

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 566

BY SENATORS HALL, FACEMIRE AND STOLLINGS

[Introduced March 9, 2017; referred to the
Committee on Finance]

1 A BILL finding and declaring certain claims against the state and its agencies to be moral
2 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, the Division of Juvenile Services and the Division of Motor Vehicles to be moral obligations of the state and directing payments thereof.

1 The Legislature has heretofore made findings of fact that the state has received the benefit
2 of the commodities received and/or services rendered by certain claimants herein and has
3 considered these claims against the state, and agency thereof, which have arisen due to over-
4 expenditures of the departmental appropriations by officers of the state spending units, the claims
5 having been previously considered by the Court of Claims which also found that the state has
6 received the benefit of the commodities received and/or services rendered by the claimants, but
7 were denied by the Court of Claims on the purely statutory grounds that to allow the claims would
8 be condoning illegal acts contrary to the laws of the state. The Legislature, pursuant to its findings
9 of fact and also by the adoption of the findings of fact by the Court of Claims as its own, while not
10 condoning such illegal acts, hereby declares it to be the moral obligation of the state to pay these
11 claims in the amounts specified below and directs the Auditor to issue warrants upon receipt of
12 properly executed requisitions supported by itemized invoices, statements or other satisfactory
13 documents as required by section ten, article three, chapter twelve of the Code of West Virginia,
14 1931, as amended, for the payments thereof out of any fund appropriated and available for the
15 purpose.

(a) Claims against the Department of Health and Human Resources:

(TO BE PAID FROM GENERAL REVENUE FUND)

- (1) Cunningham-Parker-Johnson Funeral Home Inc.\$7,000.00
- (2) Fogelsong-Casto Funeral Home\$1,250.00

- (3) Heritage Cremation Provider.....\$1,250.00
- (4) Honaker Funeral Home Inc.\$2,500.00
- (5) Johnson Tiller Funeral Home\$5,000.00
- (6) Melton Mortuary Inc.\$22,500.00
- (7) Tankersly Funeral Home.....\$1,250.00

(b) *Claim against the Division of Juvenile Services:*

(TO BE PAID FROM GENERAL REVENUE FUND)

WV DHHR, Bureau for Medical Services\$265,005.24

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

(TO BE PAID FROM STATE ROAD FUND)

William F. Cox.....\$650.00

NOTE: The purpose of this bill is to provide payment to certain claimants who provided commodities and/or services to the state, but who were not paid because the agency reached its budget limit.

Total amount from General Revenue: \$305,755.24

Total amount from State Road Fund: \$650.00