

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act for the relief of Allen Harman, C. W. Harman, Douglas Lane Belcher, and Ava B. Belcher.*

3 [H 91]

4 Approved

5 Whereas, Allen Harman, C. W. Harman, Douglas Lane Belcher, and Ava B. Belcher are the owners
6 of cattle operations on adjacent properties in Floyd County; and7 Whereas, in April 1994, the State Veterinarian, on behalf of the Virginia Department of Agriculture
8 and Consumer Services, and the Area Veterinarian in charge, on behalf of the U.S. Department of
9 Agriculture, notified Allen Harman, C. W. Harman, Douglas Lane Belcher, and Ava B. Belcher that
10 they had reason to believe that cattle in their herds had contracted tuberculosis and needed to be
11 destroyed; and12 Whereas, Allen Harman, C. W. Harman, Douglas Lane Belcher, and Ava B. Belcher agreed to
13 cooperate with the State Veterinarian and have their herds destroyed under the belief that they would be
14 fully compensated for their losses under the provisions of federal and state law; and15 Whereas, an appraisal of the condemned cattle of Allen Harman and C. W. Harman conducted in
16 accordance with the provisions of § 3.1-750 of the Code of Virginia established the fair cash value of
17 their cattle to be \$346,765; and18 Whereas, the U.S. Department of Agriculture paid indemnities of \$185,442.38 to Allen Harman and
19 C. W. Harman, and receipts from the salvage of the slaughtered cattle provided \$69,612.03; the total of
20 these is \$91,712.59 less than the appraised value of the condemned cattle; and21 Whereas, an appraisal of the cattle of Douglas Lane Belcher conducted in accordance with the
22 provisions of § 3.1-750 of the Code of Virginia established the fair cash value of the grade cattle to be
23 to be \$427,250, and of the purebred cattle to be \$34,825, resulting in a total appraised value of Douglas
24 Lane Belcher's herd of \$462,075; and25 Whereas, the U.S. Department of Agriculture paid indemnities of \$160,221.49 to Douglas Lane
26 Belcher, and receipts from the salvage of the slaughtered cattle provided \$103,764.76; the total of these
27 is \$198,088.75 less than the appraised value of his condemned cattle; and28 Whereas, an appraisal of the cattle of Ava B. Belcher conducted in accordance with the
29 provisions of § 3.1-750 of the Code of Virginia established the fair cash value of the grade cattle to be
30 \$96,595, and of the purebred cattle to be \$3,650, resulting in a total appraised value of Ava B. Belcher's
31 herd of \$100,245; and32 Whereas, the U.S. Department of Agriculture paid indemnities of \$36,857.66 to Ava B. Belcher, and
33 receipts from the salvage of the slaughtered cattle provided \$24,687.16; the total of these is \$38,700.18
34 less than the appraised value of the condemned cattle; and35 Whereas, the Commissioner of Agriculture offered an incentive payment to Allen Harman and C. W.
36 Harman of \$10,000 to facilitate their decision to destroy the entire herd; the offer was not accepted by
37 them, nor has such sum been paid; and38 Whereas, Allen Harman, C. W. Harman, Douglas Lane Belcher, and Ava B. Belcher would not have
39 agreed to the slaughter of their cattle unless they had understood that they would be compensated for the
40 balance of the cattle's value in accordance with § 3.1-754 of the Code of Virginia, which provides that
41 in addition to the amount received for the carcasses of animals slaughtered, further compensation may
42 be paid to the owners by the Virginia Department of Agriculture and Consumer Services out of funds
43 appropriated for that purpose at a rate not exceeding that set forth by the U.S. Department of
44 Agriculture, provided the total amount does not exceed the appraised value of the animals less the
45 amount received for slaughter; and46 Whereas, paying compensation to Allen Harman and C. W. Harman in the amount of \$91,712, to
47 Douglas Lane Belcher in the amount of \$198,088.75, and to Ava B. Belcher in the amount of
48 \$38,700.18 would not exceed the rate of compensation established by the U.S. Department of
49 Agriculture; and50 Whereas, Allen Harman, C. W. Harman, Douglas Lane Belcher, and Ava B. Belcher have no other
51 means to obtain relief except by action of this body; now, therefore,52 **Be it enacted by the General Assembly of Virginia:**53 *1. § 1. That there is hereby appropriated from the general fund of the state treasury the sum of*
54 *\$61,141.73 for the relief of Allen Harman and C. W. Harman, the sum of \$132,059.17 for the relief of*
55 *Douglas Lane Belcher, and the sum of \$25,800.12 for the relief of Ava B. Belcher. These sums shall be*
56 *paid by checks issued by the State Treasurer on warrants issued by the Comptroller, upon execution by*

57 *Allen Harman, C. W. Harman, Douglas Lane Belcher, and Ava B. Belcher of a release of all claims*
58 *they may have against the Commonwealth or any of its political subdivisions or their officers,*
59 *employees, or agents.*