

HB 4494 5

FILED

2006 APR -3 P 3: 29

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2006



# ENROLLED

## House Bill No. 4494

(By Delegates H. White, Proudfoot, Cann,  
Susman, Evans and Hall)



Passed March 9, 2006

In Effect from Passage

FILED

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**E N R O L L E D**

## **H. B. 4494**

(BY DELEGATES H. WHITE, PROUDFOOT, CANN,  
SUSMAN, EVANS AND HALL)

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[Passed March 9, 2006; 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 Health and Human Resources; Division of Corrections and Division of Environmental Protection to be moral obligations of the state and directing payments thereof.**

1       The Legislature has heretofore made findings of fact that  
2       the state has received the benefit of the commodities received  
3       and/or services rendered by certain claimants herein and has  
4       considered these claims against the state, and agencies thereof,  
5       which have arisen due to over expenditures of the departmental  
6       appropriations by officers of the state spending units, the claims

7 having been previously considered by the Court of Claims  
 8 which also found that the state has received the benefit of the  
 9 commodities received and/or services rendered by the claim-  
 10 ants, but were denied by the Court of Claims on the purely  
 11 statutory grounds that to allow the claims would be condoning  
 12 illegal acts contrary to the laws of the state. The Legislature,  
 13 pursuant to its findings of fact and also by the adoption of the  
 14 findings of fact by the Court of Claims as its own, while not  
 15 condoning such illegal acts, hereby declares it to be the moral  
 16 obligation of the state to pay these claims in the amounts  
 17 specified below and directs the Auditor to issue warrants upon  
 18 receipt of properly executed requisitions supported by itemized  
 19 invoices, statements or other satisfactory documents as required  
 20 by section ten, article three, chapter twelve of the Code of West  
 21 Virginia, one thousand nine hundred thirty-one, as amended, for  
 22 the payments thereof out of any fund appropriated and available  
 23 for the purpose.

24 (a) *Claims against the Department of Health and Human*  
 25 *Resources:*

26 (TO BE PAID FROM GENERAL REVENUE FUND)

- 27 (1) Elk Funeral Home . . . . . \$ 5,000.00
- 28 (2) Schoonover-Stemple Funeral Chapel . . . . \$ 1,250.00
- 29 (3) Shanklin Funeral Home Inc. . . . . \$ 3,750.00
- 30 (4) Young Funeral Home Inc. . . . . \$ 1,250.00

31 (b) *Claims against the Division of Corrections:*

32 (TO BE PAID FROM GENERAL REVENUE FUND)

- 33 (1) Beckley Appalachian Regional Hospital . . \$ 1,093.00
- 34 (2) Charleston Area Medical Center Inc. . . \$ 324,395.70

- 35 (3) Correctional Medical Services Inc. . . . . \$ 406,028.09
- 36 (4) Davis Memorial Hospital . . . . . \$ 196.35
- 37 (5) Grafton City Hospital . . . . . \$ 12,548.27
- 38 (6) Integrated Healthcare Providers . . . . . \$ 10,028.39
- 39 (7) Monongalia General Hospital . . . . . \$ 17,967.10
- 40 (8) Montgomery General Hospital . . . . . \$ 264,517.47
- 41 (9) Tygart Valley Total Care Clinic . . . . . \$ 3,069.03
- 42 (10) West Virginia University Hospitals Inc. \$159,638.66
- 43 (c) Claim against the Division of Environmental Protec-
- 44 tion:
- 45 (TO BE PAID FROM SPECIAL REVENUE FUND)
- 46 (1) Citizens Telecommunications Co. of WV dba
- 47 Frontier Communications of WV . . . . . \$ 28.09

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

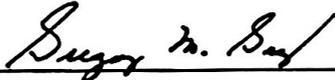
  
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Chairman Senate Committee

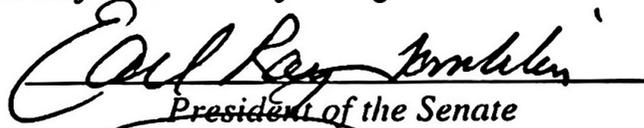
  
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Chairman House Committee

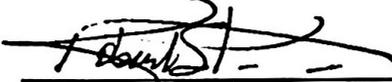
Originating in the House.

In effect from passage.

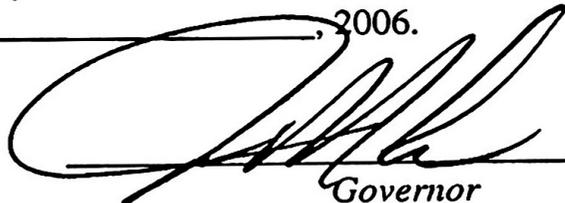
  
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Clerk of the Senate

  
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Clerk of the House of Delegates

  
\_\_\_\_\_  
President of the Senate

  
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Speaker of the House of Delegates

The within is approved this the 31<sup>st</sup>  
day of April, 2006.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 23 2006

Time 3:25 p