

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act for the relief of the estate of Arlene C. Bergers.*

3 [S 861]

4 Approved

5 Whereas, Elizabeth M. Oliver is the daughter and coexecutor of the estate of Arlene C. Bergers, who
6 died on January 18, 1995; and

7 Whereas, Mrs. Bergers was the widow of Edward F. Bergers, who died on October 6, 1988; and

8 Whereas, the federal retirement income of Mr. and Mrs. Bergers for tax years 1985 through 1988
9 was unlawfully taxed by the Commonwealth; and10 Whereas, the amount of Mr. and Mrs. Bergers' overpayment of state income taxes for this period is
11 \$3,551.64; and12 Whereas, following the enactment of legislation in the 1994 Special Session establishing a procedure
13 for the settlement of claims for the wrongful taxation of federal retirement benefits, Mrs. Bergers
14 received Form FR1 from the Department of Taxation; and15 Whereas, Mrs. Bergers told Mrs. Oliver that she had signed the required forms and timely returned
16 them to the Department of Taxation; and17 Whereas, Mrs. Bergers was hospitalized for cancer treatments for numerous lengthy periods between
18 1993 and her death in 1995; and19 Whereas, following the death of Mrs. Bergers, Mrs. Oliver contacted the Department of Taxation
20 regarding the status of her mother's refund payment; and21 Whereas, the Department of Taxation notified Mrs. Oliver that Mrs. Bergers did not return the forms
22 required to participate in the settlement program; and23 Whereas, though Mrs. Berbers told her daughter that she did elect to participate in the settlement, she
24 was seriously ill from cancer and chemotherapy treatments throughout the relevant periods; and25 Whereas, Mrs. Oliver has no other means to obtain relief except by action of this body; now,
26 therefore,27 **Be it enacted by the General Assembly of Virginia:**28 **1. § 1.** *That there is hereby allocated from the general fund the sum of \$2,719.68 for the relief of the*
29 *estate of Arlene C. Bergers. This sum shall be paid by check issued by the State Treasurer on warrant*
30 *of the Comptroller to Elizabeth M. Oliver, upon execution by the executors of the estate of Arlene C.*
31 *Bergers of a release of all claims the estate of Arlene C. Bergers may have against the Commonwealth*
32 *or any agency, instrumentality, officer, employee or political subdivision thereof, in connection with the*
33 *aforesaid occurrence.*

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