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FILED

2007 MAR 20 PM 4:55

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
FIRST REGULAR SESSION, 2007



**ENROLLED**

**COMMITTEE SUBSTITUTE  
FOR  
House Bill No. 2973**

(By Stalnaker, Tucker, Amores,  
Manchin, Evans and Anderson)



Passed March 7, 2007

In Effect from Passage

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COMMITTEE SUBSTITUTE OFFICE WEST VIRGINIA  
SECRETARY OF STATE

FOR

# H. B. 2973

(BY STALNAKER, TUCKER, AMORES,  
MANCHIN, EVANS AND ANDERSON)

[Passed March 7, 2007; 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 Department of Administration; Department of Education; Department of Health and Human Resources; Division of Corrections; Division of Forestry; Division of Highways; Division of Motor Vehicles; Division of Natural Resources; Division of Rehabilitation Services; Office of Miners' Health, Safety and Training; Public Service Commission; Regional Jail and Correctional Facility Authority; Supreme Court of Appeals and the West Virginia State Police 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, the  
5 Legislature adopts those findings of fact as its own and in  
6 respect of certain claims herein, the Legislature has  
7 independently made findings of fact and determinations of  
8 award and hereby declares it to be the moral obligation of the  
9 state to pay each such claim in the amount specified below  
10 and directs the Auditor to issue warrants for the payment  
11 thereof out of any fund appropriated and available for the  
12 purpose.

13 (a) *Claim against Department of Administration:*  
14 (TO BE PAID FROM GENERAL REVENUE FUND)

15  
16 (1) AT & T Corporation . . . . . \$ 481,470.93

17 (b) *Claims against the Department of Education:*  
18 (TO BE PAID FROM GENERAL REVENUE FUND)

19 (1) Citizens Telecommunications Co. Of WV, dba  
20 Frontier Communications of WV . . . . . \$ 136.83

21 (c) *Claim against the Department of Health and Human*  
22 *Resources:*  
23 (TO BE PAID FROM SPECIAL REVENUE FUND)

24 (1) Citizens Telecommunications Co. Of WV, dba  
25 Frontier Communications of WV . . . . . \$ 5,011.02

26 (d) *Claims against the Division of Corrections:*  
27 (TO BE PAID FROM GENERAL REVENUE FUND)

28 (1) Citizens Telecommunications Co. Of WV, dba  
29 Frontier Communications of WV . . . . . \$ 5,473.36

30 (2) Public Employees Insurance Agency . . . . . \$ 207,273.95

31 (e) *Claim against the Division of Forestry:*  
32 (TO BE PAID FROM GENERAL REVENUE FUND)

33 (1) Citizens Telecommunications Co. Of WV, dba  
34 Frontier Communications of WV . . . . . \$ 299.38

35  
36(f) *Claims against the Division of Highways:*  
(TO BE PAID FROM STATE ROAD FUND)

37	(1) Andrea Acord . . . . .	\$ 109.78
38	(2) Carol P. Simmons Alderman . . . . .	\$ 248.49
39	(3) Eva Balsar . . . . .	\$ 57.90
40	(4) Beryl Beal . . . . .	\$ 100.00
41	(5) Jeromey Chad Beller . . . . .	\$ 12,500.00
42	(6) Diana Bender . . . . .	\$ 800.00
43	(7) Linda Bird, as Admin. of the Estates of	
44	Emzie Sovine and Mildred Sovine . . . . .	\$ 250.00
45	(8) DeWitt Keith Blair . . . . .	\$ 262.74
46	(9) Cathy R. Brown . . . . .	\$ 344.74
47	(10) Roger Brown . . . . .	\$ 327.83
48	(11) Teresa Lynn Brown . . . . .	\$ 370.00
49	(12) Charles and Connie Browning . . . . .	\$ 500.00
50	(13) Charles J. and Christina R. Bryant . . . . .	\$ 1,000.00
51	(14) Lena R. Bryant . . . . .	\$ 100.00
52	(15) Sharla Kay and Christopher M. Burgy . . . . .	\$ 500.00
53	(16) Derek J. Clatterbuck . . . . .	\$ 203.94
54	(17) Benjamin Clevinger . . . . .	\$ 568.25
55	(18) Jackie L. Sr., and Carol S. Coomer . . . . .	\$ 500.00
56	(19) Rita L. Cornell . . . . .	\$ 500.00
57	(20) Tammy Crane . . . . .	\$ 750.00
58	(21) Philip Dixon . . . . .	\$ 249.55
59	(22) Diana S. Eggerichs . . . . .	\$ 101.99
60	(23) Robert Craig and Amanda E. Ferrell . . . . .	\$ 341.10
61	(24) Trudy L. Forster . . . . .	\$ 450.23
62	(25) Mary Ann Fox . . . . .	\$ 100.00
63	(26) Darla Furbee . . . . .	\$ 1,012.97
64	(27) Gloria June Gallourakis . . . . .	\$ 500.00
65	(28) Antoine E. Geraud . . . . .	\$ 165.20
66	(29) Makhoul Ghareeb . . . . .	\$ 500.00
67	(30) Connie Goins . . . . .	\$ 437.78
68	(31) Lynn and Alicia Gomez . . . . .	\$ 272.36
69	(32) Carol A. Green . . . . .	\$ 574.40
70	(33) Jean Grimes and Alaina Stump . . . . .	\$ 500.00
71	(34) Tony and Connie Sue Guzman . . . . .	\$ 296.69
72	(35) Joann and Jerry Hainer . . . . .	\$ 1,568.23
73	(36) Lucy and Amelia Hiles . . . . .	\$ 1,949.10
74	(37) Nelson W. Hocking . . . . .	\$ 500.00
75	(38) Timothy Allen Holstein . . . . .	\$ 500.00
76	(39) Martha Hoschar . . . . .	\$ 250.00
77	(40) Lori Hudnall . . . . .	\$ 500.00
78	(41) Michelle Dawn Hudson . . . . .	\$ 130.38
79	(42) Jessica L. Hughart Calloway . . . . .	\$ 334.93
80	(43) Judith L. Jordan and Ora Gay James . . . . .	\$ 68.90
81	(44) Paul J. Kees . . . . .	\$ 237.27

82	(45) Teresa J. Kidd	\$	102.82
83	(46) Janice L. Kingery	\$	654.11
84	(47) Michael L. Klug	\$	97.64
85	(48) Doris P. Lane	\$	209.88
86	(49) Kimberly and Ryan Lantz	\$	250.00
87	(50) Philip S. Lawrence	\$	138.21
88	(51) David A. Ledford Jr.	\$	343.15
89	(52) Kimberly Browning Lester	\$	569.78
90	(53) Teresa Lien	\$	496.99
91	(54) Bonnie Lipps	\$	440.23
92	(55) Lonzo Lovcjoy	\$	500.00
93	(56) Warren Lowe Jr.	\$	136.74
94	(57) Dena A. Matthews	\$	500.00
95	(58) Elizabeth McClintock	\$	338.92
96	(59) Wanda L. McGraw	\$	500.00
97	(60) James R. and Roberta J. Meadows	\$	350.00
98	(61) William J. Melton	\$	500.00
99	(62) Dorothy Mercer	\$	29,593.50
100	(63) Eric Merrifield	\$	184.96
101	(64) Marlene Middleton, dba		
102	The Cutting Edge	\$	5,060.88
103	(65) Richard and Melinda Miller	\$	110,000.00
104	(66) Robert L. Napier	\$	422.15
105	(67) Truda Null	\$	13,000.00
106	(68) Jane O'Brien, as Admin. of the Estate		
107	of William Paul O'Brien	\$	50,000.00
108	(69) Panhandle Homes Inc.	\$	325.00
109	(70) John M. Parks	\$	500.00
110	(71) Robert Pearson	\$	135.00
111	(72) Tera Pendleton	\$	200.34
112	(73) Debra J. and Dwight D. Phillips	\$	250.00
113	(74) Charles E. Plybon	\$	65.00
114	(75) Clifford Porter	\$	47.65
115	(76) Donald Ramsey	\$	249.57
116	(77) Michael O. Ray	\$	200.00
117	(78) Roy Rayburn	\$	250.00
118	(79) Mark and Carla Riley	\$	194.65
119	(80) Bobby and Edith Rollins	\$	206.96
120	(81) Terri Roush	\$	250.00
121	(82) James E. Rubenstein	\$	500.00
122	(83) Michael Seabolt	\$	176.72
123	(84) Donnie L. Shaw	\$	2,000.00
124	(85) John Slaughter and Brandon Edwards	\$	105.17
125	(86) Jeremy and Pamela Sloan	\$	144.55
126	(87) Robert C. Small	\$	336.50
127	(88) Daniel and Valerie Smith	\$	500.00
128	(89) Misty Brown Spaulding	\$	373,979.52
129	(90) Marlyn Starcher	\$	285.07

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130	(91) Travis W. Tarr . . . . .	\$	175.11
131	(92) Woodrow W. Vance . . . . .	\$	441.45
132	(93) Roger Virden . . . . .	\$	100.00
133	(94) Alex Ward . . . . .	\$	432.13
134	(95) Kevin A. Wiggins and		
135	Beth Ellen Reaves . . . . .	\$	500.00
136	(96) Melissa Gail Williams . . . . .	\$	500.00
137	(97) Kathy L. Williamson . . . . .	\$	500.00
138	(98) Kathy Wills, Executrix of the		
139	Estate of David Wayne Wills . . . . .	\$	500.00
140	(99) Rickey A. and Bonnie D. Wright . . . . .	\$	500.00
141	(g) <i>Claims against the Division of Motor Vehicles:</i>		
142	(TO BE PAID FROM STATE ROAD FUND)		
143	(1) Citizens Telecommunications Co. Of WV, dba		
144	Frontier Communications of WV . . . . .	\$	3,643.57
145	(2) Rebecca J. Hess . . . . .	\$	50.00
146	(3) Homer J. Wilson III . . . . .	\$	155.00
147	(h) <i>Claim against the Division of Natural Resources:</i>		
148	(TO BE PAID FROM SPECIAL REVENUE FUND)		
149	(1) Citizens Telecommunications Co. Of WV, dba		
150	Frontier Communications of WV . . . . .	\$	1,449.86
151	(i) <i>Claims against the Division of Rehabilitation Services:</i>		
152	(TO BE PAID FROM SPECIAL REVENUE FUND)		
153	(1) Citizens Telecommunications Co. Of WV, dba		
154	Frontier Communications of WV . . . . .	\$	120.11
155	(2) NDC Health Corporation . . . . .	\$	10,786.56
156	(j) <i>Claim against the Office of Miners' Health, Safety, and Training:</i>		
157	(TO BE PAID FROM SPECIAL REVENUE FUND)		
158	(1) John W. Cruse . . . . .	\$	6,045.32
159	(k) <i>Claims against the Public Service Commission:</i>		
160	(TO BE PAID FROM SPECIAL REVENUE FUND)		
161	(1) Audra L. Blackwell . . . . .	\$	15,412.00
162	(2) Country Inn & Suites . . . . .	\$	3,325.58

163 (l) *Claims against Regional Jail and Correctional Facility*  
164 *Authority:*  
165 (TO BE PAID FROM SPECIAL REVENUE FUND)

166	(1) Delores J. Cain	\$	13.70
167	(2) Phillip Terry Delaney	\$	65.00
168	(3) Fred Maynard	\$	10.00
169	(4) Michelle Pownall	\$	310.00
170	(5) Arretta Jane Walker	\$	2,920.72

171 (m) *Claim against the Supreme Court of Appeals:*  
172 (TO BE PAID FROM GENERAL REVENUE FUND)

173	(1) Citizens Telecommunications Co. Of WV, dba		
174	Frontier Communications of WV	\$	2,553.62

175 (n) *Claim against the WV State Police:*  
176 (TO BE PAID FROM GENERAL REVENUE FUND)

177	(1) Citizens Telecommunications Co. Of WV, dba		
178	Frontier Communications of WV	\$	5,695.43

179 The Legislature finds that the above moral  
180 obligations and the appropriations made in satisfaction  
181 thereof shall be the full compensation for all claimants and  
182 that prior to the payments to any claimant provided in this  
183 bill, the Court of Claims shall receive a release from said  
184 claimant releasing any and all claims for moral obligations  
185 arising from the matters considered by the Legislature in the  
186 finding of the moral obligations and the making of the  
187 appropriations for said claimant. The Court of Claims shall  
188 deliver all releases obtained from claimants to the department  
189 against which the claim was allowed.

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

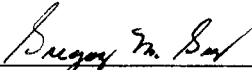
  
\_\_\_\_\_  
Chairman Senate Committee

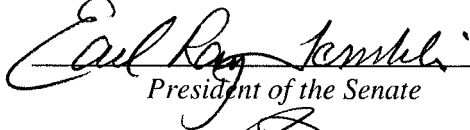
  
\_\_\_\_\_  
Chairman House Committee

Originating in the House.

In effect from passage.

  
\_\_\_\_\_  
Clerk of the Senate

  
\_\_\_\_\_  
Clerk of the House of Delegates

  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House of Delegates

The within is approved this the 20<sup>th</sup>  
day of March, 2007.

  
\_\_\_\_\_  
Governor



PRESENTED TO THE  
GOVERNOR

MAR 15 2007

Time

*4:00 pm*