

By: Pickett

H.B. No. 3442

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to statutory authority to reduce appropriations made by  
3 the legislature to certain governmental entities.

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

5 SECTION 1. GENERAL AUTHORITY. Notwithstanding any statute  
6 to the contrary, the legislature, in its discretion, may determine  
7 the amount of each appropriation of state funds. The amounts  
8 required by statute for entities that receive state funds under  
9 Article VI of the General Appropriations Act may be reduced or  
10 eliminated in order to achieve a balanced budget.

11 SECTION 2. TEXAS ANIMAL HEALTH COMMISSION. (a) The Texas  
12 Animal Health Commission shall reduce its expenditures of state  
13 money related to regulating equine riding stables.

14 (b) Chapter 2053, Occupations Code, is repealed.

15 SECTION 3. GENERAL LAND OFFICE. (a) The General Land  
16 Office shall reduce its expenditures of state money related to its  
17 trustee program and coastal erosion control.

18 (b) Section 40.151(e), Natural Resources Code, is amended  
19 to read as follows:

20 (e) When the balance of the fund reaches \$40 [~~\$25~~] million,  
21 income on the investment, in an amount not to exceed \$5 million,  
22 shall be transferred to the Railroad Commission of Texas for the  
23 oil-field cleanup fund. Income on the investment of that \$40 [~~\$25~~]  
24 million in excess of \$5 million shall be credited to the fund.

1           (c) Section 40.152, Natural Resources Code, is amended to  
2 read as follows:

3           Sec. 40.152. USE OF FUND. [~~(a)~~] Money in the fund may be  
4 disbursed for the following purposes [~~and no others~~]:

5           (1) administrative expenses, personnel and training  
6 expenses, and equipment maintenance and operating costs related to  
7 implementation and enforcement of this chapter;

8           (2) response costs related to abatement and  
9 containment of actual or threatened unauthorized discharges of oil  
10 incidental to unauthorized discharges of hazardous substances;

11           (3) response costs and damages related to actual or  
12 threatened unauthorized discharges of oil;

13           (4) assessment, restoration, rehabilitation, or  
14 replacement of or mitigation of damage to natural resources damaged  
15 by an unauthorized discharge of oil;

16           (5) in an amount not to exceed \$50,000 annually, the  
17 small spill education program;

18           (6) in an amount not to exceed \$1,250,000 annually,  
19 interagency contracts under Section 40.302;

20           (7) the purchase of response equipment under Section  
21 40.105 within two years of the effective date of this chapter, in an  
22 amount not to exceed \$4 million; thereafter, for the purchase of  
23 equipment to replace equipment that is worn or obsolete;

24           (8) an inventory under Section 40.107, to be completed  
25 by September 1, 1995, in an amount not to exceed \$6 million;

26           (9) other costs and damages authorized by this  
27 chapter; and

1           (10) in an amount not to exceed the interest accruing  
2 to the fund annually, erosion response projects under Subchapter H,  
3 Chapter 33.

4           ~~[(b) There is hereby appropriated from the fund to the~~  
5 ~~General Land Office, subject to this section, the amounts specified~~  
6 ~~for the purposes of Subdivisions (5) and (6) of Subsection (a) of~~  
7 ~~this section, \$2.5 million for administrative costs under this~~  
8 ~~chapter for the two-year period beginning with the effective date~~  
9 ~~of this chapter, and the actual amounts necessary to pay response~~  
10 ~~costs and damages as provided in this chapter.]~~

11           SECTION 4. PARKS AND WILDLIFE DEPARTMENT. (a) The Parks  
12 and Wildlife Department shall reduce its expenditures by reducing  
13 the amounts of state money used for local park grants.

14           (b) Section 11.035(b), Parks and Wildlife Code, is amended  
15 to read as follows:

16           (b) The department shall deposit to the credit of the state  
17 parks account all revenue, less allowable costs, received from the  
18 following sources:

19           (1) grants or operation of concessions in state parks  
20 or fishing piers;

21           (2) publications on state parks, state historic sites,  
22 or state scientific areas;

23           (3) fines or penalties received from violations of  
24 regulations governing parks issued pursuant to Subchapter B,  
25 Chapter 13, of this code;

26           (4) fees and revenue collected under Section 11.027(b)  
27 or (c) of this code that are associated with state park lands; and

1           (5) ~~[\$1,125,000 per month and 40 percent of the amount~~  
2 ~~above \$27 million per year of credits made to the department under~~  
3 ~~Section 151.801, Tax Code, and~~

4           ~~[(6)]~~ any other source provided by law.

5           (c) Section 24.003, Parks and Wildlife Code, is amended to  
6 read as follows:

7           Sec. 24.003. ACCOUNT REVENUE SOURCE. The department shall  
8 deposit to the credit of the Texas recreation and parks account  
9 amounts as ~~+~~

10           ~~[(1) \$1,125,000 per month and 40 percent of the amount~~  
11 ~~above \$27 million per year of credits made to the department under~~  
12 ~~Section 151.801, Tax Code, or~~

13           ~~[(2) any other source]~~ authorized by law.

14           (d) Section 151.801(c), Tax Code, is amended to read as  
15 follows:

16           (c) The proceeds from the collection of the taxes imposed by  
17 this chapter on the sale, storage, or use of sporting goods shall be  
18 ~~[deposited as follows:~~

19           ~~[(1) For the period beginning September 1, 1993, and~~  
20 ~~ending August 31, 1995, an amount equal to 50 cents per 1,000~~  
21 ~~cigarettes shall be deposited to the credit of the general revenue~~  
22 ~~fund, state parks account, and an amount equal to 50 cents per 1,000~~  
23 ~~cigarettes shall be deposited to the credit of the general revenue~~  
24 ~~fund, Texas recreation and parks account, and the balance shall be~~  
25 ~~retained in the general revenue fund.~~

26           ~~[(2) Beginning September 1, 1995, the taxes collected~~  
27 ~~shall be]~~ credited to the Parks and Wildlife Department ~~[and~~

1 ~~deposited as specified in the Parks and Wildlife Code. The~~  
2 ~~comptroller shall not credit in excess of \$32 million in sporting~~  
3 ~~goods tax revenue annually to the Parks and Wildlife Department].~~

4 SECTION 5. RAILROAD COMMISSION OF TEXAS. The Railroad  
5 Commission of Texas shall reduce its expenditures of state money  
6 by:

7 (1) combining its oil spill response functions with  
8 those of the General Land Office;

9 (2) imposing user fees and operations fees on  
10 railroads in this state for use in rail safety programs adopted by  
11 the Railroad Commission of Texas; and

12 (3) imposing pipeline safety fees on pipeline  
13 consumers and operators to be used for pipeline safety programs  
14 adopted by the Railroad Commission of Texas.

15 SECTION 6. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2003.