

1-1 By: Pitts, Edwards (Senate Sponsor - Ogden) H.B. No. 2729
1-2 (In the Senate - Received from the House April 29, 2009;
1-3 May 1, 2009, read first time and referred to Committee on Finance;
1-4 May 15, 2009, reported favorably by the following vote: Yeas 10,
1-5 Nays 0; May 15, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to directing payment, after approval, of certain
1-9 miscellaneous claims and judgments against the state out of funds
1-10 designated by this Act; making appropriations.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. The following sums of money are appropriated out
1-13 of the General Revenue Fund Account No. 0001 for payment of itemized
1-14 claims and judgments plus interest, if any, against the State of
1-15 Texas:

1-16 To pay Hartford Fire Insurance Company for a contract related
1-17 judgment rendered on December 9, 2004, in the case of *Hartford Fire*
1-18 *Insurance Company v. The University of Houston*, State Office of
1-19 Administrative Hearings Docket No. 730-01-2374.CC \$249,999.00

1-20 To pay Sharpe, Tillman & Melton for HEB Ministries, Inc.,
1-21 Southern Bible Institute and Hispanic Bible Institute for a
1-22 judgment, attorney fees, and costs and bearing interest in
1-23 accordance with Section 304.003, Finance Code, not lower than five
1-24 percent interest but not to exceed 15 percent interest from
1-25 September 17, 2008, until paid (estimated) \$595,000.00

1-26 To pay My-Hanh Nguyen for replacement of void warrant issued
1-27 8/13/1999 for refund of local sales tax \$115.79

1-28 To pay Haynes and Boone, LLP for attorney fees for *West*
1-29 *Orange-Cove Consolidated Independent School District, et al vs.*
1-30 *Shirley Neeley, et al* judgment (West-Orange Cove Plaintiffs) Cause
1-31 No. GV-100528, plus eight percent interest compounded annually from
1-32 July 5, 2006, until paid (estimated) \$2,680,106.00

1-33 To pay Ray, Wood & Bonilla for attorney fees for *West*
1-34 *Orange-Cove Consolidated Independent School District, et al vs.*
1-35 *Shirley Neeley, et al* judgment (Alvarado Plaintiffs) Cause No.
1-36 GV-100528, plus eight percent interest compounded annually from
1-37 July 5, 2006, until paid (estimated) \$278,912.50

1-38 To pay Mexican American Legal Defense and Educational Fund
1-39 for attorney fees for *West Orange-Cove Consolidated Independent*
1-40 *School District, et al vs. Shirley Neeley, et al* judgment (Edgewood
1-41 Plaintiffs) Cause No. GV-100528, plus eight percent interest
1-42 compounded annually from July 5, 2006, until paid
1-43 (estimated) \$1,278,895.20

1-44 To pay confidential payee for claim number 93M70532 related
1-45 to temporary assistance for needy families in the month of October,
1-46 1995 \$16.00

1-47 To pay Michael Stuehrk for replacement of a void warrant
1-48 issued on March 14, 1997, for refund of payment received in
1-49 error \$40.00

1-50 To pay confidential payee for claim number 93M70538 related
1-51 to a net payroll lump sum void warrant issued on April 1,
1-52 1996 \$313.08

1-53 To pay Everton A. Edmondson, M.D., P.A., for replacement of
1-54 void warrants issued April 25, 1996, and June 18, 1996, for copies
1-55 of rehabilitation patient medical records \$30.00

1-56 To pay confidential payee for the claim number 93M70635 for
1-57 temporary aid to needy families March 1998 - May 1999 \$156.00

1-58 To pay confidential payee for the claim number 93M70636 for
1-59 temporary aid to needy families August 1996 - June 2000 \$414.00

1-60 To pay Olin Ross Smith, Independent Executor Estate of Floyd
1-61 E. Smith for replacement of void warrant issued January 15, 2004,
1-62 for inheritance tax refund \$52,090.00

1-63 To pay confidential payee for the claim number 93M80058 for
1-64 temporary aid to needy families June 1997 - July 2003 \$158.00

2-1 To pay confidential payee for the claim number 93M80059 for
2-2 replacement of void warrant issued August 9, 1996, for refund of
2-3 overpayment of franchise tax \$261.61
2-4 To pay University of North Texas Health Science Center of
2-5 Fort Worth for services for public health preparedness and response
2-6 to bioterrorism needs assessment program March 1, 2003 - May 31,
2-7 2003, Contract #7637637630-203-A1 \$60,389.66
2-8 To pay Gainesville Healthcare Center Ltd. Co. dba Renaissance
2-9 Care Center for nursing home services November 17, 1998 - March 31,
2-10 2000 \$258.87
2-11 To pay University of Texas Health Science Center at Houston
2-12 for social cohesion and health in Hispanics & African American
2-13 project June 1, 2002 - August 31, 2003 \$15,139.63
2-14 To pay University of Texas Health Science Center at Houston
2-15 for Texas statewide bioterrorism continuing education program two
2-16 hour nursing continuing education web-course July 20, 2004 - August
2-17 31, 2004 \$103,606.00
2-18 To pay University of Texas Health Science Center at Houston
2-19 for the unmeasured impact of the tuberculosis epidemic on
2-20 tuberculosis programs project August 1, 2002 - December 31,
2-21 2002 \$5,414.50
2-22 To pay Randy Gray for replacement of void warrant issued
2-23 November 17, 1999, for witness fee claim \$158.26
2-24 To pay ESC-NGH LP for community care service July 13, 2005
2-25 - August 31, 2005 \$16,481.92
2-26 To pay ESC-NGH LP for community care service July 13, 2005
2-27 - August 31, 2005 \$9,733.21
2-28 To pay ESC-NGH LP for community care July 13, 2005 - August
2-29 31, 2008 \$5,344.19
2-30 To pay Sam Houston State University for industrial hygiene
2-31 training conducted August, 1999 \$8,094.95
2-32 To pay City of Laredo for Office of Public Health
2-33 Preparedness for Bio-Terrorism contract August, 2004 \$48,071.38
2-34 To pay confidential payee claim for the claim number 93M80426
2-35 for replacement of void warrant issued January 8, 2004, for
2-36 franchise tax refund \$500,000.00
2-37 To pay Parkland Foundation c/o Stanek Associates, Inc. for
2-38 replacement of void warrant issued February 17, 2006 \$75,056.16
2-39 To pay Ruth Ann Campbell for replacement of void warrant
2-40 issued March 2, 1999, for travel for State Board Educator
2-41 Certification Advisory Committee for counselor
2-42 certification \$194.79
2-43 To pay confidential payee for the claim number 93M90097 for
2-44 replacement of void warrant issued March 14, 2000, for refund of
2-45 sales and use tax \$245.01
2-46 To pay Travis County District Clerk Amalia Rodriguez Mendoza
2-47 for various court filing fees April 18, 2000 - December 11,
2-48 2005 \$1,406.00
2-49 To pay John L. Hensley for replacement of void warrant issued
2-50 April 1, 1996 \$102.31
2-51 To pay Airgas Southwest Inc. for oxygen cylinders September
2-52 27, 2005 - September 30, 2005 \$79,649.89
2-53 To pay confidential payee for the claim number 93M90145 for
2-54 replacement of void warrant issued October 24, 1997, for franchise
2-55 tax refund \$1,075.00
2-56 To pay confidential payee for the claim number 93M90174 for
2-57 replacement of void warrant issued October 29, 1998, for franchise
2-58 tax refund \$1,136.66
2-59 To pay Amos R. Morrison for replacement of void unclaimed
2-60 property warrant issued June 16, 2006 \$55,656.36
2-61 To pay Edward McElyea for whistleblower judgment No.
2-62 GN103776, plus five percent interest compounded annually from
2-63 February 1, 2006, until paid (estimated) \$348,063.50
2-64 To pay Barbara Oakley, as guardian of the estate and person of
2-65 Richard Danziger for wrongful imprisonment settlement cause No.
2-66 75107D, AG No. 052091477 \$250,000.00
2-67 SECTION 2. The following sums of money are appropriated out
2-68 of the State Highway Fund No. 0006 for payment of itemized claims
2-69 and judgments plus interest, if any, against the State of Texas:

3-1 To pay TransAmerican Power Products, Inc. for a judgment in
 3-2 the case of *TransAmerican Power Products, Inc. v. Texas Department*
 3-3 *of Transportation*, State Office of Administrative Hearings Docket
 3-4 No. 601-07-0749.CC for breach of contract judgment related to
 3-5 purchase of steel traffic signal poles \$469,782.80
 3-6 To pay S&B Infrastructure, LTD for schematic engineering
 3-7 design and development services for May 2, 1999, through October
 3-8 30, 1999 \$51,395.20
 3-9 To pay Kellogg Brown & Root Inc. for engineering services for
 3-10 March 1, 2006, through August 31, 2006 \$5,886.02
 3-11 To pay AT&T for relocation of all facilities for construction
 3-12 project on US 75/IH635 Interchange in Dallas, TX August 1, 1999
 3-13 - March 31, 2003, CSJ: 2374-01-103 \$769,136.36
 3-14 To pay Southwestern Public Service Co. for utility relocation
 3-15 August 16, 2002 - June 10, 2003, CSJ:0380-01-053 \$612,097.65
 3-16 To pay Shell Pipeline Company LP for replacing pipeline on
 3-17 Airport Blvd in Houston, utility adjustment U1-3931, CSJ:
 3-18 8041-12-014 for March 3, 2002 \$60,804.00
 3-19 To pay City of Richardson for signal adjustment January 16,
 3-20 2000 - August 31, 2004, Contract #8075-18-005 \$53,090.96
 3-21 To pay North American Title Company closing and title
 3-22 expenses for July 1, 1996, Project 8018-1-63, Parcel 2, CSJ:
 3-23 2964-03-001 and Invoice GF# D342505C \$1,780.00
 3-24 To pay North American Title Company for leasehold estate
 3-25 recording fee for July 31, 1996, Project 8018-1-63, Parcel 2, CSJ:
 3-26 2964-03-001, and Invoice GF# D342505C \$25.00
 3-27 To pay for Trinity Valley Electric Cooperative Inc., 90
 3-28 percent payment for electrical utility adjustment in Anderson
 3-29 County December, 2003 \$263,016.12
 3-30 To pay S&B Infrastructure, LTD for schematic engineering
 3-31 design and development services for June, 2004 \$21,709.65
 3-32 To pay S&B Infrastructure LTD for schematic engineering
 3-33 design and development services for August, 2004 \$3,171.84
 3-34 To pay S&B Infrastructure LTD for schematic engineering
 3-35 design and development services for July, 2004 \$7,270.79
 3-36 To pay Texas Transportation Institute, The Texas A&M
 3-37 University System, to provide technical support to enhance
 3-38 effective utilization of high occupancy vehicle lanes April 24,
 3-39 2002 - August 31, 2005 \$14,221.82
 3-40 To pay Texas Transportation Institute, The Texas A&M
 3-41 University System, to provide technical support to enhance
 3-42 effective utilization of high occupancy vehicle lanes April 24,
 3-43 2002 - August 31, 2005 \$5,550.00
 3-44 To pay Kellogg, Brown & Root Inc. for engineering services
 3-45 performed September 1, 2004 - August 31, 2005, under contract
 3-46 15-745P5001, WA No. 7 per Supplemental Agreement No. 1 \$40,152.17
 3-47 To pay City of North Richland Hills Parks Department for
 3-48 professional services for Congestion Mitigation Air Quality
 3-49 project, South Electric Trail November 10, 2003 - July 12, 2004,
 3-50 CSJ: 0902-48-289 \$15,721.00
 3-51 To pay City of North Richland Hills Parks Department for
 3-52 construction services on Cottonbelt Hike and Bike Trail May 1, 2004
 3-53 - November 30, 2004, CSJ: 0902-48-331 \$502,372.71
 3-54 To pay City of North Richland Hills Parks Department for
 3-55 construction services on Cottonbelt Hike and Bike Trail February 1,
 3-56 2004 - June 30, 2004, CSJ: 0902-48-331 \$256,398.87
 3-57 To pay City of North Richland Hills Parks Department for
 3-58 construction services on Walker's Creek Trail February 1, 2006
 3-59 - March 1, 2006, CSJ: 0902-48-411 \$23,594.61
 3-60 To pay City of North Richland Hills Parks Department for
 3-61 construction services on Walker's Creek Trail August 22, 2005 - May
 3-62 31, 2006, CSJ: 0902-48-411 \$22,917.02
 3-63 To pay El Paso Electric Co. for utility adjustment service on
 3-64 Interstate Highway 10 turnarounds completed September 26,
 3-65 2002 \$79,908.61
 3-66 To pay Kellogg, Brown & Root Inc. for engineering services
 3-67 October 30, 2005 - August 31, 2006 \$45,730.36
 3-68 To pay CPS Energy for utility adjustments February 20, 2002
 3-69 - January 31, 2004 \$70,462.89

- 4-1 To pay CPS Energy for utility adjustment October 22, 2003
- 4-2 - July 31, 2004 \$92,239.14
- 4-3 To pay CPS Energy for utility adjustments March 30, 2001
- 4-4 - December 31, 2002 \$306,785.39
- 4-5 To pay City of Grapevine for traffic signal improvements
- 4-6 September 1, 2005 - August 31, 2006 \$27,570.84
- 4-7 To pay City of North Richland Hills Parks Department for
- 4-8 construction services for Cottonbelt Trail January, 2005 CSJ:
- 4-9 0902-48-331 \$87,618.66
- 4-10 To pay AT&T for utility adjustments fiscal year 2006 CSJ:
- 4-11 0072-12-177 \$497,697.71
- 4-12 To pay AT&T for utility adjustments fiscal year 2006 CSJ:
- 4-13 0521-04-249 \$207,137.53
- 4-14 To pay CPS Energy for utility adjustments January 31, 2004
- 4-15 - May 31, 2006 \$61,227.41
- 4-16 To pay CPS Energy for utility adjustments March 22, 2005
- 4-17 - April 11, 2006 \$44,655.04
- 4-18 To pay CPS Energy for utility adjustment July 31, 2003
- 4-19 - August 31, 2004 \$517,562.91
- 4-20 To pay CPS Energy for utility adjustments February 12, 2003
- 4-21 - January 31, 2004 \$350,988.62
- 4-22 To pay CPS Energy for utility adjustments March 14, 2003
- 4-23 - December 14, 2004 \$24,272.91
- 4-24 To pay CPS Energy for utility adjustments November 16, 2000
- 4-25 - June 30, 2006 \$23,867.72
- 4-26 SECTION 3. The following sums of money are appropriated out
- 4-27 of the General Revenue Account- Solid Waste Disposal Fees Fund No.
- 4-28 5000 for payment of itemized claims and judgments plus interest, if
- 4-29 any, against the State of Texas:
- 4-30 To pay Merrick Construction Company for amounts due on Gibson
- 4-31 Atlanta Tire Recycling Facility job from June 30, 2003 to August 31,
- 4-32 2005 \$336,537.26
- 4-33 SECTION 4. (a) Before any claim or judgment may be paid
- 4-34 from money appropriated by this Act, the claim or judgment must be
- 4-35 verified and substantiated by the administrator of the special fund
- 4-36 or account against which the claim or judgment is to be charged and
- 4-37 be approved by the attorney general and the comptroller of public
- 4-38 accounts. Any claim or judgment itemized in this Act that has not
- 4-39 been verified and substantiated by the administrator of the special
- 4-40 fund or account and approved by the attorney general and the
- 4-41 comptroller by August 31, 2010, may not be paid from money
- 4-42 appropriated by this Act.
- 4-43 (b) Each claim or judgment paid from money appropriated by
- 4-44 this Act must contain such information as the comptroller of public
- 4-45 accounts requires but at a minimum must contain the specific reason
- 4-46 for the claim or judgment. If the claim is for a void warrant, the
- 4-47 claim must include a specific identification of the goods,
- 4-48 services, refunds, or other items for which the warrant was
- 4-49 originally issued. In addition, it must include a certification by
- 4-50 the original payee or the original payee's successors, heirs, or
- 4-51 assigns that the debt is still outstanding. If the claim or
- 4-52 judgment is for unpaid goods or services, it must be accompanied by
- 4-53 an invoice or other acceptable documentation of the unpaid account
- 4-54 and any other information that may be required by the comptroller.
- 4-55 SECTION 5. Subject to the conditions and restrictions in
- 4-56 this Act and provisions stated in the judgments, the comptroller of
- 4-57 public accounts is authorized and directed to issue one or more
- 4-58 warrants on the state treasury, as soon as possible following the
- 4-59 effective date of this Act, in favor of each of the individuals,
- 4-60 firms, or corporations named or claim numbers identified in this
- 4-61 Act, in an amount not to exceed the amount set opposite their
- 4-62 respective names or claim numbers and shall mail or deliver to each
- 4-63 of the individuals, firms, or corporations associated with each
- 4-64 claim one or more warrants in payment of all claims included in this
- 4-65 Act.
- 4-66 SECTION 6. This Act takes effect September 1, 2009.

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