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Senate Bill No. 558

(By Senators Facemire, Edgell and Blair)

[Introduced February 12, 2014; referred to the Committee on
Finance.]

A BILL 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/Office of Technology; Department of Health and Human Resources; Division of Corrections; Division of Highways; Division of Juvenile Services; Division of Motor Vehicles; Real Estate Commission; Regional Jail Authority; and State of West Virginia 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 concerning
3 various claims against the state and agencies thereof and in
4 respect to each of the following claims, the Legislature adopts
5 those findings of fact as its own and in respect of certain claims
6 herein, the Legislature has independently made findings of fact and
7 determinations of award and hereby declares it to be the moral
8 obligation of the state to pay each such claim in the amount
9 specified below and directs the Auditor to issue warrants for the
10 payment thereof out of any fund appropriated and available for the
11 purpose.

12 (a) *Claims against the Department of Administration/Office of*
13 *Technology:*

14 (TO BE PAID FROM SPECIAL REVENUE FUND)

15 (1) American Telephone Wiring Company.	\$245.00
16 (2) Ebridge Consulting LLC.	\$156,256.75
17 (3) IBM Corporation.	\$10,278.66
18 (4) Pitney Bowes Inc.	\$6,438.00
19 (5) Planet Technologies Inc.	\$86,615.00
20 (6) Pomeroy IT Solutions Sales Company Inc.	\$87,827.04

21 (b) *Claims against the Department of Health and Human Resources:*

22 (TO BE PAID FROM GENERAL REVENUE FUND)

23 (1) AT&T Communications of West Virginia.	\$22,000.00
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1	(2) Terrell Ellis & Associates Inc.	\$24,581.83
2	(c) <i>Claims against the Division of Corrections:</i>	
3	(TO BE PAID FROM GENERAL REVENUE FUND)	
4	(1) Jonathan Boatwright.	\$4.47
5	(2) Miguel Delgado.	\$35.00
6	(3) Alva L. Richmond.	\$17.85
7	(4) James L. Riley III.	\$2.12
8	(5) Charles E. Roberts.	\$450.00
9	(6) Bobby Roddy.	\$56.45
10	(7) Dale Shoop.	\$19.49
11	(8) Matthew Smallwood.	\$420.00
12	(9) Regional Jail Authority.	\$2,645,204.00
13	(d) <i>Claims against the Division of Highways:</i>	
14	(TO BE PAID FROM STATE ROAD FUND)	
15	(1) Josanna Kim Aaron.	\$173.40
16	(2) Karen Adams.	\$403.77
17	(3) Michael S. Alastanos.	\$300.00
18	(4) Berna K. Ankrom.	\$296.86
19	(5) James A. Arnett.	\$250.00
20	(6) Jessica Bailey.	\$221.00
21	(7) Paul Bailey Jr. and Jennifer Bailey.	\$286.65
22	(8) Chris M. Baker.	\$133.75
23	(9) Virginia L. Baker.	\$500.00

1	(10) Peggy S. Banish.	\$500.00
2	(11) Caleb Banks.	\$500.00
3	(12) Barry Barnett.	\$356.00
4	(13) Virgil Barnette Jr..	\$232.35
5	(14) William E. Barry.	\$311.76
6	(15) Teresa A. Barton.	\$250.00
7	(16) Jennifer Susan Beafore.	\$243.80
8	(17) John H. Black.	\$325.90
9	(18) Kerry L. Black.	\$143.60
10	(19) Deborah L. Boggs.	\$868.98
11	(20) Gary C. Bradfield and Charlene Bradfield.	\$85.12
12	(21) Brenda Bragg.	\$3,756.36
13	(22) Ronald E. Brandstetter.	\$87.85
14	(23) Dale D. Brown Sr..	\$119.00
15	(24) Dwight R. Browning.	\$317.00
16	(25) Sandra Burdette.	\$250.00
17	(26) Brian Burkhammer.	\$356.52
18	(27) Ray A. Cadd.	\$500.00
19	(28) Darleen R. Caldwell.	\$4,000.00
20	(29) Arlie Campbell and Tammy Campbell.	\$250.00
21	(30) Benjamin E. Carpenter and Kasey A. Tucker.	\$500.00
22	(31) Thelma J. Carpenter.	\$231.61
23	(32) Catherine Cauley.	\$500.00

1	(33) Tina Cecil.	\$147.34
2	(34) Ray O. Chandler and Emily J. Chandler.	\$174.90
3	(35) Dollie P. Childers.	\$114.48
4	(36) Gene Chiorello.	\$100.00
5	(37) Robert Chumney.	\$275.55
6	(38) John D. Clarkson.	\$199.76
7	(39) Leonard Cleavenger and Donna Cleavenger.	\$250.00
8	(40) Raymond Gary Clevenger.	\$1,275.00
9	(41) Susan Cleaver.	\$716.54
10	(42) Douglas P. Cochran.	\$310.91
11	(43) Mary J. Coen.	\$80.69
12	(44) Jennifer K. Coiner.	\$250.00
13	(45) Michael Cole.	\$370.68
14	(46) Christina Columbo.	\$452.17
15	(47) Randi Conley and Patrick Conley.	\$500.00
16	(48) Michael Conte.	\$500.00
17	(49) Robert L. Cook and Michelle Cook.	\$8,000.00
18	(50) James M. Cooper.	\$314.53
19	(51) Francine C. Corey.	\$500.00
20	(52) Arnold Lee Cottrell Jr..	\$751.00
21	(53) Samuel Robert Cover and Terri Lynn Cover.	\$500.00
22	(54) Candice B. Crane and Kevin L. Crane.	\$500.00
23	(55) Matthew Crimmel.	\$320.00

1	(56) Erica Lynn Cumpston.	\$146.81
2	(57) Charles S. Dague.	\$21.20
3	(58) Jon Daniels.	\$10,850.00
4	(59) Johnathan Daniels, by and through his parent,	
5	Jon Daniels.	\$4,150.00
6	(60) Lori A. Davis.	\$151.50
7	(61) Phillip E. Davis.	\$250.00
8	(62) Melissa Devericks.	\$101.00
9	(63) Edgar K. Dicken.	\$238.20
10	(64) Spencer Didion.	\$232.00
11	(65) Theresa Dillon.	\$1,016.54
12	(66) Kate Nicole Dobson-Forman.	\$1,000.00
13	(67) Mary F. Dolin.	\$187.80
14	(68) Shayna Dorazio.	\$1,000.00
15	(69) Russell L. Dorton.	\$94.66
16	(70) Michael Dotson and Andrea Dotson.	\$290.44
17	(71) David Downward.	\$15,000.00
18	(72) Gerard D'Souza.	\$127.20
19	(73) Nora Jane Duncan.	\$211.34
20	(74) George E. Durban III.	\$218.79
21	(75) Todd M. Dye.	\$500.00
22	(76) Cherie Edwards.	\$475.00
23	(77) Malinda Edwards and Oral L. Edwards.	\$499.88

1	(78) Charles V. Elsender.	\$250.00
2	(79) Alphonso Erby.	\$303.94
3	(80) Patricia A. Evans.	\$307.16
4	(81) Margaret Fix-Billington.	\$578.39
5	(82) Joyce Ann Fletcher and Harry K. Fletcher.	\$500.00
6	(83) Sam Floyd and Kim Floyd.	\$500.00
7	(84) Gregory A. Foster.	\$250.00
8	(85) Dale A. Fox.	\$250.00
9	(86) Alice J. Foy.	\$500.00
10	(87) Rodger Keith Franks.	\$250.00
11	(88) Phillip R. Frazier.	\$631.24
12	(89) Randy R. Geer and Kimberly D. Geer.	\$935.56
13	(90) Robert E. Gilkeson.	\$500.00
14	(91) Wayne E. Goddard and Mary Goddard.	\$245.88
15	(92) Dale Gombarcik.	\$161.60
16	(93) Ruth Graef and Gregory Graef.	\$412.03
17	(94) David W. Greear II and Jennifer Elaine Greear.	\$250.00
18	(95) Reginald H. Green.	\$500.00
19	(96) Gary P. Hamilton.	\$500.00
20	(97) Brad G. Hamrick.	\$318.52
21	(98) Kelly M. Hanna.	\$500.00
22	(99) Melissa Hapney.	\$100.70
23	(100) Mary Hardy.	\$238.00

1	(101) Jennifer Harmon and Jimmy Harmon.	\$500.00
2	(102) Matthew G. Harper.	\$424.32
3	(103) Timothy Harper and Carrie R. Harper.	\$250.00
4	(104) Larry Harris.	\$195.57
5	(105) Virginia M. Harris.	\$500.00
6	(106) Brenda Harshbarger.	\$500.00
7	(107) Johnna Harter.	\$500.00
8	(108) Vicky S. Hartley and Jonathan E. Hartley. . .	\$500.00
9	(109) Terri Hughes Harwood and Jason D. Harwood. . .	\$235.37
10	(110) David Hatten.	\$260.71
11	(111) Terrell K. Haught.	\$250.00
12	(112) William R. Headley.	\$289.37
13	(113) Skyler Hebden.	\$397.00
14	(114) Donna K. Hemphill.	\$250.00
15	(115) Kurstie S. Hendon.	\$137.75
16	(116) Chris Henson.	\$500.00
17	(117) Kevin Herbaugh and Debbie Herbaugh.	\$856.06
18	(118) Robert K. Hertzog and Lori Hertzog.	\$1,502.81
19	(119) Francis W. Hess and Patricia E. Hess.	\$228.96
20	(120) Cecil L. Hickman.	\$346.60
21	(121) Micheel J. Hildebrand.	\$127.41
22	(122) Kelly L. Hitt.	\$500.00
23	(123) Maurice D. Hoffman.	\$100.00

1	(124) Vicki C. Holstein.	\$219.56
2	(125) Trina Hood.	\$467.94
3	(126) Robert L. Horner.	\$172.96
4	(127) Jason Howard.	\$159.37
5	(128) Leslie R. Howard and Mary J. Howard.	\$500.00
6	(129) Bonita Hubbard.	\$385.80
7	(130) Joseph Hutchinson and Jennifer Hutchinson.	\$85,000.00
8	(131) Teresa Hylton.	\$64.00
9	(132) Mariea Dawn Webb and Helen I. Ice.	\$308.89
10	(133) Stacy L. Jackson.	\$715.71
11	(134) Frank W. James.	\$960.01
12	(135) Dave Janssen and Adriane Janssen.	\$500.00
13	(136) Eleanor Jewell.	\$100.00
14	(137) Adam J. Johnson.	\$113.95
15	(138) Derek Johnson.	\$746.87
16	(139) Garrett Johnson.	\$80.56
17	(140) Jeremy Johnson.	\$364.75
18	(141) Larry B. Johnson.	\$197.82
19	(142) Ronnie Johnson.	\$185.45
20	(143) Angela S. Jones and Ricky Jones.	\$1,000.00
21	(144) Keith Jones.	\$125.08
22	(145) Rita Jones.	\$227.84
23	(146) Robert W. Jones.	\$500.00

1	(147) Shirley A. Jones.	\$250.00
2	(148) William Chad Jones.	\$607.31
3	(149) Karen Kaufmann.	\$173.02
4	(150) Charlotte Keaton and Basil Keaton.	\$500.00
5	(151) Angela Ann Keeney.	\$95.35
6	(152) Matthew Keesecker.	\$268.00
7	(153) David R. Keith.	\$1,000.00
8	(154) Robert Kelly.	\$415.00
9	(155) Lisa L. Kennedy.	\$191.31
10	(156) Barbara L. King.	\$40,000.00
11	(157) Linda S. Kipp and Stanley H. Kipp.	\$250.00
12	(158) Gene Kiral and Jerri Kiral.	\$500.00
13	(159) Timothy W. Knoble.	\$149.00
14	(160) Sharon Kraszyk.	\$4,250.00
15	(161) Kenneth Krisantz.	\$159.00
16	(162) Andrea Kroger.	\$154.66
17	(163) Robert C. Krum.	\$285.03
18	(164) Sharon Krutilla.	\$224.94
19	(165) Michael W. Sprowls and Alicia M. Kuhn.	\$120.00
20	(166) Jeffrey Kukura and Lisa Kukura.	\$336.97
21	(167) Mark T. Kyanko and Mari J. Kyanko.	\$500.00
22	(168) David D. Lambert Jr..	\$193.68
23	(169) Billy Jr Lane II.	\$1,000.00

1	(170) Tammy Lazzarine.	\$1,000.00
2	(171) Bari G. Lehn.	\$500.00
3	(172) Georgetta Lester.	\$1,000.00
4	(173) Jeffrey Lewis.	\$25,000.00
5	(174) Richard Lewis.	\$500.00
6	(175) Edward R. Link.	\$53.00
7	(176) Richard Linville.	\$500.00
8	(177) Harold F. Lipscomb.	\$600.00
9	(178) Becky Lofstead.	\$297.43
10	(179) Brenda S. Louk.	\$250.00
11	(180) JoAnn Lowery.	\$500.00
12	(181) Richard J. Lucas.	\$1,188.63
13	(182) Stephanie Lucas and Joshua Lucas.	\$259.95
14	(183) Madelyn Lusk.	\$100.00
15	(184) Gail C. Marsh.	\$79.50
16	(185) Bob Martin.	\$291.50
17	(186) Levi L. Martin.	\$250.00
18	(187) Travis E. Martin.	\$60,000.00
19	(188) Jonna Mason.	\$500.00
20	(189) Gary L. Matheny.	\$196.10
21	(190) William H. May.	\$500.00
22	(191) Virginia Ann Maynor.	\$250.00
23	(192) Joseph J. Mazella.	\$388.46

1	(193) Janene R. McCarty and Pat McCarty.	\$437.29
2	(194) William F. McClelland Sr. and	
3	Janet L. McClelland.	\$250.00
4	(195) Catherine D. McLaughlin.	\$500.00
5	(196) William G. McLean Jr.	\$305.13
6	(197) Stevi Mead.	\$180.00
7	(198) Wanda E. Meador.	\$250.00
8	(199) Sandra Meeks.	\$201.40
9	(200) Paul C. Mendez.	\$500.00
10	(201) Jerry Michaels and Theresa Michaels.	\$745.55
11	(202) John David Miller.	\$153.70
12	(203) Tami Mitchem.	\$100.00
13	(204) James Monk.	\$32,000.00
14	(205) Chalmer L. Morgan.	\$171.00
15	(206) Melanie S. Morris.	\$327.49
16	(207) Beverly Morrison.	\$250.00
17	(208) Ralph Moyer.	\$141.42
18	(209) Barbara Nissman.	\$500.00
19	(210) Judy A. Northup and Rich Northup.	\$858.98
20	(211) David A. Noss.	\$118.78
21	(212) Laura O'Hara.	\$569.28
22	(213) Joseph R. Ojeda.	\$200.00
23	(214) Krista Oxley.	\$8,019.36

1	(215) Carla Pahl (Ross) and Nicole Pahl.	\$95.93
2	(216) Mary A. Paisley.	\$146.81
3	(217) Adel Palffy.	\$66.89
4	(218) Lila Stewart Palumbo.	\$612.57
5	(219) Mary Pape.	\$410.17
6	(220) Shobha Patel.	\$304.15
7	(221) Evan S. Pauley.	\$2,000.00
8	(222) William J. Perry.	\$500.00
9	(223) Gary L. Phillips.	\$100.00
10	(224) Collette Pinkard.	\$187.69
11	(225) Audrey Pitt.	\$413.60
12	(226) Benjamin Pitt.	\$528.46
13	(227) Lee Anne M. Pruitt and Harold A. Pruitt.	\$141.79
14	(228) Laura Ann Pugh.	\$500.00
15	(229) Edward L. Rabel Jr..	\$250.00
16	(230) Lisa Raber.	\$201.25
17	(231) Charles C. Raber Jr..	\$256.29
18	(232) John Peter Richardson and	
19	Patricia A. Richardson.	\$160,000.00
20	(233) Paul J. Riggins.	\$200.00
21	(234) John E. Robinson.	\$83.25
22	(235) Karen S. Rogerson.	\$99.95
23	(236) Charles Roskovensky.	\$207.72

1	(237) Lisa Dianne Roth.	\$120.07
2	(238) Kenneth J. Rowback.	\$1,642.25
3	(239) Donna L. Roy and Robert J. Roy Sr..	\$500.00
4	(240) Roxie M. Runyon.	\$500.00
5	(241) Kimberly A. Rymer and Kenneth D. Rymer III.	\$370.95
6	(242) Sarah Burkhart and Jane Sackett.	\$137.80
7	(243) Jenny L. Santilli.	\$327.73
8	(244) Douglas L. Sappington.	\$332.20
9	(245) Lesley Sattes.	\$652.96
10	(246) Steve Schatzel.	\$475.18
11	(247) Johnny D. Scott.	\$169.55
12	(248) Glenna Shaffer.	\$500.00
13	(249) Carrie Shaw.	\$158.50
14	(250) Ronald R. Sheltz.	\$1,824.92
15	(251) Gregory Shimko and Dorothy Shimko.	\$250.00
16	(252) Howard L. Shinn.	\$359.40
17	(253) Tyler J. Shipp.	\$3,110.00
18	(254) Stephen M. Sholes and Rebecca L. Sholes.	\$4,010.55
19	(255) Larry Shriver II.	\$156.45
20	(256) Jennifer Sigman.	\$693.00
21	(257) Jeremy D. Sipple.	\$500.00
22	(258) Tara Sizemore.	\$146.28
23	(259) Denita Smith.	\$127.20

1	(260) Jay R. Smith.	\$171.36
2	(261) Mary C. Smith.	\$489.90
3	(262) Rick Snodgrass.	\$437.78
4	(263) Samuel Snodgrass.	\$250.00
5	(264) Sarah Snyder.	\$11,127.75
6	(265) Thomas Sowers.	\$369.51
7	(266) Brittany N. Staffileno.	\$500.00
8	(267) Kenneth Stamper.	\$200.00
9	(268) Adrian Stargell.	\$499.23
10	(269) Sandra J. Fittro and Chris Steffich.	\$250.00
11	(270) Richard Stotler.	\$250.00
12	(271) Joyce A. Stout.	\$333.90
13	(272) Gregory L. Street.	\$898.57
14	(273) Sheila Strong.	\$440.01
15	(274) James R. Stultz.	\$300.00
16	(275) Rinda Faye Stump.	\$173.84
17	(276) Carroll Summers.	\$629.64
18	(277) Ryan H. Sutton.	\$195.93
19	(278) Thomas Kopnski and Mary Lou Tait.	\$180.20
20	(279) Bruce Talago.	\$511.03
21	(280) Jamie Tallman.	\$330.00
22	(281) Steven A. Taylor.	\$82.44
23	(282) Jennifer A. Tennant.	\$106.75

1	(283) Raymond J. Terek and Sandra L. Terek.	\$500.00
2	(284) Ralph Thomas.	\$1,000.00
3	(285) Stephen Ashley Thomas.	\$128.21
4	(286) Howard G. Thompson.	\$500.00
5	(287) George Todd.	\$500.00
6	(288) William Toney.	\$2,251.69
7	(289) Fred Richard Travis Sr.	\$100.00
8	(290) George E. Trent.	\$98.00
9	(291) David E. Turner.	\$388.00
10	(292) Justin D. Vance.	\$500.00
11	(293) Alberta Vanscoy and Robin Vanscoy.	\$184.40
12	(294) John M. Vencill.	\$250.00
13	(295) Leora J. Vincent.	\$250.00
14	(296) Patricia A. Wagers.	\$500.00
15	(297) Damon J. Wallace.	\$72.46
16	(298) Deborah A. Ward.	\$130.99
17	(299) Betty Jeanette Watson.	\$353.50
18	(300) Cheryl Watson.	\$100.00
19	(301) Samantha Watson.	\$880.72
20	(302) Chris Webb.	\$204.53
21	(303) Lloyd Weeks.	\$146.84
22	(304) Richard Weinberger.	\$706.20
23	(305) Bill Weiss.	\$186.46

1	(306) Jerry L. Welch Jr..	\$148.40
2	(307) Angie Wells.	\$617.71
3	(308) Loretta June Westfall.	\$8,000.00
4	(309) Cherish N. Whaley.	\$200.00
5	(310) Sharon R. White.	\$100.00
6	(311) Brandon Wilhite.	\$5,275.30
7	(312) John C. Williams and Lois M. Williams.	\$250.00
8	(313) Rory T. Williams.	\$227.44
9	(314) Thomas D. Willis and Dusty Willis.	\$250.00
10	(315) Becky Wilson.	\$175.23
11	(316) Crystal C. Wilson.	\$250.00
12	(317) Charles P. Winans.	\$212.05
13	(318) Vicki Wiseman.	\$250.00
14	(319) Tiffany Wolfe.	\$500.00
15	(320) Janice L. Wolford and Robert E. Wolford.	\$500.00
16	(321) Ronald P. Wood.	\$763.58
17	(322) Todd A. Wood and Rachel M. Wood.	\$500.00
18	(323) Alphas R. Wyatt.	\$154.10
19	(324) Ralph F. Wycoff and Crystal R. Wycoff.	\$308.06
20	(325) Kimberly Yingling.	\$349.75
21	(326) Jeffrey Yorty and Ann Yorty.	\$1,218.72
22	(327) Floyd A. Yost.	\$325.63
23	(328) Deborah I. Young.	\$94.16

1 (329) Matthew J. Youst and Tracy D. Youst. \$500.00
2 (e) *Claim against the Division of Juvenile Services*
3 (TO BE PAID FROM GENERAL REVENUE FUND)
4 (1) Ronald Hambleton. \$50.00
5 (f) *Claims against the Division of Motor Vehicles:*
6 (TO BE PAID FROM STATE ROAD FUND)
7 (1) Linsey Degarmo and Elizabeth Degarmo. \$250.00
8 (2) Micky Leigh Jenks. \$565.00
9 (3) Jody Johnson. \$2,081.76
10 (g) *Claim against the Real Estate Commission:*
11 (TO BE PAID FROM SPECIAL REVENUE FUND)
12 (1) Public Employees Insurance Agency. \$2,371.07
13 (h) *Claims against the Regional Jail Authority:*
14 (TO BE PAID FROM SPECIAL REVENUE FUND)
15 (1) Dickie Altizer. \$4.42
16 (2) Vincent B. Banks. \$500.00
17 (3) Joseph L. Cirigliano. \$329.84
18 (4) David L. Gale. \$93.00
19 (5) John M. Golaszewski. \$120.00
20 (6) Zack McClendon. \$271.36
21 (7) Michael Sams. \$46.92
22 (i) *Claims against the State of West Virginia:*
23 (TO BE PAID FROM GENERAL REVENUE FUND)

1 (1) Wanda Carney. \$48,000.00
2 (2) Betty Jarvis. \$57,000.00
3 The Legislature finds that the above moral obligations and the
4 appropriations made in satisfaction thereof shall be the full
5 compensation for all claimants and that prior to the payments to
6 any claimant provided in this bill, the Court of Claims shall
7 receive a release from said claimant releasing any and all claims
8 for moral obligations arising from the matters considered by the
9 Legislature in the finding of the moral obligations and the making
10 of the appropriations for said claimant. The Court of Claims shall
11 deliver all releases obtained from claimants to the department
12 against which the claim was allowed.

(NOTE: The purpose of this bill is for the Legislature to find and declare the existence of a moral obligation to pay, with public moneys, each of the claims herein against specified state agencies and the State of West Virginia, by the named claimants, payable from the specified funds, and in the amounts of the awards made.

A second and separate bill (either supplementary appropriation bill or a section of the budget bill) will actually appropriate the moneys herein awarded and permit payment in current fiscal year 2013 and through 2014.

The totals, as to type of funds and amounts of awards in the bill, are:

- (1) General Revenue Funds of \$2,797,841.21
- (2) Special Revenue Funds of \$ 351,397.06
- (3) State Road Funds of \$ 611,754.16)

FINANCE COMMITTEE AMENDMENT

On page five, section one, line nine, by striking out "\$1,275.00" and inserting in lieu thereof "\$3,000.00"