

No. 1960

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1986

— ● —

# ENROLLED

HOUSE BILL No. 1960

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

— ● —

Passed March 8, 1986

In Effect From 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.**

1 The Legislature has considered the findings of fact  
2 and recommendations reported to it by the court of  
3 claims concerning various claims against the state and  
4 agencies thereof, and in respect to each of the following  
5 claims the Legislature adopts those findings of fact as  
6 its own, and hereby declares it to be the moral obligation  
7 of the State to pay each such claim in the amount  
8 specified below, and directs the auditor to issue  
9 warrants for the payment thereof out of any fund  
10 appropriated and available for the purpose.

11  
12 (a) *Claims against the Alcohol Beverage*  
13 *Control Commisisoner:*

14 (TO BE PAID FROM SPECIAL REVENUE FUND)

15 (1) The Chesapeake and Potomac Tele-  
16 phone Company of West Virginia ..\$ 608.11  
17 (2) Tony L. LaNeve.....\$ 112.20  
18

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

20 (TO BE PAID FROM GENERAL REVENUE FUND)

21 (1) F & M Supply Company, Inc. ....\$ 78.47  
22

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

25 (TO BE PAID FROM SPECIAL REVENUE FUND)

26 (1) Louise C. Christensen .....\$ 9,000.00  
27 from Acct. No. 8490-06  
28

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

31 (TO BE PAID FROM GENERAL REVENUE FUND)

32 (1) John A. Bailes .....\$ 52.00  
33 (2) C. Frank LePage.....\$ 52.00  
34

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

36 (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)	<i>Claim against the Department of Agriculture</i>	
43		<i>State Soil Conservation Committee:</i>	
44		(TO BE PAID FROM GENERAL REVENUE FUND)	
45	(1)	William K. Bunner .....	\$ 1,468.20
46			
47	(g)	<i>Claim against the Department of Banking:</i>	
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)	<i>Claims against the Department of Corrections:</i>	
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)	<i>Claims against the Department of Education:</i>	
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	(j)	<i>Claims against the Department of</i>	
73		<i>Employment Security:</i>	
74		(TO BE PAID FROM SPECIAL REVENUE FUND)	

75	from Acct. No. 8250	
76	(1) C & P Telephone Co. of W. Va. ....	\$ 362.90
77	(2) Katherine L. Hart.....	\$ 2,030.00
78	(3) Joe L. Smith, Jr., Inc. d/b/a	
79	Biggs-Johnston-Withrow .....	\$ 3,354.44
80		
81	(k) <i>Claim against the Department of Energy:</i>	
82	(TO BE PAID FROM GENERAL REVENUE FUND)	
83	(1) Xerox Corporation .....	\$ 232.63
84		
85	(l) <i>Claim against the Department of</i>	
86	<i>Finance &amp; Administration:</i>	
87	(TO BE PAID FROM GENERAL REVENUE FUND)	
88	(1) Avery International Corporation .....	\$ 138.00
89		
90	(m) <i>Claims against the Department of Health:</i>	
91	(TO BE PAID FROM GENERAL REVENUE FUND)	
92	(1) Sharon Ambrose .....	\$ 480.00
93	(2) Seymore Bailes, d/b/a	
94	Weintrob Brothers .....	\$ 597.82
95	(3) Beatrice Dairy Products	
96	Division of Beatrice Companies,	
97	Inc., d/b/a Meadow Gold Dairy ....	\$ 443.24
98	(4) C & P Telephone Co. of W. Va. ....	\$ 16,626.65
99	(5) Ronald J. Crisp .....	\$ 1,000.00
100	(6) General Telephone Company of SE....	\$ 278.06
101	(7) Global Equipment Company .....	\$ 1,331.98
102	(8) The Goodyear Tire &	
103	Rubber Company .....	\$ 210.80
104	(9) Ray A. Harron .....	\$ 923.20
105	(10) Hellige, Inc. ....	\$ 122.93
106	(11) Harry H. Ko, M. D.,	
107	d/b/a Calhoun Radiology	
108	Association, Inc. ....	\$ 624.00
109	(12) James P. Mylott .....	\$ 523.37
110	(13) Otis Elevator Company.....	\$ 4,990.67
111	(14) Pitney Bowes, Inc. ....	\$ 1,952.15
112	(15) R. J. Carey Company, Inc. ....	\$ 2,290.00
113	(16) Roane County Family Health Care ...	\$ 102.00

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)	<i>Claim against the Department of</i>		
155		<i>Natural Resources:</i>		
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)	<i>Claims against the Department of Public Safety:</i>		
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)	<i>Claim against the Department of</i>		
169		<i>Veterans Affairs:</i>		
170		(TO BE PAID FROM GENERAL REVENUE FUND)		
171	(1)	Fire Chief Fire Extinguisher Co. ....	\$	22.26
172				
173	(u)	<i>Claims against the Division of</i>		
174		<i>Vocational Rehabilitation:</i>		
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

190	(13)	Ricoh Corporation .....	\$	416.72
191	(14)	Clayburn Salisbury and		
192		Frank W. Salisbury .....	\$	96.00
193	(15)	Stuart Drug & Surgical Supply .....	\$	48.95
194				
195	(v)	<i>Claim against the Health Care</i>		
196		<i>Cost Review Authority:</i>		
197		(TO BE PAID FROM SPECIAL REVENUE FUND)		
198	(1)	Manpower Temporary Services .....	\$	227.80
199		from Acct. No. 8564		
200				
201	(w)	<i>Claim against the Human Rights Commission:</i>		
202		(TO BE PAID FROM GENERAL REVENUE FUND)		
203	(1)	Matthew Bender & Company .....	\$	134.50
204				
205	(x)	<i>Claim against the Library Commission:</i>		
206		(TO BE PAID FROM GENERAL REVENUE FUND)		
207	(1)	C & P Telephone Co. of W. Va. ....	\$	959.90
208				
209	(y)	<i>Claims against the Public Employees</i>		
210		<i>Insurance Board:</i>		
211		(TO BE PAID FROM GENERAL REVENUE FUND)		
212	(1)	James Leonard Fortune .....	\$	861.00
213	(2)	Robert H. Johnston .....	\$	1,093.04
214				
215	(z)	<i>Claim against the Railroad</i>		
216		<i>Maintenance Authority:</i>		
217		(TO BE PAID FROM GENERAL REVENUE FUND)		
218	(1)	Karl D. Myers .....	\$	62.56
219				
220	(aa)	<i>Claim against the State Commission</i>		
221		<i>on Aging:</i>		
222		(TO BE PAID FROM GENERAL REVENUE FUND)		
223	(1)	Moore Business Forms &		
224		Systems Division .....	\$	874.10
225				



226 (bb) *Claims against the Supreme Court of Appeals:*

227 (TO BE PAID FROM GENERAL REVENUE FUND)

228 (1) BJW Printers.....\$ 205.00

229 (2) Kanawha County Commission .....\$ 1,022.76

230

231 (cc) *Claim against the Tax Department:*

232 (TO BE PAID FROM GENERAL REVENUE FUND)

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

234

235 (dd) *Claims against the Treasurer:*

236 (TO BE PAID FROM TREASURER'S ACCOUNT NO. 1600.

237 FROM APPROPRIATION FOR CURRENT FISCAL YEAR 1985-86)

238 (1) A & I Company .....\$ 15,106.00

239 (2) Ostrin Electric Company .....\$ 1,305.81

240 The Legislature finds that the above moral obligations  
241 and the appropriations made in satisfaction thereof shall  
242 be the full compensation for all claimants, and that prior  
243 to the payments to any claimant provided for in this bill,  
244 the court of claims shall receive a release from said  
245 claimant releasing any and all claims for moral  
246 obligations arising from the matters considered by the  
247 Legislature in the finding of the moral obligations and  
248 the making of the appropriations for said claimant. The  
249 court of claims shall deliver all releases obtained from  
250 claimants to the department against which the claim  
251 was allowed.

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

*Bruce O. Williams*  
 Chairman Senate Committee

*Floyd Fellon*  
 Chairman House Committee

Originating in the House.

Takes effect from passage.

*Ed C. Hulse*  
 Clerk of the Senate

*Donald G. Kopp*  
 Clerk of the House of Delegates

*Alan Tomlinson*  
 President of the Senate

*Joseph P. Allright*  
 Speaker of the House of Delegates

The within *approved* this the *26th*  
*March*  
 day of \_\_\_\_\_, 1986.  
*Arthur A. Phares, Jr.*  
 Governor

PRESENTED TO THE  
GOVERNOR

Date 3/24/86

Time 4:32 p.m.

RECEIVED

1030 MAR 28 PM 6 58

STATION OF STATE

FILED IN THE OFFICE OF  
STATE ATTORNEY  
MAR 28 1936

THIS DATE 3/26/86