WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2009

ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 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.
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.

**Claims against the Department of Administration:**

**TO BE PAID FROM SPECIAL REVENUE FUND**

1. Fort Henry Realty Inc. dba Advanced Communications Company ............ $13,266.78

2. Infoprint Solutions Company ........ $187,763.14

**Claim against the Department of Environmental Protection:**

**TO BE PAID FROM SPECIAL REVENUE FUND**

1. Groundworks Reclamation Inc. ......... $12,000.00

**Claim against the Department of Health and Human Resources:**

**TO BE PAID FROM SPECIAL REVENUE FUND**

1. Groundworks Reclamation Inc. ......... $12,000.00
(1) Laboratory Corporation of America Holdings ..................................... $34,043.38

(d) Claim against the Division of Banking:

(TO BE PAID FROM SPECIAL REVENUE FUND)

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

(e) Claims against the Division of Corrections:

(TO BE PAID FROM GENERAL REVENUE FUND)

(1) Automotive Rentals Inc ........................................... $949.95

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

(3) Timothy J. Kittle ............................................... $48.92

(4) Verizon .......................................................... $3,705.75

(5) Curtis Yanko ..................................................... $36.00

(f) Claims against the Division of Highways:

(TO BE PAID FROM STATE ROAD FUND)

(1) Rita Affolter ................................................... $273.39

(2) James O. Andrews ........................................... $451.55

(3) Mark Angelucci and Kathy S. Angelucci ......................... $250.00

(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 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 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 and Rebecca G. Cook ................. $250.00
63  (20) Sarah M. Copley .................... $500.00
64  (21) William J. Crago .................. $381.99
(22) CSX Transportation Inc. .............. $303,992.88
(23) Jessie L. Cutlip and Charles E. Cutlip .... $500.00
(24) Mildred Davis ...................... $12,000.00
(25) Jason Donahue ...................... $342.42
(26) Martin Edward Downey ................ $390.74
(27) Danny Lee Estep ..................... $500.00
(28) Joseph C. Evano and Patricia Ann Evano $960.47
(29) Christopher Evans ................... $500.00
(30) Deborah Fisher ...................... $500.00
(31) Harold E. Ford Jr. .................. $250.00
(32) Larry D. Ford ...................... $1,000.00
(33) Brenda A. Fortney .................. $2,015.58
(34) Carrie L. Gaskins and Jeffrey Paul Gaskins $328.68
(35) Kelly D. George ..................... $65.83
(36) Lisa Godwin ......................... $428.78
(37) David F. Golash and Debra M. Golash $1,000.00
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<tr>
<th>Enr. Com. Sub. for H.B. 3196</th>
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<tbody>
<tr>
<td>84 (38) Damon K. Gooch and Angela H. Gooch</td>
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<td>86 (39) John Haid and Amber Haid</td>
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<td>87 (40) Sandra L. Hall, Personal Rep. of the Estate of Jamie Hall</td>
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<td>89 (41) E. Ralph Handley</td>
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<td>90 (42) David Karl Hansen</td>
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<td>91 (43) Jennifer Harman and Vickye Galford</td>
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<td>92 (44) Elvis D. Harris</td>
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<td>93 (45) Bryan Hilt</td>
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<td>94 (46) Leah M. Hoffman</td>
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<td>96 (48) Todd Hoy and Autumn L. Hoy</td>
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<td>97 (49) Carmen Johnson</td>
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<td>98 (50) Roger L. Lambert and Katherine V. Lambert</td>
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<td>100 (51) Cecil E. Lancaster</td>
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<td>101 (52) Frederick C. Langille Jr.</td>
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<td>102 (53) Patricia J. Legg</td>
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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
(70) Lawrence R. Moore and Rosemary Kinder Moore $265.51
(71) Mary E. Mullens $226.76
(72) Melissa J. Mullins $134.85
(73) Joginder Nath $76.27
(74) Bruce L. Orsborn Jr. $442.07
(75) Amy Petcovic $311.02
(76) Janet E. Phillips and Dusty Phillips $362.09
(77) Roger B. Pill $500.00
(78) Paula J. Powell $500.00
(79) Katie Bennett Reed $450.00
(80) Georgia Roush $4,500.00
(81) Matthew G. Roush and Leesha M. Roush $380.17
(82) Emmogene Samples and Robert Samples $185.29
(83) Elmer Sandreth and Rebecca Sandreth $466.80
(84) Joseph Serian $90.10
(85) Robert D. Shuman, dba Premier Body Works $3,165.00
(86) Andrew Sikula Sr. and Judith Sikula .... $1,000.00
(87) Penny Sisk .................................. $793.51
(88) Joseph Skalican ............................ $400.00
(89) Thomas L. Skidgel ....................... $733.72
(90) V. Christine Smith and Ray A. Smith .... $166.42
(91) Alan J. Spitz ................................ $250.00
(92) Frank L. Starks ............................ $100.00
(93) Rebecca Stewart and Robert D. Stewart .... $327.42
(94) Richard W. Sydnor ........................ $1,253.95
(95) Jabbar K. Thomas ........................ $1,000.00
(96) Larry A. Tickle and Sharon Marie Tickle  $200.00
(97) Shawna Rae Tolpa and Edward R. Tolpa Jr. $100.00
(98) Theresa M. Twigg ......................... $169.43
(99) Roberta Vanness ........................... $78.03
(100) Dawn E. Warfield and Thomas M. Knight $250.00
(101) William J. Waskevich and Jessica Waskevich $169.00
(102) Angela R. Weikle ..................... $837.84
(103) Kimberly Ann Wilcox ............... $714.71
(104) David Josh Williams ................. $1,183.37
(105) Carl W. Withrow II .................. $61.37
(106) Brandy Womack ...................... $500.00

(g) **Claim against the Division of Motor Vehicles:**

(TO BE PAID FROM STATE ROAD FUND)

(1) Brenda F. Hayworth .................... $164.00

(h) **Claim against Division of Personnel:**

(TO BE PAID FROM SPECIAL REVENUE FUND)

(1) Debra A. Dangerfield .................. $600.00

(i) **Claim against the Division of Tourism:**

(TO BE PAID FROM SPECIAL REVENUE FUND)

(1) Cambridge Center LLC ............... $12,472.42

(j) **Claims against the Insurance Commission:**

(TO BE PAID FROM SPECIAL REVENUE FUND)

(1) Konica Minolta Business Solutions .... $4,042.12
(2) Sandra Koutsunis, dba 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 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 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 Company Inc. ....................... $154.81
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 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.
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