

APPROVED AND SIGNED BY THE GOVERNOR

Date 2-16-82

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1982

— ● —

ENROLLED

Com. Sub. for
HOUSE BILL No. 1208

(By Mr. Holmes + Mr. Otte)

— ● —

Passed February 8, 1982

In Effect From Passage



ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 1208

(By MR. HOLMES and MR. OTTE)

(Originating in the House Committee on Finance)

[Passed February 8, 1982; 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 payment 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; the department of corrections; and the farm management commission, to be moral obligations of the state and directing payment thereof.

1 The Legislature has heretofore made findings of fact that
2 the state has received the benefit of the commodities and
3 services rendered by certain claimants herein and has con-
4 sidered claims against the state, the board of regents, the de-
5 partment of corrections, and the farm management commission,
6 agencies thereof, which have arisen due to overexpenditures of
7 the departmental appropriations by officers of such state spend-
8 ing unit, such claims having been previously considered by the
9 court of claims which also found that the state has received the

benefit of the commodities and services rendered by each claimant, but were denied by the court of claims on the purely statutory grounds that to allow such claims would be condoning illegal acts contrary to the laws of the state. The Legislature pursuant to its findings of fact and also by the adoption of the findings of fact by the court of claims as its own, and, while not condoning such illegal acts, 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 upon receipt of a properly executed requisition supported by an itemized invoice, statement or other satisfactory document as required by section ten, article three, chapter twelve of the code of West Virginia, one thousand nine hundred thirty-one, as amended, for the payment thereof out of any fund appropriated and available for the purpose.

(a) *Claim against the Board of Regents:*

TO BE PAID FROM GENERAL REVENUE FUND

(1) Walter J. Klein Company, Ltd.\$ 350.00

(b) *Claims against the Department of Corrections:*

TO BE PAID FROM GENERAL REVENUE FUND

(1) C. K. Agarwal	\$ 70.00
(2) Hassan Amjad	\$ 295.00
(3) Appalachian Mental Health Center	\$ 4,400.00
(4) Appalachian Regional Hospital	\$ 1,690.00
(5) Ayerst Laboratories	\$ 411.57
(6) Beckley Radiology Associates	\$ 323.50
(7) Bernhardt's Clothing, Inc.	\$ 3,215.38
(8) Boury, Inc.	\$ 1,984.28
(9) C. H. James & Co.	\$ 1,149.18
(10) Craig Motor Service Co., Inc.	\$ 256.35
(11) Saryu P. Dani	\$ 40.00
(12) Dentists Fee Office	\$ 300.00
(13) Department of Employment Security	\$ 24,996.90
(14) Dorsey Laboratories	\$ 156.90
(15) Elkins Dental Lab	\$ 67.00
(16) Equitable Gas, Inc.	\$ 45,831.75
(17) Firestone Tire and Rubber Company (The)	\$ 574.34

48	(18) Gall's, Inc.	\$ 2,296.94
49	(19) Grafton City Hospital	\$ 3,777.94
50	(20) Greenbrier Physicians, Inc.	\$ 50.00
51	(21) Greenbrier Valley Hospital	\$ 5,542.70
52	(22) Henry Schein, Inc.	\$ 397.25
53	(23) Eugene E. Hutton, Jr.	\$ 5,038.00
54	(24) Independent Dressed Beef	
55	Company, Inc.	\$ 3,738.90
56	(25) J. D. Woodrum, M.D., Inc.	\$ 95.00
57	(26) E. L. Jimenez	\$ 860.00
58	(27) Johnson's Boiler Sales & Service, Inc.	\$ 13,883.22
59	(28) Marlinton Electric Co., Inc.	\$ 80,609.40
60	(29) McNeil Pharmaceutical	\$ 131.87
61	(30) Memorial General Hospital	
62	Association	\$133,500.35
63	(31) Mercer Radiology, Inc.	\$ 130.00
64	(32) Monongahela Power Company	\$ 17,192.85
65	(33) Norwich-Eaton Pharmaceuticals	\$ 412.06
66	(34) Nova Rubber Company, Inc.	\$ 540.00
67	(35) Ohio Valley Medical Center	\$ 125.80
68	(36) Orthopedic Clinic, Inc.	\$ 350.00
69	(37) B. Payman	\$ 110.00
70	(38) Perrmont Chemical Company	\$ 3,400.00
71	(39) Pfizer, Inc.	\$ 558.97
72	(40) Physicians Associates, Inc.	\$ 245.00
73	(41) Physicians Fee Office	\$ 5,529.39
74	(42) Picker Corporation	\$ 1,043.51
75	(43) Princeton Community Hospital	\$ 90.00
76	(44) Princeton Internists	\$ 87.00
77	(45) Raleigh General Hospital, Inc.	\$ 1,692.20
78	(46) Raleigh Orthopaedic Assoc., Inc.	\$ 2,410.00
79	(47) Reed & Carnrick	\$ 970.08
80	(48) Reynolds Memorial Hospital, Inc.	\$ 45,492.57
81	(49) Seneca Mental Health-Mental	
82	Retardation Council, Inc.	\$ 3,000.00
83	(50) Adnan N. Silk-Beckley	
84	Neurosurgical Clinic	\$ 80.00
85	(51) Rajendra P. Singh	\$ 215.00
86	(52) SK&F Co.	\$ 20.82
87	(53) SK&F Lab Co.	\$ 399.60

88	(54) Southern Chemical Co.	\$ 1,688.50
89	(55) Summers Community Clinic	\$ 103.02
90	(56) Summers County Hospital	\$ 13,341.30
91	(57) Tri-State Ambulance and Rentals	\$ 569.00
92	(58) Union Oil Company of California	\$ 12,156.20
93	(59) Upjohn Company (The)	\$ 791.07
94	(60) Wechsler Coffee Corporation	\$ 3,669.12
95	(61) West Virginia Paper, Inc.	\$ 3,478.25
96	(62) White Sulphur Pharmacy, Inc.	\$ 399.30
97	(63) Xerox Corporation	\$ 2,801.94

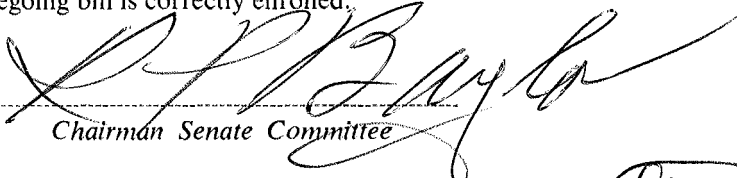
98 (c) *Claims against the Farm Management Commission:*

99	TO BE PAID FROM GENERAL REVENUE FUND	
100	(1) Agway, Inc.	\$ 412.07
101	(2) Beckley Veterinary Hospital, Inc.	\$ 188.00
102	(3) Bessire & Company, Inc.	\$ 540.70
103	(4) Blue Grass Equipment, Inc.	\$ 117.40
104	(5) Boso Agri-Center, Inc.	\$ 8,406.83
105	(6) Buckeye Gas Products Company	\$ 95.39
106	(7) Frank J. Cary—Mountainland	
107	Animal Hospital	\$ 3,344.55
108	(8) Cecil E. Jackson Equipment, Inc.	\$ 65.06
109	(9) Corder Tractor & Equipment Company ..	\$ 210.52
110	(10) G. Jay Crissman	\$ 265.00
111	(11) Darwin O. Fike, d/b/a Surge	
112	Sales & Service	\$ 208.30
113	(12) James L. Davison	\$ 122.25
114	(13) Dearing Brothers, Inc.	\$ 591.34
115	(14) Egton Farm Service	\$ 16,709.35
116	(15) Elkins Machine & Electric Co.	\$ 556.00
117	(16) Elkins Tire Company	\$ 140.76
118	(17) Firestone Stores	\$ 119.50
119	(18) Firestone Tire and Rubber	
120	Company (The)	\$ 51.60
121	(19) Robert M. Flesher—Upshur Veterinary	
122	Hospital	\$ 55.00
123	(20) Frank's Service Center	\$ 110.43
124	(21) Fullen Fertilizer Company, Inc.	\$ 453.65
125	(22) Fulton-Thompson Tractor Sales, Inc.	\$ 675.00

126	(23) Gibson's Scale Service	\$ 677.40
127	(24) Greenbrier Tractor Sales, Inc.	\$ 4,717.67
128	(25) Greenbrier Valley Farm Center, Inc.	\$ 3,212.90
129	(26) Hedlund Manufacturing Co., Inc.	\$ 1,622.07
130	(27) Henderson Implement Company	\$ 618.14
131	(28) Heritage Equipment Company	\$ 268.12
132	(29) Humberson Farm Equipment	\$ 595.67
133	(30) J. H. Holt Plumbing and Heating, Inc. ...	\$ 1,000.40
134	(31) Jefferds Corporation	\$ 747.24
135	(32) Jenkins Concrete Products Co.	\$ 940.50
136	(33) Joalde Sales & Service	\$ 35.87
137	(34) Johnston Alternator &	
138	Trailer Sales, Inc.	\$ 425.54
139	(35) Keefer's Service Center	\$ 3,219.64
140	(36) Lawson Products, Inc.	\$ 922.28
141	(37) Lewis & Burge, Inc.	\$ 170.96
142	(38) Liggett's Supply	\$ 638.48
143	(39) Marshall County Cooperative, Inc.	\$ 78.00
144	(40) Mason County D.H.I.A., Inc.	\$ 527.46
145	(41) McGhee & Company	\$ 13.25
146	(42) Mountain Mobile Milling	\$ 200.75
147	(43) Nasco	\$ 48.65
148	(44) North Central Dairy Herd Improvement	
149	Association	\$ 270.07
150	(45) Overnite Transportation Co.	\$ 28.20
151	(46) Pickens Hardware Co., Inc.	\$ 239.49
152	(47) Pioneer Harvestore Systems, Inc.	\$ 205.34
153	(48) Skyland Hospital Supply	\$ 77.00
154	(49) Southern States Elkins Coop., Inc.	\$ 24,591.24
155	(50) Southern States Marlinton,	
156	Cooperative	\$ 29.85
157	(51) Swisher's Feed and Supply	\$ 2,068.40
158	(52) John R. Tomlinson—Fairlea	
159	Animal Hospital	\$ 249.00
160	(53) Town & Country Veterinary Clinic	\$ 1,588.50
161	(54) Tygarts Valley D.H.I.A.	\$ 85.30
162	(55) Tygarts Valley Sanitation, Inc.	\$ 60.00
163	(56) Union Oil Company of California	\$ 8,002.98
164	(57) Virginia Harvestore, Inc.	\$ 1,146.72
165	(58) G. W. Wandling	\$ 150.00

166	(59) Ward Auto Parts Co.	\$	667.16
167	(60) West Virginia Artificial		
168	Breeder's Cooperative, Inc.	\$	2,748.00
169	(61) West Virginia Turnpike Commission ...	\$	28.00
170	(62) Weston Veterinary Clinic	\$	273.00
171	(63) Whitman Exterminating Company	\$	68.00
172	(64) Winchester Equipment Co.	\$	155.34
173	(65) Young's, Inc.	\$	211.00

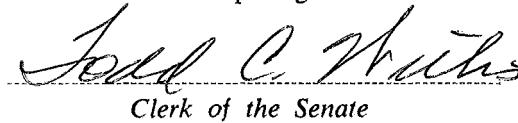
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee



Chairman House Committee

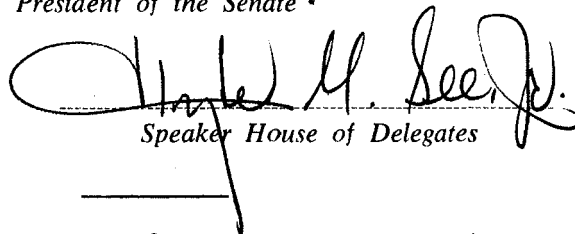
Originating in the House.

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 approved this the 16
day of Feb., 1982.


Governor

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OFFICE OF THE GOVERNOR

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SECY. OF STATE