

APPROVED AND SIGNED BY THE GOVERNOR

Date 2-16-82

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1982

— ● —

ENROLLED

Com. Sub. for
HOUSE BILL No. 1209

(By Mr. Holmes & Mr. Otte)

— ● —

Passed February 8, 1982

In Effect From Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 1209

(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 payments thereof.

Be it enacted by the Legislature of West Virginia:

CLAIMS AGAINST THE STATE.

§1. Finding and declaring certain claims against the adjutant general; alcohol beverage control commissioner; board of regents; department of education; department of finance and administration; department of health; department of highways; department of motor vehicles; department of natural resources; department of public safety; nonintoxicating beer commission; office of the state auditor-representation of needy persons fund; office of the supreme court of appeals; and the state tax department, 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-

cerning 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.

(a) *Claim against the Adjutant General:*

TO BE PAID FROM GENERAL REVENUE FUND

(1) Southern Chemical Co.\$ 98.76

(b) *Claim against the Alcohol Beverage Control Commis-
sioner:*

TO BE PAID FROM SPECIAL REVENUE FUND

(1) Leondard A. Cerullo\$ 4,559.24

(c) *Claims against the Board of Regents:*

TO BE PAID FROM SPECIAL REVENUE FUND, AS DESIGNATED

(1) General Communications Company
from Acct. No. 8720-05\$ 400.00

(2) Charles W. Jones
from Acct. No. 8600-20\$ 213.75

(3) Lundia, Myers Industries, Inc.
from Acct. No. 8835-39\$ 125.30

(d) *Claims against the Department of Education:*

TO BE PAID FROM GENERAL REVENUE FUND

(1) Rabert Lee Fulks, Jr.\$ 684.95

(2) Ernest E. Lowe\$ 195.00

(3) McDonnell Douglas Corporation\$ 28,132.00

(e) *Claim against the Department of Finance and Adminis-
tration:*

TO BE PAID FROM GENERAL REVENUE FUND

(1) Carter's Safety Systems, Inc.\$ 974.92

34 (f) *Claim against the Department of Health:*

35 TO BE PAID FROM GENERAL REVENUE FUND

36 (1) Clifford Cupp \$ 137.25

37 (g) *Claims against the Department of Highways:*

38 TO BE PAID FROM STATE ROAD FUND

39 (1) Mitchell F. Adkins \$ 82.47
 40 (2) Larry Allen Bayer \$ 104.81
 41 (3) Katherine H. Boyd \$ 57.64
 42 (4) Matta L. Brady, Admin. of the Estate of
 43 Shell C. Brady, deceased \$203,347.94
 44 (5) Jacqueline E. Delazio \$ 169.72
 45 (6) James W. Dixon and Doris A. Dixon ... \$14,500.00
 46 (7) Arley Don Dodd \$ 427.09
 47 (8) Hobert Friel \$ 3,500.00
 48 (9) Alonzo Gibson \$ 480.00
 49 (10) H & A Coal & Hauling, Inc. \$ 1,000.00
 50 (11) L. D. Hall \$ 800.00
 51 (12) Christine E. Henderson and Rodgers
 52 Paul Henderson \$ 1,305.00
 53 (13) Patricia Ann Jarboe \$ 1,040.00
 54 (14) Robert N. Jarboe \$ 3,676.00
 55 (15) Robert N. Jarboe, as next friend of
 56 Stephanie Jarboe \$ 50.00
 57 (16) Kanawha Valley Regional Transporta-
 58 tion Authority \$ 3,744.80
 59 (17) Bert Kessler \$ 262.98
 60 (18) Donald C. Master \$ 1,000.00
 61 (19) Thomas E. McNamee \$ 423.21
 62 (20) Franklin D. Mullins \$ 1,500.00
 63 (21) Jimmy Polk \$ 392.67
 64 (22) James Scott Sadler \$ 595.44
 65 (23) Daniel Serge, Jr. \$ 139.05
 66 (24) Charles R. Shaffer \$ 255.33
 67 (25) Ronald P. Stewart \$ 259.76
 68 (26) Charles E. Tedrow \$ 220.00
 69 (27) United States Post Office \$ 61.30

70 (h) *Claim against the Department of Motor Vehicles:*

71 TO BE PAID FROM STATE ROAD FUND

72 (1) West Virginia Automobile & Truck
73 Dealers Association\$ 1,174.37

74 (i) *Claims against the Department of Natural Resources:*

75 TO BE PAID FROM GENERAL REVENUE FUND

76 (1) W. H. Ballard, II and
77 G. David Brumfield\$ 3,593.00
78 (2) Zummach-Peerless Chemical
79 Coatings Corp. \$ 918.29

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

81 TO BE PAID FROM GENERAL REVENUE FUND

82 (1) Howard Uniform Company\$ 244.30
83 (2) Thomas G. Kimble\$ 230.03

84 (k) *Claim against the Nonintoxicating Beer Commission:*

85 TO BE PAID FROM GENERAL REVENUE FUND

86 (1) Crosby Beverage Co., Inc. \$ 688.42

87 (l) *Claims against the Office of the State Auditor-Needy*
88 *Persons Fund:*

89 TO BE PAID FROM GENERAL REVENUE FUND

90 (1) Richard H. Brumbaugh\$ 124.00
91 (2) Richard D. Frum\$ 38.32
92 (3) Charles E. McCarty\$ 240.00
93 (4) Daniel A. Oliver\$ 1,098.50
94 (5) Eugene J. Sellaro, Jr. \$ 433.95
95 (6) Sterl F. Shinaberry\$ 1,500.00
96 (7) Robert J. Smith\$ 125.00
97 (8) Gerard R. Stowers\$ 198.50
98 (9) James D. Terry\$ 1,177.50
99 (10) Gerald M. Titus, Jr. \$ 940.85
100 (11) Raymond H. Yackel\$ 1,317.50

101 (m) *Claim against the Supreme Court of Appeals:*

102 TO BE PAID FROM GENERAL REVENUE FUND

103 (1) County Commission of Webster County \$ 3,020.00

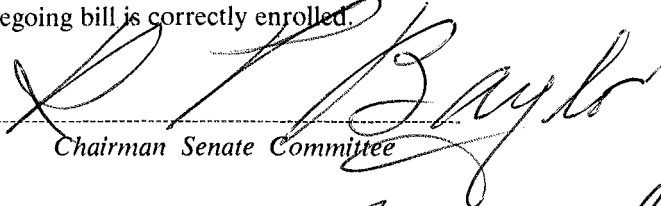
104 (n) *Claim against the State Tax Department:*

105 TO BE PAID FROM GENERAL REVENUE FUND

106 (1) L. Robert Kimball & Associates\$ 2,824.42

107 The Legislature finds that the above moral obligations and
108 the appropriations made in satisfaction thereof shall be the
109 full compensation for all claimants, and that prior to the
110 payments to any claimant provided for in this bill, the court
111 of claims shall receive a release from said claimant releasing
112 any and all claims for moral obligations arising from the
113 matters considered by the Legislature in the finding of the
114 moral obligations and the making of the appropriations for
115 said claimant. The court of claims shall deliver all releases
116 obtained from claimants to the department against which
117 the claim was allowed.

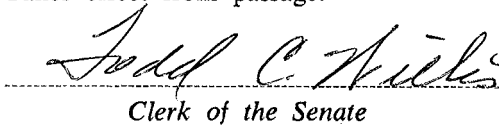
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

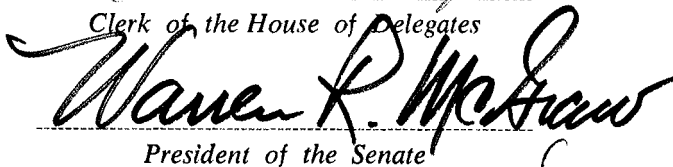

Chairman House Committee

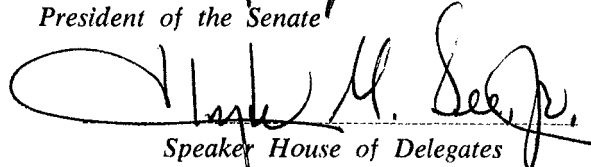
Originating in the House.

Takes effect from passage.


Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker House of Delegates

The within Enrolled this the 16
day of February, 1982.


Governor

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OFFICE
SECY. OF STATE