WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1982

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ENROLLED

Com. File No.

HOUSE BILL No. 1209

(By Mr. Holmes & Mr. Otte)

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Passed February 8, 1982

In Effect  From Passage

APPROVED AND SIGNED BY THE GOVERNOR

Date 2-16-82
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.

The Legislature has considered the findings of fact and recommendations reported to it by the court of claims con-
Enr. Com. Sub. for H.B. 12091

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.

(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 Commissioner:**

TO BE PAID FROM SPECIAL REVENUE FUND

(1) Leonard 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) Robert 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 Administration:**

TO BE PAID FROM GENERAL REVENUE FUND

(1) Carter's Safety Systems, Inc. $ 974.92
(f) **Claim against the Department of Health:**

**TO BE PAID FROM GENERAL REVENUE FUND**

<table>
<thead>
<tr>
<th></th>
<th>Claimant</th>
<th>Amount</th>
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<tbody>
<tr>
<td>1</td>
<td>Clifford Cupp</td>
<td>$137.25</td>
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(g) **Claims against the Department of Highways:**

**TO BE PAID FROM STATE ROAD FUND**

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<tbody>
<tr>
<td>1</td>
<td>Mitchell F. Adkins</td>
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<td>Katherine H. Boyd</td>
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<td>Matta L. Brady, Admin. of the Estate of Shell C. Brady, deceased</td>
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<td>James W. Dixon and Doris A. Dixon</td>
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<td>Alonzo Gibson</td>
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<td>H &amp; A Coal &amp; Hauling, Inc.</td>
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<td>L. D. Hall</td>
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<td>Christine E. Henderson and Rodgers</td>
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<td>Patricia Ann Jarboe</td>
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<td>Robert N. Jarboe</td>
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<td>Robert N. Jarboe, as next friend of Stephanie Jarboe</td>
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<td>Kanawha Valley Regional Transportation Authority</td>
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<td>Bert Kessler</td>
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<td>Franklin D. Mullins</td>
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<td>Charles E. Tedrow</td>
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<td>United States Post Office</td>
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(h) Claim against the Department of Motor Vehicles:

TO BE PAID FROM STATE ROAD FUND

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

(i) Claims against the Department of Natural Resources:

TO BE PAID FROM GENERAL REVENUE FUND

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

(j) Claims against the Department of Public Safety:

TO BE PAID FROM GENERAL REVENUE FUND

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

(k) Claim against the Nonintoxicating Beer Commission:

TO BE PAID FROM GENERAL REVENUE FUND

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

(1) Claims against the Office of the State Auditor-Needy Persons Fund:

TO BE PAID FROM GENERAL REVENUE FUND

(1) Richard H. Brumbaugh $124.00
(2) Richard D. Frum $38.32
(3) Charles E. McCarty $240.00
(4) Daniel A. Oliver $1,098.50
(5) Eugene J. Sellaro, Jr. $433.95
(6) Sterl F. Shinaberry $1,500.00
(7) Robert J. Smith $125.00
(8) Gerard R. Stowers $198.50
(9) James D. Terry $1,177.50
(10) Gerald M. Titus, Jr. $940.85
(11) Raymond H. Yackel $1,317.50
Claim against the Supreme Court of Appeals:
TO BE PAID FROM GENERAL REVENUE FUND

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

Claim against the State Tax Department:
TO BE PAID FROM GENERAL REVENUE FUND

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

The Legislature finds that the above moral obligations and the appropriations 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.

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 ______________________ this the ___

day of ______________________, 1982.

Governor
RECEIVED

FEB 12  3:32 PM '82
OFFICE OF THE GOVERNOR

82 FEB 17 P 2:49
SECY. OF STATE