

No: 1568

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1985

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ENROLLED

HOUSE BILL No. 1568

(By ~~Mr.~~ Del. Murensky + Del. Wells)

—●—

Passed March 30, 1985

In Effect From Passage

ENROLLED
H. B. 1568

(By DELEGATE MURENSKY and DELEGATE WELLS)

29 EX DOX.
(Passed March 20, 1985; 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 department of corrections; the farm management commission; and the state fire marshal, 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
4 considered claims against the state, the department of
5 corrections, the farm management commission and the state
6 fire marshal, agencies thereof, which have arisen due to over-
7 expenditures of the departmental appropriations by officers of
8 such state spending unit, such claims having been previously
9 considered by the court of claims which also found that the
10 state has received the benefit of the commodities and services
11 rendered by each claimant, but were denied by the court of
12 claims on the purely statutory grounds that to allow such
13 claims would be condoning illegal acts contrary to the laws
14 of the state. The Legislature pursuant to its findings of fact
15 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 acts,

17 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
20 executed requisition supported by an itemized invoice,
21 statement or other satisfactory document as required by
22 section ten, article three, chapter twelve of the code of West
23 Virginia, one thousand nine hundred thirty-one, as amended,
24 for the payment thereof out of any fund appropriated and
25 available for the purpose.

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

27 (TO BE PAID FROM GENERAL REVENUE FUND)

| | | |
|--------|-------------------------|--------------|
| 28 (1) | FCI Alderson | \$118,352.21 |
| 29 (2) | Raleigh Orthopedic | |
| 30 | Association, Inc. | \$ 250.00 |
| 31 (3) | Wheeling Hospital | \$ 1,385.10 |

32 *(b) Claims against the Farm Management Commission:*

33 (TO BE PAID FROM GENERAL REVENUE FUND)

| | | |
|--------|------------------------------------|-------------|
| 34 (1) | Bush Industries Feed & Grain | \$ 2,805.00 |
|--------|------------------------------------|-------------|

35 *(c) Claims against the State Fire Marshal:*

36 (TO BE PAID FROM ~~GENERAL~~ REVENUE FUND NO. 8002-24)
SPECIAL OK E.H. D.K.

| | | |
|--------|-----------------------|-------------|
| 37 (1) | Dunlow Volunteer | |
| 38 | Fire Department | \$ 2,744.39 |

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

Bruce O. Williams
Chairman Senate Committee

Floyd Fuller
Chairman House Committee

Originating in the House.

Takes effect from passage.

Sodd C. Willis
Clerk of the Senate

Donald L. Kopp
Clerk of the House of Delegates

Ann Tenbrunsel
President of the Senate

Joseph Albright
Speaker of the House of Delegates

The within *approved* this the *10th*
April
day of _____, 1985.

Arthur A. Phares Jr.
Governor

PRESENTED TO THE

GOVERNOR

Date 4/04/85

Time 3:37 p.m.

RECEIVED

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OFFICE OF REGISTRATION
SECRETARY OF STATE