

By: Pitts, Edwards

H.B. No. 2729

A BILL TO BE ENTITLED

1 AN ACT
2 relating to directing payment, after approval, of certain
3 miscellaneous claims and judgments against the state out of funds
4 designated by this Act; making appropriations.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. The following sums of money are appropriated out
7 of the General Revenue Fund Account No. 0001 for payment of itemized
8 claims and judgments plus interest, if any, against the State of
9 Texas:

10 To pay Hartford Fire Insurance Company for a contract related
11 judgment rendered on December 9, 2004, in the case of *Hartford Fire*
12 *Insurance Company v. The University of Houston*, State Office of
13 Administrative Hearings Docket No. 730-01-2374.CC \$249,999.00

14 To pay Sharpe, Tillman & Melton for HEB Ministries, Inc.,
15 Southern Bible Institute and Hispanic Bible Institute for a
16 judgment, attorney fees, and costs and bearing interest in
17 accordance with Section 304.003, Finance Code, not lower than five
18 percent interest but not to exceed 15 percent interest from
19 September 17, 2008, until paid (estimated) \$595,000.00

20 To pay My-Hanh Nguyen for replacement of void warrant issued
21 8/13/1999 for refund of local sales tax \$115.79

22 To pay Haynes and Boone, LLP for attorney fees for *West*
23 *Orange-Cove Consolidated Independent School District, et al vs.*
24 *Shirley Neeley, et al* judgment (West-Orange Cove Plaintiffs) Cause

1 No. GV-100528, plus eight percent interest compounded annually from
2 July 5, 2006, until paid (estimated) \$2,680,106.00
3 To pay Ray, Wood & Bonilla for attorney fees for West
4 Orange-Cove Consolidated Independent School District, et al vs.
5 Shirley Neeley, et al judgment (Alvarado Plaintiffs) Cause No.
6 GV-100528, plus eight percent interest compounded annually from
7 July 5, 2006, until paid (estimated) \$278,912.50
8 To pay Mexican American Legal Defense and Educational Fund
9 for attorney fees for West Orange-Cove Consolidated Independent
10 School District, et al vs. Shirley Neeley, et al judgment (Edgewood
11 Plaintiffs) Cause No. GV-100528, plus eight percent interest
12 compounded annually from July 5, 2006, until paid
13 (estimated) \$1,278,895.20
14 To pay confidential payee for claim number 93M70532 related
15 to temporary assistance for needy families in the month of October,
16 1995 \$16.00
17 To pay Michael Stuehrk for replacement of a void warrant
18 issued on March 14, 1997, for refund of payment received in
19 error \$40.00
20 To pay confidential payee for claim number 93M70538 related
21 to a net payroll lump sum void warrant issued on April 1,
22 1996 \$313.08
23 To pay Everton A. Edmondson, M.D., P.A., for replacement of
24 void warrants issued April 25, 1996, and June 18, 1996, for copies
25 of rehabilitation patient medical records \$30.00
26 To pay confidential payee for the claim number 93M70635 for
27 temporary aid to needy families March 1998 - May 1999 \$156.00

1 To pay confidential payee for the claim number 93M70636 for
2 temporary aid to needy families August 1996 - June 2000 \$414.00
3 To pay Olin Ross Smith, Independent Executor Estate of Floyd
4 E. Smith for replacement of void warrant issued January 15, 2004,
5 for inheritance tax refund \$52,090.00
6 To pay confidential payee for the claim number 93M80058 for
7 temporary aid to needy families June 1997 - July 2003 \$158.00
8 To pay confidential payee for the claim number 93M80059 for
9 replacement of void warrant issued August 9, 1996, for refund of
10 overpayment of franchise tax \$261.61
11 To pay University of North Texas Health Science Center of
12 Fort Worth for services for public health preparedness and response
13 to bioterrorism needs assessment program March 1, 2003 - May 31,
14 2003, Contract #7637637630-203-A1 \$60,389.66
15 To pay Gainesville Healthcare Center Ltd. Co. dba Renaissance
16 Care Center for nursing home services November 17, 1998 - March 31,
17 2000 \$258.87
18 To pay University of Texas Health Science Center at Houston
19 for social cohesion and health in Hispanics & African American
20 project June 1, 2002 - August 31, 2003 \$15,139.63
21 To pay University of Texas Health Science Center at Houston
22 for Texas statewide bioterrorism continuing education program two
23 hour nursing continuing education web-course July 20, 2004 - August
24 31, 2004 \$103,606.00
25 To pay University of Texas Health Science Center at Houston
26 for the unmeasured impact of the tuberculosis epidemic on
27 tuberculosis programs project August 1, 2002 - December 31,

1 2002 \$5,414.50

2 To pay Randy Gray for replacement of void warrant issued

3 November 17, 1999, for witness fee claim \$158.26

4 To pay ESC-NGH LP for community care service July 13, 2005

5 - August 31, 2005 \$16,481.92

6 To pay ESC-NGH LP for community care service July 13, 2005

7 - August 31, 2005 \$9,733.21

8 To pay ESC-NGH LP for community care July 13, 2005 - August

9 31, 2008 \$5,344.19

10 To pay Sam Houston State University for industrial hygiene

11 training conducted August, 1999 \$8,094.95

12 To pay City of Laredo for Office of Public Health

13 Preparedness for Bio-Terrorism contract August, 2004 \$48,071.38

14 To pay confidential payee claim for the claim number 93M80426

15 for replacement of void warrant issued January 8, 2004, for

16 franchise tax refund \$500,000.00

17 To pay Parkland Foundation c/o Stanek Associates, Inc. for

18 replacement of void warrant issued February 17, 2006 \$75,056.16

19 To pay Ruth Ann Campbell for replacement of void warrant

20 issued March 2, 1999, for travel for State Board Educator

21 Certification Advisory Committee for counselor

22 certification \$194.79

23 To pay confidential payee for the claim number 93M90097 for

24 replacement of void warrant issued March 14, 2000, for refund of

25 sales and use tax \$245.01

26 To pay Travis County District Clerk Amalia Rodriguez Mendoza

27 for various court filing fees April 18, 2000 - December 11,

1 2005 \$1,406.00
2 To pay John L. Hensley for replacement of void warrant issued
3 April 1, 1996 \$102.31
4 To pay Airgas Southwest Inc. for oxygen cylinders September
5 27, 2005 - September 30, 2005 \$79,649.89
6 To pay confidential payee for the claim number 93M90145 for
7 replacement of void warrant issued October 24, 1997, for franchise
8 tax refund \$1,075.00
9 To pay confidential payee for the claim number 93M90174 for
10 replacement of void warrant issued October 29, 1998, for franchise
11 tax refund \$1,136.66
12 To pay Amos R. Morrison for replacement of void unclaimed
13 property warrant issued June 16, 2006 \$55,656.36
14 To pay Edward McElyea for whistleblower judgment No.
15 GN103776, plus five percent interest compounded annually from
16 February 1, 2006, until paid (estimated) \$348,063.50
17 To pay Barbara Oakley, as guardian of the estate and person of
18 Richard Danziger for wrongful imprisonment settlement cause No.
19 75107D, AG No. 052091477 \$250,000.00
20 SECTION 2. The following sums of money are appropriated out
21 of the State Highway Fund No. 0006 for payment of itemized claims
22 and judgments plus interest, if any, against the State of Texas:
23 To pay TransAmerican Power Products, Inc. for a judgment in
24 the case of *TransAmerican Power Products, Inc. v. Texas Department*
25 *of Transportation*, State Office of Administrative Hearings Docket
26 No. 601-07-0749.CC for breach of contract judgment related to
27 purchase of steel traffic signal poles \$469,782.80

1 To pay S&B Infrastructure, LTD for schematic engineering
2 design and development services for May 2, 1999, through October
3 30, 1999 \$51,395.20
4 To pay Kellogg Brown & Root Inc. for engineering services for
5 March 1, 2006, through August 31, 2006 \$5,886.02
6 To pay AT&T for relocation of all facilities for construction
7 project on US 75/IH635 Interchange in Dallas, TX August 1, 1999
8 - March 31, 2003, CSJ: 2374-01-103 \$769,136.36
9 To pay Southwestern Public Service Co. for utility relocation
10 August 16, 2002 - June 10, 2003, CSJ:0380-01-053 \$612,097.65
11 To pay Shell Pipeline Company LP for replacing pipeline on
12 Airport Blvd in Houston, utility adjustment U1-3931, CSJ:
13 8041-12-014 for March 3, 2002 \$60,804.00
14 To pay City of Richardson for signal adjustment January 16,
15 2000 - August 31, 2004, Contract #8075-18-005 \$53,090.96
16 To pay North American Title Company closing and title
17 expenses for July 1, 1996, Project 8018-1-63, Parcel 2, CSJ:
18 2964-03-001 and Invoice GF# D342505C \$1,780.00
19 To pay North American Title Company for leasehold estate
20 recording fee for July 31, 1996, Project 8018-1-63, Parcel 2, CSJ:
21 2964-03-001, and Invoice GF# D342505C \$25.00
22 To pay for Trinity Valley Electric Cooperative Inc., 90
23 percent payment for electrical utility adjustment in Anderson
24 County December, 2003 \$263,016.12
25 To pay S&B Infrastructure, LTD for schematic engineering
26 design and development services for June, 2004 \$21,709.65
27 To pay S&B Infrastructure LTD for schematic engineering

1 design and development services for August, 2004 \$3,171.84
2 To pay S&B Infrastructure LTD for schematic engineering
3 design and development services for July, 2004 \$7,270.79
4 To pay Texas Transportation Institute, The Texas A&M
5 University System, to provide technical support to enhance
6 effective utilization of high occupancy vehicle lanes April 24,
7 2002 - August 31, 2005 \$14,221.82
8 To pay Texas Transportation Institute, The Texas A&M
9 University System, to provide technical support to enhance
10 effective utilization of high occupancy vehicle lanes April 24,
11 2002 - August 31, 2005 \$5,550.00
12 To pay Kellogg, Brown & Root Inc. for engineering services
13 performed September 1, 2004 - August 31, 2005, under contract
14 15-745P5001, WA No. 7 per Supplemental Agreement No. 1 \$40,152.17
15 To pay City of North Richland Hills Parks Department for
16 professional services for Congestion Mitigation Air Quality
17 project, South Electric Trail November 10, 2003 - July 12, 2004,
18 CSJ: 0902-48-289 \$15,721.00
19 To pay City of North Richland Hills Parks Department for
20 construction services on Cottonbelt Hike and Bike Trail May 1, 2004
21 - November 30, 2004, CSJ: 0902-48-331 \$502,372.71
22 To pay City of North Richland Hills Parks Department for
23 construction services on Cottonbelt Hike and Bike Trail February 1,
24 2004 - June 30, 2004, CSJ: 0902-48-331 \$256,398.87
25 To pay City of North Richland Hills Parks Department for
26 construction services on Walker's Creek Trail February 1, 2006
27 - March 1, 2006, CSJ: 0902-48-411 \$23,594.61

1 To pay City of North Richland Hills Parks Department for
2 construction services on Walker's Creek Trail August 22, 2005 - May
3 31, 2006, CSJ: 0902-48-411 \$22,917.02
4 To pay El Paso Electric Co. for utility adjustment service on
5 Interstate Highway 10 turnarounds completed September 26,
6 2002 \$79,908.61
7 To pay Kellogg, Brown & Root Inc. for engineering services
8 October 30, 2005 - August 31, 2006 \$45,730.36
9 To pay CPS Energy for utility adjustments February 20, 2002
10 - January 31, 2004 \$70,462.89
11 To pay CPS Energy for utility adjustment October 22, 2003
12 - July 31, 2004 \$92,239.14
13 To pay CPS Energy for utility adjustments March 30, 2001
14 - December 31, 2002 \$306,785.39
15 To pay City of Grapevine for traffic signal improvements
16 September 1, 2005 - August 31, 2006 \$27,570.84
17 To pay City of North Richland Hills Parks Department for
18 construction services for Cottonbelt Trail January, 2005 CSJ:
19 0902-48-331 \$87,618.66
20 To pay AT&T for utility adjustments fiscal year 2006 CSJ:
21 0072-12-177 \$497,697.71
22 To pay AT&T for utility adjustments fiscal year 2006 CSJ:
23 0521-04-249 \$207,137.53
24 To pay CPS Energy for utility adjustments January 31, 2004
25 - May 31, 2006 \$61,227.41
26 To pay CPS Energy for utility adjustments March 22, 2005
27 - April 11, 2006 \$44,655.04

1 To pay CPS Energy for utility adjustment July 31, 2003
2 - August 31, 2004 \$517,562.91
3 To pay CPS Energy for utility adjustments February 12, 2003
4 - January 31, 2004 \$350,988.62
5 To pay CPS Energy for utility adjustments March 14, 2003
6 - December 14, 2004 \$24,272.91
7 To pay CPS Energy for utility adjustments November 16, 2000
8 - June 30, 2006 \$23,867.72

9 SECTION 3. The following sums of money are appropriated out
10 of the General Revenue Account- Solid Waste Disposal Fees Fund No.
11 5000 for payment of itemized claims and judgments plus interest, if
12 any, against the State of Texas:

13 To pay Merrick Construction Company for amounts due on Gibson
14 Atlanta Tire Recycling Facility job from June 30, 2003 to August 31,
15 2005 \$336,537.26

16 SECTION 4. (a) Before any claim or judgment may be paid
17 from money appropriated by this Act, the claim or judgment must be
18 verified and substantiated by the administrator of the special fund
19 or account against which the claim or judgment is to be charged and
20 be approved by the attorney general and the comptroller of public
21 accounts. Any claim or judgment itemized in this Act that has not
22 been verified and substantiated by the administrator of the special
23 fund or account and approved by the attorney general and the
24 comptroller by August 31, 2010, may not be paid from money
25 appropriated by this Act.

26 (b) Each claim or judgment paid from money appropriated by
27 this Act must contain such information as the comptroller of public

1 accounts requires but at a minimum must contain the specific reason
2 for the claim or judgment. If the claim is for a void warrant, the
3 claim must include a specific identification of the goods,
4 services, refunds, or other items for which the warrant was
5 originally issued. In addition, it must include a certification by
6 the original payee or the original payee's successors, heirs, or
7 assigns that the debt is still outstanding. If the claim or
8 judgment is for unpaid goods or services, it must be accompanied by
9 an invoice or other acceptable documentation of the unpaid account
10 and any other information that may be required by the comptroller.

11 SECTION 5. Subject to the conditions and restrictions in
12 this Act and provisions stated in the judgments, the comptroller of
13 public accounts is authorized and directed to issue one or more
14 warrants on the state treasury, as soon as possible following the
15 effective date of this Act, in favor of each of the individuals,
16 firms, or corporations named or claim numbers identified in this
17 Act, in an amount not to exceed the amount set opposite their
18 respective names or claim numbers and shall mail or deliver to each
19 of the individuals, firms, or corporations associated with each
20 claim one or more warrants in payment of all claims included in this
21 Act.

22 SECTION 6. This Act takes effect September 1, 2009.