

FILED

2005 APR 21 P 4: 28

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
Regular Session, 2005

ENROLLED

SENATE BILL NO. 492

(By Senator Love, et al)

PASSED April 8, 2005

In Effect from Passage

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

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Senate Bill No. 492

(BY SENATORS LOVE, SHARPE, EDGELL AND MINEAR)

[Passed April 8, 2005; 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 Health and Human Resources and 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
3 received and/or services rendered by certain claimants
4 herein and has considered these claims against the state,
5 and agencies thereof, which have arisen due to
6 overexpenditures of the departmental appropriations by
7 officers of the state spending units, the claims having been
8 previously considered by the Court of Claims which also

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

26 (a) *Claims against the Department of Health and Hu-*
 27 *man Resources:*

28 (TO BE PAID FROM GENERAL REVENUE FUND)

29	(1) Altmeyer Funeral Homes	
30	& Crematory.	\$ 2,500.00
31	(2) Bailey-Kirk Funeral Home, Inc.	\$ 2,500.00
32	(3) Barlow-Bonsall Funeral Home	\$ 5,000.00
33	(4) Bartlett-Chapman	
34	Funeral Home, LLC	\$ 2,500.00
35	(5) Boyle Funeral Home, Inc., and	
36	Floyd Funeral Home, Inc.	\$ 13,550.00
37	(6) Brown Funeral Home	\$ 13,750.00
38	(7) Browning Funeral Home, Inc.	\$ 5,000.00
39	(8) Calfee Funeral Home, Inc.	\$ 1,250.00
40	(9) Carpenter & Ford Funeral Home	\$ 2,500.00
41	(10) Chafin Funeral Home, Inc.	\$ 2,500.00
42	(11) Chapel Funeral Home, Inc.	\$ 3,750.00
43	(12) Chapman's Mortuary, Inc.	\$ 2,500.00
44	(13) Cravens-Shires Funeral Home, Inc. .	\$ 1,250.00
45	(14) Curry Funeral Home	\$ 1,250.00

46	(15) Davis Funeral Home	\$ 1,250.00
47	(16) Davis-Weaver Funeral Home	\$ 7,500.00
48	(17) Dodd & Reed Funeral Home, Inc.	\$ 5,000.00
49	(18) Donald G. Ford Funeral Home, Inc.	\$ 1,250.00
50	(19) Durgan Funeral Home, Inc.	\$ 1,250.00
51	(20) Fanning Funeral Home, Inc.	\$ 2,500.00
52	(21) Ferrell Funeral Home, Inc.	\$ 6,250.00
53	(22) Ford Funeral Home, Inc.	\$ 1,250.00
54	(23) Frey Home for Funerals, Inc.	\$ 3,750.00
55	(24) Funeral Services, Inc., dba	
56	James Funeral Home	\$ 3,750.00
57	(25) Good Shepherd Mortuary	\$ 3,750.00
58	(26) Greathouse-Gemondo	
59	Funeral Home	\$ 1,250.00
60	(27) Hall Funeral Home, Inc.	\$ 2,500.00
61	(28) Highlawn Funeral Chapel, Inc.	\$ 1,250.00
62	(29) Hunter-Anderson Funeral Home	\$ 1,250.00
63	(30) Ingram Funeral Home, RIP Inc.	\$ 6,250.00
64	(31) J.E. Johnson Funeral Home, Inc.	\$ 2,500.00
65	(32) J.G. Lampkin Funeral Home	\$ 1,250.00
66	(33) James Funeral Home	\$ 1,250.00
67	(34) Jarvis Funeral Homes, Inc.	\$ 1,250.00
68	(35) Keller Funeral Home, Inc.	\$ 1,250.00
69	(36) Kepner Funeral Home, Inc.	\$ 3,750.00
70	(37) Kiger-Williams Funeral, Inc., dba	
71	Rotruck-Lobb Funeral Homes	\$ 2,500.00
72	(38) Klingel-Carpenter Mortuary, Inc.	\$ 2,500.00
73	(39) Koontz Funeral Home	\$ 2,500.00
74	(40) Lambert-Tatman Funeral Home	\$ 6,250.00
75	(41) Leavitt Funeral Home, Inc.	\$ 6,250.00
76	(42) Lohr & Barb Funeral Home, Inc.	\$ 3,750.00
77	(43) McKee Funeral Home	\$ 1,250.00
78	(44) Memorial Funeral Chapels, Inc., dba	
79	Greene-Robertson Funeral Home	\$ 1,250.00
80	(45) Memorial Funeral Directory, Inc.	\$ 7,450.00
81	(46) Mercer Funeral Home of	
82	Bluefield, Inc.	\$ 2,500.00
83	(47) Morris Funeral Home, Inc.	\$ 1,250.00

84	(48) Mosti Funeral Home, Inc.	\$ 1,250.00
85	(49) Pennington Funeral Home, Inc.	\$ 1,250.00
86	(50) Preston Funeral Home, Inc.	\$ 1,250.00
87	(51) Rose and Quesenberry	
88	Funeral Home	\$ 6,250.00
89	(52) Schaeffer Funeral Home, Inc.	\$ 1,250.00
90	(53) Seaver Funeral Service, Inc.	\$ 1,250.00
91	(54) Shaffer-Warnick Funeral Home . . .	\$ 1,250.00
92	(55) Simons-Coleman	
93	Funeral Home, Inc.	\$ 2,500.00
94	(56) Snodgrass Funeral Home	\$ 5,000.00
95	(57) Stevens & Grass Funeral Home	\$ 1,250.00
96	(58) Stockert-Gibson Funeral Home	\$ 2,500.00
97	(59) Taylor & Vandale	
98	Funeral Home, Inc.	\$ 2,500.00
99	(60) Tomblyn Funeral Home	\$ 2,500.00
100	(61) Tyler Mountain Funeral Home	\$ 1,250.00
101	(62) Tyree Funeral Home, Inc.	\$ 2,500.00
102	(63) Wallace & Wallace, Inc.	\$ 1,225.00
103	(64) Wallace Funeral Home	\$ 1,250.00
104	(65) Widner Funeral Home	\$ 1,250.00
105	(66) Wilcoxon Funeral Home	\$ 2,500.00
106	(67) William McCulla Funeral Home . . .	\$ 1,250.00
107	<i>(b) Claims against the Division of Corrections:</i>	
108	(TO BE PAID FROM GENERAL REVENUE FUND)	
109	(1) Allegheny General Hospital	\$ 8,412.00
110	(2) Anesthesia Medical Group	\$ 1,650.00
111	(3) Charleston Area Medical Center, Inc. .	\$ 179,126.83
112	(4) Correctional Medical Services, Inc. .	\$ 16,898.89
113	(5) Davis Memorial Hospital	\$ 651.00
114	(6) General Anesthesia Services, Inc. . . .	\$ 8,475.00
115	(7) Grafton City Hospital	\$ 4,206.47
116	(8) Mirza, Abdul M., M.D.	\$ 852.67
117	(9) Professional Anesthesia Services . . .	\$ 1,800.00
118	(10) Thoracic & Cardiovascular	
119	Associates, Inc.	\$ 10,504.00
120	(11) United Hospital Center	\$ 1,646.59
121	(12) University Health Associates	\$ 17,832.00

122	(13) West Virginia University		
123	Hospitals, Inc.	\$	30,772.24
124	(14) West Virginia University Physicians		
125	of Charleston	\$	687.00

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

Cherry White
.....
Chairman Senate Committee

D. Rich Burr
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Russell Elkins
.....
Clerk of the Senate

Bruce A. Bow
.....
Clerk of the House of Delegates

Earl Ray Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this the *21st*
Day of *April*, 2005.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

APR 15 2005

Time 4:00 pm