

HB 3196

FILED

2009 APR 30 PM 4: 10

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2009



ENROLLED

**COMMITTEE SUBSTITUTE
FOR
House Bill No. 3196**

(By Delegates Marshall, Iaquina, Craig, Manchin,
Evans and Anderson)



Passed April 8, 2009

In Effect from Passage

ENROLLED FILED

COMMITTEE SUBSTITUTE 2009 APR 30 PM 4: 09

FOR

OFFICE WEST VIRGINIA
SECRETARY OF STATE

H. B. 3196

(BY DELEGATES MARSHALL, IAQUINTA, CRAIG, MANCHIN, EVANS
AND ANDERSON)

[Passed April 8, 2009; 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 Department of Administration; Department of Environmental Protection; Department of Health and Human Resources; Division of Banking; Division of Corrections; Division of Highways; Division of Motor Vehicles; Division of Personnel; Division of Tourism; Insurance Commission; Public Service Commission; Regional Jail and Correctional Facility Authority and the State Fire Commission to be moral obligations of the state and directing payment thereof.

1 The Legislature has considered the findings of fact and
2 recommendations reported to it by the Court of Claims
3 concerning various claims against the state and agencies
4 thereof and in respect to each of the following claims, the
5 Legislature adopts those findings of fact as its own and in
6 respect of certain claims herein, the Legislature has
7 independently made findings of fact and determinations of
8 award and hereby declares it to be the moral obligation of the
9 state to pay each such claim in the amount specified below
10 and directs the Auditor to issue warrants for the payment
11 thereof out of any fund appropriated and available for the
12 purpose.

13 *Claims against the Department of Administration:*

14 (TO BE PAID FROM SPECIAL REVENUE FUND)

15 (1) Fort Henry Realty Inc. dba Advanced

16 Communications Company \$13,266.78

17 (TO BE PAID FROM SPECIAL REVENUE FUND)

18 (2) Infoprint Solutions Company \$187,763.14

19 (b) *Claim against the Department of Environmental*
20 *Protection:*

21 (TO BE PAID FROM SPECIAL REVENUE FUND)

22 (1) Groundworks Reclamation Inc. \$12,000.00

23 (c) *Claim against the Department of Health and*
24 *Human Resources:*

25 (TO BE PAID FROM SPECIAL REVENUE FUND)

26 (1) Laboratory Corporation of America
27 Holdings \$34,043.38

28 (d) *Claim against the Division of Banking:*

29 (TO BE PAID FROM SPECIAL REVENUE FUND)

30 (1) Federal Deposit Insurance Corporation .. \$551.24

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

32 (TO BE PAID FROM GENERAL REVENUE FUND)

33 (1) Automotive Rentals Inc. \$949.95

34 (2) John Earl Crider Jr. \$611.22

35 (3) Timothy J. Kittle \$48.92

36 (4) Verizon \$3,705.75

37 (5) Curtis Yanko \$36.00

38 (f) *Claims against the Division of Highways:*

39 (TO BE PAID FROM STATE ROAD FUND)

40 (1) Rita Affolter \$273.39

41 (2) James O. Andrews \$451.55

42 (3) Mark Angelucci
43 and Kathy S. Angelucci \$250.00

44 (4) Alicia Ashcraft and Bobby Gutierrez II .. \$475.89

45	(5) Norvell Ray Atkins Sr.	\$418.58
46	(6) Betty R. Badzek	\$450.00
47	(7) Melissa M. Baker	
48	and Daniel J. Baker Jr.	\$872.78
49	(8) Shawn R. Beegle	\$677.83
50	(9) Denise Berdine	\$2,272.92
51	(10) Charles Bishop Jr.	\$71.88
52	(11) Hazel C. Brown	\$250.00
53	(12) Wayne Brown	\$874.13
54	(13) Eric W. Caldwell	\$160.85
55	(14) Ernest W. Capp	\$500.00
56	(15) Richard L. Carey	\$362.00
57	(16) Daisy Mae Carte	
58	and Harold Larry Carte Jr.	\$1,100.00
59	(17) Amberlee Christey and Karen Hinkle ..	\$278.55
60	(18) Gobel Lee Conn	\$200.00
61	(19) Russell G. Cook	
62	and Rebecca G. Cook	\$250.00
63	(20) Sarah M. Copley	\$500.00
64	(21) William J. Crago	\$381.99

65	(22) CSX Transportation Inc.	\$303,992.88
66	(23) Jessie L. Cutlip and Charles E. Cutlip . .	\$500.00
67	(24) Mildred Davis	\$12,000.00
68	(25) Jason Donahue	\$342.42
69	(26) Martin Edward Downey	\$390.74
70	(27) Danny Lee Estep	\$500.00
71	(28) Joseph C. Evano	
72	and Patricia Ann Evano	\$960.47
73	(29) Christopher Evans	\$500.00
74	(30) Deborah Fisher	\$500.00
75	(31) Harold E. Ford Jr.	\$250.00
76	(32) Larry D. Ford	\$1,000.00
77	(33) Brenda A. Fortney	\$2,015.58
78	(34) Carrie L. Gaskins	
79	and Jeffrey Paul Gaskins	\$328.68
80	(35) Kelly D. George	\$65.83
81	(36) Lisa Godwin	\$428.78
82	(37) David F. Golash	
83	and Debra M. Golash	\$1,000.00

84	(38) Damon K. Gooch	
85	and Angela H. Gooch	\$6,842.81
86	(39) John Haid and Amber Haid	\$498.91
87	(40) Sandra L. Hall, Personal Rep. of the	
88	Estate of Jamie Hall	\$40,000.00
89	(41) E. Ralph Handley	\$300.00
90	(42) David Karl Hansen	\$546.71
91	(43) Jennifer Harman and Vickye Galford ..	\$934.77
92	(44) Elvis D. Harris	\$425.00
93	(45) Bryan Hilt	\$408.52
94	(46) Leah M. Hoffman	\$247.36
95	(47) Jack K. Housman	\$500.00
96	(48) Todd Hoy and Autumn L. Hoy	\$169.70
97	(49) Carmen Johnson	\$344.95
98	(50) Roger L. Lambert	
99	and Katherine V. Lambert	\$326.14
100	(51) Cecil E. Lancaster	\$250.00
101	(52) Frederick C. Langille Jr.	\$246.49
102	(53) Patricia J. Legg	\$60.04

103	(54) Priscilla Lester, Admin. of the	
104	Estate of Stanley Lester	\$85,000.00
105	(55) Lynn Levinson	\$500.00
106	(56) David Linger	\$1,696.00
107	(57) Brenda Lee MacEwan	\$367.20
108	(58) Kenneth R. Maston	\$120.17
109	(59) Christopher Maynor	
110	and Anna L. Maynor	\$261.87
111	(60) Doris McCallister	\$259.70
112	(61) Jeremy W. McCarty	
113	and Janice L. McCarty	\$909.93
114	(62) Delmas F. McClung	
115	and Waltraud McClung	\$272.65
116	(63) Sherry A. McCumbers	\$78.64
117	(64) Bradley T. Meadows	\$138.00
118	(65) Alan J. Miller and Debra A. Miller	\$500.00
119	(66) James Mills and Sharon Mills	\$5,582.97
120	(67) Carol Lynn Minor	
121	and Randy Lee Minor	\$2,100.33
122	(68) Raymond E. Mohr	\$250.00
123	(69) Becky L. Mongold	\$250.00

124	(70) Lawrence R. Moore	
125	and Rosemary Kinder Moore	\$265.51
126	(71) Mary E. Mullens	\$226.76
127	(72) Melissa J. Mullins	\$134.85
128	(73) Joginder Nath	\$76.27
129	(74) Bruce L. Orsborn Jr.	\$442.07
130	(75) Amy Petcovic	\$311.02
131	(76) Janet E. Phillips and Dusty Phillips	\$362.09
132	(77) Roger B. Pill	\$500.00
133	(78) Paula J. Powell	\$500.00
134	(79) Katie Bennett Reed	\$450.00
135	(80) Georgia Roush	\$4,500.00
136	(81) Matthew G. Roush	
137	and Leesha M. Roush	\$380.17
138	(82) Emmogene Samples	
139	and Robert Samples	\$185.29
140	(83) Elmer Sandreth and Rebecca Sandreth .	\$466.80
141	(84) Joseph Serian	\$90.10
142	(85) Robert D. Shuman, dba	
143	Premier Body Works	\$3,165.00

144	(86) Andrew Sikula Sr. and Judith Sikula . .	\$1,000.00
145	(87) Penny Sisk	\$793.51
146	(88) Joseph Skalican	\$400.00
147	(89) Thomas L. Skidgel	\$733.72
148	(90) V. Christine Smith and Ray A. Smith . .	\$166.42
149	(91) Alan J. Spitz	\$250.00
150	(92) Frank L. Starks	\$100.00
151	(93) Rebecca Stewart	
152	and Robert D. Stewart	\$327.42
153	(94) Richard W. Sydnor	\$1,253.95
154	(95) Jabbar K. Thomas	\$1,000.00
155	(96) Larry A. Tickle	
156	and Sharon Marie Tickle	\$200.00
157	(97) Shawna Rae Tolpa	
158	and Edward R. Tolpa Jr.	\$100.00
159	(98) Theresa M. Twigg	\$169.43
160	(99) Roberta Vanness	\$78.03
161	(100) Dawn E. Warfield	
162	and Thomas M. Knight	\$250.00
163	(101) William J. Waskevich	
164	and Jessica Waskevich	\$169.00

165	(102) Angela R. Weikle	\$837.84
166	(103) Kimberly Ann Wilcox	\$714.71
167	(104) David Josh Williams	\$1,183.37
168	(105) Carl W. Withrow II	\$61.37
169	(106) Brandy Womack	\$500.00
170	<i>(g) Claim against the Division of Motor Vehicles:</i>	
171	(TO BE PAID FROM STATE ROAD FUND)	
172	(1) Brenda F. Hayworth	\$164.00
173	<i>(h) Claim against Division of Personnel:</i>	
174	(TO BE PAID FROM SPECIAL REVENUE FUND)	
175	(1) Debra A. Dangerfield	\$600.00
176	<i>(i) Claim against the Division of Tourism:</i>	
177	(TO BE PAID FROM SPECIAL REVENUE FUND)	
178	(1) Cambridge Center LLC	\$12,472.42
179	<i>(j) Claims against the Insurance Commission:</i>	
180	(TO BE PAID FROM SPECIAL REVENUE FUND)	
181	(1) Konica Minolta Business Solutions	\$4,042.12
182	(2) Sandra Koutsunis, dba	
183	AAA Court Reporting	\$237.20

184 (k) *Claims against the Public Service Commission:*

185 (TO BE PAID FROM SPECIAL REVENUE FUND)

186 (1) David J. Ellis \$2,250.00

187 (2) William Carl Freeman \$39.96

188 (3) Pomeroy IT Solutions Sales

189 Company Inc. \$1,639.83

190 (4) Royal Automotive Company \$3,533.58

191 (5) James C. Weimer \$145.39

192 (l) *Claims against the Regional Jail and Correctional*
193 *Facility Authority:*

194 (TO BE PAID FROM SPECIAL REVENUE FUND)

195 (1) Marvin D. Adams \$150.00

196 (2) Mark A. Held \$1,035.00

197 (3) Jaime Navarrete Ortiz \$1,200.00

198 (4) Paul Twyman \$190.00

199 (5) Josh Webster \$100.00

200 (m) *Claim against the state Fire Commission:*

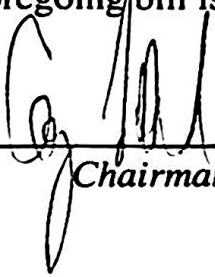
201 (TO BE PAID FROM SPECIAL REVENUE FUND)

202 (1) Pomeroy IT Solutions Sales

203 Company Inc. \$154.81

204 The Legislature finds that the above moral obligations
205 and the appropriations made in satisfaction thereof shall be
206 the full compensation for all claimants and that prior to the
207 payments to any claimant provided in this bill, the Court of
208 Claims shall receive a release from said claimant releasing
209 any and all claims for moral obligations arising from the
210 matters considered by the Legislature in the finding of the
211 moral obligations and the making of the appropriations for
212 said claimant. The Court of Claims shall deliver all releases
213 obtained from claimants to the department against which the
214 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.

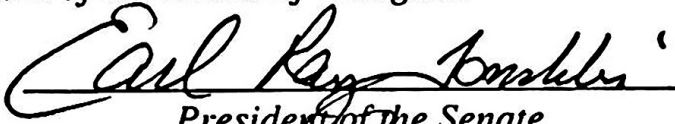
In effect from passage.



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 30th
day of April 2009.



Governor

PRESENTED TO THE
GOVERNOR

APR 28 2009

Time 2:14 pm