

No: 509

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987

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## ENROLLED

SENATE BILL NO. 509

(By Senators Templin and Holmes)

—•—

PASSED March 14, 1987

In Effect from Passage



# ENROLLED

## Senate Bill No. 509

(BY SENATORS TOMBLIN AND HOLMES)

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[Passed March 14, 1987; in effect from passage.]

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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 adjutant general; alcohol beverage control commissioner; attorney general; board of regents; civil service system; commission on aging; department of banking; department of corrections; department of education; department of health; department of health — office of the chief medical examiner; department of highways; department of motor vehicles; department of natural resources; department of public safety; division of vocational rehabilitation; farm management commission; governor's office of community and industrial development; human rights commission; insurance commission; nonintoxicating beer commissioner; public service commission; supreme court of appeals; and workers' compensation fund, 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 in  
6 respect of certain claims herein, the Legislature has  
7 independently made findings of fact and determinations of  
8 award and hereby declares it to be the moral obligation of  
9 the state to pay each such claim in the amount specified  
10 below, and directs the auditor to issue warrants for the  
11 payment thereof out of any fund appropriated and  
12 available for the purpose.

13 (a) **Claim against the Adjutant General:**

14 *(To be paid from General Revenue Fund)*

15 (1) Cabot Corporation ..... \$ 4,347.92

16 (b) **Claims against the Alcohol Beverage Control**

17 **Commissioner:**

18 *(To be paid from Special Revenue Fund)*

19 (1) Econo Lodges of America, Inc. .... \$ 113.76

20 (2) Morgan Sanitation ..... \$ 210.00

21 (3) Sadie Runyon ..... \$ 180.40

22 (c) **Claim against the Attorney General:**

23 *(To be paid from General Revenue Fund)*

24 (1) County Court Reporters, Inc. .... \$ 173.17

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

26 *(To be paid from Special Revenue Fund)*

27 from Acct. No. 9280-00

28 (1) Randy Byers ..... \$ 1,644.00

29 (2) Lionel Gene Herndon ..... \$ 3,116.00

30 (3) Helen Kolson ..... \$ 4,920.00

31 (4) Marion M. McGervey ..... \$ 87.00

32 (5) Jessie Mae Turney ..... \$ 4,920.00

33 (6) Marcia K. Vaughan ..... \$ 6,001.00

34 from Acct. No. 8627-40

35 (1) Charles R. Dotson ..... \$ 145.00

36 from Acct. No. 8610-60

37 (1) Arlie Clay Forman ..... \$ 320.00

38 (2) Barbara B. Harris ..... \$ 2,125.00

39 (3) Charles W. Priest ..... \$ 1,064.00

40 from Acct. No. 8610-31

41 (1) Delbert Wayne Helmick ..... \$ 276.00

42 (2) Dwight Pyles ..... \$ 27.00

43 (3) Peter E. Wu ..... \$ 165.00

44 from Acct. No. 8610-34

45 (1) Martha H. McBee ..... \$ 347.00

46		from Acct. No. 8627-42	
47	(1)	The Neff Company .....	\$ 1,294.81
48		from Acct. No. 8627-43	
49	(1)	Ali Reza Teymouri .....	\$ 425.00
50	(e)	<b>Claim against the Civil Service System:</b>	
51		<i>(To be paid from General Revenue Fund)</i>	
52	(1)	Department of Employment Security..	\$ 412.32
53	(f)	<b>Claim against the Commission on Aging:</b>	
54		<i>(To be paid from General Revenue Fund)</i>	
55		from Acct. No. 4065-06	
56	(1)	Moore Business Forms, Inc.....	\$ 4,988.00
57	(g)	<b>Claims against the Department of Banking:</b>	
58		<i>(To be paid from Special Revenue Fund)</i>	
59	(1)	Federal Deposit Insurance	
60		Corporation .....	\$ 8,042.60
61	(2)	David S. Mudie .....	\$ 59.60
62	(h)	<b>Claims against the Department of Corrections:</b>	
63		<i>(To be paid from General Revenue Fund)</i>	
64	(1)	Brent Boggs .....	\$ 50.00
65	(2)	Davis Memorial Hospital .....	\$ 721.01
66	(3)	Charles R. Farris.....	\$ 600.00
67	(4)	Brady Smith.....	\$ 211.22
68	(5)	Wheeling Clinic.....	\$ 1,554.50
69	(i)	<b>Claims against the Department of Education:</b>	
70		<i>(To be paid from General Revenue Fund)</i>	
71		from Acct. No. 2860-01	
72	(1)	Richard B. Bord, Jr.....	\$ 155.00
73	(2)	Gateway Motel and Restaurant, Inc. ..	\$ 248.40
74	(3)	Shelley Joan Weiss.....	\$ 473.00
75	(j)	<b>Claims against the Department of Health:</b>	
76		<i>(To be paid from General Revenue Fund)</i>	
77	(1)	Kenneth Brock .....	\$ 100.88
78	(2)	C. H. James & Co. ....	\$ 44.16
79	(3)	Emma Jean Canado .....	\$ 298.00
80	(4)	Charles L. Yarbrough, M.D., Inc.....	\$ 330.00
81	(5)	The Chesapeake and Potomac Telephone	
82		Company of West Virginia .....	\$ 437.65
83	(6)	Diskriter Inc. ....	\$ 787.00
84	(7)	Exxon Company, U.S.A.....	\$ 45.40
85	(8)	Firestone Tire and Rubber Co.....	\$ 105.60
86	(9)	H. L. Gamponia, d/b/a H. L. Gamponia	
87		Medical Practice, Inc.....	\$ 145.20
88	(10)	Hamilton Business Systems.....	\$ 461.00

89	(11)	Health Care Collection Service, Inc....	\$ 329.00
90	(12)	Holistic Health Center, Inc.....	\$ 915.00
91	(13)	Humana Hospital Greenbrier Valley ..	\$ 1,079.78
92	(14)	Kathy Lewis.....	\$ 184.80
93	(15)	H. Richard Marshall .....	\$ 1,480.00
94	(16)	Picker International Inc. ....	\$ 830.10
95	(17)	Pleasant Valley Hospital .....	\$ 140.88
96	(18)	Richards Medical Company.....	\$ 83.87
97	(19)	Roane County Family	
98		Health Care, Inc. ....	\$ 26.60
99	(20)	Schering Corporation .....	\$ 100.00
100	(21)	Scott, Craythorne, Lowe, Mullen &	
101		Foster, Inc.....	\$ 3,287.00
102	(22)	Thomas J. Solon .....	\$ 373.30
103	(23)	St. Joseph's Hospital.....	\$ 120.00
104	(24)	Stonewall Jackson Memorial Hospital.	\$ 715.60
105	(25)	Sturgeon's Opticians .....	\$ 272.00
106	(26)	Donald M. Thaler.....	\$ 105.50
107	(27)	Union Oil Company of California,	
108		d/b/a UNOCAL .....	\$ 93.98
109	(28)	West Fork River Public	
110		Service District .....	\$ 4,137.27
111	(k)	<b>Claims against the Department of Health — Office</b>	
112		<b>of the Chief Medical Examiner:</b>	
113		<i>(To be paid from General Revenue Fund)</i>	
114	(1)	Vaman S. Diwan.....	\$ 650.00
115	(2)	David O. Wright .....	\$ 250.00
116	(l)	<b>Claims against the Department of Highways:</b>	
117		<i>(To be paid from State Road Fund)</i>	
118	(1)	Jay L. Bolyard.....	\$ 360.00
119	(2)	Wallace M. Cogar.....	\$ 2,420.68
120	(3)	Robert W. Davis .....	\$ 100.00
121	(4)	Fonso W. Dotson and Sarah E. Dotson	\$ 185.75
122	(5)	Rettie Louise Hamon.....	\$ 181.40
123	(6)	Dubois Jordan.....	\$ 122.11
124	(7)	Chester Lewis .....	\$ 364.52
125	(8)	Paula H. Meredith .....	\$ 144.00
126	(9)	Rosemary Nicola.....	\$ 320.10
127	(10)	Joyce Priddy.....	\$ 118.38
128	(11)	Philip Skeen.....	\$ 322.12
129	(12)	Raymond L. Smith.....	\$ 1,449.00
130	(13)	Aetna Casualty & Surety, as subrogee of	
131		Robert W. Davis.....	\$ 132.94

132	(m)	<b>Claims against the Department of Motor Vehicles:</b>	
133		<i>(To be paid from State Road Fund)</i>	
134	(1)	Charleston Cash Register Co. ....	\$ 3,375.00
135	(2)	Ronald L. Hunt .....	\$ 184.75
136	(3)	John Malcolm .....	\$ 15.17
137	(n)	<b>Claim against the Department of Natural Resources:</b>	
138		<i>(To be paid from Special Revenue Fund)</i>	
139	(1)	Moore Business Forms, Inc. ....	\$ 1,591.65
140	(o)	<b>Claims against the Department of Public Safety:</b>	
141		<i>(To be paid from General Revenue Fund)</i>	
142	(1)	David R. Gaskins .....	\$ 430.00
143	(2)	J. H. Kim .....	\$ 74.00
144	(3)	Radiology, Inc. ....	\$ 135.00
145	(p)	<b>Claims against the Division of Vocational</b>	
146		<b>Rehabilitation:</b>	
147		<i>(To be paid from Special Revenue Fund)</i>	
148		from Acct. No. 7873-01	
149	(1)	A & I Supply Company. ....	\$ 14.05
150	(2)	Alling and Cory .....	\$ 834.36
151		from Acct. No. 7873-02	
152	(1)	Lowe's of West Virginia, Inc. d/b/a Lowe's	
153		Government Sales/WV .....	\$ 1,002.57
154		from Acct. No. 7873-05	
155	(1)	St. Joseph's Hospital .....	\$ 310.00
156		<i>(To be paid from General Revenue Fund)</i>	
157		from Acct. No. 4405-03	
158	(1)	Vocational Research Institute .....	\$10,119.90
159	(q)	<b>Claim against the Farm Management Commission:</b>	
160		<i>(To be paid from General Revenue Fund)</i>	
161	(1)	Bob's Mobile Home Service .....	\$ 1,386.64
162	(r)	<b>Claim against the Governor's Office of Community</b>	
163		<b>and Industrial Development:</b>	
164		<i>(To be paid from General Revenue Fund)</i>	
165		from Acct. No. 1210	
166	(1)	The Lawhead Press, Inc. ....	\$ 351.90
167	(s)	<b>Claim against the Human Rights Commission:</b>	
168		<i>(To be paid from General Revenue Fund)</i>	
169	(1)	Olympia USA, Inc. ....	\$ 6,178.00
170	(t)	<b>Claim against the Insurance Commission:</b>	
171		<i>(To be paid from General Revenue Fund)</i>	
172	(1)	Zenith Data Systems Corp. ....	\$ 2,623.45

- 173 (u) **Claims against the Nonintoxicating**  
174 **Beer Commissioner:**  
175 *(To be paid from General Revenue Fund)*  
176 (1) Advanced Brands, Ltd.....\$ 557.38  
177 (2) Eastern Brewing Corporation.....\$ 300.00  
178 (3) Gourmet Beer International, Inc.....\$ 100.00  
179 (4) Jos. Huber Brewing Co. .... \$ 1,031.25  
180 (5) The Lion Inc. .... \$ 750.00  
181 (v) **Claim against the Public Service Commission:**  
182 *(To be paid from Special Revenue Fund)*  
183 (1) David L. Akers .....\$ 70.05  
184 (w) **Claim against the Supreme Court of Appeals:**  
185 *(To be paid from General Revenue Fund)*  
186 (1) Associated Psychiatric Services, Inc. . . \$ 500.00  
187 (x) **Claims against the Workers' Compensation Fund:**  
188 *(To be paid from Workers' Compensation Fund)*  
189 (1) E. E. Bibb, III .....\$ 125.00  
190 (2) Jefferds Corporation .....\$ 516.96  
191 The Legislature finds that the above moral obligations  
192 and the appropriations made in satisfaction thereof shall be  
193 the full compensation for all claimants, and that prior to the  
194 payments to any claimant provided for in this bill, the court  
195 of claims shall receive a release from said claimant  
196 releasing any and all claims for moral obligations arising  
197 from the matters considered by the Legislature in the  
198 finding of the moral obligations and the making of the  
199 appropriations for said claimant. The court of claims shall  
200 deliver all releases obtained from claimants to the  
201 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

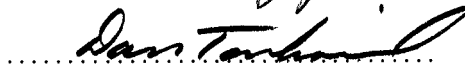
  
Chairman House Committee

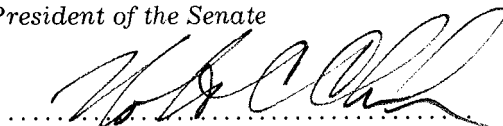
Originated in the Senate.

In effect from passage.

  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker House of Delegates

The within  this the 26th  
day of March, 1987.

  
Governor



PRESENTED TO THE  
GOVERNOR

Date 3/23/87  
Time 3:15 pm.

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1987 MAR 27 PM 2 56  
OFFICE OF THE DIRECTOR  
SECURITY INFORMATION