WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1986

ENROLLED

HOUSE BILL No. 1960

(By Rep. Del. Minnerly and Del. Yells)

Passed March 8, 1986

In Effect Passage
ENROLLED

H. B. 1960

(By Delegate Murensky and Delegate Wells)

[Passed March 8, 1986; 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 alcohol beverage control commissioner; attorney general; board of physical therapy; board of probation and parole; board of regents; department of agriculture—state soil conservation committee; department of banking; department of corrections; department of education; department of employment security; department of energy; department of finance and administration; department of health; department of health—office of the chief medical examiner; department of highways; department of human services; department of labor; department of natural resources; department of public safety; department of veterans affairs; division of vocational rehabilitation; health care cost review authority; human rights commission; library commission; public employees insurance board; railroad maintenance authority; supreme court of appeals; tax department; state commission on aging; and treasurer, 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 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) **Claims against the Alcohol Beverage Control Commissioner:**

(TO BE PAID FROM SPECIAL REVENUE FUND)

1. The Chesapeake and Potomac Telephone Company of West Virginia $ 608.11
2. Tony L. LaNeve $ 112.20

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

(TO BE PAID FROM GENERAL REVENUE FUND)

1. F & M Supply Company, Inc. $ 78.47

(c) **Claim against the Board of Physical Therapy:**

(TO BE PAID FROM SPECIAL REVENUE FUND)

1. Louise C. Christensen $ 9,000.00 from Acct. No. 8490-06

(d) **Claims against the Board of Probation and Parole:**

(TO BE PAID FROM GENERAL REVENUE FUND)

1. John A. Bailes $ 52.00
2. C. Frank LePage $ 52.00

(e) **Claims against the Board of Regents:**

(TO BE PAID FROM SPECIAL REVENUE FUND)
37  (1) Lucy Kathleen Gardner ............... $ 210.31
38  from Acct. No. 8633-06
39  (2) Laura L. Michael ................... $ 60.00
40  from Acct. No. 9280-00
41
42  (f) Claim against the Department of Agriculture
43  State Soil Conservation Committee:
44  (TO BE PAID FROM GENERAL REVENUE FUND)
45  (1) William K. Bunner .................. $ 1,468.20
46
47  (g) Claim against the Department of Banking:
48  (TO BE PAID FROM SPECIAL REVENUE FUND)
49  (1) F & M Supply Company, Inc. ........ $ 346.28
50  from Acct. No. 8395
51
52  (h) Claims against the Department of Corrections:
53  (TO BE PAID FROM GENERAL REVENUE FUND)
54  (1) A & W Sanitation Service .......... $ 10.00
55  (2) Exxon Company, U.S.A. .......... $ 273.88
56  (3) FCI Alderson ....................... $ 7,528.91
57  (4) FCI Alderson ....................... $ 2,585.52
58  (5) Firestone Tire & Rubber Co. ....... $ 245.84
59  (6) Constance Kesner, as Administratrix
60  of the Estate of Philip S.
61  Kesner, deceased ...................$154,307.84
62  (7) Constance Kesner, Individually ... $ 50,000.00
63  (8) Roentgen Diagnostics, Inc......... $ 47.00
64
65  (i) Claims against the Department of Education:
66  (TO BE PAID FROM GENERAL REVENUE FUND)
67  (1) Charleston Acoustics .......... $ 8,257.00
68  (2) James T. Kauffman ............... $ 155.00
69  (3) P.J.S. & Associates .......... $ 1,430.00
70  (4) Stephanie L. Poole ............... $ 434.00
71  (5) Richard N. Schnacke .......... $ 245.25
72
73  (j) Claims against the Department of
74  Employment Security:
75  (TO BE PAID FROM SPECIAL REVENUE FUND)
<table>
<thead>
<tr>
<th>#</th>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>75</td>
<td>from Acct. No. 8250</td>
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<tr>
<td>76</td>
<td>(1) C &amp; P Telephone Co. of W. Va. ........................................</td>
<td>$362.90</td>
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<td>77</td>
<td>(2) Katherine L. Hart ....................................................................</td>
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<td>(3) Joe L. Smith, Jr., Inc. d/b/a Biggs-Johnston-Withrow ..................</td>
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<td>80</td>
<td>(k) <strong>Claim against the Department of Energy:</strong></td>
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<td>81</td>
<td>(TO BE PAID FROM GENERAL REVENUE FUND)</td>
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<td>82</td>
<td>(1) Xerox Corporation .....................................................................</td>
<td>$232.63</td>
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<td>84</td>
<td>(l) <strong>Claim against the Department of Finance &amp; Administration:</strong></td>
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<td>85</td>
<td>(TO BE PAID FROM GENERAL REVENUE FUND)</td>
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<td>86</td>
<td>(1) Avery International Corporation ...........................................</td>
<td>$138.00</td>
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<td>89</td>
<td>(m) <strong>Claims against the Department of Health:</strong></td>
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<td>90</td>
<td>(TO BE PAID FROM GENERAL REVENUE FUND)</td>
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<td>92</td>
<td>(1) Sharon Ambrose ...........................................................................</td>
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<td>93</td>
<td>(2) Seymore Bailes, d/b/a Weintrob Brothers ..................................</td>
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<td>(3) Beatrice Dairy Products Division of Beatrice Companies, Inc., d/b/a Meadow Gold Dairy</td>
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<td>(4) C &amp; P Telephone Co. of W. Va. ............................................</td>
<td>$16,626.65</td>
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<td>(5) Ronald J. Crisp .........................................................................</td>
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<td>(6) General Telephone Company of SE ...........................................</td>
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<td>(7) Global Equipment Company .....................................................</td>
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<td>(8) The Goodyear Tire &amp; Rubber Company ..........................................</td>
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<td>(9) Ray A. Harron ............................................................................</td>
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<td>105</td>
<td>(10) Hellige, Inc. ..........................................................................</td>
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<td>(11) Harry H. Ko, M. D., d/b/a Calhoun Radiology Association, Inc. .......</td>
<td>$624.00</td>
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<td>109</td>
<td>(12) James P. Mylott .........................................................................</td>
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<td>110</td>
<td>(13) Otis Elevator Company ................................................................</td>
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<td>(14) Pitney Bowes, Inc. ....................................................................</td>
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<td>(15) R. J. Carey Company, Inc. ....................................................</td>
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<td>113</td>
<td>(16) Roane County Family Health Care ............................................</td>
<td>$102.00</td>
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114  (17) St. Mary's Hospital ..................$ 84,738.50
115  (18) Standard Laboratories, Inc. ...........$ 182.00
116  (19) Telemed Division —
117     Hays Medical, Inc.  ....................$ 438.15
118  (20) Uniforms Manufacturing Company ...$ 2,360.88
119  (21) WVU Dental Corporation ..............$ 317.00
120  (22) Webnic Construction Services Inc. ...$ 624.70
121
122  (n) Claim against the Department of Health —
123     Office of the Chief Medical Examiner:
124     (TO BE PAID FROM GENERAL REVENUE FUND)
125  (1) Taylor County Emergency Squad .......$ 35.00
126
127  (o) Claims against the Department of Highways:
128     (TO BE PAID FROM STATE ROAD FUND)
129  (1) Carl M. Geupel Construction
130     Company, Inc.  ......................$221,855.29
131  (2) Jimmie A. Currence and
132     Eula R. Currence .....................$134,027.08
133  (3) Loren Currence and Rella Currence ..$ 12,994.19
134  (4) Carl A. Daniels .....................$ 9,450.00
135  (5) Walter J. Davis ......................$ 246.75
136  (6) Thelma L. Jamison ...................$ 2,500.00
137  (7) Nina G. Jones .......................$ 17,500.00
138  (8) Alia J. Karras ......................$ 307.12
139  (9) Tommy C. Miller .....................$ 216.55
140  (10) Jack McMillan and Vera McMillan ..$ 267.00
141  (11) W. B. Swope ........................$ 6,211.76
142  (12) O. L. Westfall and Rebecca Westfall ..$ 42,500.00
143  (13) Yeager, Incorporated ...............$136,211.00
144
145  (p) Claim against the Department of
146     Human Services:
147     (TO BE PAID FROM GENERAL REVENUE FUND)
148  (1) F & M Supply Company, Inc. ..........$ 122.00
149
150  (q) Claim against the Department of Labor:
151     (TO BE PAID FROM GENERAL REVENUE FUND)
152  (1) Firestone Tire & Rubber Co. ............ $ 40.42
153
154  (r) Claim against the Department of  
155  Natural Resources:  
156  (TO BE PAID FROM SPECIAL REVENUE FUND)
157  (1) Moore Business Forms, Inc. .......... $ 2,354.90
158  from Acct. No. 8300
159
160  (s) Claims against the Department of Public Safety:  
161  (TO BE PAID FROM GENERAL REVENUE FUND)
162  (1) City of Moundsville ................. $ 283.48
163  (2) Fisher Scientific .................... $ 32.98
164  (3) Gail Phillips ........................ $ 918.00
165  (4) Sverdrup & Parcel and  
166  Associates, Inc. ................. $ 7,328.82
167
168  (t) Claim against the Department of  
169  Veterans Affairs:  
170  (TO BE PAID FROM GENERAL REVENUE FUND)
171  (1) Fire Chief Fire Extinguisher Co. .... $ 22.26
172
173  (u) Claims against the Division of  
174  Vocational Rehabilitation:  
175  (TO BE PAID FROM FEDERAL FUND)
176  from Acct. No. 7873
177  (1) C & O Motors ....................... $ 217.26
178  (2) Conoco, Inc. ....................... $ 91.20
179  (3) Contract Business Interiors .......... $ 317.40
180  (4) Hewlett Packard Company .......... $ 2,670.50
181  (5) Huntington Ear Clinic, Inc. ....... $ 269.00
182  (6) J. W. Allen & Company ............. $ 267.35
183  (7) Judy’s Locksmiths, Inc. .......... $ 2,469.15
184  (8) Midwest Corporation/Capitol  
185  Restaurant Equipment Co. ............ $ 5,793.00
186  (9) Mountaineer Gas Company .......... $ 23.69
187  (10) National Audio Company, Inc. .... $ 166.90
188  (11) Ohio Valley Office Equipment .... $ 174.08
189  (12) Patterson Dental Company ......... $ 115.36
(v) Claim against the Health Care
    Cost Review Authority:

    (TO BE PAID FROM SPECIAL REVENUE FUND)

201 (w) Claim against the Human Rights Commission:

    (TO BE PAID FROM GENERAL REVENUE FUND)

203 (1) Matthew Bender & Company ........ $ 134.50

205 (x) Claim against the Library Commission:

    (TO BE PAID FROM GENERAL REVENUE FUND)

207 (1) C & P Telephone Co. of W. Va. ....... $ 959.90

209 (y) Claims against the Public Employees

    Insurance Board:

    (TO BE PAID FROM GENERAL REVENUE FUND)

212 (1) James Leonard Fortune .................. $ 861.00
213 (2) Robert H. Johnston ..................... $ 1,093.04

215 (z) Claim against the Railroad

    Maintenance Authority:

    (TO BE PAID FROM GENERAL REVENUE FUND)

218 (1) Karl D. Myers .......................... $ 62.56

220 (aa) Claim against the State Commission

    on Aging:

    (TO BE PAID FROM GENERAL REVENUE FUND)

223 (1) Moore Business Forms &
224     Systems Division ..................... $ 874.10
Claims against the Supreme Court of Appeals:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) BJW Printers .................... $ 205.00
(2) Kanawha County Commission ....... $ 1,022.76

Claim against the Tax Department:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) C & P Telephone Co. of W. Va. ....... $ 3,305.43

Claims against the Treasurer:

(TO BE PAID FROM TREASURER'S ACCOUNT NO. 1600.
FROM APPROPRIATION FOR CURRENT FISCAL YEAR 1985-86)

(1) A & I Company .................... $ 15,106.00
(2) Ostrin Electric Company ............ $ 1,305.81

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 of the House of Delegates

The within............. approved this the 26th day of ............., 1986.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/24/86
Time 4:32 p.m.