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APPROVED AND SIGNED BY THE GOVERNOR

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Date 3-26-83

OFFICE OF THE GOVERNOR

**WEST VIRGINIA LEGISLATURE**

REGULAR SESSION, 1983

— ● —

**ENROLLED**

HOUSE BILL No. 1271

(By Mr. Starcher + Mr. Faircloth)

— ● —

Passed March 10, 1983

In Effect From Passage



ENROLLED

# H. B. 1271

(By MR. STARCHER and MR. FAIRCLOTH)

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[Passed March 10, 1983; in effect from passage.]

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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 department of corrections; the farm management commission; the secretary of state; and the railroad maintenance authority to be moral obligations of the state and directing payment thereof.**

1 The Legislature has heretofore made findings of fact that the  
2 state has received the benefit of the commodities and services  
3 rendered by certain claimants herein and has considered claims  
4 against the state, the department of corrections, the farm  
5 management commission, the secretary of state, and the rail-  
6 road maintenance authority, agencies thereof, which have  
7 arisen due to over-expenditures of the departmental appropria-  
8 tions by officers of such state spending unit, such claims having  
9 been previously considered by the court of claims which also  
10 found that the state has received the benefit of the commodities  
11 and services rendered by each claimant, but were denied by  
12 the court of claims on the purely statutory grounds that to  
13 allow such claims would be condoning illegal acts contrary to  
14 the laws of the state. The Legislature pursuant to its findings of  
15 fact and also by the adoption of the findings of fact by the court  
16 of claims as its own, and, while not condoning such illegal

17 acts, hereby declares it to be the moral obligation of the state to  
 18 pay each such claim in the amount specified below, and directs  
 19 the auditor to issue warrants upon receipt of a properly ex-  
 20 ecuted requisition supported by an itemized invoice, statement  
 21 or other satisfactory document as required by section ten,  
 22 article three, chapter twelve of the code of West Virginia, one  
 23 thousand nine hundred thirty-one, as amended, for the pay-  
 24 ment thereof out of any fund appropriated and available for  
 25 the purpose.

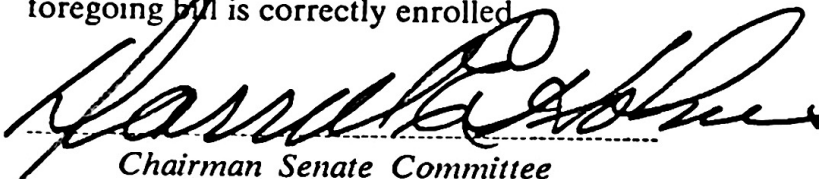
26 (a) *Claims against the Department of Corrections:*

27 (TO BE PAID FROM GENERAL REVENUE FUND)

28	(1) Ace Adjustment Service, Inc., Agent	
29	for United Hospital Center, Inc. ....	\$ 325.00
30	(2) C. K. Agarwal .....	\$ 1,235.00
31	(3) Jett S. Andrick .....	\$ 843.00
32	(4) Beckley Medical Arts, Inc. ....	\$ 60.00
33	(5) Gordon A. Bobbitt .....	\$ 265.25
34	(6) Bowlings, Inc. ....	\$ 407.74
35	(7) Butler's Pharmacy .....	\$ 2,466.18
36	(8) Chandra P. Sharma, M.D., Inc. ....	\$ 250.00
37	(9) FMRS Mental Health Council, Inc. .	\$ 96.00
38	(10) Grafton City Hospital .....	\$ 108.00
39	(11) Greenbrier Physicians, Inc. ....	\$ 550.00
40	(12) Harold E. Harvey, M.D., Inc. ....	\$ 75.00
41	(13) Lois McElwee Memorial Clinic ....	\$ 140.00
42	(14) Matthew Bender & Company, Inc. .	\$ 95.00
43	(15) William D. McLean ....	\$ 64.00
44	(16) Memorial General Hospital	
45	Association, Inc. ....	\$165,695.32
46	(17) F. M. Mingo .....	\$ 99.00
47	(18) Monongahela Power Company .....	\$ 66,033.70
48	(19) Ohio Valley Medical Center, Inc. .	\$ 22,614.68
49	(20) B. Payman .....	\$ 1,199.00
50	(21) Peters Fuel Corporation .....	\$ 30,097.20
51	(22) Physicians Fee Office ....	\$ 2,773.00
52	(23) Professional Laboratory & X-Ray .	\$ 32.00
53	(24) Mario C. Ramas .....	\$ 110.00
54	(25) D. L. Rasmussen .....	\$ 665.00

55	(26) Reynolds Memorial Hospital, Inc. . .	\$ 95,180.94
56	(27) Charles H. Simmons,	
57	d/b/a Simmons' Hauling .....	\$ 1,926.80
58	(28) Steven Richman, DO, Inc. ....	\$ 495.00
59	(29) Summers Community	
60	Clinic Pharmacy .....	\$ 29.90
61	(30) Summers County Hospital .....	\$ 13,456.65
62	(31) Utah Valley Hospital .....	\$ 1,825.16
63	(32) Alfredo C. Velasquez .....	\$ 1,430.00
64	(33) Westinghouse Eelectric	
65	Supply Company .....	\$ 732.76
66	(34) A. H. Robins Co. ....	\$ 259.54
67	(35) C. H. James & Co. ....	\$ 2,332.18
68	(36) West Virginia School of Osteopathic	
69	Medicine Clinic, Inc. ....	\$ 14,709.50
70	(b) <i>Claims against the Farm</i>	
71	<i>Management Commission:</i>	
72	(TO BE PAID FROM GENERAL REVENUE FUND)	
73	(1) Exxon Co., U.S.A. ....	\$ 219.71
74	(2) Mountaineer Motor Sales, Inc. .	\$ 86.87
75	(3) Scott Saw Sales & Services .	\$ 42.44
76	(4) Boso Agri-Center, Inc. ....	\$ 2,288.94
77	(c) <i>Claim against the Secretary of State:</i>	
78	(TO BE PAID FROM GENERAL REVENUE FUND)	
79	(1) J. P. Currence .....	\$ 143.00
80	(d) <i>Claim against the Railroad</i>	
81	<i>Maintenance Authority:</i>	
82	(TO BE PAID FROM GENERAL REVENUE FUND)	
83	(1) Wilson Welding Supply Company . .	\$ 340.00
84	Total .....	\$431,798.46

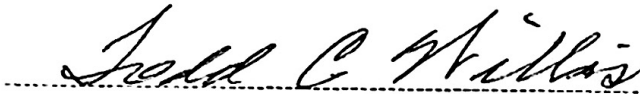
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled

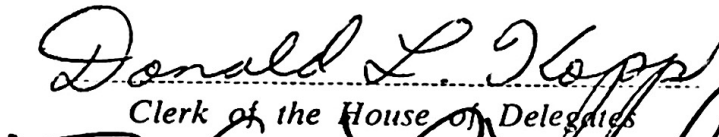
  
Chairman Senate Committee

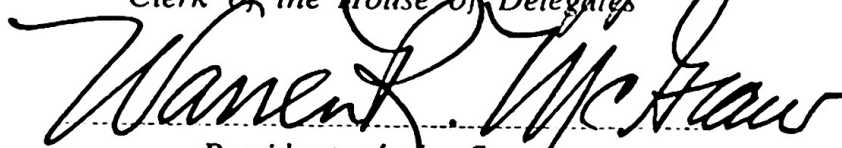
  
Chairman House Committee

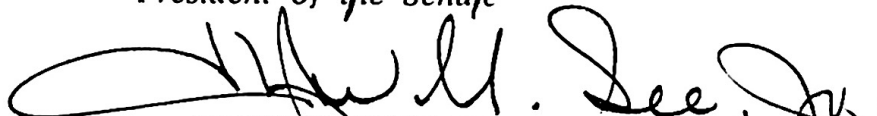
Originating in the House.

Takes effect from passage.

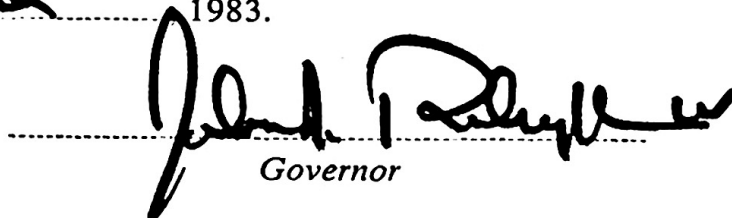
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker House of Delegates

The within is approved this the 26  
day of March 1983.

  
Governor

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SECY. OF STATE