

Suspending limitations on conference committee
jurisdiction, H.B. No. 24 (Heflin/Bivins)

By: Heflin

H.R. No. 309

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, 78th Legislature, 3rd Called Session, 2003, That House Rule
3 13, Sections 9(a)(3) and (4) and (b)(5), be suspended in part as
4 provided by House Rule 13, Section 9(f), to enable the conference
5 committee appointed to resolve the differences on House Bill 24,
6 relating to appropriations to departments and agencies of the state
7 government, including conditions, limitations, rules, and
8 procedures for allocating and expending appropriations, to
9 consider and take action on the following matters:

10 (1) House Rule 13, Sections 9(a)(3) and (4) and 9(b)(5), is
11 suspended to permit the committee to make a new appropriation by
12 adding a new Section 3 of the bill to read as follows:

13 SECTION 3. (a) Except as provided by Subsection (b) of this
14 section, all surcharges collected during the state fiscal biennium
15 beginning September 1, 2003, by the Texas Alcoholic Beverage
16 Commission under Section 5.55(b), Alcoholic Beverage Code, as added
17 by Chapter 101, Acts of the 78th Legislature, Regular Session,
18 2003, are appropriated to the Texas Alcoholic Beverage Commission
19 for the state fiscal biennium beginning September 1, 2003, for the
20 purpose described by Section 5.55, Alcoholic Beverage Code.

21 (b) The amount appropriated to the Texas Alcoholic Beverage
22 Commission under this section may not exceed \$500,000.

23 Explanation: It is necessary to make the new appropriation
24 to appropriate for the intended purpose surcharges that will be

1 collected under a law added by the 78th Legislature, Regular
2 Session.

3 (2) House Rule 13, Sections 9(a)(3) and (4) and 9(b)(5), is
4 suspended to permit the committee to make new appropriations by
5 adding a new Section 4 of the bill to read as follows:

6 SECTION 4. (a) All surcharges authorized by Section
7 134.014(b), Agriculture Code, as added by Chapter 677, Acts of the
8 78th Legislature, Regular Session, 2003, and collected during the
9 state fiscal biennium beginning September 1, 2003, are appropriated
10 to the Department of Agriculture for the state fiscal biennium
11 beginning September 1, 2003, for the implementation and
12 administration of the Texas shrimp marketing assistance program
13 under Subchapter B, Chapter 47, Agriculture Code. The amount
14 appropriated by this subsection may not exceed \$25,000 for each
15 fiscal year of the biennium.

16 (b) All additional revenue generated by the increase in the
17 amount of certain license fees under Section 77.002(c), Parks and
18 Wildlife Code, as added by House Bill No. 2470, Acts of the 78th
19 Legislature, Regular Session, 2003, and collected during the state
20 fiscal biennium beginning September 1, 2003, by the Parks and
21 Wildlife Department is appropriated to the Department of
22 Agriculture for the state fiscal biennium beginning September 1,
23 2003, for the implementation and administration of the Texas shrimp
24 marketing assistance program under Subchapter B, Chapter 47,
25 Agriculture Code. The amount appropriated by this subsection may
26 not exceed \$250,000 for each fiscal year of the biennium.

27 (c) The full-time equivalent position limitation

1 established for the Department of Agriculture in Chapter 1330, Acts
2 of the 78th Legislature, Regular Session, 2003 (the General
3 Appropriations Act), is increased by two for the state fiscal
4 biennium beginning September 1, 2003.

5 Explanation: It is necessary to make the new appropriations
6 to appropriate for the intended purpose certain surcharges and
7 license fee revenue that will be collected under laws added by the
8 78th Legislature, Regular Session.

9 (3) House Rule 13, Sections 9(a)(3) and (4) and 9(b)(5), is
10 suspended to permit the committee to make new appropriations by
11 adding a new Section 5 of the bill to read as follows:

12 SECTION 5. Rider 68 following the appropriations to the
13 Department of Health on page II-41, Chapter 1330, Acts of the 78th
14 Legislature, Regular Session, 2003 (the General Appropriations
15 Act), is amended to read as follows:

16 68. Contingency Appropriation for House Bill 3588.
17 Contingent upon enactment of House Bill 3588, or similar
18 legislation relating to the construction, acquisition, financing,
19 maintenance, management, operation, ownership, and control of
20 transportation facilities and the progress, improvement, policing,
21 and safety of transportation in the state, an estimated amount not
22 to exceed \$108,000,000 [~~\$59,338,603~~] in fiscal year 2004 and an
23 estimated amount not to exceed \$161,300,000 [~~\$112,613,914~~] in
24 fiscal year 2005 in funds deposited in the trauma facility and
25 emergency medical services account established under the bill are
26 hereby appropriated to the Department of Health. These funds shall
27 be used to fund designated trauma facilities, county and regional

1 emergency medical services, and trauma care systems. Of the funds
2 appropriated from this account, the Commissioner of Health shall
3 maintain a reserve of \$500,000 for extraordinary emergencies.

4 Explanation: It is necessary to make the new appropriations
5 to account for the increase, since the regular session, in the
6 amount estimated to be available for trauma care.

7 (4) House Rule 13, Sections 9(a)(3) and (4) and 9(b)(5), is
8 suspended to permit the committee to make a new appropriation by
9 adding a new Section 6 of the bill to read as follows:

10 SECTION 6. (a) In addition to other amounts appropriated to
11 the Department of Licensing and Regulation for the state fiscal
12 biennium beginning September 1, 2003, for the purpose of
13 administering certain provisions of Chapter 816, Acts of the 78th
14 Legislature, Regular Session, 2003, including provisions
15 pertaining to elevator contractor regulation, toll-free customer
16 service lines, and loss damage waiver regulation, the following
17 amounts are appropriated out of the general revenue fund, from fees
18 collected by the department, to the Department of Licensing and
19 Regulation for the purpose of administering the provisions of
20 Chapter 816, Acts of the 78th Legislature, Regular Session, 2003:
21 \$208,909 for the state fiscal year beginning September 1, 2003, and
22 \$230,172 for the state fiscal year beginning September 1, 2004. The
23 full-time equivalent position limitation established for the
24 department in Chapter 1330, Acts of the 78th Legislature, Regular
25 Session, 2003 (the General Appropriations Act), is also increased
26 by 4.5 for the state fiscal year beginning September 1, 2003, and by
27 5.5 for the state fiscal year beginning September 1, 2004, for that

1 purpose.

2 (b) Any increase in state employee benefit costs incurred
3 during the state fiscal biennium beginning September 1, 2003, in
4 connection with the increase in the number of full-time equivalent
5 positions authorized by Subsection (a) of this section shall be
6 paid out of the appropriations made by Subsection (a) of this
7 section and shall be allocated to the appropriate employee benefit
8 appropriation items in accordance with applicable rules of the
9 comptroller.

10 Explanation: It is necessary to make the new appropriations
11 to account for the increase, since the regular session, in the
12 amount of fees estimated to be collected by the Department of
13 Licensing and Regulation that will be needed to administer
14 provisions of the sunset bill for the department.