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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

## WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1993

— ● —

# ENROLLED

HOUSE BILL No. 2687...

(By Delegates *Browning, Petersen, Rutledge,*  
*H. White, S. Cook, Leach and Hendricks*)

— ● —

Passed *April 8,* 1993

In Effect *July 1, 1993* ~~Passage~~

**ENROLLED**  
**H. B. 2687**

(By DELEGATES BROWNING, PETERSEN, RUTLEDGE, H. WHITE,  
S. COOK, LEACH AND HENDRICKS)

[Passed April 8, 1993; in effect July 1, 1993.]

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 education; division of human services; division of corrections; and division of culture and history, 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 Education:*

28 (TO BE PAID FROM GENERAL REVENUE FUND)

29 (1) Irene Sellas..... \$ 265.00

30 (b) *Claims against the Division of Human Services:*

31 (TO BE PAID FROM GENERAL REVENUE FUND)

32 (1) Allen Funeral Home ..... \$ 400.00  
 33 (2) Altmeyer Funeral Homes, Inc. .... \$ 400.00  
 34 (3) Barlow-Bonsall Funeral Home..... \$ 400.00  
 35 (4) Boyle Funeral Home ..... \$ 400.00  
 36 (5) Brown Funeral Home ..... \$ 800.00  
 37 (6) Carpenter & Ford, Inc. .... \$ 1,062.00  
 38 (7) Casdoroph & Curry Funeral Home, Inc.... \$ 325.00  
 39 (8) Chambers Funeral Home, Inc. .... \$ 325.00  
 40 (9) Chambers-James Funeral Home ..... \$ 400.00  
 41 (10) Chapman's Mortuary, Inc. .... \$ 400.00  
 42 (11) Dodd-Payne-Hess Funeral Home..... \$ 400.00  
 43 (12) Evans Funeral Home ..... \$ 400.00  
 44 (13) Evans Funeral Home, Inc..... \$ 325.00  
 45 (14) Fanning Funeral Home, Inc. .... \$ 325.00  
 46 (15) Foglesong Funeral Home..... \$ 400.00  
 47 (16) Frey Home for Funerals..... \$ 800.00  
 48 (17) Greco-Hertnick Funeral Home..... \$ 400.00  
 49 (18) Greene-Robertson Funeral Home ..... \$ 400.00  
 50 (19) Grisell Funeral Home, Inc. .... \$ 325.00  
 51 (20) Handley Funeral Home, Inc..... \$ 400.00  
 52 (21) Hastings Funeral Home, Inc. .... \$ 725.00  
 53 (22) Heck Funeral Home, Inc..... \$ 400.00

54	(23)	Jones Funeral Home .....	\$ 400.00
55	(24)	Keller Funeral Home, Inc. ....	\$ 800.00
56	(25)	Kepner Funeral Homes, Inc. ....	\$ 400.00
57	(26)	Kimes Funeral Home, Inc. ....	\$ 400.00
58	(27)	Lambert-Tatman Funeral Home .....	\$ 400.00
59	(28)	Longanacre Funeral Home .....	\$ 400.00
60	(29)	Masters Funeral Home, Inc. ....	\$ 400.00
61	(30)	McGlumphy Mortuary .....	\$ 325.00
62	(31)	Melton Mortuary, Inc. ....	\$ 400.00
63	(32)	Memorial Funeral Directory, Inc. ....	\$ 400.00
64	(33)	Myers Funeral Home .....	\$ 325.00
65	(34)	Nixon Funeral Home, Inc. ....	\$ 400.00
66	(35)	Pennington Funeral Home .....	\$ 400.00
67	(36)	Pivont Funeral Service, Inc. ....	\$ 400.00
68	(37)	Poling-St. Clair Funeral Home, Inc. ....	\$ 400.00
69	(38)	Pryor Funeral Home .....	\$ 400.00
70	(39)	Raiguel Funeral Home, Inc. ....	\$ 400.00
71	(40)	Schaeffer Funeral Home, Inc. ....	\$ 725.00
72	(41)	Shanklin Funeral Home, Inc. ....	\$ 325.00
73	(42)	Stockert-Gibson Funeral Home .....	\$ 400.00
74	(43)	Stonewall Jackson Memorial Hospital .....	\$ 853.37
75	(44)	Stump Funeral Home, Inc. ....	\$ 400.00
76	(45)	Tomblyn Bros. Funeral Home, Inc. ....	\$ 400.00
77	(46)	Wallace & Wallace, Inc. ....	\$ 400.00
78	(47)	Waters Funeral Chapel .....	\$ 400.00
79	(48)	Wm. McCulla Funeral Home .....	\$ 400.00
80	(49)	James Funeral Home .....	\$ 400.00

81 (c) *Claims against the Division of Corrections:*

82 (TO BE PAID FROM GENERAL REVENUE FUND)

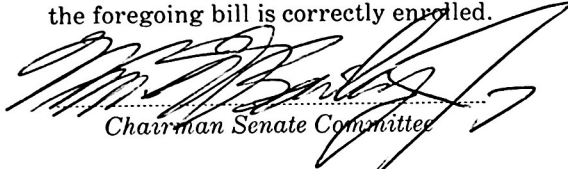
83	(1)	Paul Bachwitt, MD. ....	\$ 522.00
84	(2)	Braxton County Memorial Hospital .....	\$ 4,786.62
85	(3)	Hubert H. Byron, Jr., DMD .....	\$ 3,451.00
86	(4)	Healthcare Financial Services .....	\$ 441.80
87	(5)	Highlawn Pharmacy, Inc. ....	\$ 981.92
88	(6)	Richard C. Newhart, DDS .....	\$ 75.00
89	(7)	Princeton Community Hospital .....	\$ 9,397.68
90	(8)	Radiology, Inc. ....	\$ 1,444.00

91 (d) *Claim against the Division of Culture and History:*

92 (TO BE PAID FROM GENERAL REVENUE FUND)

93	(1)	Xerox Corporation .....	\$ 336.19
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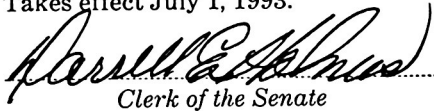
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

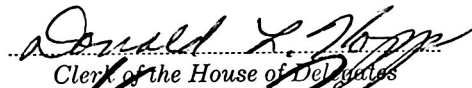
  
Chairman Senate Committee

  
Chairman House Committee

Originating in the House.

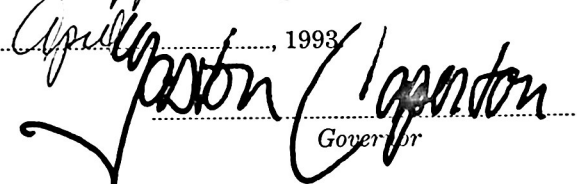
Takes effect July 1, 1993.

  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within *is approved* this the *19th*  
day of *April*, 1993  
  
Governor

PRESENTED TO THE

GOVERNOR

Date 4/16/93

Time 1:07 pm