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SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1996

ENROLLED

SENATE BILL NO. 567

(By Senator Whitlow, et al)

PASSED March 6, 1996
In Effect from Passage

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OFFICE OF THE CLERK
SENATE OF WEST VIRGINIA

ENROLLED

Senate Bill No. 567

(BY SENATORS WHITLOW, HELMICK, BLATNIK, MANCHIN,
CHAFIN, DUGAN, KIMBLE, LOVE, MINEAR,
PLYMALE AND SHARPE)

[Passed March 6, 1996; 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 alcohol beverage control administration; attorney general's office; bureau of commerce; department of administration; department of agriculture; department of education; department of tax and revenue; division of corrections; division of culture and history; division of environmental protection; division of health; division of highways; division of human services; division of labor; division of motor vehicles; division of natural resources; division of personnel; division of rehabilitation services; division of tourism; insurance commis-

sion; municipal bond commission; office of miners' health, safety and training; office of the governor; public service commission; real estate commission; regional jail and correctional facility authority; state of West Virginia, West Virginia state police, the West Virginia supreme court of appeals and the board of barbers and cosmetologists; 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
 5 the Legislature adopts those findings of fact as its own,
 6 and in respect of certain claims herein, the Legislature
 7 has independently made findings of fact and determina-
 8 tions of award and hereby declares it to be the moral
 9 obligation of the state to pay each such claim in the
 10 amount specified below, and directs the auditor to issue
 11 warrants for the payment thereof out of any fund
 12 appropriated and available for the purpose.

13 (a) *Claim against the Alcohol Beverage Control Admin-*
 14 *istration:*

15 (TO BE PAID FROM SPECIAL REVENUE FUND)

16 (1) Kelli D. Talbott \$ 160.00

17 (b) *Claim against the Attorney General:*

18 (TO BE PAID FROM GENERAL REVENUE FUND)

19 (1) System Design Associates \$ 924.00

20 (c) *Claim against the Bureau of Commerce:*

21 (TO BE PAID FROM SPECIAL REVENUE FUND)

22 (1) AT & T \$ 4,626.09

23 (d) *Claims against the Department of Administration:*

24 (TO BE PAID FROM SPECIAL REVENUE FUND)

25 (1) E & M Products, Inc. \$ 25.00

26	(2) Government Data Publications, Inc.	\$	84.95
27	(3) Manpower Temporary Services	\$	314.80
28	(4) James L. Steele	\$	1,473.97

29 (e) *Claim against the Department of Agriculture:*

30 (TO BE PAID FROM SPECIAL REVENUE FUND)

31 From Account No. 1403

32	(1) Phyllis N. Voorhees	\$	972.00
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33 (f) *Claims against the Department of Education:*

34 (TO BE PAID FROM GENERAL REVENUE FUND)

35	(1) Donald Bucher	\$	369.00
36	(2) Division of Rehabilitation Services .	\$	575.00
37	(3) Shirley L. Dodson	\$	320.00
38	(4) Desirae M. Smith	\$	690.00

39 (g) *Claim against the Department of Tax and Revenue:*

40 (TO BE PAID FROM GENERAL REVENUE FUND)

41	(1) Tommy Diamond	\$	597.02
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42 (h) *Claims against the Division of Corrections:*

43 (TO BE PAID FROM GENERAL REVENUE FUND)

44	(1) Barbour County Commission	\$	4,475.00
45	(2) Cabell County Commission	\$	1,666.56
46	(3) Camden-Clark Memorial Hospital . .	\$	304.50
47	(4) Davis Memorial Hospital	\$	18,482.77
48	(5) Grafton City Hospital	\$	127.30
49	(6) Mammen Kovoov, M.D.	\$	25.00
50	(7) Mountain State Temporary Services,		
51	dba Manpower Temporary		
52	Services	\$	580.08
53	(8) Radiology, Inc.	\$	220.00
54	(9) Regional Jail and Correctional		
55	Facility Authority	\$	149,380.00
56	(10) Bret Rosenblum, M.D.	\$	215.00
57	(11) Romeo B. Tan, M.D.	\$	440.00
58	(12) University Health Associates	\$	35,930.00

59	(13) West Virginia University	
60	Hospitals, Inc.	\$ 84,958.62
61	(14) Workers' Compensation Fund	\$233,993.24
62	(i) <i>Claim against the Division of Culture and History:</i>	
63	(TO BE PAID FROM GENERAL REVENUE FUND)	
64	(1) Xerox Corporation	\$ 607.00
65	(j) <i>Claims against Division of Environmental Protec-</i>	
66	<i>tion:</i>	
67	(TO BE PAID FROM SPECIAL REVENUE FUND)	
68	(1) Division of Highways	\$ 12,269.92
69	(2) Janet T. Surface	\$ 502.25
70	(k) <i>Claim against the Division of Health:</i>	
71	(TO BE PAID FROM SPECIAL REVENUE FUND)	
72	(1) National-Interstate Council of	
73	State Boards of Cosmetology,	
74	Inc.	\$ 500.00
75	(l) <i>Claims against the Division of Highways:</i>	
76	(TO BE PAID FROM STATE ROAD FUND)	
77	(1) Keith L. Adkins	\$ 765.94
78	(2) Margaret Bailey	\$ 89.54
79	(3) Bruce A. Balcar,	
80	dba B.K. Mining and	
81	Construction	\$126,339.58
82	(4) Wendell D. and Debra Y. Brown ...	\$ 300.00
83	(5) C.W. Stickley, Inc.	\$ 1,428.37
84	(6) Sabrina S. Collins	\$ 1,124.03
85	(7) Ginger B. Compton	\$ 500.00
86	(8) Doris Evans	\$ 3,500.00
87	(9) Albert Earl Everly, III	\$ 500.00
88	(10) James L. Fields	\$ 3,000.00
89	(11) Hillard W. Hicks	\$ 500.00
90	(12) Bobby P. Huffman	\$ 432.00
91	(13) Marcia and Jackie Hundley	\$ 250.00

92	(14) Bobby Jarrell	\$	500.00
93	(15) Dorothy Kehrer	\$	250.00
94	(16) Shawn and Elizabeth Kniceley	\$	314.80
95	(17) Michelle Lee Levero	\$	224.13
96	(18) Joel A. Maddy	\$	109.12
97	(19) Thomas W. Marcum	\$	500.00
98	(20) Gary L. McNeely	\$	1,432.08
99	(21) Robert F. McVay	\$	750.00
100	(22) Brian Scott Miller	\$	1,000.00
101	(23) Thomas L. Mugnano	\$	1,290.00
102	(24) Betty Murphy	\$	1,939.04
103	(25) Eddie E. Napier	\$	2,671.65
104	(26) Julie Parsley	\$	251.70
105	(27) Patricia Parsons-Mills	\$	1,200.00
106	(28) Anita Geraldine Priest	\$	363.55
107	(29) Gregory and Linda Sellards	\$	196.19
108	(30) Edna Marie Sheppard	\$	1,497.12
109	(31) Sally Spoor Stevens	\$	213.82
110	(32) Steve L. Stover	\$	3,024.05
111	(33) Robert H. and Lori A. Trail	\$	1,952.42
112	(34) Marilyn D. Wickline	\$	119.09
113	(35) Doris Woody	\$	250.00

114 (m) *Claims against the Division of Human Services:*

115 (TO BE PAID FROM GENERAL REVENUE FUND)

116	(1) Tennant Funeral Home	\$	1,200.00
117	(2) WV Assoc. of Rehab. Facilities, Inc..	\$	3,248.59

118 (n) *Claim against Division of Labor:*

119 (TO BE PAID FROM GENERAL REVENUE FUND)

120	(1) Bell Atlantic-West Virginia, Inc. ..	\$	627.86
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121 (o) *Claims against the Division of Motor Vehicles:*

122 (TO BE PAID FROM STATE ROAD FUND)

123	(1) Polaroid Corporation	\$	62,447.64
124	(2) South Berkeley Auto Sales	\$	875.00

125 (p) *Claims against the Division of Natural Resources:*

126	(TO BE PAID FROM SPECIAL REVENUE FUND)	
127	(1) Contemporary Galleries	\$ 1,774.55
128	(2) Division of Highways	\$ 19,389.28
129	(q) <i>Claim against the Division of Personnel:</i>	
130	(TO BE PAID FROM SPECIAL REVENUE FUND)	
131	(1) Tele. Communications Innov.	
132	dba The Telemanagement	
133	Group	\$ 789.32
134	(r) <i>Claim against the Division of Rehabilitation Ser-</i>	
135	<i>vices:</i>	
136	(TO BE PAID FROM SPECIAL REVENUE FUND)	
137	(1) Division of Highways	\$ 3,756.36
138	(s) <i>Claim against the Division of Tourism:</i>	
139	(TO BE PAID FROM SPECIAL REVENUE FUND)	
140	(1) Division of Highways	\$ 253.21
141	(t) <i>Claim against the Insurance Commission:</i>	
142	(TO BE PAID FROM SPECIAL REVENUE FUND)	
143	(1) Lanier Worldwide, Inc.	\$ 312.84
144	(u) <i>Claim against the Municipal Bond Commission:</i>	
145	(TO BE PAID FROM SPECIAL REVENUE FUND)	
146	(1) System Design Associates	\$ 1,173.00
147	(v) <i>Claim against the Office of Miners' Health, Safety</i>	
148	<i>and Training:</i>	
149	(TO BE PAID FROM GENERAL REVENUE FUND)	
150	(1) Workers' Compensation Fund	\$121,736.11
151	(w) <i>Claim against the Office of the Governor:</i>	
152	(TO BE PAID FROM GENERAL REVENUE FUND)	
153	(1) Central Service	\$ 320.20

154 (x) *Claim against the Public Service Commission:*

155 (TO BE PAID FROM SPECIAL REVENUE FUND)

156 (1) Gary M. Hellems \$ 1,442.37

157 (y) *Claim against the Real Estate Commission:*

158 (TO BE PAID FROM SPECIAL REVENUE FUND)

159 (1) WV Assoc. of Rehabilitation

160 Facilities, Inc. \$ 562.02

161 (z) *Claim against the Regional Jail and Correctional*
162 *Facility Authority:*

163 (TO BE PAID FROM GENERAL REVENUE FUND)

164 (1) City Hospital, Inc. \$ 71,732.47

165 (aa) *Claims against the State of West Virginia:*

166 (TO BE PAID FROM GENERAL REVENUE FUND)

167 (1) Bell Atlantic-West Virginia, Inc. ... \$ 4,989.25

168 (2) David Hill \$ 5,415.00

169 (bb) *Claims against the West Virginia State Police:*

170 (TO BE PAID FROM GENERAL REVENUE FUND)

171 (1) AT & T \$ 41,457.85

172 (2) Trans. Int. Pool, Inc.

173 dba GE Cap. Modular Space \$ 1,300.00

174 (cc) *Claims against the West Virginia Supreme Court of*
175 *Appeals:*

176 (TO BE PAID FROM GENERAL REVENUE FUND)

177 (1) Mercer County Commission \$ 1,950.00

178 (2) Pennsylvania Council of Children's
179 Services \$ 2,000.00

180 (dd) *Claim against the Board of Barbers and Cosmetol-*
181 *ogists:*

182 (TO BE PAID FROM SPECIAL REVENUE FUND)

183 (1) Terri W. Wood \$ 106.50

184 The Legislature finds that the above moral obligations
185 and the appropriations made in satisfaction thereof shall
186 be the full compensation for all claimants, and that prior
187 to the payments to any claimant provided for in this bill,
188 the court of claims shall receive a release from said
189 claimant releasing any and all claims for moral obliga-
190 tions arising from the matters considered by the Legisla-
191 ture in the finding of the moral obligations and the
192 making of the appropriations for said claimant. The
193 court of claims shall deliver all releases obtained from
194 claimants to the department against which the claim was
195 allowed.

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

Randy Schoonover
.....
Chairman Senate Committee

Randy Seaman
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Carroll E. Brown
.....
Clerk of the Senate

Gregory W. Gray
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

Paul E. C. Brown
.....
Speaker House of Delegates

The within *is approved* this the *15th*
March
day of, 1996.

Gaston Caperton
.....
Governor

PRESENTED TO THE
GOVERNOR

Date 3/11/96

Time 4:40 pm