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H. B. 4503

(By Delegates Marshall, Iaquinta, Williams,
Anderson and A. Evans)

[Introduced February 13, 2014; referred to the
Committee on Finance.]

A BILL 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 Health and Human Resources; Division of Corrections; and Division of Forestry to be moral obligations of the state and directing payments thereof.

The Legislature has heretofore made findings of fact that the state has received the benefit of the commodities received and/or services rendered by certain claimants herein and has considered these claims against the state, and agencies thereof, which have arisen due to over expenditures of the departmental appropriations by officers of the state spending units, the claims having been

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

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

18 (TO BE PAID FROM GENERAL REVENUE FUND)

- 19 (1) Chapman's Mortuary.. . . . \$ 2,500.00
- 20 (2) Dodd-Payne-Hess Funeral Home.. . . . \$ 1,250.00

21 (b) *Claim against the Division of Corrections:*

22 (TO BE PAID FROM GENERAL REVENUE FUND)

- 23 (1) Silling Associates Inc.. \$105,037.60

24 (c) *Claim against the Division of Forestry:*

1 (TO BE PAID FROM GENERAL REVENUE FUND)
2 (1) Public Employees Insurance Agency. \$ 14,104.78

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 involved overspent its budget.

Total amount of general revenue - \$122,892.38