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OFFICE OF COMPTROLLER  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1991

— ● —

# ENROLLED

Com. Sub. for  
HOUSE BILL No. 2726

(By ~~Mr.~~ Del. Murensky & Stemple )

— ● —

Passed March 5, 1991

In Effect July 1, 1991 Passage

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**H. B. 2726**  
(By DELEGATES MURENSKY AND STEMPLER)

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[Passed March 5, 1991; in effect July 1, 1991.]

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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 department of administration; department of education; department of health and human resources; division of corrections; and Workers' Compensation Fund, to be moral obligations of the state and directing payments thereof.**

1     The Legislature has heretofore made findings of fact  
2     that the state has received the benefit of the commod-  
3     ities received and/or services rendered by certain  
4     claimants herein and has considered these claims  
5     against the state and agencies thereof, which have  
6     arisen due to over-expenditures of the departmental  
7     appropriations by officers of such state spending units,  
8     such claims having been previously considered by the  
9     court of claims which also found that the state has  
10    received the benefit of the commodities received and/or

11 services rendered by the claimants, but were denied by  
 12 the court of claims on the purely statutory grounds that  
 13 to allow such claims would be condoning illegal acts  
 14 contrary to the laws of the state. The Legislature,  
 15 pursuant to its findings of fact and also by the adoption  
 16 of the findings of fact by the court of claims as its own,  
 17 and, while not condoning such illegal acts, hereby  
 18 declares it to be the moral obligation of the state to pay  
 19 these claims in the amounts specified below, and directs  
 20 the auditor to issue warrants upon receipt of properly  
 21 executed requisitions supported by itemized invoices,  
 22 statements or other satisfactory documents as required  
 23 by section ten, article three, chapter twelve of the code  
 24 of West Virginia, one thousand nine hundred thirty-one,  
 25 as amended, for the payments thereof out of any fund  
 26 appropriated and available for the purpose.

27 (a) *Claim against the Department of Administration:*

28 (TO BE PAID FROM GENERAL REVENUE FUND)

29 (1) Xerox Corporation ..... \$ 444.90

30 (b) *Claims against the Department of Education:*

31 (TO BE PAID FROM GENERAL REVENUE FUND)

32 (1) Trilla J. Daubenspeck ..... \$ 295.00

33 (2) Sherry S. Hetzel ..... \$ 212.00

34 (3) Steven J. Klos ..... \$ 517.00

35 (4) Patricia F. Stine ..... \$ 250.00

36 (5) Dennis L. Venderlic ..... \$ 485.00

37 (6) Salena M. Williams..... \$ 250.00

38 (c) *Claims against the Department of Health and*  
 39 *Human Resources:*

40 (TO BE PAID FROM GENERAL REVENUE FUND)

41 (1) Blue Ridge Funeral Homes ... \$ 800.00

42 (2) Copeland & Associates of  
 43 West Virginia ..... \$ 100,000.00

44 (d) *Claims against the Division of Corrections:*

45 (TO BE PAID FROM GENERAL REVENUE FUND)

46 (1) Fisher Auto Parts ..... \$ 203.71

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47	(2) General Anesthesia		
48	Services, Inc.....	\$	2,200.00
49	(3) Richard E. McCray, DDS.....	\$	185.00
50	(4) Reynolds Memorial Hospital ....	\$	43.00

51 (e) *Claims against the Workers' Compensation Fund:*

52 (TO BE PAID FROM WORKERS' COMPENSATION FUND)

53	(1) James W. Lane, M.D .....	\$	3,666.66
54	(2) Tameran, Inc. ....	\$	12,087.60
55	(3) Xerox Corporation .....	\$	3,416.08
56	(4) West Virginia American		
57	Water Company .....	\$	839.27

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

*Homer Heck*  
Chairman Senate Committee

*Ernest C. Moore*  
Chairman House Committee

Originating in the House.

Takes effect July 1, 1991.

*Parrell E. Holmes*  
Clerk of the Senate

*Donald L. Hoopp*  
Clerk of the House of Delegates

*Keith Sundeth*  
President of the Senate

*Bob C. Cline*  
Speaker of the House of Delegates

The within *is approved* this the *15th*  
day of *March*, 1991.

*Gaston Caperton*  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/11/91

Time 10:15 am