

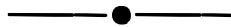
FILED

2001 MAY -2 A 11: 15

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2001



ENROLLED

House Bill No. 2817

(By Delegates Kominar, Cann, Keener, Hall and Evans)



Passed April 13, 2001

In Effect from Passage

FILED

2001 MAY -2 A 11: 16

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

H. B. 2817

(BY DELEGATES KOMINAR, CANN, KEENER, HALL AND EVANS)

[Passed April 13, 2001; in effect from passage.]

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 alcohol beverage control administration; department of administration; department of agriculture; department of tax and revenue; division of corrections; division of highways; division of juvenile services; division of labor; division of motor vehicles; division of natural resources; education and state employees grievance board; higher education policy commission; public service commission; regional jail and correctional facility authority; and West Virginia solid waste management board to be moral obligations of the state and directing payment thereof.

FILED

1 The Legislature has considered the findings of fact and
2 recommendations reported to it by the court of claims concern-
3 ing various claims against the state and agencies thereof, and in
4 respect to each of the following claims the Legislature adopts
5 those findings of fact as its own, and in respect of certain claims
6 herein, the Legislature has independently made findings of fact
7 and determinations of award and hereby declares it to be the
8 moral obligation of the state to pay each such claim in the
9 amount specified below and directs the auditor to issue warrants
10 for the payment thereof out of any fund appropriated and
11 available for the purpose.

12 (a) *Claims against the Alcohol Beverage Control Administra-*
13 *tion:*

14 (TO BE PAID FROM SPECIAL REVENUE FUND)

- 15 (1) Bell Atlantic - West Virginia, Inc. . . \$ 32.67
16 (2) Phillip N. Mason and Nick I. Mason \$ 13,933.00

17 (b) *Claims against the Department of Administration:*

18 (TO BE PAID FROM SPECIAL REVENUE FUND)

- 19 (1) Cameron Gas Company \$ 100,000.00

20 (TO BE PAID FROM GENERAL REVENUE FUND)

- 21 (2) Ron Mace and Joan P. Mace \$ 375.00

22 (c) *Claim against the Department of Agriculture:*

23 (TO BE PAID FROM SPECIAL REVENUE FUND)

- 24 (1) Ron Mace and Joan P. Mace \$ 637.50

25 (d) *Claim against the Department of Tax and Revenue:*

26	(TO BE PAID FROM GENERAL REVENUE FUND)	
27	(1) Rick Modesitt	\$ 179.85
28	(e) Claims against the Division of Corrections:	
29	(TO BE PAID FROM GENERAL REVENUE FUND)	
30	(1) Arthur Adkins	\$ 70.55
31	(2) Wendell K. Ash	\$ 13.13
32	(3) Attorney General	\$ 19,829.75
33	(4) Cabell County Commission	\$ 86,678.74
34	(5) Kenneth E. Chance, Jr.	\$ 5.00
35	(6) Bruce Davidson	\$ 15.90
36	(7) Division of Environmental Protection,	
37	Office of Water Resources	\$ 110.00
38	(8) John A. Edens	\$ 733.00
39	(9) Elswick Lumber Company, Inc.	\$ 16.43
40	(10) Ferguson Brothers Plumbing	
41	and Heating Company	\$ 133.75
42	(11) Harrison County Commission	\$ 45,871.50
43	(12) Jackson County Commission	\$ 5,275.00
44	(13) Marion County Commission	\$ 61,982.13
45	(14) McDowell County Commission ...	\$ 237,551.25
46	(15) Monongalia County Commission ..	\$ 55,248.09

47	(16) Chris Page	\$	84.20
48	(17) Roger Lee Patrick	\$	19.75
49	(18) Preston County Commission	\$	100.00
50	(19) Randolph County Commission	\$	1,511.55
51	(20) Ritchie County Commission	\$	307.00
52	(21) Smith and Wesson Academy	\$	250.00
53	(22) St. Mary's Ford Mercury	\$	44.80
54	(23) Taylor County Commission	\$	40,175.00
55	(24) Tyler County Commission	\$	2,525.00
56	(25) WV Regional Jail and		
57	Correctional Facility Authority	\$	4,583,896.00
58	(26) Wayne County Commission	\$	3,025.00
59	(27) WV Network for Educational		
60	Telecomputing	\$	42.00
61	(28) Judson White	\$	27.06
62	(29) Wirt County Commission	\$	19,475.00
63	(30) Wood County Commission	\$	113,710.79
64	(f) <i>Claims against the Division of Highways:</i>		
65	(TO BE PAID FROM STATE ROAD FUND)		
66	(1) Billy Arthur	\$	3,000.00
67	(2) Kenneth L. Baker	\$	354.30

68	(3) Don K. Ball	\$	5,000.00
69	(4) Linda D. Bean	\$	38.16
70	(5) Donald L. and Carol M. Benninger ..	\$	150.52
71	(6) Paul Boggess	\$	500.00
72	(7) David W. Bott	\$	527.06
73	(8) Mary Jane Bowling	\$	633.43
74	(9) Clinton Braham	\$	52.00
75	(10) Steven L. Braithwaite	\$	409.84
76	(11) Thomas J. Carr	\$	250.00
77	(12) Roger D. Chapman	\$	121.84
78	(13) Timothy W. Click	\$	100.00
79	(14) Ernest G. Conley	\$	500.00
80	(15) Timothy Copley	\$	398.77
81	(16) Eric Cory	\$	6,500.00
82	(17) Kenneth L. Cross	\$	300.15
83	(18) Lori Dancy	\$	258.38
84	(19) Robert Dean	\$	5,000.00
85	(20) Jason Dunlap	\$	94.32
86	(21) Debra Ann Elsea	\$	200.00
87	(22) Richard C. and Joann Forester	\$	510.61

88	(23) Joseph S. Foster	\$	1,000.00
89	(24) Lori Frederick	\$	187.55
90	(25) Michael Freyman, Sr.	\$	100.00
91	(26) Russell S. Garrett	\$	372.12
92	(27) Charlotte Gerlach	\$	84.75
93	(28) Austin T. and Irene M. Getz	\$	1,000.00
94	(29) Mary Harless	\$	34.01
95	(30) James Franklin and Patricia Ann Hart	\$	16,000.00
96	(31) Edith L. Holmes	\$	744.77
97	(32) Kimberly and Gary Jones	\$	2,200.00
98	(33) Pennie L. and Kenneth A. Jones ...	\$	500.00
99	(34) Kenneth Andy Kennedy dba		
100	Kennedy Auto Sales	\$	2,397.00
101	(35) Mark Scott King	\$	152.03
102	(36) Douglas and Susan Kirchner	\$	1,800.00
103	(37) Barbara Linkous	\$	100.00
104	(38) Mickey D. Mahone, Sr.	\$	3,900.00
105	(39) Shirley McClure	\$	233.32
106	(40) Beth McElwee	\$	557.78
107	(41) Glenna B. Meadows	\$	397.28

108	(42) Gary W. Miller	\$	300.08
109	(43) Jill S. Moses	\$	76.85
110	(44) Jeff Mozingo	\$	95.85
111	(45) Barry and Teresa Mullins	\$	338.54
112	(46) Harry Murphy	\$	50.00
113	(47) Leonard Brent Newsome	\$	1,000.00
114	(48) Stephen M. and Cathy J. Nichols ...	\$	73.12
115	(49) Richard B. and Frances C. Pitzer ...	\$	2,093.93
116	(50) Larry G. Randan	\$	123.46
117	(51) Sue E. Ryder	\$	62.99
118	(52) Connie F. Sadler	\$	264.06
119	(53) Fred Savage, Administrator of		
120	the Estate of Luther Savage	\$	4,000.00
121	(54) Eugene Saville	\$	450.00
122	(55) Francis X. Scott	\$	500.00
123	(56) Brenda K. Smailes	\$	500.00
124	(57) Chris Smith	\$	551.97
125	(58) Betty Williams Stacy	\$	3,570.00
126	(59) Carolyn Stover	\$	250.00
127	(60) Stephanie Gale Sturm	\$	500.00

128	(61) Lynda Ware	\$	1,143.57
129	(62) Denise Lynn Weldon	\$	160.35
130	(63) Sherry Wellman	\$	1,000.00
131	(64) David Wigglesworth and		
132	Heath Acree	\$	200.18
133	(65) Ransom Wiley	\$	1,000.00
134	(66) Robert T. Wilson	\$	281.41
135	(67) Sebrina L. Wilson	\$	25,000.00
136	(68) John M. Woodie	\$	250.00
137	(g) <i>Claims against the Division of Juvenile Services:</i>		
138	(TO BE PAID FROM GENERAL REVENUE FUND)		
139	(1) Charleston Psychiatric Group, Inc. ..	\$	600.00
140	(2) EMP of Harrison County	\$	195.10
141	(3) EMP of Ohio County	\$	550.00
142	(4) J. D. Hissem, D.D.S.	\$	255.00
143	(5) Ohio Valley Medical Center	\$	839.67
144	(6) Radiological Physicians Associates ..	\$	1,262.00
145	(7) Sirchie Finger Print Laboratories, Inc.	\$	57.97
146	(8) The Journal	\$	43.55
147	(9) Town and Country Hardware, Inc. ..	\$	69.98
148	(10) U. S. Food Service	\$	2,031.16

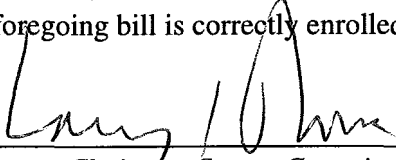
149	(11) United Hospital Center	\$	102.70
150	(12) Wheeling Clinic, A Division of		
151	Wheeling Hospital	\$	252.00
152	(h) <i>Claim against the Division of Labor:</i>		
153	(TO BE PAID FROM GENERAL REVENUE FUND)		
154	(1) Bill Lewis Motors, Inc.	\$	179.10
155	(i) <i>Claims against the Division of Motor Vehicles:</i>		
156	(TO BE PAID FROM STATE ROAD FUND)		
157	(1) Bancotec	\$	2,578.79
158	(2) Roger L. Daff	\$	320.00
159	(3) Kathy E. Dillon	\$	420.00
160	(4) William A. Schreyer	\$	75.00
161	(j) <i>Claim against the Division of Natural Resources:</i>		
162	(TO BE PAID FROM SPECIAL REVENUE FUND)		
163	(1) University of Georgia Research		
164	Foundation, Inc.	\$	3,030.00
165	(k) <i>Claims against the Education and State Employees Grievance Board:</i>		
166			
167	(TO BE PAID FROM GENERAL REVENUE FUND)		
168	(1) Bell Atlantic - West Virginia, Inc. . .	\$	224.96
169	(2) Verizon - West Virginia, Inc.	\$	81.07
170	(l) <i>Claims against the Higher Education Policy Commission:</i>		

171	(TO BE PAID FROM SPECIAL REVENUE FUND)		
172	(1) Casey P. Himel	\$	45.00
173	(2) Daniel J. Hoye	\$	169.80
174	(3) Patricia A. and David Samuel Hughart	\$	2,327.00
175	(4) Colin Tucker	\$	139.00
176	(m) <i>Claim against the Public Service Commission:</i>		
177	(TO BE PAID FROM SPECIAL REVENUE FUND)		
178	(1) Beckley Newspapers	\$	66.64
179	(n) <i>Claims against the Regional Jail and Correctional Facility</i>		
180	<i>Authority:</i>		
181	(TO BE PAID FROM SPECIAL REVENUE FUND)		
182	(1) William R. Adkins	\$	425.00
183	(2) Gary R. Baker	\$	30.00
184	(3) Eddie Garrett	\$	175.00
185	(4) Mustapha M. Nasser	\$	97.00
186	(5) Nitro Electric Company	\$	204,083.00
187	(6) Ervin Lee Phillips	\$	130.00
188	(7) Kasey T. Thompson	\$	13.20
189	(8) William Junior Toncray	\$	108.32
190	(o) <i>Claim against the WV Solid Waste Management Board:</i>		
191	(TO BE PAID FROM SPECIAL REVENUE FUND - ACCOUNT NO. 3288)		

192 (1) Janet J. Borowski \$ 487.29

193 The Legislature finds that the above moral obligations and
194 the appropriations made in satisfaction thereof shall be the full
195 compensation for all claimants, and that prior to the payments
196 to any claimant provided for in this bill, the court of claims
197 shall receive a release from said claimant releasing any and all
198 claims for moral obligations arising from the matters consid-
199 ered by the Legislature in the finding of the moral obligations
200 and the making of the appropriations for said claimant. The
201 court of claims shall deliver all releases obtained from claim-
202 ants to the department against which the claim was allowed.

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



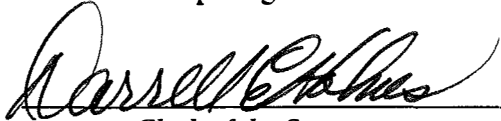
Chairman Senate Committee



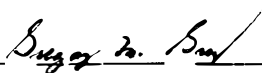
Chairman House Committee

Originating in the House.

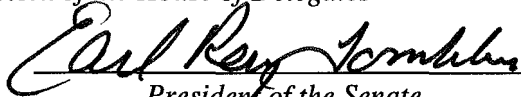
In effect from passage.



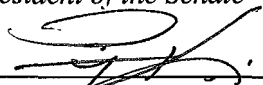
Clerk of the Senate



Clerk of the House of Delegates

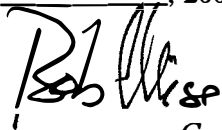


President of the Senate



Speaker of the House of Delegates

The within is approved this the 30th
day of April, 2001.



Governor

PRESENTED TO THE

GOVERNOR

Date 9/27/01

Time 11:45am