WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1993

--

ENROLLED

SENATE BILL NO. 573

(Originating in the Committee
(By Senator on finance)

--

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 consolidated medical services fund; division of general services; division of health; division of human services; information services and communications; division of personnel; division of purchasing; West Virginia hospital finance authority; alcohol beverage control administration; attorney general; board of directors of the state college system; board of education; board of trustees of the university of West Virginia; department of education; division of public safety; tax division; division of banking; division of corrections; division of culture and history; division of forestry; division of highways; division of motor vehicles; governor's office; public service commission; railroad maintenance authority; state fire commission; state treas-
urer; supreme court of appeals; West Virginia development office; West Virginia state senate; West Virginia state board of examiners for licensed practical nurses; and workers' compensation fund, 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 in respect of certain claims herein, the Legislature has independently made findings of fact and determinations of award and hereby declares it to be the moral obligation of the state to pay each 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 Consolidated Medical Services Fund:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Doak, Cuppett & Poling ................$ 15,167.99
(2) Tri Cities Health Service Corporation
d/b/a H.C.A. River Park Hospital ..................$ 53,158.41

(b) Claim against the Division of General Services:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Paul D. Marshall & Assoc., Inc. ......$ 210.00

(c) Claims against the Division of Health:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Board of Trustees of the University of WV on behalf of WVU .......................$ 18,750.00
<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>Appalachian Welding Supply Co., Inc.</td>
<td>$370.80</td>
</tr>
<tr>
<td>32</td>
<td>A. A. Goodarzi, M.D.</td>
<td>$1,530.00</td>
</tr>
<tr>
<td>33</td>
<td>William R. Hutton</td>
<td>$500.00</td>
</tr>
<tr>
<td>34</td>
<td>IVAC Corporation</td>
<td>$1,447.71</td>
</tr>
<tr>
<td>35</td>
<td>Welding, Incorporated</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>36</td>
<td>Friden Alcatel Leasing</td>
<td>$319.20</td>
</tr>
<tr>
<td>39</td>
<td>Janet Y. Richmond</td>
<td>$290.95</td>
</tr>
<tr>
<td>42</td>
<td>Pressley Ridge School</td>
<td>$156,297.00</td>
</tr>
<tr>
<td>46</td>
<td>Computer Associates International, Inc.</td>
<td>$24,254.09</td>
</tr>
<tr>
<td>50</td>
<td>Cornell University</td>
<td>$475.00</td>
</tr>
<tr>
<td>53</td>
<td>General Truck Sales Corporation</td>
<td>$185.28</td>
</tr>
<tr>
<td>54</td>
<td>Manpower Temporary Services</td>
<td>$900.85</td>
</tr>
<tr>
<td>55</td>
<td>Security America, Inc.</td>
<td>$82.68</td>
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</table>

**Claim against the Division of Human Services:**

**Claim against Information Services and Communications:**

**Claim against the Division of Personnel:**

**Claims against the Division of Purchasing:**

**Claim against the West Virginia Hospital Finance Authority:**
58 (TO BE PAID FROM SPECIAL REVENUE ACCOUNT NO. 8330)

59 (1) Bowles Rice McDavid Graff & Love $ 597.91

61 (i) Claims against the Alcohol Beverage Control Administration:

63 (TO BE PAID FROM SPECIAL REVENUE FUND)

64 (1) Zane L. Metz, Sr. $ 29.45
65 (2) Robin D. Newhouse $ 152.24

66 (j) Claim against the Attorney General:

67 (TO BE PAID FROM GENERAL REVENUE FUND)

68 (1) Xerox Corporation $ 1,409.92

69 (k) Claims against the Board of Directors of the State College System:

71 (TO BE PAID FROM SPECIAL REVENUE FUND)

72 (1) Nancy A. Maihoff $ 385.57
73 (2) Sodaro’s Electronic Sales, Inc. $ 1,302.02
74 (3) Ben Spielman $ 150.00

75 (l) Claim against the Board of Education:

76 (TO BE PAID FROM GENERAL REVENUE FUND)

77 (1) The Board of Education of the County of McDowell, et al. $ 461,163.32

79 Provided, That $461,163.32 shall be paid during the time period beginning the first day of July, one thousand nine hundred ninety-three, and ending the last day of June, one thousand nine hundred ninety-four: Provided, however, That $461,163.32 shall be paid during the time period beginning the first day of July, one thousand nine hundred ninety-four, and ending no later than the last day of June, one thousand nine hundred ninety-five.

86 (m) Claims against the Board of Trustees of the University of West Virginia:
(TO BE PAID FROM SPECIAL REVENUE FUND)

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<tbody>
<tr>
<td>90</td>
<td>(1)</td>
<td>C &amp; L Construction Company ........................................ $ 33,654.02</td>
</tr>
<tr>
<td>91</td>
<td>(2)</td>
<td>Capitol Business Interiors Division</td>
</tr>
<tr>
<td>92</td>
<td></td>
<td>of Capitol Business</td>
</tr>
<tr>
<td>93</td>
<td></td>
<td>Equipment, Inc. ....................................................... $ 4,300.00</td>
</tr>
<tr>
<td>94</td>
<td>(3)</td>
<td>Scott Catherwood ..................................................... $ 305.00</td>
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<tr>
<td>95</td>
<td>(4)</td>
<td>Cathy A. Ciesielski .................................................. $ 157.50</td>
</tr>
<tr>
<td>96</td>
<td>(5)</td>
<td>Ruth M. Smith .......................................................... $ 75.00</td>
</tr>
<tr>
<td>97</td>
<td>(6)</td>
<td>Buhong Zheng ........................................................... $ 799.50</td>
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Claim against the Department of Education:

(TO BE PAID FROM GENERAL REVENUE FUND)

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<tbody>
<tr>
<td>98</td>
<td>(1)</td>
<td>Ralph Hugh Johnson, Jr. ............................................... $ 203.00</td>
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Claims against the Division of Public Safety:

(TO BE PAID FROM GENERAL REVENUE FUND)

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<tbody>
<tr>
<td>99</td>
<td>(1)</td>
<td>Melinda B. Assi ......................................................... $ 5,000.00</td>
</tr>
<tr>
<td>100</td>
<td>(2)</td>
<td>Keystone Helicopter Corporation ....................................... $ 95,000.00</td>
</tr>
</tbody>
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Claims against the Tax Division:

( TO BE PAID FROM GENERAL REVENUE FUND)

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</thead>
<tbody>
<tr>
<td>101</td>
<td>(1)</td>
<td>Memorex Telex Corporation ............................................. $ 864.24</td>
</tr>
<tr>
<td>102</td>
<td>(2)</td>
<td>Motorola Inc., Computer Group Field Service Division .............. $ 504.00</td>
</tr>
</tbody>
</table>

Claim against the Division of Banking:

( TO BE PAID FROM SPECIAL REVENUE FUND)

<p>| | | |</p>
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<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>103</td>
<td>from Account No. 8395</td>
<td></td>
</tr>
<tr>
<td>104</td>
<td>(1)</td>
<td>National Travel Service, Inc. ......................................... $ 324.00</td>
</tr>
</tbody>
</table>

Claims against the Division of Corrections:

( TO BE PAID FROM GENERAL REVENUE FUND)

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<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>105</td>
<td>(1)</td>
<td>AT &amp; T Communications .................................................. $ 442.67</td>
</tr>
<tr>
<td>106</td>
<td>(2)</td>
<td>AT &amp; T Corporation ...................................................... $ 293.63</td>
</tr>
<tr>
<td>107</td>
<td>(3)</td>
<td>Barbour County Commission .............................................. $ 85,385.00</td>
</tr>
<tr>
<td>108</td>
<td>(4)</td>
<td>Cabell County Commission ............................................... $ 160,000.00</td>
</tr>
</tbody>
</table>
(5) Calhoun County Commission $ 7,376.00
(6) Clay County Commission $ 8,396.57
(7) Doddridge County Commission $ 40,043.53
(8) Fayette County Commission $ 80,000.00
(9) Gilmer County Commission $ 14,709.18
(10) Greenbrier County Commission $ 68,331.27
(11) Harrison County Commission $ 46,160.00
(12) Jackson County Commission $ 21,549.88
(13) Kanawha County Commission $ 600,000.00
(14) Lewis County Commission $ 56,739.94
(15) Lincoln County Commission $ 20,919.61
(16) Marion County Commission $ 96,844.42
(17) McDowell County Commission $ 85,477.66
(18) Mercer County Commission $ 123,208.34
(19) Monongalia County Commission $ 66,281.79
(20) Monroe County Commission $ 59,241.19
(21) Nicholas County Commission $ 54,519.74
(22) Raleigh County Commission $ 95,000.00
(23) Roane County Commission $ 12,900.00
(24) Upshur County Commission $ 15,365.60
(25) Wood County Commission $ 133,862.81
(26) Wyoming County Commission $ 6,725.00

(27) Clarksburg Cardiology Consultants, Inc. $ 1,134.00
(28) Clint R. Lawson, Sr. $ 1,500.00
(29) Jacob C. Miller $ 30,512.79
(30) WV Regional Jail and Correctional Facility Authority $ 419,456.00

(s) Claims against the Division of Culture and History:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) City of Wheeling $ 509.94
(2) Xerox Corporation $ 360.00

(t) Claim against the Division of Forestry:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Mark A. Metz $ 1,245.68

(u) Claims against the Division of Highways:
(TO BE PAID FROM STATE ROAD FUND)

1. Danny L. and Sandra K. Ashworth $ 1,542.28
2. Edward Michael Boyle $ 1,131.06
3. John Carper $ 51.94
4. City of Grafton $ 161.07
5. Danny Ray Cook $ 188.12
6. Kerry P. Dillard and Susan R. Dillard $ 250.00
7. Roy L. Drake, Jr. $ 534.83
8. Katherine Jean Dunn $ 882.51
9. John Edwards $ 3,140.67
10. Wade and Gladys Marie Ferree $ 500.00
11. Herbert L. Flinn $ 750.00
12. Connie Given $ 106.00
13. Leonard Golden $ 192.00
14. Isabel N. Gordon $ 250.88
15. H. Steven Grass $ 124.80
16. Elmo Greer & Sons, Inc. $ 1,214,088.68
17. William L. Harding $ 1,063.86
18. Bernard D. Henline $ 576.00
19. Ernest A. Johnson $ 4,003.10
20. Angela D. Kirk $ 82.77
21. Cynthia J. Mahafkey $ 1,251.76
22. Lloyd J. Moore $ 500.00
23. Joseph F. Myers $ 95.35
24. Letha E. Reynolds $ 300.00
25. Deborah J. Robinson $ 1,200.00
26. David Scott $ 500.00
27. Larry D. and Evelyn L. Shriver $ 100.00
28. Phyllis Shupe $ 500.00
29. John W. Singleton, Jr. $ 100.00
30. James E. Symns $ 482.00
31. Vecellio & Grogan, Inc. $ 172,130.32
32. David J. Wilburn, M.D. $ 544.30
33. Larry A. Wilson and Mildred P. Wilson $ 20,100.00

(v) Claims against the Division of Motor Vehicles:

(1) Potomac Highlands Guild $ 7,650.00
Enr. S. B. No. 573]

198  (2) Prestera Mental Health Center .... $ 10,050.00

199  (w) Claim against the Governor's Office:

200  (TO BE PAID FROM GENERAL REVENUE FUND)

201  (1) Nicholas County Commission .... $ 11,855.77

202  (x) Claims against the Public Service Commission:

203  (TO BE PAID FROM SPECIAL REVENUE FUND)

204  (1) GAI Consultants, Inc. ........ $ 12,359.33

205  (2) Charles R. Roberts, Jr. ........ $ 520.80

206  (3) West Publishing Company .... $ 326.55

207  (y) Claim against the Railroad Maintenance Authority:

208  (TO BE PAID FROM SPECIAL REVENUE ACCOUNT NO. 8344-06)

209  (1) The Potomac Edison Company ... $ 1,349.27

210  (z) Claim against the State Fire Commission:

211  (TO BE PAID FROM SPECIAL REVENUE FUND)

212  (1) Lumberport Volunteer Fire

213  Department ......................... $ 6,630.44

215  (aa) Claim against the State Treasurer:

216  (TO BE PAID FROM GENERAL REVENUE FUND)

217  (1) Moore Business Forms .......... $ 971.71

218  (bb) Claims against the Supreme Court of Appeals:

219  (TO BE PAID FROM GENERAL REVENUE FUND)

220  (1) Logan-Mingo Area Mental Health, Inc. ........... $ 485.00

222  (2) Logan County Commission .... $ 61,328.61

223  (cc) Claims against the West Virginia Development Office:

225  (TO BE PAID FROM GENERAL REVENUE FUND)
(1) AT & T Corporation .................. $ 578.90
(2) Lowe’s Home Centers, Inc .......... $ 377.62

(dd) Claims against the West Virginia State Senate:
(TO BE PAID FROM GENERAL REVENUE FUND)
(1) Sally L. Chestnut .................. $ 300.00
(2) Jarrett Printing Company .......... $ 7,920.00

(ee) Claims against the West Virginia State Board of
Examiners for Licensed Practical Nurses:
(TO BE PAID FROM SPECIAL REVENUE FUND)
(1) Elsie S. Patterson ................. $ 612.00
(2) Jacquelyn L. Titcher ............... $ 396.00

(ff) Claims against the Workers’ Compensation
Fund:
(TO BE PAID FROM WORKERS’ COMPENSATION FUND)
(1) Contract Business Interiors Co., Inc. ................ $ 232.00
(2) McGhee & Company, Inc .......... $ 355.20
(3) Unijex .................................. $ 34.92
(4) Morris Square Associates, LTD ... $ 3,344.47

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

Enrnest C. Moore
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1993.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the day of April, 1993.

Governor