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OFFICE OF THE  
SECRETARY OF STATE

SB 654

**WEST VIRGINIA LEGISLATURE**  
**SEVENTY-EIGHTH LEGISLATURE**  
**REGULAR SESSION, 2008**

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**ENROLLED**

**Senate Bill No. 654**

(By SENATORS LOVE, EDGELL, UNGER AND SYPOLT)

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[Passed March 4, 2008; in effect from passage.]

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## Senate Bill No. 654

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[Passed March 4, 2008; in effect from passage.]

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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 Attorney General; Department of Administration; Department of Education; Division of Corrections; Division of Highways; Division of Motor Vehicles; Insurance Commission; Marshall University; Public Service**

**Commission; Regional Jail and Correctional Facility Authority; West Virginia State Police and West Virginia University to be moral obligations of the state and directing payment thereof.**

1 The Legislature has considered the findings of fact  
2 and recommendations reported to it by the Court of  
3 Claims concerning various claims against the state and  
4 agencies thereof and in respect to each of the following  
5 claims, the Legislature adopts those findings of fact as  
6 its own and in respect of certain claims herein, the  
7 Legislature has independently made findings of fact and  
8 determinations of award and hereby declares it to be the  
9 moral obligation of the state to pay each such claim in  
10 the amount specified below and directs the Auditor to  
11 issue warrants for the payment thereof out of any fund  
12 appropriated and available for the purpose.

13 (a) *Claim against the Attorney General:*

14 (TO BE PAID FROM GENERAL REVENUE FUND)

15 (1) Christopher C. McClung . . . . . \$ 1,858.20

16 (b) *Claims against the Department of Administration:*

17 (TO BE PAID FROM GENERAL REVENUE FUND)

18 (1) CAS Structural  
19 Engineering, Inc. . . . . \$ 38,326.03

20 (2) Stefaney A. Williams . . . . . \$ 64.80

21 (c) *Claims against the Department of Education:*

22 (TO BE PAID FROM GENERAL REVENUE FUND)

23 (1) Adelphoi Village, Inc. . . . . \$ 31,270.00

24 (2) Pomeroy IT Solutions

25 Sales Company . . . . . \$ 38,541.00

26 (d) *Claims against the Division of Corrections:*

27 (TO BE PAID FROM GENERAL REVENUE FUND)

28 (1) Gary Baker . . . . . \$ 69.00

29 (2) Kevin A. Boxley . . . . . \$ 50.00

30 (3) John Boyce . . . . . \$ 28.62

31 (4) Lucy N. Culver . . . . . \$ 13.48

32 (5) Roger E. Hedrick . . . . . \$ 54.36

33 (6) Regional Jail and Correctional

34 Facility Authority . . . . . \$ 877,753.00

35 (7) Michael E. Smith, Jr. . . . . \$ 257.73

36 (8) Thomas S. Talbert . . . . . \$ 20.00

37 (9) Melinda K. Zirbs . . . . . \$ 7.45

38 (e) *Claims against the Division of Highways:*

39 (TO BE PAID FROM STATE ROAD FUND)

40 (1) Betty Sue Adkins . . . . . \$ 53.00

41	(2) Randy B. Amos .....	\$	408.08
42	(3) Linda Arehart .....	\$	137.75
43	(4) James W. Ayers and		
44	Lisa A. Ayers .....	\$	500.00
45	(5) Annabelle Bailey, as		
46	Administrator of the Estate		
47	of Roger E. Bailey .....	\$	13,000.00
48	(6) Lonnie A. Bays .....	\$	58.30
49	(7) Ronald Beasley .....	\$	464.49
50	(8) Roy L. Beckett .....	\$	285.28
51	(9) Larry Ray Bennett, as		
52	Administrator of the Estate		
53	of Barbara Rosclea		
54	Bennett .....	\$	37,000.00
55	(10) Brian W. Bethel .....	\$	203.13
56	(11) Isaiah Bledsoe and Judy		
57	Bledsoe .....	\$	201.79
58	(12) Crystal D. Brown .....	\$	3,500.00
59	(13) Jami Bryant .....	\$	5,000.00
60	(14) Connie Buckbee, individually		
61	and as Administratrix of the		
62	Estate of Julia Carolyn		
63	Strickland, deceased .....	\$	500,000.00

64	(15) Dennis L. Burgess and		
65	Jennifer W. Burgess .....	\$	294.87
66	(16) Gary Bush .....	\$	246.98
67	(17) Jeffery E. Carr .....	\$	500.00
68	(18) Scott Chapman and		
69	Susan Chapman .....	\$	500.00
70	(19) Michelle D. Clarkson .....	\$	219.12
71	(20) Michael A. Cochran .....	\$	263.20
72	(21) William David Collins .....	\$	6,000.00
73	(22) Louie Constantino and		
74	Daphne Constantino .....	\$	500.00
75	(23) Jennifer Copley and		
76	Billy Joe Copley .....	\$	9,850.00
77	(24) Coy Cumberledge .....	\$	300.00
78	(25) Glenda S. Davis .....	\$	62.16
79	(26) Cathy E. Dotson and		
80	Paul K. Dotson .....	\$	355.05
81	(27) David A. Dove .....	\$	1,000.00
82	(28) Jeffrey A. Dye and		
83	Nancy A. Dye .....	\$	460.33
84	(29) Earl D. Ferguson .....	\$	288.58
85	(30) Lois Mildred Gallagher .....	\$	62.56

86	(31) Allen G. Gibbs and		
87	Esther L. Gibbs .....	\$	252.32
88	(32) David W. Greear .....	\$	197.36
89	(33) Earl W. Grove, Jr. ....	\$	262.12
90	(34) Donald D. Hall, Jr. ....	\$	801.00
91	(35) Cheri Hamilton .....	\$	476.02
92	(36) Brandie M. Harrison .....	\$	295.67
93	(37) Michael L. Haslam .....	\$	105.28
94	(38) Stella M. Hawkins .....	\$	1,250.00
95	(39) Tracy Haynes and		
96	Chad Haynes .....	\$	2,045.90
97	(40) Steve Hendrick .....	\$	256.76
98	(41) Judy A. Hillberry .....	\$	62.16
99	(42) Elmer Mickey Hodge and		
100	Shirley Ann Hodge .....	\$	125.08
101	(43) Diane L. Huffman .....	\$	415.30
102	(44) Sheila Ann Hunt and		
103	Glenn Hunt .....	\$	419.77
104	(45) Todd D. Jarrett .....	\$	677.28
105	(46) Fred Jefferson, Jr., and		
106	Diani Jefferson .....	\$	351.77

107	(47) Jeremy Johnson .....	\$	252.18
108	(48) Robert Ray Johnson .....	\$	500.00
109	(49) Ronald C. Jordan .....	\$	57.24
110	(50) Kimberly Ann Kent .....	\$	242.20
111	(51) Melvin R. Kessler .....	\$	490.43
112	(52) Jeffrey D. Kidwell and		
113	Vickie Kidwell .....	\$	120.23
114	(53) James H. Kilgore III .....	\$	500.00
115	(54) John W. Lacy and		
116	Kristi R. Lacy .....	\$	500.00
117	(55) Jennifer E. Larck .....	\$	150.00
118	(56) Julia E. Legrand .....	\$	250.00
119	(57) Regina Lott and		
120	Harry M. Lott .....	\$	231.91
121	(58) Julia Marion and		
122	Larry Marion .....	\$	500.00
123	(59) Lona R. McCoy .....	\$	408.33
124	(60) Tana B. McCraw .....	\$	8,412.73
125	(61) Adam N. Mendez .....	\$	378.46
126	(62) John W. Morrow and		
127	Devonna Morrow .....	\$	500.00



128	(63) Willis Mullins .....	\$	483.64
129	(64) Cathy I. Neel and		
130	Michael Neel .....	\$	132.50
131	(65) Robert Nuckolls .....	\$	3,550.00
132	(66) John D. Outward .....	\$	90.95
133	(67) George Parnicza .....	\$	387.34
134	(68) Carol A. Pascucci .....	\$	357.15
135	(69) Donna A. Pastorius and		
136	John M. Pastorius .....	\$	275.49
137	(70) Arthur T. Petty .....	\$	89.09
138	(71) Henry M. Pooler .....	\$	2,580.00
139	(72) Linda A. Porter and		
140	Thomas E. Porter .....	\$	288.73
141	(73) Bonnie M. Prisk .....	\$	903.87
142	(74) Charlena Ramey .....	\$	332.41
143	(75) Daisy E. Robertson .....	\$	221.60
144	(76) Michael Shawver and		
145	Zellamae Shawver .....	\$	500.00
146	(77) Sharon L. Shunk and		
147	Richard L. Shunk .....	\$	250.00
148	(78) Frank O. Sirianni .....	\$	500.00

149	(79) Patricia Sisson and		
150	Tanya Sisson .....	\$	613.14
151	(80) Cruz Soto and Wilma L. Soto ..	\$	7,302.01
152	(81) Steven A. Taylor and		
153	Tracy L. Taylor .....	\$	100.70
154	(82) Patsy Tenpenny .....	\$	297.01
155	(83) Sandra J. Thames .....	\$	200.50
156	(84) William E. Thayer II .....	\$	305.40
157	(85) Chandra C. Toney .....	\$	500.00
158	(86) Jessica Townsend .....	\$	500.00
159	(87) Trustees of the Saulsville		
160	Baptist Church .....	\$	81,800.00
161	(88) Donald Lee Underwood and		
162	Vicki Lynn Underwood .....	\$	867.00
163	(89) John Wagner and		
164	Jeanine Wagner .....	\$	500.00
165	(90) Janet Marie Walker .....	\$	272.76
166	(91) Eugene Wilfong and		
167	Dreama Wilfong .....	\$	4,000.00
168	(92) Kimberly Wilson .....	\$	200.54
169	(93) L. Marie Wolfe .....	\$	167.48

170 (94) Lora J. Woomer and  
171 Bobby Woomer ..... \$ 1,742.00

172 (95) Samuel Zavatsky ..... \$ 124.00

173 (f) *Claims against the Division of Motor Vehicles:*

174 (TO BE PAID FROM STATE ROAD FUND)

175 (1) Donna E. Graziani ..... \$ 162.50

176 (2) Lucy Rutherford ..... \$ 90.00

177 (g) *Claim against the Insurance Commission:*

178 (TO BE PAID FROM SPECIAL REVENUE FUND)

179 (1) Morris Square Associates, LP .. \$ 4,634.00

180 (h) *Claim against Marshall University:*

181 (TO BE PAID FROM SPECIAL REVENUE FUND)

182 (1) Manpower ..... \$ 20,000.00

183 (i) *Claim against the Public Service Commission:*

184 (TO BE PAID FROM SPECIAL REVENUE FUND)

185 (1) Pomeroy IT Solutions Sales  
186 Company, Inc. .... \$ 373.30

187 (j) *Claims against Regional Jail and Correctional*  
188 *Facility Authority:*

189 (TO BE PAID FROM SPECIAL REVENUE FUND)

190	(1) Medhanic C. Berhanc .....	\$	83.44
191	(2) Andy Ryan Boggess .....	\$	625.39
192	(3) Michael P. Burns .....	\$	892.00
193	(4) David Jeffrey Edwards .....	\$	374.95
194	(5) Robert England .....	\$	120.00
195	(6) Charles W. Hall .....	\$	659.05
196	(7) David Huffman .....	\$	31.31
197	(8) Billy E. Hughes, Jr. ....	\$	15.00
198	(9) Stephen Hutchins .....	\$	130.00
199	(10) Keith Wesley Johnson .....	\$	179.00
200	(11) Dayton S. Lister .....	\$	20.06
201	(12) Jeremiah David Mongold .....	\$	20.69
202	(13) Ransom Parris .....	\$	604.00
203	(14) Donna J. Snyder .....	\$	500.00
204	(15) Stephen F. Tlumach .....	\$	6.66
205	(16) Stephen Valkos .....	\$	56.95
206	(k) <i>Claim against the WV State Police:</i>		
207	(TO BE PAID FROM GENERAL REVENUE FUND)		

208 (1) James W. Dickens ..... \$ 2,475.00

209 (1) *Claim against West Virginia University:*

210 (TO BE PAID FROM SPECIAL REVENUE FUND)

211 (1) American Vending

212 Company, Inc. .... \$ 529,087.48

213 The Legislature finds that the above moral obligations  
214 and the appropriations made in satisfaction thereof  
215 shall be the full compensation for all claimants and that,  
216 prior to the payments to any claimant provided in this  
217 bill, the Court of Claims shall receive a release from said  
218 claimant releasing any and all claims for moral  
219 obligations arising from the matters considered by the  
220 Legislature in the finding of the moral obligations and  
221 the making of the appropriations for said claimant. The  
222 Court of Claims shall deliver all releases obtained from  
223 claimants to the department against which the claim  
224 was allowed.

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

*Randy White*  
.....  
Chairman Senate Committee

*[Signature]*  
.....  
Chairman House Committee

Originated in the Senate.

In effect from passage.

*Russell Holmes*  
.....  
Clerk of the Senate

*[Signature]*  
.....  
Clerk of the House of Delegates

*Carl Roy Tomblin*  
.....  
President of the Senate

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

The within *is appended* ..... this  
the *20th* Day of *May* ....., 2008.

*[Signature]*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 17 2008

Time 11:15am