WEST VIRGINIA LEGISLATURE

Regular Session, 2001

ENROLLED

SENATE BILL NO. 536

(By Senator ___ Love, et al ___)

PASSED March 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 adjutant general; air quality board; alcohol beverage control administration; appraisers licensing board; attorney general; auditor’s office; board of accountancy; board of embalmers and funeral directors; board of landscape architects; board of examiners for licensed practical nurses; board of optometry; board of pharmacy; board of physical therapy; board of professional engineers; board of psychologists; board of radiologic technologists; board of registered nurses; board of respiratory care; board of risk and insurance management; board of social work
examiners; board of veterinary medicine; bureau of employment programs; bureau of senior services; consolidated public retirement board; department of administration; department of administration - unclaimed property; department of agriculture; department of education; department of health and human resources; department of tax and revenue; development office; division of banking; division of corrections; division of criminal justice services; division of culture and history; division of environmental protection; division of finance; division of forestry; division of highways; division of juvenile services; division of labor; division of motor vehicles; division of natural resources; division of personnel; division of protective services; division of rehabilitation services; division of tourism; education and state employees grievance board; educational broadcasting headquarters; environmental quality board; general services division; geological and economic survey; governor's office; governor's office of technology; health care authority; higher education policy commission; hospital finance authority; human rights commission; human services; information services and communications division; insurance commission; joint committee on government and finance; library commission; lottery commission; massage therapists board; miners health safety & training; municipal bond commission; office of emergency services; prosecuting attorneys institute; public defender services; public employees insurance agency; public service commission; public transit; racing commission; real estate commission; regional jail and correctional facility authority; secretary of state; solid waste management board; state fire commission; state rail authority; supreme court; surplus property; travel management; treasurer's office; veterans' affairs; veterans' home; water development authority; workers' compensation commission; West Virginia ethics commission; West Virginia network; West Virginia parole board and the West Virginia state police 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) **Claims against the Adjutant General:**

<table>
<thead>
<tr>
<th>Category</th>
<th>Claimant</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(TO BE PAID FROM GENERAL REVENUE FUND)</td>
<td>Verizon West Virginia, Inc.</td>
<td>$232.04</td>
</tr>
<tr>
<td>(TO BE PAID FROM NON GENERAL REVENUE FUND)</td>
<td>Verizon West Virginia, Inc.</td>
<td>$5,797.53</td>
</tr>
</tbody>
</table>

(b) **Claim against the Air Quality Board:**

<table>
<thead>
<tr>
<th>Category</th>
<th>Claimant</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(TO BE PAID FROM GENERAL REVENUE FUND)</td>
<td>Verizon West Virginia, Inc.</td>
<td>$4.40</td>
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</table>

(c) **Claim against the Alcohol Beverage Control Administration:**

<table>
<thead>
<tr>
<th>Category</th>
<th>Claimant</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(TO BE PAID FROM NON GENERAL REVENUE FUND)</td>
<td>Verizon West Virginia, Inc.</td>
<td>$2,485.42</td>
</tr>
</tbody>
</table>

(d) **Claim against the Appraisers Licensing Board:**

<table>
<thead>
<tr>
<th>Category</th>
<th>Claimant</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(TO BE PAID FROM NON GENERAL REVENUE FUND)</td>
<td>Verizon West Virginia, Inc.</td>
<td>$267.58</td>
</tr>
</tbody>
</table>

(e) **Claim against the Attorney General:**

<table>
<thead>
<tr>
<th>Category</th>
<th>Claimant</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(TO BE PAID FROM GENERAL REVENUE FUND)</td>
<td>Verizon West Virginia, Inc.</td>
<td>$7,118.13</td>
</tr>
</tbody>
</table>

(f) **Claim against the Auditor's Office:**
(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ............ $4,436.04

(g) Claim against the Board of Accountancy:

(1) Verizon West Virginia, Inc. ............ $53.69

(h) Claim against the Board of Embalmers and Funeral Directors:

(1) Verizon West Virginia, Inc. ............ $90.76

(i) Claim against the Board of Landscape Architects:

(1) Verizon West Virginia, Inc. ............ $194.62

(j) Claim against the Board of Licensed Practical Nurses:

(1) Verizon West Virginia, Inc. ............ $176.67

(k) Claim against the Board of Optometry:

(1) Verizon West Virginia, Inc. ............ $249.95

(l) Claim against the Board of Pharmacy:

(1) Verizon West Virginia, Inc. ............ $432.86

(m) Claim against the Board of Physical Therapy:

(1) Verizon West Virginia, Inc. ............ $246.03

(n) Claim against the Board of Professional Engineers:

(1) Verizon West Virginia, Inc. ............ $87.39

(o) Claim against the Board of Psychologists:
(TO BE PAID FROM NON GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. $100.44

Claim against the Board of Radiologic Technologists:

(1) Verizon West Virginia, Inc. $54.76

Claims against the Board of Registered Nurses:

1. Amy H. Carte $3,300.00
2. Verizon West Virginia, Inc. $466.04

Claim against the Board of Respiratory Care:

1. Verizon West Virginia, Inc. $70.94

Claim against the Board of Risk and Insurance Management:

1. Verizon West Virginia, Inc. $891.17

Claim against the Board of Social Work Examiners:

1. Verizon West Virginia, Inc. $408.44

Claim against the Board of Veterinary Medicine:

1. Verizon West Virginia, Inc. $59.22

Claim against the Bureau of Employment Programs:

1. Verizon West Virginia, Inc. $54,366.86

Claim against the Bureau of Senior Services:

1. Verizon West Virginia, Inc. $2,077.92
(x) **Claim against the Consolidated Public Retirement Board:**

(TO BE PAID FROM NON GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........... $3,362.33

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

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........... $652.70

(z) **Claim against the Department of Administration - Unclaimed Agencies:**

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........... $21,803.38

(aa) **Claims against the Department of Agriculture:**

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........... $9,769.54

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

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Manpower .......................... $1,855.48

(2) Verizon West Virginia, Inc. ........... $14,948.54

(3) Xerox Capital Services, LLC ....... $25,473.89

(cc) **Claims against the Department of Health and Human Resources**

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Pomeroy IT Solutions, Inc. ............ $18,724.00

(2) Verizon West Virginia, Inc. ........... $74,021.64

(TO BE PAID FROM NON GENERAL REVENUE FUND)
(3) Verizon West Virginia, Inc. $18,999.79

(dd) Claims against the Department of Tax & Revenue:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. $7,837.84

(TO BE PAID FROM NON GENERAL REVENUE FUND)

(2) Verizon West Virginia, Inc. $14,095.22

(ee) Claim against the Development Office:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. $12,865.93

(ff) Claim against the Division of Banking:

(TO BE PAID FROM NON GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. $970.70

(gg) Claims against the Division of Corrections:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Barbour County Commission $7,950.00

(2) City of Elkins $225.00

(3) David Steven Myers $12.00

(4) William J. Toncray $40.00

(5) Verizon West Virginia, Inc. $22,164.16

(6) Wayne County Commission $5,525.00

(7) WV Regional Jail and Correctional Facility Authority $1,923,652.55

(hh) Claims against the Division of Criminal Justice Services:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. $14.88
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(2) Verizon West Virginia, Inc. .......... $2,221.00

(ii) Claim against the Division of Culture and History:
(1) Verizon West Virginia, Inc. ....... $4,649.22

(jj) Claim against the Division of Environmental Protection:
(1) Verizon West Virginia, Inc. ...... $8.83

(kk) Claim against the Division of Finance:
(1) Verizon West Virginia, Inc. ....... $3,855.08

(ll) Claim against the Division of Forestry:
(1) Verizon West Virginia, Inc. ....... $11,350.73

(mm) Claims against the Division of Highways:
(1) Nicole A. Abel ..................... $200.55
(2) Beth Acord ....................... $245.34
(3) Ellen F. Andrews .................. $1,500.00
(4) Marian Ashley ..................... $14,571.37
(5) Tony G. Bazzie .................... $54.59
(6) Sandra Sue Beard .................. $102.00
(7) Alan and Stephanie Beddow ....... $7,373.38
(8) Amanda Bell ....................... $1,500.00
(9) Stacy J. Berry ..................... $500.00
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<th>No.</th>
<th>Name(s)</th>
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<td>Angela Brown</td>
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<td>James Brown</td>
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<td>Jesse E. Cook and Norma C. Cook</td>
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<td>Brandon Critchfield</td>
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<td>177</td>
<td>Adam F. and Debra L. Dawidowicz</td>
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<td>178</td>
<td>John and Mary Ann Depto</td>
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<td>Mark O. Dills</td>
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<td>Laurence W. Domenico</td>
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<td>Sonya Dunham</td>
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<td>Heather M. Fox</td>
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<td>Glenn O. Frazier, Jr., and Sondra Frazier</td>
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<td>David C. Friend</td>
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<td>Vernon W. Grant</td>
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<td>James L. Groves</td>
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<td>Raymond R. Guard</td>
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<td>William F. and Alice Higginbotham</td>
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<td>Richard D. Hite</td>
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<td>Steve and Jack Holbert</td>
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<td>Bobby Wayne and Maureen Hudnall</td>
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<td>Andrea S. Lester</td>
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<td>David R. Martin</td>
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<td>Marvin Chapel Church</td>
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<td>195</td>
<td>Jerry L. May</td>
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<tr>
<td>196</td>
<td>Paula J. Mayfield</td>
<td>$12,500.00</td>
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(34) Carol Sue McCauley and Pebbles Nicole Maynard ........ $100.00
(35) James McNeely ................... $500.00
(36) Elijah Montgomery ................ $500.00
(37) Janet M. Peck .................... $1,386.38
(38) Martha R. Perrine ................. $491.92
(39) Christopher Pitts ................ $9,000.00
(40) Gonzalo Robayo ................... $500.00
(41) Douglas Runyon ................... $500.00
(42) Melissa Shaffer ................... $82,326.50
(43) Sanford and Gloria J. Shaffer .... $159.40
(44) Betty Shreve ....................... $198.21
(45) Betty Lou Staton .................. $250.00
(46) Floretta Taylor ..................... $875.71
(47) Levonia Terrell .................... $250.00
(48) Verizon West Virginia, Inc. ...... $129,106.35
(49) Kevin O. and Katrina L. West .... $500.00
(50) Kristopher Wiesner ................. $95.15
(51) Gary L. and Diane L. Wilson ....... $51.40
(52) Jerry E. Workman ................. $381.95

(nn) Claims against the Division of Juvenile Services:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Primecare Medical, Inc. .......... $5,700.56
(2) Verizon West Virginia, Inc. ...... $9,165.33

(oo) Claims against the Division of Labor:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ...... $7,999.81
Claims against the Division of Motor Vehicles:

(TO BE PAID FROM STATE ROAD FUND)

1. Scott Alan Renner ................ $100.00
2. Verizon West Virginia, Inc. ........ $17,565.20

Claim against the Division of Natural Resources:

(TO BE PAID FROM NON GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. ......... $30,936.18

Claim against the Division of Personnel:

(TO BE PAID FROM NON GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. ........ $2,173.87

Claim against the Division of Protective Services:

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. ........ $109.77

Claim against Division of Rehabilitation Services:

(TO BE PAID FROM NON GENERAL REVENUE FUND)

1. West Virginia Association of Rehabilitation Facilities ............ $4,053.95
2. Verizon West Virginia, Inc. ........ $32,873.85

Claim against the Division of Tourism:

(TO BE PAID FROM NON GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. ........ $4,134.82

Claim against the Education and State Employees Grievance Board:

(TO BE PAID FROM GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. ........ $2,870.80

Claim against Educational Broadcasting Headquarters:

(TO BE PAID FROM NON GENERAL REVENUE FUND)

1. Verizon West Virginia, Inc. ........ $2,801.00
Claim against the Environmental Quality Board:
(TO BE PAID FROM GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. $211.63

Claim against the General Services Division:
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. $716.07

Claim against Geological and Economic Survey:
(TO BE PAID FROM GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. $1,080.09

Claims against the Governor's Office:
(TO BE PAID FROM GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. $14,416.96
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(2) Verizon West Virginia, Inc. $1,155.85

Claim against the Governor's Office of Technology:
(TO BE PAID FROM SPECIAL REVENUE FUND)
(1) American Society for Quality $775.00

Claim against Health Care Authority:
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. $1,168.61

Claims against the Higher Education Policy Commission:
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Amanda Trygar $150.00
(2) Verizon West Virginia, Inc. $24,886.55

Claim against the Hospital Finance Authority:
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. $25.95
Claim against the Human Rights Commission:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........ $1,593.10

Claim against Human Services:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........ $122,043.28

Claim against Information Services and Communications Division:

(TO BE PAID FROM NON GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........ $2,735.58

Claim against the Insurance Commission:

(TO BE PAID FROM NON GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........ $1,974.40

Claim against Joint Committee on Government and Finance:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........ $478.88

Claim against the Library Commission:

(TO BE PAID FROM NON GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........ $5,425.13

Claim against the Lottery Commission:

(TO BE PAID FROM NON GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........ $6,486.97

Claim against the Massage Therapists Board:

(TO BE PAID FROM NON GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........ $105.35

Claim against Miners Health Safety & Training:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. ........ $2,837.99
Claim against the Municipal Bond Commission:
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. $76.33

Claim against the Office of Emergency Services:
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. $1,158.04

Claim against the Prosecuting Attorneys Institute:
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. $1,211.37

Claim against Public Defender Services:
(TO BE PAID FROM GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. $3,342.39

Claim against the Public Employees Insurance Agency:
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. $7,142.17

Claim against the Public Service Commission:
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Carl Sanders $771.40
(2) Wendell Sweetser $4,950.00
(3) Verizon West Virginia, Inc. $11,662.80

Claim against Public Transit:
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. $561.53

Claim against the Racing Commission:
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. $871.37

Claim against the Real Estate Commission:
(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. ........ $371.79

(XXX) Claims against the Regional Jail and Correctional Facility Authority:

(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Grant Rogers .................... $109.00
(2) Stephen A. Smyth ................. $50.00
(3) Verizon West Virginia, Inc. ...... $8,103.41

(yy) Claim against the Secretary of State:

(TO BE PAID FROM GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. .... $3,094.12

(zz) Claim against the Solid Waste Management Board:

(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. ..... $8,051.01

(aaa) Claim against the State Fire Commission:

(TO BE PAID FROM GENERAL REVENUE FUND)
(1) Alltel ............................. $507.12
(2) Goodyear Tire and Rubber Company $438.54
(3) Verizon West Virginia, Inc. ...... $3,364.10

(bb) Claim against the State Rail Authority:

(TO BE PAID FROM SPECIAL REVENUE FUND)
(1) Garrett B. Kuykendall, Jr. ...... $4,000.00

(cc) Claim against the Supreme Court:

(TO BE PAID FROM GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. ..... $6,999.95

(dd) Claim against Surplus Property:

(TO BE PAID FROM NON GENERAL REVENUE FUND)
(1) Verizon West Virginia, Inc. ...... $746.59
Claim against Travel Management:

(1) Verizon West Virginia, Inc. $64.02

Claim against the Treasurer's Office:

(1) Verizon West Virginia, Inc. $1,016.83

Claim against Veterans' Affairs:

(1) Verizon West Virginia, Inc. $2,320.52

Claim against Veterans' Home:

(1) Verizon West Virginia, Inc. $344.87

Claim against the Water Development Authority:

(1) Verizon West Virginia, Inc. $847.97

Claim against Workers' Compensation Commission:

(1) Peggy M. Nelson $500.00
(2) Tamaran, Inc. $91,442.91
(3) Verizon West Virginia, Inc. $65,105.54
(4) WV School Service Personnel Association $603.95

Claim against the WV Ethics Commission:

(1) Claim against Travel Management:

(1) Verizon West Virginia, Inc. $64.02

Claim against the Treasurer's Office:

(1) Verizon West Virginia, Inc. $1,016.83

Claim against Veterans' Affairs:

(1) Verizon West Virginia, Inc. $2,320.52

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(1) Peggy M. Nelson $500.00
(2) Tamaran, Inc. $91,442.91
(3) Verizon West Virginia, Inc. $65,105.54
(4) WV School Service Personnel Association $603.95

Claim against the WV Ethics Commission:
(1) Verizon West Virginia, Inc. .......... $320.07

Claim against the WV Network:

(TO BE PAID FROM NON GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. .......... $269.98

Claim against the WV Parole Board:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. .......... $835.18

Claim against the WV State Police:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Verizon West Virginia, Inc. .......... $37,542.71

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

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the

Governor