

# 1995 SESSION

INTRODUCED

LD3339316

## HOUSE BILL NO. 1484

Offered January 11, 1995

*A BILL for the relief of Robert A. Patneau.*

Patron—Katzen (By Request)

Referred to Committee on Claims

Whereas, in September 1987, Robert A. Patneau filed a complaint against a contractor with the Virginia Department of Commerce alleging numerous Building Code violations and requesting that the Department conduct an investigation of the matter; and

Whereas, the Virginia Department of Commerce closed the case for lack of evidence without conducting an investigation; and

Whereas, Robert Patneau presented additional evidence to the Commerce Department to further substantiate an investigation into the matter; and

Whereas, the Commerce Department denied consideration of the additional evidence presented and again closed the case for insufficient evidence; and

Whereas, Robert Patneau presented to the Commerce Department court testimony whereby the contractor admitted to the authenticity of evidence previously presented to the Commerce Department; and

Whereas, the Commerce Department re-opened the case and a full investigation was recommended; and

Whereas, the contractor's attorney requested that the Commerce Department not make a decision regarding the matter until after bankruptcy proceedings for the contractor were completed; and

Whereas, the Commerce Department tabled the complaint; and

Whereas, the Commerce Department refused to investigate the allegations set forth in Robert Patneau's complaint for five years; and

Whereas, Robert Patneau's claim against the contractor was found to be legally valid by the bankruptcy court; and

Whereas, the contractor has entered bankruptcy; and

Whereas, the Department of Commerce now agrees that an investigation should be conducted; and

Whereas, not only have Robert Patneau and his family suffered grievous monetary loss, but they have had their health and safety endangered as well; and

Whereas, Robert A. Patneau has no other means to recover the expenses incurred due to the contractor's violations and the Commerce Department's subsequent failure to investigate except by the action of this body; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. § 1. That there is hereby allocated to Robert A. Patneau from the general funds appropriated to the Virginia Department of Commerce the sum of \$304,000. This payment shall be paid by check issued by the State Treasurer on warrant of the Comptroller to Robert A. Patneau, upon execution by him of a release of all claims he may have against the Commonwealth or any agency, instrumentality, officer, employee, or political subdivision in connection with the aforesaid occurrence.

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