WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1984

ENROLLED

(No. 1406)

Passed ...................................... March 5, 1984

In Effect ..................................... July 1, 1984

OFFICE OF THE GOVERNOR
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 department of health; the farm management commission; and the public employees insurance board, to be moral obligations of the state and directing payment thereof.

The Legislature has heretofore made findings of fact that the state has received the benefit of the commodities and services rendered by certain claimants herein and has considered claims against the state, the department of corrections, the department of health, the farm management commission, and the public employees insurance board, agencies thereof, which have arisen due to overexpenditures of the departmental appropriations by officers of such state spending unit, such claims having been previously considered by the 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) Claims against the Department of Corrections:

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Appalachian Power Company .................. $ 28,029.79
2. Bluefield Community Hospital .................. $ 275.00
3. General Telephone Company of the SE ........ $ 1,264.30
4. Greenbrier Valley Hospital .................... $ 4,470.34
5. Humana Hospital Greenbrier Valley .......... $ 408.15
6. Memorial General Hospital Association, Inc. ............................................. $314,554.27
7. Ohio Valley Medical Center, Inc. ............. $ 15,391.43
8. Potomac Valley Hospital ....................... $ 56.10
9. Reynolds Memorial Hospital, Inc. ............ $154,947.08

(b) Claims against the Department of Health:

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Board of Trustees of Cabell County General Hospital (The), aka Cabell Huntington Hospital ......................... $ 22,991.31
2. Nuclear Medicine Services, Inc. ................ $ 152.70
3. Ohio Valley Medical Center, Inc. ............. $ 3,000.00
4. St. Mary's Hospital ............................ $ 97,993.90
5. Stonewall Jackson Memorial Hospital ....... $ 557.58
(c) **Claim against the Farm Management Commission:**

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Kerr Gooch, d/b/a Southern Glass Service ... $492.00

(d) **Claim against the Public Employees Insurance Board:**

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Ellery H. Morgan ......................... $1,685.24
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. David  
Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect July 1, 1984.

Judd C. Wells  
Clerk of the Senate

Donald L. Voipp  
Clerk of the House of Delegates

Clement A. Wayman  
President of the Senate

John W. Senger Jr.  
Speaker House of Delegates

The within ___________ this the ___________ day of ___________, 1984.

Governor