

HB 4490

FILED

2008 MAR 12 AM 4:49

CLERK OF COURTS  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
SECOND REGULAR SESSION, 2008



**ENROLLED**

**House Bill No. 4490**

(By Delegates Stalnaker, Tucker, Craig,  
Manchin, Anderson and Evans)



Passed March 5, 2008

In Effect from Passage

**ENROLLED** FILED

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**H. B. 4490**

SECRETARY OF STATE

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(BY DELEGATES STALNAKER, TUCKER, CRAIG,  
MANCHIN, ANDERSON AND EVANS)

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[Passed March 5, 2008; 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 Division of Corrections 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  
5 thereof, which have arisen due to overexpenditures of the  
6 departmental appropriations by officers of the state spending  
7 units, the claims having been previously considered by the  
8 Court of Claims which also found that the state has received  
9 the benefit of the commodities received and/or services  
10 rendered by the claimants, but were denied by the Court of

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

25 (a) *Claims against the Division of Corrections:*

26 (TO BE PAID FROM GENERAL REVENUE FUND)

27	(1) Correctional Medical Services . . . . .	\$ 439,922.81
28	(2) Monongalia General Hospital . . . . .	\$ 80,299.30
29	(3) Montgomery General Hospital . . . . .	\$ 34,180.62
30	(4) Professional Anesthesia Services Inc. \$	3,472.26
31	(5) WVU Medical Corporation, dba	
32	University Health Associates . . . . .	\$ 26,520.00
33	(6) WVU Physicians of Charleston . . . . .	\$ 17,077.00
34	(7) West Virginia University Hospitals .	\$ 294,535.34

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

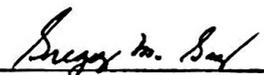
  
\_\_\_\_\_  
Chairman Senate Committee

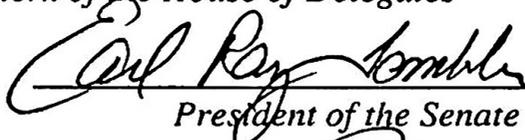
  
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Chairman House Committee

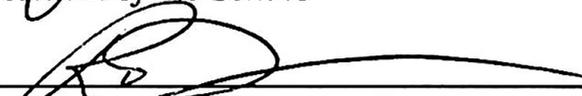
Originating in the House.

In effect from passage.

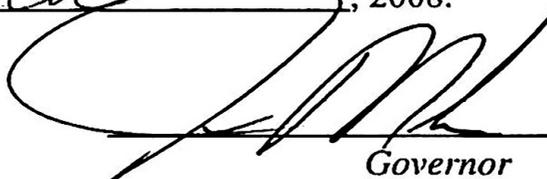
  
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Clerk of the Senate

  
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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 12<sup>th</sup>  
day of March, 2008.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 10 2008

Time 4:30pm