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OFFICE OF THE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1996



# ENROLLED

HOUSE BILL No. 4661

(By Delegates Seacrist, Burke, Compton,  
Clements and Evans)



Passed March 8, 1996

In Effect From Passage

**ENROLLED**

**H. B. 4661**

(BY DELEGATES SEACRIST, BURKE, COMPTON,  
CLEMENTS AND EVANS)

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[Passed March 8, 1996; 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 department of agriculture; department of education; division of corrections; division of culture and history; division of health; division of human services; division of labor; division of motor vehicles; and education and state employees grievance board to be moral obligations of the state and directing payments thereof. The Legislature has heretofore made findings of fact that the state has received the benefit of the commodities received and/or services rendered by certain claimants herein and has considered these claims against the state, and agencies thereof, which have arisen due to overexpenditures of the departmental appropriations by officers of such state spending units, such claims having been previously considered by the court of claims which also found that the state has received the benefit of the commodities received and/or services rendered by the claimants, but were denied by the court of claims on the purely statutory grounds that to allow such claims would be condoning**

**illegal acts contrary to the laws of the state. The Legislature pursuant to its findings of fact and also by the adoption of the findings of fact by the court of claims as its own, and, while not condoning such illegal acts, hereby declares it to be the moral obligation of the state to pay these claims in the amounts specified below, and directs the auditor to issue warrants upon receipt of properly executed requisitions supported by itemized invoices, statements or other satisfactory documents as required by section ten, article three, chapter twelve of the code of West Virginia, one thousand nine hundred thirty-one as amended, for the payments thereof out of any fund appropriated and available for the purpose.**

*(a) Claim against the Department of Agriculture:*

(TO BE PAID FROM GENERAL REVENUE FUND)

1 (1) Geraldine Eberbaugh . . . . . \$ 396.00

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

(TO BE PAID FROM GENERAL REVENUE FUND)

1 (1) Gail Balcourt . . . . . \$ 222.75  
 2 (2) Bonnie Kaye Coleman . . . . . \$ 756.00  
 3 (3) Rosalee Dorsey . . . . . \$ 360.00  
 4 (4) Lynne Dunmire . . . . . \$ 408.00  
 5 (5) Susan E. Garnett . . . . . \$ 245.00  
 6 (6) Deborah Halsey . . . . . \$ 470.00  
 7 (7) Kevin B. Hedinger . . . . . \$ 1,260.00  
 8 (8) Karen Karr . . . . . \$ 300.00  
 9 (9) Rebecca Kittle . . . . . \$ 714.00  
 10 (10) Gilmer Marcum . . . . . \$ 308.50  
 11 (11) Debra Diane Mills . . . . . \$ 714.00  
 12 (12) Mary Beth Blosser Moore . . . . . \$ 357.00  
 13 (13) James N. Oliveto . . . . . \$ 378.00  
 14 (14) Barbara Perez . . . . . \$ 235.00

15	(15) Regina Marie Perfin . . . . .	\$ 245.00
16	(16) Jennifer L. Reed . . . . .	\$ 624.00
17	(17) Jacqueline Rife . . . . .	\$ 310.00
18	(18) Jamie L. Riffe . . . . .	\$ 490.00
19	(19) Cheryll R. Roberts . . . . .	\$ 411.00
20	(20) Margaret J. Roush . . . . .	\$ 450.50
21	(21) Elizabeth Saunders . . . . .	\$ 711.00
22	(22) Wilma Jean Sexton . . . . .	\$ 756.00
23	(23) Donald L. Smith . . . . .	\$ 291.00
24	(24) Elizabeth M. Thompson . . . . .	\$ 655.00
25	(25) Margaret Vance . . . . .	\$ 360.00
26	(26) John M. Vidovich . . . . .	\$ 75.00

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

(TO BE PAID FROM GENERAL REVENUE FUND)

1	(1) Anthony Creek Rescue Squad . . . . .	\$ 1,208.00
2	(2) Marshall County Sheriff's Department . .	\$ 1,572.52
3	(3) Medical Services, Inc. . . . .	\$ 508.60
4	(4) Robert B. Miller, M.D. . . . .	\$ 325.00
5	(5) Professional Imaging, Inc. . . . .	\$ 177.00
6	(6) Rizzo & Bonasso, M.D.'s Inc. . . . .	\$ 2,100.00
7	(7) Roentgen Diagnostics, Inc. . . . .	\$ 19.00
8	(8) United Hospital Center, Inc. . . . .	\$ 569.15
9	(9) WVSOM Clinic, Inc. . . . .	\$ 2,848.00
10	(10) West Virginia University Hospitals, Inc. .	\$50,682.43
11	(11) Wheeling Hospital . . . . .	\$ 4,950.60

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

(TO BE PAID FROM GENERAL REVENUE FUND)

1	(1) Division of Highways . . . . .	\$ 1,444.40
2	(2) Gateway 2000 . . . . .	\$ 9,145.00

- 3 (3) Xerox Corporation ..... \$ 1,403.16  
*(e) Claim against the Division of Health:*  
(TO BE PAID FROM GENERAL REVENUE FUND)
- 1 (1) Olympic Center-Preston ..... \$ 6,840.00  
*(f) Claim against the Division of Human Services:*  
(TO BE PAID FROM GENERAL REVENUE FUND)
- 1 (1) Wood County Commission ..... \$ 27,425.50  
*(g) Claim against the Division of Labor:*  
(TO BE PAID FROM GENERAL REVENUE FUND)
- 1 (1) AT & T GBCS ..... \$ 1,241.74  
*(h) Claim against the Division of Motor Vehicles:*  
(TO BE PAID FROM STATE ROAD FUND)
- 1 (1) Allied Capital Lease Administration ... \$ 1,689.68  
*(i) Claim against the Education and State Employees  
Grievance Board:*  
(TO BE PAID FROM GENERAL REVENUE FUND)
- 1 (1) Pitney Bowes, Inc. .... \$ 59.25

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

*Randy Schoonover*  
Chairman Senate Committee

*Rudy Deaunt*  
Chairman House Committee

Originating in the House.

Takes effect from passage.

*Darrell E. Shaw*  
Clerk of the Senate

*Gregory D. Bony*  
Clerk of the House of Delegates

*Earl Ray Tomblin*  
President of the Senate

*Paul E. Patton*  
Speaker of the House of Delegates

The within *is approved* this the *21st*  
day of *March*, 1996.

*By: Gaston Caperton*  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/19/96

Time 3:52pm