House Bill No. 3019

(By Delegates Campbell, Cann, Susman, Proudfoot, Evans, Hall and Stainaker)

Passed March 5, 2003

In Effect from Passage
ENROLLED

H. B. 3019

(BY DELEGATES CAMPBELL, CANN, SUSMAN, PROUDFOOT, EVANS, HALL AND STALNAKER)

[Passed March 5, 2003; 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 § 1. Finding and declaring certain claims against the adjutant general; alcohol beverage control administration; auditor’s office; bureau of employment programs; department of administration; department of administration - surplus property; department of agriculture - donated foods; department of agriculture - rural development council; department of agriculture - soil conservation committee; department of education; department of education and the arts; department of health and human resources; department of health and human resources - division of health; department of health and human resources - division of human services; department of tax and revenue; development office; division of corrections; division
of criminal justice services; division of culture and history; division of environmental protection; division of highways; division of information services and communications; division of juvenile services; division of labor; division of miners’ health, safety and training; division of motor vehicles; division of natural resources; division of tourism; educational broadcasting authority; geological and economic survey; governor’s office; higher education policy commission; library commission; public service commission; regional jail and correctional facility authority; state fire marshal; state of West Virginia; supreme court; treasurer’s office; water development authority; West Virginia Development Office; West Virginia education and state employees grievance board; West Virginia Senate; West Virginia state police; and workers’ compensation 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 such 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) Claim against the Adjutant General:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. .............. $ 1,108.35

(b) Claim against the Alcohol Beverage Control Administration:
(TO BE PAID FROM SPECIAL REVENUE FUND)

1. Xerox Corporation $1,408.68

(c) **Claim against the Auditor’s Office:**

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. $6,055.23

(d) **Claim against the Bureau of Employment Programs:**

(TO BE PAID FROM SPECIAL REVENUE FUND)

1. Advizex Technologies, LLC $46,420.00
2. Verizon West Virginia, Inc. $240,678.21

(e) **Claim against the Department of Administration:**

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. $1,388.91

(f) **Claim against the Department of Administration - Surplus Property:**

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. $2,211.15

(g) **Claim against the Department of Agriculture - Donated Foods:**

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. $1,061.76

(h) **Claim against the Department of Agriculture - Rural Development Council:**
(TO BE PAID FROM GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. $ 1,403.26

(i) Claim against the Department of Agriculture - Soil Conservation Committee:

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. $ 764.38

(j) Claim against the Department of Education:

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. $ 1,452.66

(k) Claim against the Department of Education and the Arts:

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. $ 747.00

(l) Claims against the Department of Health and Human Resources:

(TO BE PAID FROM SPECIAL REVENUE FUND)

1. Special Services Bureau, Inc. $ 3,550.00

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. $ 132,823.96

(m) Claim against the Department of Health and Human Resources - Division of Health:

(TO BE PAID FROM GENERAL REVENUE FUND)
(n) Claim against the Department of Health and Human Resources - Division of Human Services:

(TO BE PAID FROM GENERAL REVENUE FUND)

(o) Claims against the Department of Tax and Revenue:

(TO BE PAID FROM SPECIAL REVENUE FUND)

(p) Claims against the Division of Corrections:

(TO BE PAID FROM GENERAL REVENUE FUND)
Claim against the Division of Criminal Justice Services:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. $ 1,371.55

Claim against the Division of Culture and History:

(TO BE PAID FROM FEDERAL REVENUE FUND)

(1) Joy L. Stalnaker $ 4,147.61

Claim against the Division of Environmental Protection:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. $ 18,535.34

Claims against the Division of Highways:

(TO BE PAID FROM STATE ROAD FUND)

(1) Catherine Branicky $ 1,035.00
(2) Martin L. Brown and
    Roberta J. Brown $ 100.00
(3) Rockson Butcher $ 233.00
(4) C.I. Caperton $ 316.52
(5) Christi Chapman
    and Larry Chapman $ 444.00
(6) Michael Cogley $ 100.00
(7) Robert W. Coleman $ 200.00
(8) Gino Critilli $ 819.39
(9) James F. Cusick $ 1,360.09
(10) Richard Dillon and Patty Dillon $ 1,000.00
(11) Joyce E.C. Edgell and
    Robert N. Edgell $ 12,812.00
(12) Ina F. Elkins $ 78.00
(13) Craig W. Evans $ 900.00
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<th>Name(s)</th>
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<td>(15) Robert W. Gallentine</td>
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<td>(17) Goldie Goodrich</td>
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<td>(18) Linda C. Gregory</td>
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<td>(19) Denzil P. Gump</td>
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<td>(20) Anna P. Haddal, M.D.</td>
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<td>(21) Allen Hall</td>
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<td>(22) Mary Alice Hamby</td>
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<td>(23) Timothy Wayne Hart and Violet Hart</td>
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<td>(24) Clinton R. Holcomb and Patsy Holcomb</td>
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<td>(25) Roy L. Holstein and Sheila Holstein</td>
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<td>(26) Mary J. Hutchison</td>
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<td>(27) Ronald R. Jaworski and Joann Jaworski</td>
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<td>(28) Jackie Jewell</td>
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<td>(29) Regina S. Jurkovich and Daniel W. Jurykovich</td>
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<td>(30) Joyce Litton</td>
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<td>(31) Mary Frances Mazzie</td>
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<td>(32) Juanita M. McQuain</td>
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<td>(33) Frances C. Messner</td>
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<td>(34) Stacie D. Miller and Daniel J. Miller</td>
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<td>(35) Rebecca Moore and Kenny Moore</td>
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<td>(37) James Pierce and Lora Pierce</td>
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<td>(38) Linda Plumley</td>
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<td>(40) Paula S. Powell</td>
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<td>(41) Beulah Reed</td>
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<td>168</td>
<td>(42) Macel E. Rhodes</td>
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(43) Macel E. Rhodes as the Legal
Guardian of Roman A. Tarantini,
an infant ......................... $ 5,000.00
(44) Raymond Scott ................. $ 1,000.00
(45) Lee B. Sipple .................... $ 3,000.00
(46) Randy L. Sisler, Jr.,
and Lillian D. Sisler ............... $ 689.70
(47) Carolyn Rose Smith ............. $ 809.79
(48) Jeffrey L. Smith and
Carolyn Smith .................... $ 651.04
(49) Betty J. Strickland ............. $ 250.00
(50) Nancy C. Tyree and
Jackie L. Tyree .................. $ 244.97
(51) Dawn L. Urcasko ............... $ 107.68
(52) Richard VanGilder and
Crystal VanGilder ................ $ 2,800.00
(53) Verizon West Virginia, Inc. ... $ 398,778.41
(54) Margaret Louise Walsh-Ellison ... $ 238.53
(55) Walter H. Warren, Jr.
and Lola B. Warren ............. $ 250.00
(56) James E. Willis ............... $ 2,200.00

(u) Claim against the Division of Information Services and Communications:

(TO BE PAID FROM SPECIAL REVENUE FUND)

(1) Verizon West Virginia, Inc. .... $ 1,444.54

(v) Claims against the Division of Juvenile Services:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Ear, Nose and Throat Associates .... $ 218.00
(2) Telepage Communication Systems .... $ 105.30
Claim against the Division of Labor:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........ $ 2,991.28

Claim against the Division of Miners' Health, Safety and Training:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........ $ 13,427.14

Claims against the Division of Motor Vehicles:

(TO BE PAID FROM STATE ROAD FUND)

(1) Jared B. Casdorph and Bernard G. Casdorph .............. $ 70.00
(2) Bryant M. Hatfield, Jr. ............. $ 5,000.00
(3) Tasha Nicole Ross ................. $ 150.00
(4) Verizon West Virginia, Inc. ........ $ 134,295.07

Claims against the Division of Natural Resources:

(TO BE PAID FROM SPECIAL REVENUE FUND)

(1) Jason R. Brown ................... $ 12,518.00
(2) Nathan G. Hanshaw ............... $ 9,525.00

Claim against the Division of Tourism:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........ $ 1,040.00
(bb)  Claim against the Educational Broadcasting Authority:

(1) Verizon West Virginia, Inc. ........ $ 3,302.81

(cc)  Claim against Geological and Economic Survey:

(1) Verizon West Virginia, Inc. ........ $ 1,495.60

(dd)  Claim against the Governor's Office:

(1) Verizon West Virginia, Inc. ........ $ 810.32

(ee)  Claims against the Higher Education Policy Commission:

(1) Tmaro Corporation ................ $ 90,648.51
(2) Verizon West Virginia, Inc. ........ $ 144,675.56
(3) Liang Wei .......................... $ 150.00

(ff)  Claim against the Library Commission:

(1) Verizon West Virginia, Inc. ........ $ 55,181.44

(gg)  Claims against the Public Service Commission:

(1) Commercial Vehicle Safety Alliance . $ 39,291.28
(2) Fayette County Board of Education . $ 83.87
(3) C. Scott Pauley ...................... $ 288.03
Claims against the Regional Jail and Correctional Facility Authority:

(TO BE PAID FROM SPECIAL REVENUE FUND)

1. Edward Collins ................... $ 1,070.00
2. Denzil Grant ..................... $ 92.00
3. Brenda K. Mitchell ................ $ 3,000.00
4. Matthew Jay Newman, Sr. ............ $ 75.00
5. Randall Kevin Sarrett .............. $ 85.00
6. Michael Shan Slevin ............... $ 100.00
7. Verizon West Virginia, Inc. .......... $ 5,990.00
8. Thomas E. Wyatt ................... $ 450.00

Claims against the State Fire Marshal:

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Ridge Runner Industries ............... $ 2,136.00
2. Verizon West Virginia, Inc. ........... $ 3,523.68

Claim against the State of West Virginia:

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Larry David Holdren ............... $ 1,650,000.00

Claim against the Supreme Court:

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. .......... $ 937.34

Claim against the Treasurer’s Office:

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. .......... $ 5,346.00
<table>
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<tr>
<th>Claim against the Water Development Authority:</th>
<th>(TO BE PAID FROM SPECIAL REVENUE FUND)</th>
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<tbody>
<tr>
<td>(1) Verizon West Virginia, Inc. ........ $ 2,119.23</td>
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<tr>
<th>Claim against the West Virginia Development Office:</th>
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<td>(1) Verizon West Virginia, Inc. ........ $ 689.50</td>
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<th>Claim against the West Virginia Education and State Employees Grievance Board:</th>
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<td>(1) The Water Shop ................. $ 410.00</td>
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<tr>
<th>Claim against the West Virginia Senate:</th>
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<tbody>
<tr>
<td>(1) Verizon West Virginia, Inc. ........ $ 1,250.00</td>
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<tr>
<th>Claims against the West Virginia State Police:</th>
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<tbody>
<tr>
<td>(1) Anthony W. Shackelford ................. $ 205.79</td>
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<tr>
<td>(2) Verizon West Virginia, Inc. ........ $ 36,040.63</td>
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<tr>
<th>Claim against Workers’ Compensation:</th>
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<tr>
<td>(1) Verizon West Virginia, Inc. ........ $ 84,846.65</td>
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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.
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 29th

day of March, 2003.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/24/93
Time 10:35 AM