

FILED

2003 MAR 27 P 4: 08

**OFFICE WEST VIRGINIA
SECRETARY OF STATE**

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2003

ENROLLED

House Bill No. 3019

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

Passed March 5, 2003

In Effect from Passage

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

E N R O L L E D

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
2 adjutant general; alcohol beverage control administration;
3 auditor's office; bureau of employment programs; department
4 of administration; department of administration - surplus
5 property; department of agriculture - donated foods; department
6 of agriculture - rural development council; department of
7 agriculture - soil conservation committee; department of
8 education; department of education and the arts; department of
9 health and human resources; department of health and human
10 resources - division of health; department of health and human
11 resources - division of human services; department of tax and
12 revenue; development office; division of corrections; division

13 of criminal justice services; division of culture and history;
 14 division of environmental protection; division of highways;
 15 division of information services and communications; division
 16 of juvenile services; division of labor; division of miners'
 17 health, safety and training; division of motor vehicles; division
 18 of natural resources; division of tourism; educational broadcast-
 19 ing authority; geological and economic survey; governor's
 20 office; higher education policy commission; library commis-
 21 sion; public service commission; regional jail and correctional
 22 facility authority; state fire marshal; state of West Virginia;
 23 supreme court; treasurer's office; water development authority;
 24 West Virginia Development Office; West Virginia education
 25 and state employees grievance board; West Virginia Senate;
 26 West Virginia state police; and workers' compensation to be
 27 moral obligations of the state and directing payment thereof.

28 The Legislature has considered the findings of fact and
 29 recommendations reported to it by the court of claims concern-
 30 ing various claims against the state and agencies thereof, and in
 31 respect to each of the following claims the Legislature adopts
 32 those findings of fact as its own, and in respect of certain claims
 33 herein, the Legislature has independently made findings of fact
 34 and determinations of award and hereby declares it to be the
 35 moral obligation of the state to pay each such claim in the
 36 amount specified below and directs the auditor to issue warrants
 37 for the payment thereof out of any fund appropriated and
 38 available for the purpose.

39 (a) *Claim against the Adjutant General:*

40 (TO BE PAID FROM GENERAL REVENUE FUND)

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

42 (b) Claim against the Alcohol Beverage Control Administra-
 43 tion:

44 (TO BE PAID FROM SPECIAL REVENUE FUND)

45 (1) Xerox Corporation \$ 1,408.68

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

47 (TO BE PAID FROM GENERAL REVENUE FUND)

48 (1) Verizon West Virginia, Inc. \$ 6,055.23

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

50 (TO BE PAID FROM SPECIAL REVENUE FUND)

51 (1) Advizex Technologies, LLC \$ 46,420.00

52 (2) Verizon West Virginia, Inc. \$ 240,678.21

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

54 (TO BE PAID FROM GENERAL REVENUE FUND)

55 (1) Verizon West Virginia, Inc. \$ 1,388.91

56 (f) *Claim against the Department of Administration - Sur-*
57 *plus Property:*

58 (TO BE PAID FROM GENERAL REVENUE FUND)

59 (1) Verizon West Virginia, Inc. \$ 2,211.15

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

62 (TO BE PAID FROM GENERAL REVENUE FUND)

63 (1) Verizon West Virginia, Inc. \$ 1,061.76

64 (h) *Claim against the Department of Agriculture - Rural*
65 *Development Council:*

66 (TO BE PAID FROM GENERAL REVENUE FUND)

67 (1) Verizon West Virginia, Inc. \$ 1,403.26

68 (i) *Claim against the Department of Agriculture - Soil Conser-*
69 *vation Committee:*

70 (TO BE PAID FROM GENERAL REVENUE FUND)

71 (1) Verizon West Virginia, Inc. \$ 764.38

72 (j) *Claim against the Department of Education:*

73 (TO BE PAID FROM GENERAL REVENUE FUND)

74 (1) Verizon West Virginia, Inc. \$ 1,452.66

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

76 (TO BE PAID FROM GENERAL REVENUE FUND)

77 (1) Verizon West Virginia, Inc. \$ 747.00

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

80 (TO BE PAID FROM SPECIAL REVENUE FUND)

81 (1) Special Services Bureau, Inc. \$ 3,550.00

82 (TO BE PAID FROM GENERAL REVENUE FUND)

83 (2) Verizon West Virginia, Inc. \$ 132,823.96

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

86 (TO BE PAID FROM GENERAL REVENUE FUND)

87	(1) Verizon West Virginia, Inc.	\$	77,314.63
88	(n) <i>Claim against the Department of Health and Human</i>		
89	<i>Resources - Division of Human Services:</i>		
90	(TO BE PAID FROM GENERAL REVENUE FUND)		
91	(1) Verizon West Virginia, Inc.	\$	264.00
92	(o) <i>Claims against the Department of Tax and Revenue:</i>		
93	(TO BE PAID FROM SPECIAL REVENUE FUND)		
94	(1) Verizon West Virginia, Inc.	\$	155,871.20
95	(TO BE PAID FROM GENERAL REVENUE FUND)		
96	(2) Xerox Capital Services, LLC	\$	818.00
97	(p) <i>Claims against the Division of Corrections:</i>		
98	(TO BE PAID FROM GENERAL REVENUE FUND)		
99	(1) Aramark Uniform Services	\$	207.83
100	(2) Bureau of Employment Programs	\$	1,031.39
101	(3) Cabell County Commission	\$	341.31
102	(4) William Mahood	\$	71.47
103	(5) Peerless Foodservice	\$	929.18
104	(6) Peerless Handcuff Company	\$	30.00
105	(7) Scott Rodes	\$	246.74
106	(8) United Parcel Service, Inc.	\$	111.26
107	(9) WV Regional Jail and		
108	Correctional Facility Authority	\$	4,224,565.50
109	(10) West Publishing Corporation	\$	232.68
110	(11) West Virginia Network for Educ.		
111	Telecomputing	\$	24.00
112	(12) West Virginia Uniforms	\$	934.80

113	(q) <i>Claim against the Division of Criminal Justice Services:</i>		
114	(TO BE PAID FROM GENERAL REVENUE FUND)		
115	(1) Verizon West Virginia, Inc.	\$	1,371.55
116	(r) <i>Claim against the Division of Culture and History:</i>		
117	(TO BE PAID FROM FEDERAL REVENUE FUND)		
118	(1) Joy L. Stalnaker	\$	4,147.61
119	(s) <i>Claim against the Division of Environmental Protection:</i>		
120	(TO BE PAID FROM GENERAL REVENUE FUND)		
121	(1) Verizon West Virginia, Inc.	\$	18,535.34
122	(t) <i>Claims against the Division of Highways:</i>		
123	(TO BE PAID FROM STATE ROAD FUND)		
124	(1) Catherine Branicky	\$	1,035.00
125	(2) Martin L. Brown and		
126	Roberta J. Brown	\$	100.00
127	(3) Rockson Butcher	\$	233.00
128	(4) C.I. Caperton	\$	316.52
129	(5) Christi Chapman		
130	and Larry Chapman	\$	444.00
131	(6) Michael Cogley	\$	100.00
132	(7) Robert W. Coleman	\$	200.00
133	(8) Gino Critilli	\$	819.39
134	(9) James F. Cusick	\$	1,360.09
135	(10) Richard Dillon and Patty Dillon	\$	1,000.00
136	(11) Joyce E.C. Edgell and		
137	Robert N. Edgell	\$	12,812.00
138	(12) Ina F. Elkins	\$	78.00
139	(13) Craig W. Evans	\$	900.00

140	(14) Kelly Fletcher	\$	268.16
141	(15) Robert W. Gallentine	\$	500.00
142	(16) Emily Jo Ghiz	\$	135.33
143	(17) Goldie Goodrich	\$	1,715.08
144	(18) Linda C. Gregory	\$	124.02
145	(19) Denzil P. Gump	\$	2,000.00
146	(20) Anna P. Haddal, M.D.	\$	200.00
147	(21) Allen Hall	\$	432.81
148	(22) Mary Alice Hamby	\$	1,100.00
149	(23) Timothy Wayne Hart		
150	and Violet Hart	\$	249.00
151	(24) Clinton R. Holcomb		
152	and Patsy Holcomb	\$	111.30
153	(25) Roy L. Holstein		
154	and Sheila Holstein	\$	250.00
155	(26) Mary J. Hutchison	\$	195.00
156	(27) Ronald R. Jaworski		
157	and Joann Jaworski	\$	312.78
158	(28) Jackie Jewell	\$	500.00
159	(29) Regina S. Jurkovich		
160	and Daniel W. Jurkovich	\$	500.00
161	(30) Joyce Litton	\$	1,000.00
162	(31) Mary Frances Mazzie	\$	166.37
163	(32) Juanita M. McQuain	\$	919.68
164	(33) Frances C. Messner	\$	250.00
165	(34) Stacie D. Miller and		
166	Daniel J. Miller	\$	250.00
167	(35) Rebecca Moore and Kenny Moore . . .	\$	500.00
168	(36) Helen O'Dell	\$	7,000.00
169	(37) James Pierce and Lora Pierce	\$	531.19
170	(38) Linda Plumley	\$	124.60
171	(39) Margaret S. Polk	\$	250.00
172	(40) Paula S. Powell	\$	238.50
173	(41) Beulah Reed	\$	500.00
174	(42) Macel E. Rhodes	\$	105,000.00

175	(43) Macel E. Rhodes as the Legal		
176	Guardian of Roman A. Tarantini,		
177	an infant	\$	5,000.00
178	(44) Raymond Scott	\$	1,000.00
179	(45) Lee B. Sipple	\$	3,000.00
180	(46) Randy L. Sisler, Jr.,		
181	and Lillian D. Sisler	\$	689.70
182	(47) Carolyn Rose Smith	\$	809.79
183	(48) Jeffrey L. Smith and		
184	Carolyn Smith	\$	651.04
185	(49) Betty J. Strickland	\$	250.00
186	(50) Nancy C. Tyree and		
187	Jackie L. Tyree	\$	244.97
188	(51) Dawn L. Urchasko	\$	107.68
189	(52) Richard VanGilder and		
190	Crystal VanGilder	\$	2,800.00
191	(53) Verizon West Virginia, Inc.	\$	398,778.41
192	(54) Margaret Louise Walsh-Ellison	\$	238.53
193	(55) Walter H. Warren, Jr.		
194	and Lola B. Warren	\$	250.00
195	(56) James E. Willis	\$	2,200.00
196	(u) <i>Claim against the Division of Information Services and</i>		
197	<i>Communications:</i>		
198	(TO BE PAID FROM SPECIAL REVENUE FUND)		
199	(1) Verizon West Virginia, Inc.	\$	1,444.54
200	(v) <i>Claims against the Division of Juvenile Services:</i>		
201	(TO BE PAID FROM GENERAL REVENUE FUND)		
202	(1) Ear, Nose and Throat Associates	\$	218.00
203	(2) Telepage Communication Systems	\$	105.30

204 (w) *Claim against the Division of Labor:*

205 (TO BE PAID FROM GENERAL REVENUE FUND)

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

207 (x) *Claim against the Division of Miners' Health, Safety and*
208 *Training:*

209 (TO BE PAID FROM GENERAL REVENUE FUND)

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

211 (y) *Claims against the Division of Motor Vehicles:*

212 (TO BE PAID FROM STATE ROAD FUND)

213 (1) Jared B. Casdorff and
214 Bernard G. Casdorff \$ 70.00

215 (2) Bryant M. Hatfield, Jr. \$ 5,000.00

216 (3) Tasha Nicole Ross \$ 150.00

217 (4) Verizon West Virginia, Inc. \$ 134,295.07

218 (z) *Claims against the Division of Natural Resources:*

219 (TO BE PAID FROM SPECIAL REVENUE FUND)

220 (1) Jason R. Brown \$ 12,518.00

221 (2) Nathan G. Hanshaw \$ 9,525.00

222 (aa) *Claim against the Division of Tourism:*

223 (TO BE PAID FROM GENERAL REVENUE FUND)

224 (1) Verizon West Virginia, Inc. \$ 1,040.00

225 (bb) *Claim against the Educational Broadcasting Authority:*

226 (TO BE PAID FROM SPECIAL REVENUE FUND)

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

228 (cc) *Claim against Geological and Economic Survey:*

229 (TO BE PAID FROM GENERAL REVENUE FUND)

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

231 (dd) *Claim against the Governor's Office:*

232 (TO BE PAID FROM GENERAL REVENUE FUND)

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

234 (ee) *Claims against the Higher Education Policy Commission:*

235 (TO BE PAID FROM SPECIAL REVENUE FUND)

236 (1) Tmaro Corporation \$ 90,648.51

237 (2) Verizon West Virginia, Inc. \$ 144,675.56

238 (3) Liang Wei \$ 150.00

239 (ff) *Claim against the Library Commission:*

240 (TO BE PAID FROM SPECIAL REVENUE FUND)

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

242 (gg) *Claims against the Public Service Commission:*

243 (TO BE PAID FROM SPECIAL REVENUE FUND)

244 (1) Commercial Vehicle Safety Alliance .. \$ 39,291.28

245 (2) Fayette County Board of Education ... \$ 83.87

246 (3) C. Scott Pauley \$ 288.03

247 (hh) *Claims against the Regional Jail and Correctional Facility*
248 *Authority:*

249 (TO BE PAID FROM SPECIAL REVENUE FUND)

250	(1) Edward Collins	\$	1,070.00
251	(2) Denzil Grant	\$	92.00
252	(3) Brenda K. Mitchell	\$	3,000.00
253	(4) Matthew Jay Newman, Sr.	\$	75.00
254	(5) Randall Kevin Sarrett	\$	85.00
255	(6) Michael Shan Slevin	\$	100.00
256	(7) Verizon West Virginia, Inc.	\$	5,990.00
257	(8) Thomas E. Wyatt	\$	450.00

258 (ii) *Claims against the State Fire Marshal:*

259 (TO BE PAID FROM GENERAL REVENUE FUND)

260	(1) Ridge Runner Industries	\$	2,136.00
261	(2) Verizon West Virginia, Inc.	\$	3,523.68

262 (jj) *Claim against the State of West Virginia:*

263 (TO BE PAID FROM GENERAL REVENUE FUND)

264	(1) Larry David Holdren	\$	1,650,000.00
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265 (kk) *Claim against the Supreme Court:*

266 (TO BE PAID FROM GENERAL REVENUE FUND)

267	(1) Verizon West Virginia, Inc.	\$	937.34
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268 (ll) *Claim against the Treasurer's Office:*

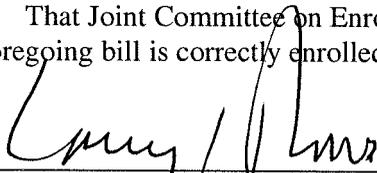
269 (TO BE PAID FROM GENERAL REVENUE FUND)

270	(1) Verizon West Virginia, Inc.	\$	5,346.00
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- 271 (mm) *Claim against the Water Development Authority:*
- 272 (TO BE PAID FROM SPECIAL REVENUE FUND)
- 273 (1) Verizon West Virginia, Inc. \$ 2,119.23
- 274 (nn) *Claim against the West Virginia Development Office:*
- 275 (TO BE PAID FROM GENERAL REVENUE)
- 276 (1) Verizon West Virginia, Inc. \$ 689.50
- 277 (oo) *Claim against the West Virginia Education and State*
- 278 *Employees Grievance Board:*
- 279 (TO BE PAID FROM GENERAL REVENUE FUND)
- 280 (1) The Water Shop \$ 410.00
- 281 (pp) *Claim against the West Virginia Senate:*
- 282 (TO BE PAID FROM GENERAL REVENUE FUND)
- 283 (1) Verizon West Virginia, Inc. \$ 1,250.00
- 284 (qq) *Claims against the West Virginia State Police:*
- 285 (TO BE PAID FROM GENERAL REVENUE FUND)
- 286 (1) Anthony W. Shackelford \$ 205.79
- 287 (2) Verizon West Virginia, Inc. \$ 36,040.63
- 288 (rr) *Claim against Workers' Compensation:*
- 289 (TO BE PAID FROM SPECIAL REVENUE FUND)
- 290 (1) Verizon West Virginia, Inc. \$ 84,846.65

291 The Legislature finds that the above moral obligations and the
292 appropriations made in satisfaction thereof shall be the full
293 compensation for all claimants, and that prior to the payments
294 to any claimant provided for in this bill, the court of claims
295 shall receive a release from said claimant releasing any and all
296 claims for moral obligations arising from the matters consid-
297 ered by the Legislature in the finding of the moral obligations
298 and the making of the appropriations for said claimant. The
299 court of claims shall deliver all releases obtained from claim-
300 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



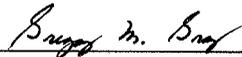
Chairman House Committee

Originating in the House.

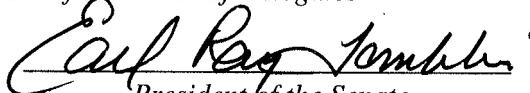
In effect from passage



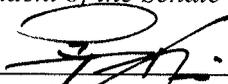
Clerk of the Senate



Clerk of the House of Delegates

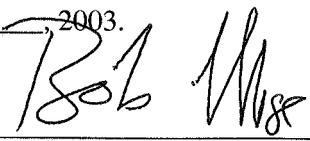


President of the Senate



Speaker of the House of Delegates

The within is approved this the 29th
day of March 2003.



Governor

PRESENTED TO THE
GOVERNOR

Date 3/24/03

Time 10:35am