

No: 1569 ✓

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OFFICE OF THE
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1985

—●—

ENROLLED

Com. Sub. for
HOUSE BILL No. 1569

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

—●—

Passed April 13, 1985

In Effect From Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 1569

(By DELEGATE MURENSKY and DELEGATE WELLS)

[Passed April 13, 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 payments thereof.

Be it enacted by the Legislature of West Virginia:

CLAIMS AGAINST THE STATE.

§1. Finding and declaring certain claims against the alcohol beverage control commissioner; attorney general; beer commission; board of regents; department of corrections; department of education; department of health; department of highways; department of mines; department of motor vehicles; department of natural resources; department of public safety; division of vocational rehabilitation; governor's office of economic and community development; human rights commission; supreme court of appeals; and treasurer, 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
3 concerning various claims against the state and agencies
4 thereof, and in respect to each of the following claims the
5 Legislature adopts those findings of fact as its own, and hereby
6 declares it to be the moral obligation of the state to pay each

7 such claim in the amount specified below, and directs the
8 auditor to issue warrants for the payment thereof out of any
9 fund appropriated and available for the purpose.

10 (a) *Claims against the Alcohol Beverage*
11 *Control Commissioner:*

12 (TO BE PAID FROM SPECIAL REVENUE FUND)

13 (1) Appalachian Power Company..... \$ 229.17
14 (2) Central Beverage Distributors, Inc. \$ 7,659.76

15 (b) *Claim against the Attorney General:*

16 (TO BE PAID FROM GENERAL REVENUE FUND)

17 (1) Norval D. Goe, Executor of the Estate
18 of William Robert Goe, dec. \$ 7,569.42

19 (c) *Claim against the Beer Commission:*

20 (TO BE PAID FROM GENERAL REVENUE FUND)

21 (1) Central Distributing Co., Inc. \$ 505.10

22 (d) *Claims against the Board of Regents:*

23 (TO BE PAID FROM GENERAL REVENUE FUND)

24 (1) Mary Ann Babich \$ 540.00
25 (2) Elliott A. Bigelow \$ 497.90
26 (3) Department of Employment Security \$ 436.53
27 (4) Janet Dooley \$ 7,886.00
28 (5) Karl Van Hildebrand \$ 287.20
29 (6) Terry A. Johnson \$ 120.54
30 (7) Richard D. Koval \$ 65.44
31 (8) John Vincent Lacey, Jr. \$ 459.36
32 (9) Elizabeth D. Morgan \$ 766.00
33 (10) Danny R. Sinclair \$ 696.57
34 (11) Timothy E. Smith \$ 239.52
35 (12) Alfred D. Yoppi, Jr. \$ 231.48
36 (13) Nickolas F. Zara \$ 207.90

37 (TO BE PAID FROM SPECIAL REVENUE FUND)

38 (1) Chapman Printing Company..... \$ 205.00
39 from Acct. No. 8623-11
40 (2) The Lawhead Press, Inc. \$ 576.00
41 from Acct. No. 8600-40

42	(3)	Barbara Ann McCabe	\$	269.47
43		from Acct. No. 9280-00		
44	(4)	Moore Business Forms, Inc.	\$	490.07
45		from Acct. No. 8641-11		
46	(5)	Steven Gerard Noonan	\$	60.00
47		from Acct. No. 8610-13		
48	(6)	Anita Faye Wickline	\$	98.85
49		from Acct. No. 8627-32		
50	(7)	Beverly Pisegna Fulmer	\$	228.00
51		from Acct. No. 9280-00		

52 (e) *Claims against the Department of Corrections:*

53 (TO BE PAID FROM GENERAL REVENUE FUND)

54	(1)	Baysal & Associates, Inc.	\$	130.00
55	(2)	W. Auvil Godwin	\$	2,700.00
56	(3)	Grafton Sanitary Sewer Board	\$	1,725.00
57	(4)	D. Verne McConnell	\$	22.00
58	(5)	Medical Dental Bureau, Inc. (Agent for		
59		Ohio Valley Medical Center, Inc.)	\$	186.76
60	(6)	Richard F. Terry, M.D., Inc.	\$	735.00
61	(7)	Virginia Electric and		
62		Power Company	\$	110.00
63	(8)	Wheeling Electric Company	\$	4,602.64

64 (f) *Claim against the Department of Education:*

65 (TO BE PAID FROM GENERAL REVENUE FUND)

66	(1)	AM International Inc., Debtor in		
67		Possession Varityper Division	\$	524.00

68 (g) *Claims against the Department of Health:*

69 (TO BE PAID FROM GENERAL REVENUE FUND)

70	(1)	Dental Arts Laboratory, Inc.	\$	135.20
71	(2)	Leonard J. Gwiazdowsky	\$	502.50
72	(3)	Holzer Clinic	\$	105.00
73	(4)	Holzer Hospital Foundation, d/b/a/		
74		Holzer Medical Center	\$	476.25
75	(5)	Kellogg Sales Company	\$	137.50
76	(6)	Parke-Davis	\$	6,864.00
77	(7)	Pfizer, Inc.	\$	3,748.56
78	(8)	St. Joseph's Hospital	\$	317.27
79	(9)	Stonewall Jackson Memorial Hospital ..	\$	1,085.79

80	(10)	3M Company	\$ 565.09
81	(11)	Xerox Corporation	\$ 5,006.13
82	(12)	Sophia Clark	\$ 2,613.00
83	(h) <i>Claim against the Department of Health—</i>		
84	<i>Office of the Chief Medical Examiner:</i>		
85	(TO BE PAID FROM GENERAL REVENUE FUND)		
86	(1)	Jeffry S. Life	\$ 35.00
87	(i) <i>Claims against the Department of Highways:</i>		
88	(TO BE PAID FROM STATE ROAD FUND)		
89	(1)	American Bridge Division of United	
90		States Steel Corporation	\$593,088.75
91	(2)	American National Property & Casualty,	
92		Subrogee of Charles R. Hart	\$ 644.25
93	(3)	Anderson Equipment Company	\$ 2,453.34
94	(4)	William F. Angel	\$ 224.93
95	(5)	Bates & Rogers	
96		Construction Corporation	\$ 11,424.65
97	(6)	Carroll L. Bolyard	\$ 535.24
98	(7)	Shirley G. Burbridge	\$ 122.89
99	(8)	Sylvia A. Cadle	\$ 8,630.00
100	(9)	Carl E. Stephens Construction	
101		Company, Inc.	\$ 1,000.00
102	(10)	Myrtle Craddock	\$ 224.62
103	(11)	Engineered Products, Inc.	\$ 13,139.81
104	(12)	Erie Insurance Exchange, Subrogee of	
105		Joseph E. Martin & Goldie J. Martin	\$ 4,980.00
106	(13)	Richard R. Fisher	\$ 2,477.65
107	(14)	Max B. Harbert	\$ 50.00
108	(15)	Thomas J. Hiddemen, Jr.	\$ 150.75
109	(16)	Dianna Rinehart Jones	\$ 100.00
110	(17)	Joseph H. Justice	\$ 815.06
111	(18)	L. G. De Felice, Inc.	\$743,451.06
112	(19)	Joseph E. Martin & Goldie J. Martin ...	\$ 100.00
113	(20)	Mid-Atlantic Paving Company, Inc.	\$ 3,929.25
114	(21)	Herbert Midkiff	\$ 3,679.00
115	(22)	Jack E. Murray	\$ 287.47
116	(23)	Regina M. Rhoads	\$ 100.00
117	(24)	Theresa Ritz	\$ 21,418.80
118	(25)	Dennis L. Sanders and	

119		Nancy J. Sanders.....	\$ 505.00
120	(26)	Carl Eugene Shockey, d/b/a	
121		Gene's Mobile Homes.....	\$ 500.00
122	(27)	Amelio J. White	\$ 133.36
123	(28)	Harry L. White	\$ 1,707.85
124	(29)	James K. White and Barbara White.....	\$ 579.04
125	(30)	Harry E. Wilmoth	\$ 250.00
126	(31)	L. R. Skelton & Company	\$340,800.44
127	(32)	Barbara M. Neri	\$ 11,040.00
128	(33)	Fred Staffilino, Jr. and	
129		Linda Staffilino	\$ 14,000.00
130	(34)	Tucker's Used Cars, Inc.	\$ 10,778.82
131	(j) <i>Claim against the Department of Mines:</i>		
132	(TO BE PAID FROM GENERAL REVENUE FUND)		
133	(1)	Xerox Corporation	\$ 913.98
134	(k) <i>Claim against the Department of Mines—</i>		
135	<i>Office of Oil & Gas:</i>		
136	(TO BE PAID FROM GENERAL REVENUE FUND)		
137	(1)	Xerox Corporation	\$ 1,691.83
138	(l) <i>Claims against the Department</i>		
139	<i>of Motor Vehicles:</i>		
140	(TO BE PAID FROM STATE ROAD FUND)		
141	(1)	Hamilton Business Systems	\$ 39.43
142	(2)	Xerox Corporation	\$ 848.25
143	(m) <i>Claims against the Department of</i>		
144	<i>Natural Resources:</i>		
145	(TO BE PAID FROM GENERAL REVENUE FUND)		
146	(1)	Johnson Controls, Inc.	\$ 15,326.67
147	(2)	Xerox Corporation	\$ 8,500.00
148	(TO BE PAID FROM FEDERAL REVENUE FUND)		
149	(1)	The Goodyear Tire & Rubber Company	\$ 401.00
150		from Acct. No. 7930-79	
151	(2)	Keizer Saw & Mower	\$ 309.95
152		from Acct. No. 7930-79	

153 (n) *Claims against the Department of*
154 *Public Safety:*

155 (TO BE PAID FROM GENERAL REVENUE FUND)

156	(1)	Aarom Boonsue, M.D., Inc.	\$	290.00
157	(2)	AM International Inc., Debtor in		
158		Possession Varityper Division	\$	600.00
159	(3)	City of Wellsburg	\$	22.50
160	(4)	Consolidated Business Forms Company	\$	178.49
161	(5)	Doctor's Urgent Care, Inc.....	\$	55.00
162	(6)	Eagle Aviation, Inc.	\$	3,577.00
163	(7)	The Goodyear Tire & Rubber Co.	\$	2,764.50
164	(8)	Greenbrier Physicians, Inc.	\$	50.00
165	(9)	The James & Law Company	\$	182.90
166	(10)	Jordan Chiropractic Clinic, Inc.	\$	130.00
167	(11)	Kanawha Valley Radiologist, Inc.	\$	100.00
168	(12)	Marjorie Garden Associates	\$	210.00
169	(13)	Means Charleston Center.....	\$	137.84
170	(14)	Putnam General Hospital	\$	1,533.40
171	(15)	Roentgen Diagnostics, Inc.	\$	39.00
172	(16)	St. Joseph's Hospital	\$	6.00
173	(17)	Three Community Cable TV	\$	164.00
174	(18)	3M Company.....	\$	246.16

175 (o) *Claims against the Division of*
176 *Vocational Rehabilitation:*

177 (TO BE PAID FROM FEDERAL REVENUE FUND)

178	(1)	Krown Research, Inc.	\$	194.00
179		from Acct. No. 7873-79		
180	(2)	St. Joseph's Hospital	\$	4,999.40
181		from Acct. No. 7873-79		

182 (p) *Claim against the Governor's Office of*
183 *Economic and Community Development:*

184 (TO BE PAID FROM SPECIAL REVENUE FUND)

185	(1)	West Virginia Utility		
186		Contractors' Association	\$	3,374.57
187		from Acct. No. 8024-26		

188 (q) *Claim against the Human Rights Commission:*

189 (TO BE PAID FROM GENERAL REVENUE FUND)

190 (1) Department of Employment Security \$ 424.00
191

192 (r) *Claim against the Supreme Court of Appeals:*

193 (TO BE PAID FROM SUPREME COURT GENERAL JUDICIAL FUND,
194 ACCOUNT NO. 1110-00, FROM APPROPRIATION
195 FOR CURRENT FISCAL YEAR 1984-85)

196 (1) The Sheriff and Treasurer of
197 Kanawha County \$200,016.15

198 (s) *Claim against the Treasurer:*

199 (TO BE PAID FROM GENERAL REVENUE FUND)

200 (1) Bob Dalton Investigations, Inc. \$ 294.53

201 The Legislature finds that the above moral obligations and
202 the appropriations made in satisfaction thereof shall be the full
203 compensation for all claimants, and that prior to the payments
204 to any claimant provided for in this bill, the court of claims
205 shall receive a release from said claimant releasing any and
206 all claims for moral obligations arising from the matters
207 considered by the Legislature in the finding of the moral
208 obligations and the making of the appropriations for said
209 claimant. The court of claims shall deliver all releases obtained
210 from claimants to the department against which the claim was
211 allowed.

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

Harrell E. Holmes

Chairman Senate Committee

Floyd Fuller

Chairman House Committee

Originating in the House.

Takes effect from passage.

Judd C. Nail

Clerk of the Senate

Donald E. Kopp

Clerk of the House of Delegates

Dan Tombrail

President of the Senate

Joseph P. Allright

Speaker of the House of Delegates

The within *approved* this the *2nd*
May day of _____, 1985.

Arthur P. Phares, Jr.

Governor

PRESENTED TO THE

GOVERNOR

Date 4/25/85

Time 2:30 p.m.