	\$ 600.00
210	(10) Charles W. Wilson	\$ 808.00
211	(11) George Zivkovich	\$ 80.00

212 The Legislature finds that the above moral obligations and
 213 the appropriations made in satisfaction thereof shall be the full
 214 compensation for all claimants, and that prior to the payments
 215 to any claimant provided for in this bill, the court of claims
 216 shall receive a release from said claimant releasing any and
 217 all claims for moral obligations arising from the matters con-
 218 sidered by the Legislature in the finding of the moral obliga-
 219 tions and the making of the appropriations for said claimant.
 220 The court of claims shall deliver all releases obtained from
 221 claimants to the department against which the claim was
 222 allowed.

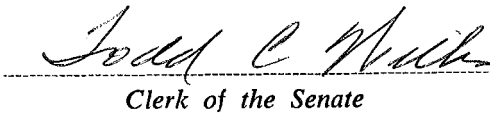
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

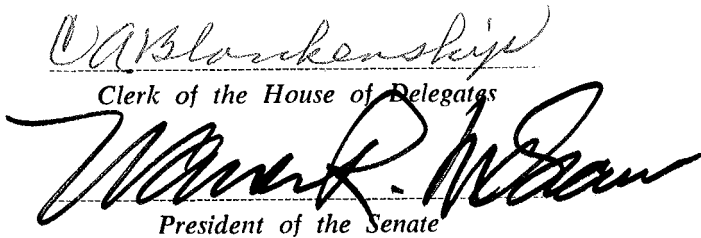

Chairman Senate Committee


Chairman House Committee

Originated in the House.

Takes effect from passage.

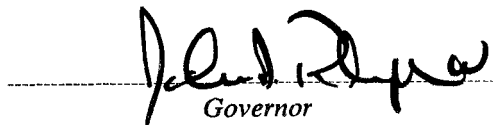

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within is appended this the 16
day of April, 1981.


Governor

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OFFICE OF THE GOVERNOR

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SECY. OF STATE