

Suspending limitations on conference committee
jurisdiction, H.B. No. 7

By: Bivins

S.R. No. 1039

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 78th Legislature, Regular Session, 2003, That Senate Rules 12.03 and 12.04 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill No. 7, relating to making supplemental appropriations and making reductions in current appropriations, to consider and take action on the following matters:

(1) Senate Rules 12.03(1) and 12.04(2) are suspended to permit the committee to decrease the amount of the appropriation in SECTION 1 of the bill so that SECTION 1 reads as follows:

SECTION 1. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID ACUTE CARE COSTS. Out of the Economic Stabilization Fund 0599, the amount of \$406,748,606 is appropriated to the Health and Human Services Commission for use during the remainder of the state fiscal year ending August 31, 2003, for the purpose of providing services under the state Medicaid acute care program.

Explanation: It is necessary to decrease the amount of the appropriation to take into account the unexpectedly more favorable federal match rate for Medicaid.

(2) Senate Rule 12.03(2) is suspended to permit the committee to omit SECTION 1(b) of the bill which reads as follows:

(b) The money described by Subsection (a) of this section may be expended only for the purpose described by Subsection (a)

of this section and only if:

(1) Medicaid expenditures exceed otherwise available revenue because of changes in caseloads or costs or because of a lower federal match rate; and

(2) the Health and Human Services Commission has used all revenue available and appropriated to the Medicaid program, including but not limited to premium credits and vendor drug rebates.

Explanation: It is necessary to omit the text to ensure that the appropriations made by the bill in relation to the state Medicaid program have the effect of increasing the availability of undedicated general revenue.

(3) Senate Rules 12.03(3) and (4) are suspended to permit the committee to add a new SECTION 3 of the bill to read as follows:

SECTION 3. LAPSE TO UNDEDICATED GENERAL REVENUE. This section is for informational purposes only. It is the intent of the legislature that the implementation of Sections 1 and 2 of this Act increase the availability of undedicated general revenue by approximately \$127,448,606 by the end of the state fiscal year ending August 31, 2003.

Explanation: It is necessary to add the text to ensure that the appropriations made by the bill in relation to the state Medicaid program have the effect of increasing the availability of undedicated general revenue.

(4) Senate Rule 12.04(4) is suspended to permit the committee to increase the amount of the appropriation in SECTION 8(a) of the bill so that SECTION 8(a) reads as follows:

(a) Out of the Economic Stabilization Fund 0599, and in addition to other amounts appropriated for this purpose, the

amount of \$516,000,000 is appropriated to the Teacher Retirement System for use during the state fiscal biennium beginning September 1, 2003, for the purpose of funding the TRS-Care retiree health insurance program.

Explanation: It is necessary to increase the amount of the appropriation to ensure the solvency of the TRS-Care retiree health insurance program.

(5) Senate Rules 12.03(3) and (4) and 12.04(5) are suspended to permit the committee to make a new appropriation by adding a new SECTION 12 of the bill to read as follows:

SECTION 12. STATE COMMISSION ON JUDICIAL CONDUCT: MISCONDUCT PROCEEDINGS. Out of the Economic Stabilization Fund 0599, the amount of \$44,000 is appropriated to the State Commission on Judicial Conduct for use during the remainder of the state fiscal year ending August 31, 2003, for purposes related to conducting misconduct proceedings.

Explanation: It is necessary to make the new appropriation to allow the State Commission on Judicial Conduct to pay costs associated with certain misconduct proceedings.

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on June 1, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate