

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

### **Committee Substitute**

**for**

### **House Bill 4366**

(BY DELEGATES CANTERBURY, E. NELSON, FRICH,  
WESTFALL, GUTHRIE AND LONGSTRETH)

[Originating in the Committee on Finance;

February 17, 2016.]



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

16 *Claims against the Department Of Health and Human Resources:*

17 (TO BE PAID FROM GENERAL REVENUE FUND)

- (1) Basagic Funeral Home.....\$3,700.00
- (2) Field Funeral Home .....\$3,750.00
- (3) Ford Funeral Home Inc. ....\$2,500.00

(4)	Fort Henry Realty Inc. dba Advanced Communications Company	\$6,570.00
(5)	Greco-Hertnick Funeral Home .....	\$2,500.00
(6)	Handley Funeral Home Inc. ....	\$8,750.00
(7)	Harding Funerals & Cremations .....	\$3,750.00
(8)	J.G. Lampkin Funeral Home .....	\$1,250.00
(9)	Klingel Carpenter Mortuary .....	\$3,750.00
(10)	Leavitt Funeral Home Inc. ....	\$2,500.00
(11)	Memorial Funeral Directory Inc. ....	\$9,500.00
(12)	Mounts Funeral Home Inc. ....	\$1,250.00
(13)	Reasner Funeral Home.....	\$6,150.00
(14)	Tyler Mountain Funeral Home.....	\$2,500.00

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: \$58,420.00