

SENATE AMENDMENTS

2nd Printing

By: Pitts, Eiland

H.B. No. 4586

A BILL TO BE ENTITLED

AN ACT

relating to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority and prescribing limitations regarding appropriations.

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

SECTION 1. DATA CENTER SERVICES. (a) In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the following amounts are appropriated out of the general revenue fund for the two-year period beginning on the effective date of this Act to the following agencies for the purpose of providing funding for unanticipated increases in consumption related to data center services:

(1) \$128,000 is appropriated out of the general revenue fund to the Texas Facilities Commission;

(2) \$278,855 is appropriated out of the general revenue fund to the secretary of state;

(3) \$6,730,000 is appropriated out of the general revenue fund to the Texas Department of Criminal Justice;

(4) \$150,991 is appropriated out of the general revenue fund to the Texas Youth Commission;

(5) \$42,089 is appropriated out of the general revenue fund to the Department of Agriculture;

(6) \$1,094,830 is appropriated out of general revenue dedicated account number 550, \$121,648 is appropriated out of

1 general revenue dedicated account number 549, \$64,706 is
2 appropriated out of general revenue dedicated account number 153,
3 and \$12,941 is appropriated out of general revenue dedicated
4 account number 151 to the Texas Commission on Environmental
5 Quality;

6 (7) \$1,179,894 is appropriated out of the general
7 revenue fund to the Parks and Wildlife Department;

8 (8) \$349,929 is appropriated out of the general
9 revenue fund to the Railroad Commission;

10 (9) \$135,999 is appropriated out of the general
11 revenue fund to the Department of Licensing and Regulation; and

12 (10) \$147,687 is appropriated out of the general
13 revenue fund and \$265,313 is appropriated out of general revenue
14 dedicated account number 36 to the Texas Department of Insurance.

15 (b) In addition to the capital budget authority previously
16 granted for the state fiscal biennium ending August 31, 2009, the
17 agencies listed in Subsection (a) of this section may use the
18 additional amounts appropriated by this section for capital budget
19 items in response to unanticipated increases in consumption related
20 to data center services. If those amounts are transferred by
21 interagency contract or otherwise to the Department of Information
22 Resources, the department also may use the additional amounts
23 appropriated by this section for capital budget items in response
24 to unanticipated increases in consumption related to data center
25 services.

26 SECTION 2. CANCER PREVENTION AND RESEARCH INSTITUTE:
27 OPERATIONS. (a) In addition to amounts previously appropriated for

1 the state fiscal biennium ending August 31, 2009, the amount of
2 \$917,389 is appropriated out of the general revenue fund to the
3 Cancer Prevention and Research Institute for the two-year period
4 beginning on the effective date of this Act for the purpose of
5 providing for salaries and wages, travel, acquisition of
6 information technology, computers, furniture, legal counseling,
7 and contracts.

8 (b) In addition to the number of full-time equivalent
9 employees (FTEs) the Cancer Prevention and Research Institute is
10 authorized by other law to employ during the state fiscal year
11 ending August 31, 2009, the center may employ an additional 16.0
12 FTEs during that state fiscal year.

13 SECTION 3. TEXAS FACILITIES COMMISSION: UTILITY COSTS. (a)
14 In addition to amounts previously appropriated for the state fiscal
15 biennium ending August 31, 2009, the amount of \$2,396,612 is
16 appropriated out of the general revenue fund to the Texas
17 Facilities Commission under Strategy B.2.1, Building Design and
18 Construction, for the two-year period beginning on the effective
19 date of this Act for the purpose of providing for payment of
20 increased utility costs as a result of an increase in utility rates.

21 (b) Notwithstanding Article IX, Section 14.01,
22 Appropriation Transfers, or similar provisions of Chapter 1428
23 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the
24 General Appropriations Act), funds appropriated by this section may
25 not be transferred by the commission to another appropriation item
26 or be used by the commission for a purpose other than payment of
27 utility expenses without the prior written approval of the

1 Legislative Budget Board.

2 SECTION 4. TEXAS ETHICS COMMISSION: *FREE MARKET ASSOCIATION*
3 *V. TEXAS ETHICS COMMISSION*. In addition to amounts previously
4 appropriated for the state fiscal biennium ending August 31, 2009,
5 the amount of \$188,349 is appropriated out of the general revenue
6 fund to the Texas Ethics Commission for the fiscal year ending
7 August 31, 2009, for the purpose of reimbursing the commission for
8 the payment of the judgment on October 2, 2008, in *Free Market*
9 *Association of Texas v. Texas Ethics Commission* in the United
10 States District Court for the Western District of Texas, Austin
11 Division.

12 SECTION 5. TEXAS STATE LIBRARY AND ARCHIVES COMMISSION:
13 LORENZO DE ZAVALA BUILDING. In addition to amounts previously
14 appropriated for the state fiscal biennium ending August 31, 2009,
15 the amount of \$1,894,676 is appropriated out of the general revenue
16 fund to the Texas State Library and Archives Commission for the
17 two-year period beginning on the effective date of this Act for the
18 purchase of furniture and shelving for the Lorenzo de Zavala
19 Building.

20 SECTION 6. HISTORICAL COMMISSION: RESTORATION OF THE
21 GOVERNOR'S MANSION. In addition to amounts previously appropriated
22 for the state fiscal biennium ending August 31, 2009, the amount of
23 \$8,289,680 is appropriated out of the general revenue fund to the
24 Texas Historical Commission for the two-year period beginning on
25 the effective date of this Act for costs associated with the
26 restoration of the Governor's Mansion.

27 SECTION 7. HEALTH AND HUMAN SERVICES COMMISSION: RED LIGHT

1 CAMERA TRAUMA FUND. In addition to amounts previously appropriated
2 for the state fiscal biennium ending August 31, 2009, all revenue
3 deposited to the Regional Trauma Account 5137 (Red Light Camera
4 Trauma Fund) (estimated to be \$6,712,284) is appropriated under
5 Strategy A.1.1, Enterprise Oversight and Policy, to the Health and
6 Human Services Commission for the state fiscal year ending August
7 31, 2009, to be used to reimburse uncompensated trauma care.

8 SECTION 8. TEXAS EDUCATION AGENCY: CRIMINAL HISTORY
9 BACKGROUND CHECKS. In addition to amounts previously appropriated
10 for the state fiscal biennium ending August 31, 2009, the amount of
11 \$2,630,206 is appropriated out of the general revenue fund to the
12 Texas Education Agency for the two-year period beginning on the
13 effective date of this Act to conduct criminal history background
14 checks pursuant to Chapter 1372 (S.B. 9), Acts of the 80th
15 Legislature, Regular Session, 2007.

16 SECTION 9. APPROPRIATION FOR REBUILDING OF SCHOOL FACILITY
17 DAMAGED BY HURRICANE. In addition to other amounts appropriated to
18 the Texas Education Agency for the state fiscal year ending August
19 31, 2009, the amount of \$8,000,000 in general revenue is
20 appropriated to the Texas Education Agency for the state fiscal
21 year ending August 31, 2009, for distribution, as authorized by
22 Section 51, Article III, Texas Constitution, to the Bridge City
23 Independent School District to rebuild the elementary school that
24 suffered extensive damage during Hurricane Ike.

25 SECTION 10. LAMAR STATE COLLEGE--ORANGE: APPROPRIATION FOR
26 HURRICANE IKE DAMAGE. The amount of \$3,600,000 in general revenue
27 is appropriated to Lamar State College--Orange for the two-year

1 period beginning on the effective date of this Act for the purpose
2 of paying or reimbursing costs incurred in connection with damages
3 caused by Hurricane Ike.

4 SECTION 11. HIGHER EDUCATION GROUP INSURANCE
5 CONTRIBUTIONS. In addition to amounts previously appropriated for
6 the state fiscal biennium ending August 31, 2009, the following
7 amounts are appropriated out of the general revenue fund for the
8 two-year period beginning on the effective date of this Act to the
9 following community and junior colleges for the purpose of
10 restoring fiscal year 2009 proportional state contributions for
11 health benefits and providing a transitional adjustment sufficient
12 to set the restoration total for each institution at an amount equal
13 to the amount of the fiscal year 2009 higher education group
14 insurance contribution for each institution included in the line
15 item veto for Chapter 1428 (H.B. 1), Acts of the 80th Legislature,
16 Regular Session, 2007 (the General Appropriations Act):

17 (1) \$12,185,357 is appropriated out of the general
18 revenue fund to Alamo Community College;

19 (2) \$1,574,860 is appropriated out of the general
20 revenue fund to Alvin Community College;

21 (3) \$3,758,285 is appropriated out of the general
22 revenue fund to Amarillo College;

23 (4) \$1,367,325 is appropriated out of the general
24 revenue fund to Angelina College;

25 (5) \$7,164,544 is appropriated out of the general
26 revenue fund to Austin Community College;

27 (6) \$3,054,600 is appropriated out of the general

1 revenue fund to Blinn College;

2 (7) \$1,373,650 is appropriated out of the general
3 revenue fund to Brazosport College;

4 (8) \$2,731,087 is appropriated out of the general
5 revenue fund to Central Texas College;

6 (9) \$990,189 is appropriated out of the general
7 revenue fund to Cisco Junior College;

8 (10) \$461,040 is appropriated out of the general
9 revenue fund to Clarendon College;

10 (11) \$1,497,422 is appropriated out of the general
11 revenue fund to Coastal Bend College;

12 (12) \$2,138,088 is appropriated out of the general
13 revenue fund to the College of the Mainland;

14 (13) \$3,784,295 is appropriated out of the general
15 revenue fund to Collin County Community College;

16 (14) \$15,758,341 is appropriated out of the general
17 revenue fund to the Dallas County Community College District;

18 (15) \$4,018,340 is appropriated out of the general
19 revenue fund to Del Mar College;

20 (16) \$6,182,391 is appropriated out of the general
21 revenue fund to El Paso Community College;

22 (17) \$585,527 is appropriated out of the general
23 revenue fund to Frank Phillips College;

24 (18) \$943,016 is appropriated out of the general
25 revenue fund to Galveston College;

26 (19) \$1,468,952 is appropriated out of the general
27 revenue fund to Grayson County College;

1 (20) \$954,181 is appropriated out of the general
2 revenue fund to Hill College;

3 (21) \$10,278,053 is appropriated out of the general
4 revenue fund to Houston Community College;

5 (22) \$1,813,685 is appropriated out of the general
6 revenue fund to Howard College;

7 (23) \$2,129,068 is appropriated out of the general
8 revenue fund to Kilgore College;

9 (24) \$3,342,228 is appropriated out of the general
10 revenue fund to Laredo Community College;

11 (25) \$2,119,681 is appropriated out of the general
12 revenue fund to Lee College;

13 (26) \$8,670,589 is appropriated out of the general
14 revenue fund to the Lone Star College System;

15 (27) \$2,724,160 is appropriated out of the general
16 revenue fund to McLennan Community College;

17 (28) \$2,065,163 is appropriated out of the general
18 revenue fund to Midland College;

19 (29) \$1,470,933 is appropriated out of the general
20 revenue fund to Navarro College;

21 (30) \$1,418,908 is appropriated out of the general
22 revenue fund to North Central Texas College;

23 (31) \$874,764 is appropriated out of the general
24 revenue fund to Northeast Texas Community College;

25 (32) \$1,963,198 is appropriated out of the general
26 revenue fund to Odessa College;

27 (33) \$945,499 is appropriated out of the general

1 revenue fund to Panola College;

2 (34) \$1,278,367 is appropriated out of the general
3 revenue fund to Paris Junior College;

4 (35) \$474,991 is appropriated out of the general
5 revenue fund to Ranger College;

6 (36) \$6,628,666 is appropriated out of the general
7 revenue fund to San Jacinto College;

8 (37) \$3,338,955 is appropriated out of the general
9 revenue fund to South Plains College;

10 (38) \$3,985,978 is appropriated out of the general
11 revenue fund to South Texas College;

12 (39) \$1,666,736 is appropriated out of the general
13 revenue fund to Southwest Texas Junior College;

14 (40) \$9,207,978 is appropriated out of the general
15 revenue fund to Tarrant County College;

16 (41) \$1,330,783 is appropriated out of the general
17 revenue fund to Temple College;

18 (42) \$1,667,329 is appropriated out of the general
19 revenue fund to Texarkana College;

20 (43) \$1,706,940 is appropriated out of the general
21 revenue fund to Trinity Valley Community College;

22 (44) \$3,361,192 is appropriated out of the general
23 revenue fund to Tyler Junior College;

24 (45) \$1,120,729 is appropriated out of the general
25 revenue fund to Vernon College;

26 (46) \$1,519,013 is appropriated out of the general
27 revenue fund to Victoria College;

(47) \$1,397,289 is appropriated out of the general revenue fund to Weatherford College;

(48) \$694,843 is appropriated out of the general revenue fund to Western Texas College; and

(49) \$1,789,670 is appropriated out of the general revenue fund to Wharton County Junior College.

SECTION 12. TEXAS FOREST SERVICE: VOLUNTEER FIRE DEPARTMENT ASSISTANCE PROGRAM. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the amount of \$2,500,000 is appropriated out of general revenue fund dedicated account number 5064 to the Texas Forest Service for the two-year period beginning on the effective date of this Act for grants to volunteer fire departments for training and equipment through the Volunteer Fire Department Assistance Program.

SECTION 13. UNIVERSITY OF TEXAS MEDICAL BRANCH: HIGHER EDUCATION GROUP INSURANCE CONTRIBUTIONS. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the amount of \$500,000 is appropriated out of the general revenue fund to The University of Texas Medical Branch at Galveston for the two-year period beginning on the effective date of this Act for additional contributions made to higher education group insurance made on behalf of 47 full-time equivalent positions transferred under a contract with the Texas Youth Commission from the Texas Tech University Health Sciences Center to The University of Texas Medical Branch.

SECTION 14. THE UNIVERSITY OF NORTH TEXAS SYSTEM: REIMBURSEMENT FOR PLANNING AND DESIGN. In addition to amounts

1 previously appropriated for the state fiscal biennium ending August
2 31, 2009, the amount of \$2,800,000 is appropriated out of the
3 general revenue fund to the University of North Texas System for the
4 two-year period beginning on the effective date of this Act for the
5 purpose of reimbursing the cost of planning and design for
6 construction of a second academic building at the Dallas campus.
7 The legislature finds there is a demonstrated need for undertaking
8 the planning and design process for this building.

9 SECTION 15. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:
10 OPERATIONS. In addition to amounts previously appropriated for the
11 state fiscal biennium ending August 31, 2009, the amount of
12 \$125,112,392 is appropriated out of the general revenue fund to the
13 Texas Department of Criminal Justice for the two-year period
14 beginning on the effective date of this Act for the purpose of
15 providing for salaries and wages, hazardous duty and longevity pay,
16 overtime pay, food for wards of the state, contracted temporary
17 capacity, utilities, and fuel.

18 SECTION 16. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:
19 CORRECTIONAL MANAGED HEALTH CARE. In addition to amounts previously
20 appropriated for the state fiscal biennium ending August 31, 2009,
21 the amount of \$38,955,518 is appropriated out of the general
22 revenue fund to the Texas Department of Criminal Justice for the
23 two-year period beginning on the effective date of this Act for the
24 purpose of providing for correctional managed health care.

25 SECTION 17. WATER DEVELOPMENT BOARD: MEDINA LAKE DAM. In
26 addition to amounts previously appropriated for the state fiscal
27 biennium ending August 31, 2009, the amount of \$4,000,000 is

1 appropriated out of the general revenue fund to the Water
2 Development Board for the two-year period beginning on the
3 effective date of this Act to be transferred to the Water Assistance
4 Fund to provide a grant to the Bexar-Medina Atascosa Water Control
5 and Improvement District #1 for structural improvements to the
6 Medina Lake Dam.

7 SECTION 18. SOIL AND WATER CONSERVATION BOARD: MILEAGE
8 REIMBURSEMENT. In addition to amounts previously appropriated for
9 the state fiscal biennium ending August 31, 2009, the amount of
10 \$54,664 is appropriated out of the general revenue fund to the Soil
11 and Water Conservation Board for the two-year period beginning on
12 the effective date of this Act to provide mileage reimbursement for
13 soil and water conservation district directors.

14 SECTION 19. TEXAS DEPARTMENT OF TRANSPORTATION: HIGHWAY AND
15 BRIDGE CONSTRUCTION. In addition to amounts previously
16 appropriated for the state fiscal biennium ending August 31, 2009,
17 the amount of \$662,200,000 is appropriated out of funds received
18 under the American Recovery and Reinvestment Act of 2009 (Pub. L.
19 No. 111-5) to the Texas Department of Transportation for the
20 two-year period beginning on the effective date of this Act for the
21 purpose of highway and bridge construction.

22 SECTION 20. RACING COMMISSION: REVENUE SHORTFALL. In
23 addition to amounts previously appropriated for the state fiscal
24 biennium ending August 31, 2009, the amount of \$178,525 is
25 appropriated out of the general revenue fund to the Racing
26 Commission for the two-year period beginning on the effective date
27 of this Act for the purpose of providing for current operations as a

1 result of a revenue shortfall.

2 SECTION 21. APPROPRIATION REDUCTION: THE UNIVERSITY OF
3 HOUSTON. The unencumbered appropriations from the general revenue
4 fund appropriated to the University of Houston for use during the
5 state fiscal biennium ending August 31, 2009, by Chapter 1428 (H.B.
6 1), Acts of the 80th Legislature, Regular Session, 2007 (the
7 General Appropriations Act), by the Section 55 special item
8 appropriation for the University of Houston - Wind Energy under the
9 Special Provisions of Article III of that Act are reduced by
10 \$4,245,244.

11 SECTION 22. THE UNIVERSITY OF HOUSTON: WIND ENERGY. In
12 addition to amounts previously appropriated for the state fiscal
13 biennium ending August 31, 2009, the amount of \$4,245,244 is
14 appropriated out of the general revenue fund to the University of
15 Houston for the two-year period beginning on the effective date of
16 this Act for the purpose of developing and constructing the
17 National Large Wind Turbine Research and Testing Facility. The
18 legislature finds there is a demonstrated need to develop and
19 construct this facility.

20 SECTION 23. JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT:
21 TRANSFERS. Notwithstanding the transfer limitations of Section
22 14.01, Article IX, or Rider 4 following the appropriations to the
23 Judiciary Section, Comptroller's Department, in Chapter 1428 (H.B.
24 1), Acts of the 80th Legislature, Regular Session, 2007 (the
25 General Appropriations Act), the Judiciary Section, Comptroller's
26 Department, may transfer appropriations among items of
27 appropriations appropriated by Chapter 1428 (H.B. 1), Acts of the

1 80th Legislature, Regular Session, 2007 (the General
2 Appropriations Act), in any amount during the state fiscal biennium
3 ending August 31, 2009.

4 SECTION 24. APPROPRIATION REDUCTION: OFFICE OF ATTORNEY
5 GENERAL. As a result of savings created by the American Recovery and
6 Reinvestment Act of 2009 (Pub. L. No. 111-5) in providing a
7 temporary exemption for the use of federal incentives to increase
8 federal funds, the unencumbered appropriations from the general
9 revenue fund appropriated to the Office of the Attorney General for
10 use during the state fiscal biennium ending August 31, 2009, by
11 Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
12 Session, 2007 (the General Appropriations Act), under Strategy
13 B.1.1, Child Support Enforcement, are reduced by \$27,300,000.

14 SECTION 25. APPROPRIATION REDUCTION: TEXAS TECH UNIVERSITY
15 HEALTH SCIENCES CENTER. The unencumbered appropriations from the
16 general revenue fund appropriated to the Texas Tech University
17 Health Sciences Center for use during the state fiscal biennium
18 ending August 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th
19 Legislature, Regular Session, 2007 (the General Appropriations
20 Act), under Strategy C.1.22, Texas Tech University Health Sciences
21 Center, are reduced by \$500,000.

22 SECTION 26. APPROPRIATION REDUCTION: TEXAS EDUCATION
23 AGENCY. The unencumbered appropriations from the foundation school
24 fund appropriated to the Texas Education Agency for use during the
25 state fiscal biennium ending August 31, 2009, made by Chapter 1428
26 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the
27 General Appropriations Act), under Strategy A.1.1, FSP-Equalized

1 Operations, are reduced by \$500,000,000.

2 SECTION 27. UNEXPENDED BALANCE APPROPRIATION: HEALTH AND
3 HUMAN SERVICES COMMISSION. The unexpended balance of the
4 appropriations from the general revenue fund to the Health and
5 Human Services Commission for use during the state fiscal biennium
6 ending August 31, 2009, made by Chapter 1428 (H.B. 1), Acts of the
7 80th Legislature, Regular Session, 2007 (the General
8 Appropriations Act), under Goal B, Medicaid, in the amount of
9 \$117,054,148, for the purpose of funding the Frew Strategic
10 Initiative is appropriated from the general revenue fund to the
11 Health and Human Services Commission for the purposes of funding
12 the Frew Strategic Initiative during the state fiscal year ending
13 August 31, 2010.

14 SECTION 28. TEXAS EDUCATION AGENCY: ADDITIONAL
15 APPROPRIATION FOR TEXTBOOKS. In addition to amounts previously
16 appropriated for the state fiscal biennium ending August 31, 2009,
17 the amount of \$758,084,423 is appropriated out of funds received
18 under the American Recovery and Reinvestment Act of 2009 (Pub. L.
19 No. 111-5) to the Texas Education Agency for the two-year period
20 beginning on the effective date of this Act for the purpose of
21 providing formula distributions to school districts and charter
22 schools for the purchase, in cooperation with the
23 agency, of textbooks under Proclamation 2010 and continuing
24 contracts related to instructional materials.

25 SECTION 29. OFFICE OF ATTORNEY GENERAL: ADDITIONAL
26 APPROPRIATION. In addition to amounts previously appropriated for
27 the state fiscal biennium ending August 31, 2009, the amount of

1 \$27,300,000 is appropriated out of funds received under the
2 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
3 to the Office of the Attorney General for the two-year period
4 beginning on the effective date of this Act for the purpose of
5 providing child support enforcement.

6 SECTION 30. APPROPRIATION REDUCTION/RESTORATION AND
7 REPORTS AND LIMITS ON THE USE OF APPROPRIATED OR TRANSFERRED FUNDS:
8 TEXAS A&M UNIVERSITY SYSTEM, TRUSTEED PROGRAMS WITHIN THE OFFICE OF
9 THE GOVERNOR. (a) The appropriations, from any fund, appropriated
10 to Texas A&M University or The Texas A&M University System or an
11 affiliated entity or to the Trusteed Programs within the Office of
12 the Governor for use during the state fiscal biennium ending August
13 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th Legislature,
14 Regular Session, 2007 (the General Appropriations Act), that are
15 used or proposed to be used for a project described by Subsection
16 (b) of this section are reduced entirely by this section and
17 reappropriated in their entirety by this section subject to the
18 restrictions prescribed by this section.

19 (b) This section applies to all appropriated funds used by
20 or for the benefit of, or used in furtherance of, a project or
21 undertaking of The Texas A&M University System's National Center
22 for Therapeutics Manufacturing (the "Center"), the Institute for
23 Advanced Therapeutics, the Texas Institute for Genomic Medicine,
24 the Texas Institute for Pre-Clinical Studies, or any similar
25 institute (collectively referred to as the "Institutes") in
26 connection with a partnership or joint venture for research or
27 manufacturing or a related activity with The Texas A&M University

1 System ("System") or an entity affiliated with the System,
2 including the Texas A&M Health Science Center (collectively
3 referred to as "A&M").

4 (c) This section applies to all unexpended funds described
5 by Subsection (b) appropriated or transferred by or under this Act
6 or by or under a previous Act of the legislature, specifically
7 including but not limited to all appropriated funds transferred
8 from the governor, the Office of the Governor, or the Trusteed
9 Programs within the Office of the Governor (collectively referred
10 to as the "governor") to the System, A&M, the Center, or the
11 Institutes. Funds to which this section applies are restricted
12 funds for purposes of this section.

13 (d) All restricted funds under this section may not be
14 expended or obligated without the written prior approval of the
15 Legislative Budget Board as provided by Section 69, Article XVI,
16 Texas Constitution. The System, A&M, the Center, the Institutes,
17 and the comptroller may not release any restricted funds
18 appropriated or transferred for the use or expenditure of the
19 System, A&M, the Center, or the Institutes until the release of the
20 restricted funds has been approved in writing by the Legislative
21 Budget Board. The comptroller may not make any transfers of
22 restricted funds to, for, or on behalf of the System, A&M, the
23 Center, or the Institutes without the written approval of the
24 Legislative Budget Board.

25 (e) Not later than the 10th calendar day after the date this
26 Act takes effect, the System shall provide the Legislative Budget
27 Board with an initial report related to restricted funds used

1 directly or indirectly in support of the Center or the Institutes,
2 including the \$50 million transferred from the Emerging Technology
3 Fund to the System as announced by the governor on March 23, 2009,
4 and approved by letter dated January 2, 2009, including the
5 following:

6 (1) a detailed accounting;

7 (2) an accounting for consulting contracts paid by:

8 (A) A&M or the System in support of the Center or
9 the Institutes; and

10 (B) the Center or the Institutes;

11 (3) an accounting of staff salaries paid by:

12 (A) A&M or the System in support of the Center or
13 the Institutes; and

14 (B) the Center or the Institutes;

15 (4) an accounting of construction-related expenses
16 for the Center and the Institutes accompanied by a narrative
17 description of the progress of any construction that has occurred
18 or that is planned;

19 (5) a timeline for completion of the construction and
20 operation of the Center and the Institutes; and

21 (6) such other information as the Legislative Budget
22 Board may require.

23 (f) The Legislative Budget Board may approve of the release
24 of restricted funds under this section after receiving adequate
25 reports from the System demonstrating the proper use of the
26 restricted funds. Specifically the System shall provide the
27 Legislative Budget Board with the following information on a

1 monthly basis:

2 (1) an accounting for restricted funds used directly
3 or indirectly in support of the Center or the Institutes;

4 (2) an accounting of staff salaries paid by:

5 (A) A&M or the System in support of the Center or
6 the Institutes; and

7 (B) the Center or the Institutes;

8 (3) an accounting of construction-related expenses
9 accompanied by a narrative description of the progress of any
10 construction;

11 (4) an update of a timeline for completion of the
12 construction and operation of the Center and the Institutes;

13 (5) an update of any new information that could make
14 more complete or accurate the report required under Subsection (e)
15 of this section;

16 (6) an accounting for consulting contracts paid by:

17 (A) A&M or the System in support of the Center or
18 the Institutes; and

19 (B) the Center or the Institutes; and

20 (7) such other information as the Legislative Budget
21 Board may require.

22 SECTION 31. TRANSFER AUTHORITY SUBJECT TO APPROVAL.
23 Notwithstanding other provisions in Chapter 1428 (H.B. 1), Acts of
24 the 80th Legislature, Regular Session, 2007 (the General
25 Appropriations Act), the governor, Office of the Governor, and
26 Trusteed Programs within the Office of the Governor may not,
27 without the written prior approval of the Legislative Budget Board,

1 expend or transfer amounts deposited or appropriated to the
2 Emerging Technology Fund Account No. 5124 or deposited or
3 appropriated to the Texas Enterprise Fund Account No. 5107 and may
4 not assign or transfer appropriations and the corresponding FTEs
5 for Trusteed Programs within the Office of the Governor to other
6 agencies without the written prior approval of the Legislative
7 Budget Board.

8 SECTION 32. TRANSFER AUTHORITY. Notwithstanding
9 limitations on or grants of appropriation transfers contained in
10 Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
11 Session, 2007 (the General Appropriations Act), the Office of the
12 Governor is not authorized, without the prior written approval of
13 the Legislative Budget Board, to direct agency resources or to
14 transfer appropriated amounts between appropriations items listed
15 under the bill pattern of the Office of the Governor. Without the
16 prior written approval of the Legislative Budget Board, the
17 governor may not transfer appropriations and FTEs under the bill
18 pattern of the Trusteed Programs within the Office of the Governor,
19 and may not, without the prior written approval of the Legislative
20 Budget Board, assign appropriations and the corresponding FTEs for
21 Trusteed Programs within the Office of the Governor to other
22 agencies.

23 SECTION 33. REPORTING REQUIREMENTS; AMERICAN RECOVERY AND
24 REINVESTMENT ACT. (a) Each state agency and institution of higher
25 education receiving appropriations in this Act out of funds
26 received under the American Recovery and Reinvestment Act of 2009
27 (Pub. L. No. 111-5) shall develop and submit a plan to the

1 Legislative Budget Board and the governor providing details on the
2 entity's intended use of appropriations made by this Act out of
3 funds received under the American Recovery and Reinvestment Act of
4 2009. The plan shall include a summary of any American Recovery and
5 Reinvestment Act of 2009 funds spent, allocated, or encumbered
6 prior to August 31, 2009. The report shall be delivered not later
7 than September 30, 2009.

8 (b) Each of the agencies receiving appropriations under
9 this Act out of funds received under the American Recovery and
10 Reinvestment Act of 2009 (Pub. L. No. 111-5) shall submit quarterly
11 reports, in a form determined by the Legislative Budget Board, on
12 expenditure of those funds. Reports shall be submitted not later
13 than the following dates each year: December 31, March 31, June 30,
14 and September 30. The reports shall be submitted to the governor,
15 Legislative Budget Board, state auditor's office, and the
16 comptroller.

17 SECTION 34. INFORMATIONAL SECTION: REDUCTION IN GENERAL.
18 The amounts of general revenue reductions shown in this Act are in
19 accordance with Title V of the American Recovery and Reinvestment
20 Act of 2009 (Pub. L. No. 111-5). All of the general revenue
21 reductions identified in previous provisions of this Act are offset
22 by an equal or greater amount of funds made available to this state
23 under the American Recovery and Reinvestment Act of 2009.

24 SECTION 35. FMAP ALLOCATIONS. Appropriations made in this
25 Act to the Health and Human Services Commission for Medicaid
26 Enhanced FMAP shall be allocated by the commission to affected
27 agencies. The commission shall submit a plan for that allocation to

1 the Legislative Budget Board and the governor not later than
2 September 30, 2009.

3 SECTION 36. PROHIBITION OF EXPANSION OF STATE GOVERNMENT.

4 It is the intent of the legislature that to the extent allowed by
5 federal and state law with regard to funds received under the
6 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5),
7 an agency appropriated funds under this Act may not adopt a plan,
8 policy, procedure, strategy, or rule to facilitate expenditure of
9 American Recovery and Reinvestment Act of 2009 funding during this
10 or a future biennium for expansion of a program, strategy, policy,
11 expense, or employment that:

12 (1) cannot be reasonably and proportionately reduced
13 or eliminated after American Recovery and Reinvestment Act of 2009
14 funding is reduced or eliminated; or

15 (2) creates liability on behalf of the State of Texas
16 to make:

17 (A) repayment to the United States treasury
18 ("clawback") in the event of a future discontinuation of payments
19 to the direct or indirect beneficiaries from those American
20 Recovery and Reinvestment Act of 2009 funds already expended; or

21 (B) payments to direct or indirect beneficiaries
22 of a program or strategy in excess of those funds actually received
23 by the State of Texas from the United States treasury.

24 SECTION 37. DISCONTINUED FUNDING PLAN. Each agency
25 receiving funds under the American Recovery and Reinvestment Act of
26 2009 (Pub. L. No. 111-5) that are appropriated by this Act shall
27 prepare a written Discontinued Funding Plan ("plan") that addresses

1 the fact that American Recovery and Reinvestment Act of 2009
2 funding is temporary in nature and that programs authorized and
3 federal funds provided under the American Recovery and Reinvestment
4 Act of 2009 will be eliminated or reduced or might reasonably be
5 viewed as likely to be eliminated or reduced during this or a future
6 biennium. In accordance with requirements prescribed by the
7 Legislative Budget Board and the governor the plan must:

8 (1) identify funds received under the American
9 Recovery and Reinvestment Act of 2009;

10 (2) forecast the amount of reduction of American
11 Recovery and Reinvestment Act of 2009 funds in future budgets
12 compared to the current budget of the agency;

13 (3) be filed initially with the Legislative Budget
14 Board and the governor not later than September 30, 2009;

15 (4) be updated quarterly;

16 (5) be supplemented as requested by the Legislative
17 Budget Board or the governor;

18 (6) indicate how services or benefits will be provided
19 by the agency after elimination or reduction of American Recovery
20 and Reinvestment Act of 2009 funding;

21 (7) state how a reduction in force employed by the
22 agency will be executed;

23 (8) state whether staff hired by an agency as a result
24 of American Recovery and Reinvestment Act of 2009 funding were
25 notified that the positions of employment are temporary because
26 they are funded by money received under the American Recovery and
27 Reinvestment Act of 2009;

1 (9) state the manner in which the agency will reduce
2 services and benefits when American Recovery and Reinvestment Act
3 of 2009 funding is eliminated or reduced;

4 (10) provide other information required from the
5 agency by the Legislative Budget Board or the governor;

6 (11) provide for avoiding liability for or any
7 commitment by the State of Texas to future financial obligations or
8 responsibilities not approved by the 81st Legislature; and

9 (12) be available for public inspection and review.

10 SECTION 38. EXCEPTIONS PROVIDED FOR USE OF APPROPRIATIONS.

11 As a specific exception to the requirement of Section 8.02, Article
12 IX, Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
13 Session, 2007 (the General Appropriations Act), that all federal
14 funds appropriated by that Act be deposited to and expended from an
15 appropriation item identified by that Act and not be expended for a
16 purpose other than for a purpose reviewed by the 80th Legislature
17 and authorized by specific language in that Act or encompassed by an
18 agency's budget structure as established by that Act, all American
19 Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5) funds
20 appropriated by this Act may be expended for other items and
21 purposes with the prior written approval of the Legislative Budget
22 Board and the governor.

23 SECTION 39. DISCONTINUANCE OF POSITION ASSOCIATED WITH
24 AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. It is the intent of
25 the legislature that a position of employment created as a result of
26 the receipt of American Recovery and Reinvestment Act of 2009 (Pub.
27 L. No. 111-5) funding shall be eliminated by an agency on exhaustion

1 or discontinued availability of the American Recovery and
2 Reinvestment Act of 2009 funding for that position.

3 SECTION 40. MAXIMIZATION OF AMERICAN RECOVERY AND
4 REINVESTMENT ACT OF 2009 FUNDS. In order to maximize the amount of
5 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
6 funds that might become available to the State of Texas, state funds
7 from any source used by a state agency to provide services or
8 benefits may be counted in any manner consistent with then existing
9 law towards any required state matching contribution for receiving
10 American Recovery and Reinvestment Act funds, notwithstanding any
11 requirement to the contrary in Chapter 1428 (H.B. 1), Acts of the
12 80th Legislature, Regular Session, 2007 (the General
13 Appropriations Act).

14 SECTION 41. TEXAS EDUCATION AGENCY: ADDITIONAL
15 APPROPRIATION FOR TECHNOLOGY. In addition to amounts previously
16 appropriated for the state fiscal biennium ending August 31, 2009,
17 the amount of \$220,915,577 is appropriated out of funds received
18 under the American Recovery and Reinvestment Act of 2009 (Pub. L.
19 No. 111-5) to the Texas Education Agency for the two-year period
20 beginning on the effective date of this Act for the purpose of
21 providing additional technology and instructional materials
22 through the Technology Allotment under Strategy B.2.1,
23 Technology/Instructional Materials.

24 SECTION 42. DEPARTMENT OF AGING AND DISABILITY SERVICES:
25 APPROPRIATION REDUCTION. As a result of savings created by the
26 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
27 providing a temporary exemption for the use of federal incentives

1 to increase federal funds, the unencumbered appropriations from the
2 general revenue fund appropriated to the Department of Aging and
3 Disability Services for use during the state fiscal biennium ending
4 August 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th
5 Legislature, Regular Session, 2007 (the General Appropriations
6 Act) under Strategy A.6.1, Nursing Facility Payments, are reduced
7 by \$414,556,053.

8 SECTION 43. DEPARTMENT OF AGING AND DISABILITY SERVICES:
9 RESTORATION OF TRANSFER AUTHORITY. Notwithstanding any limitation
10 on transfer among appropriation items prescribed by Chapter 1428
11 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the
12 General Appropriations Act), the Department of Aging and Disability
13 Services for the fiscal year ending August 31, 2009, may transfer
14 any amounts among the following items of appropriation:

- 15 (1) A.2.1, Primary Home Care;
- 16 (2) A.2.2, Community Attendant Services;
- 17 (3) A.2.3, Day Activity and Health Services (DAHS);
- 18 (4) A.3.1, Community-based Alternatives (CBA);
- 19 (5) A.3.2, Home and Community-based Services (HCS);
- 20 (6) A.3.3, Community Living Assistance and Support
21 Services (CLASS);
- 22 (7) A.3.4, Deaf-blind Multiple Disabilities (DBMD);
- 23 (8) A.3.5, Medically Dependent Children Program
24 (MDCP);
- 25 (9) A.3.6, Consolidated Waiver Program;
- 26 (10) A.3.7, Texas Home Living Waiver;
- 27 (11) A.5.1, Program of All-Inclusive Care for the

1 Elderly (PACE);

2 (12) A.6.1, Nursing Facility Payments;

3 (13) A.6.2, Medicare Skilled Nursing Facility;

4 (14) A.6.3, Hospice;

5 (15) A.6.4, Promoting Independence by Providing
6 Community-based Client Services;

7 (16) A.7.1, Intermediate Care Facilities - Mental
8 Retardation (ICF/MR); and

9 (17) A.8.1, MR State Schools Services.

10 SECTION 44. DEPARTMENT OF AGING AND DISABILITY SERVICES:
11 GENERATORS FOR NURSING FACILITIES. In addition to amounts
12 previously appropriated for the state fiscal biennium ending August
13 31, 2009, the amount of \$47,668,044 is appropriated out of the
14 general revenue fund to the Department of Aging and Disability
15 Services for the two-year period beginning on the effective date of
16 this Act for the purposes of: 1) surveying the need for emergency
17 back-up generators and fire sprinkler systems in Texas nursing
18 facilities; 2) establishing a priority list of nursing facilities
19 if the need exceeds the funds available; and 3) allocating the funds
20 for the purchase and installation of back-up generators and fire
21 sprinkler systems to nursing facilities.

22 SECTION 45. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:
23 APPROPRIATION REDUCTION. As a result of savings created by the
24 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
25 providing a temporary exemption for the use of federal incentives
26 to increase federal funds, the unencumbered amounts appropriated
27 from the general revenue fund to the Department of Family and

1 Protective Services for use during the state fiscal biennium ending
2 August 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th
3 Legislature, Regular Session, 2007 (the General Appropriations
4 Act), are reduced by the following amounts:

5 (1) \$11,609,096 under Strategy A.2.10, Foster Care
6 Payments; and

7 (2) \$7,483,772 under Strategy A.2.11, Adoption
8 Subsidy Payments.

9 SECTION 46. HEALTH AND HUMAN SERVICES COMMISSION:
10 APPROPRIATION REDUCTION. As a result of savings created by the
11 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
12 providing a temporary exemption for the use of federal incentives
13 to increase federal funds, the unencumbered amounts appropriated
14 from the general revenue fund to the Health and Human Services
15 Commission for use during the state fiscal biennium ending August
16 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th Legislature,
17 Regular Session, 2007 (the General Appropriations Act), under
18 Strategy B.1.4, Children and Medically Needy, are reduced by
19 \$1,206,507,722.

20 SECTION 47. HEALTH AND HUMAN SERVICES COMMISSION:
21 RESTORATION OF TRANSFER AUTHORITY. Notwithstanding any limitation
22 on transfer among appropriation items prescribed by Chapter 1428
23 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the
24 General Appropriations Act), the Health and Human Services
25 Commission for the fiscal year ending August 31, 2009, may transfer
26 any amounts among the following items of appropriation:

27 (1) Strategy B.1.4, Children and Medically Needy;

- (2) Strategy B.2.4, Medical Transportation;
- (3) Strategy B.3.1, Health Steps (EPSDT) Medical;
- (4) Strategy B.3.2, Health Steps (EPSDT) Dental; and
- (5) Strategy B.3.3, EPSDT Comprehensive Care Program.

SECTION 48. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES: APPROPRIATION REDUCTION. The unencumbered amounts appropriated to the Department of Family and Protective Services for use during the state fiscal biennium ending August 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the General Appropriations Act), under Strategy A.2.10, Foster Care Payments, are reduced by the following amounts:

- (1) \$24,492,233 out of the general revenue fund appropriations for that strategy; and
- (2) \$26,719,977 out of the federal funds (TANF) appropriations for that strategy.

SECTION 49. DEPARTMENT OF AGING AND DISABILITY SERVICES: ADDITIONAL APPROPRIATIONS. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the amount of \$62,351,306 is appropriated out of the general revenue fund to the Department of Aging and Disability Services under Strategy A.6.1, Nursing Facility Payments, for the fiscal year ending August 31, 2009.

SECTION 50. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES: ADDITIONAL APPROPRIATIONS. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the Department of Family and Protective Services is appropriated for the fiscal year ending August 31, 2009, the following amounts

1 for the following purposes:

2 (1) \$5,174,830 from the general revenue fund under
3 Strategy A.2.11, Adoption Subsidy Payments;

4 (2) \$6,191,042 from the general revenue fund under
5 Strategy C.1.1, CPS Reform Continued;

6 (3) \$4,199,776 in federal funds (TANF) under Strategy
7 C.1.1, CPS Reform Continued;

8 (4) \$13,126,361 from the general revenue fund under
9 Strategy A.3.1, APS Direct Delivery Staff; and

10 (5) \$12,460,353 in federal funds (TANF) under Strategy
11 A.2.1, CPS Direct Delivery Staff.

12 SECTION 51. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:
13 RESTORATION OF TRANSFER AUTHORITY. Notwithstanding any limitation
14 on transfer among appropriation items prescribed by Chapter 1428
15 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the
16 General Appropriations Act), for the fiscal year ending August 31,
17 2009, the Department of Family and Protective Services may transfer
18 any amounts among the following items of appropriation:

19 (1) Strategy A.1.1, Statewide Intake Services;

20 (2) Strategy A.2.1, CPS Direct Delivery Staff;

21 (3) Strategy A.2.2, CPS Program Support;

22 (4) Strategy A.3.1, APS Direct Delivery Staff;

23 (5) Strategy A.3.2, APS Program Support;

24 (6) Strategy A.3.3, MH and MR Investigations; and

25 (7) Strategy A.4.1, Child Care Regulation.

26 SECTION 52. HEALTH AND HUMAN SERVICES COMMISSION:
27 ADDITIONAL APPROPRIATIONS. In addition to amounts previously

1 appropriated for the state fiscal biennium ending August 31, 2009,
2 the Health and Human Services Commission is appropriated for the
3 fiscal year ending August 31, 2009, the following amounts for the
4 following purposes:

5 (1) \$357,839,421 from the general revenue fund under
6 Goal B, Medicaid; and

7 (2) \$322,378,835 from the general revenue fund under
8 Strategy B.2.3, Medicare Federal Give Back.

9 SECTION 53. DEPARTMENT OF STATE HEALTH SERVICES: REMOVAL OF
10 CERTAIN LIMITATIONS. (a) In order to meet an expected shortfall
11 within the mental health hospital system, the limitations
12 prescribed by the following provisions of Chapter 1428 (H.B. 1),
13 Acts of the 80th Legislature, Regular Session, 2007 (the General
14 Appropriations Act), do not limit appropriations made to the
15 Department of State Health Services for the fiscal year ending
16 August 31, 2009:

17 (1) Section 8.03(e), Article IX (Reimbursements and
18 Payments);

19 (2) Section 14.01, Article IX (Appropriation
20 Transfers);

21 (3) Section 49, Article II, Special Provisions,
22 Contingent Appropriation of Medicare Part D Savings;

23 (4) Rider 46, State Owned Multicategorical Teaching
24 Hospital Account (UTMB), following the appropriations to the
25 Department of State Health Services; and

26 (5) Rider 55, County Indigent Health Care, following
27 the appropriations to the Department of State Health Services.

1 (b) The Department of State Health Services shall report to
2 the Legislative Budget Board not later than October 1, 2009,
3 regarding each instance in which the Department of State Health
4 Services transferred funds to meet the shortfall within the mental
5 health hospital system. The report shall include at a minimum the
6 items of appropriation from which the funds were transferred, the
7 items of appropriation to which the funds were transferred, the
8 amount and method of finance of funds used in each transfer, and any
9 other information requested by the Legislative Budget Board.

10 SECTION 54. HEALTH AND HUMAN SERVICES COMMISSION:
11 ADDITIONAL FEDERAL MEDICAID FUNDING. In addition to amounts
12 previously appropriated for the state fiscal biennium ending August
13 31, 2009, the amount of \$1,640,156,643 is appropriated out of funds
14 received under the American Recovery and Reinvestment Act of 2009
15 (Pub. L. No. 111-5) to the Health and Human Services Commission for
16 the two-year period beginning on the effective date of this Act for
17 the purpose of increased federal Medicaid funding.

18 SECTION 55. APPROPRIATIONS FOR GENERAL COSTS CAUSED BY
19 NATURAL DISASTERS. (a) The following amounts are appropriated out
20 of the general revenue fund to the following agencies and
21 institutions of higher education for the two-year period beginning
22 on the effective date of this Act for the purpose of paying for, or
23 reimbursing payments made for, costs incurred by the agencies or
24 institutions associated with damages or disruptions caused by
25 natural disasters that occurred before the effective date of this
26 Act during the state fiscal biennium that began September 1, 2007:

27 (1) UT Medical Branch at Galveston: \$300,000,000;

1 (2) Brazosport College: \$120,111;
2 (3) Parks and Wildlife Department: \$60,849,794;
3 (4) Health and Human Services Commission:
4 \$47,416,821;
5 (5) UT M.D. Anderson Cancer Center: \$1,725,995;
6 (6) Alvin College: \$12,043,688;
7 (7) Texas A&M Galveston: \$10,700,000;
8 (8) Texas Forest Service: \$385,091;
9 (9) Houston Community College: \$6,030,680;
10 (10) Department of Criminal Justice: \$32,387,608;
11 (11) Commission on Environmental Quality:
12 \$4,598,100;
13 (12) San Jacinto College: \$3,700,000;
14 (13) Galveston College: \$491,844;
15 (14) Texas Engineering Extension Service:
16 \$1,190,794;
17 (15) Adjutant General's Department: \$1,244,007;
18 (16) The University of Texas at Brownsville:
19 \$1,178,189;
20 (17) Lamar University: \$2,803,561;
21 (18) Lamar Institute of Technology: \$2,007,758;
22 (19) Lamar State College: Port Arthur: \$1,082,754;
23 (20) Texas Southern University: \$17,884,439;
24 (21) College of the Mainland: \$704,945;
25 (22) The University of Texas Pan American: \$102,258;
26 (23) Texas AgriLife Research: \$281,428;
27 (24) General Land Office and Veterans' Land Board:

1 \$30,220,100;

2 (25) Angelina College: \$142,245;

3 (26) Texas A&M Corpus Christi: \$59,145;

4 (27) Texas AgriLife Extension Service: \$143,378;

5 (28) The University of Texas Health Center at Tyler:
6 \$2,898,557;

7 (29) The University of Texas Health Science Center at
8 Houston: \$8,520,839;

9 (30) University of Houston System Administration:
10 \$7,339,000;

11 (31) Texas State Technical College: Harlingen:
12 \$904,558;

13 (32) Lamar State College: Orange: \$693,691;

14 (33) Prairie View A&M University: \$488,864;

15 (34) Stephen F. Austin State University: \$434,075;

16 (35) Tyler Junior College: \$215,688;

17 (36) Sam Houston State University: \$118,841;

18 (37) The University of Texas Health Science Center at
19 San Antonio: \$89,436;

20 (38) Texas A&M University--Commerce: \$39,694;

21 (39) Lee College: \$137,554; and

22 (40) Department of Agriculture: \$20,000,000.

23 (b) For each appropriation made to an entity by this section
24 in an amount that exceeds \$5,000,000, the comptroller shall
25 separately account for expenditures from that item of appropriation
26 and for reimbursements to the general revenue fund made in
27 connection with that item of appropriation in accordance with

1 Section 62 of this Act by creating, for accounting purposes, a
2 separate account within the general revenue fund. Expenditures
3 from each item of appropriation subject to this section shall be
4 made from the separate account created for that item and
5 reimbursements to the general revenue fund made in connection with
6 that item of appropriation in accordance with Section 62 of this Act
7 shall be deposited to that separate account. It is the intent of
8 the 81st Legislature that the 82nd Legislature appropriate for
9 further recovery efforts from the natural disaster that are still
10 being made or paid for by the entity that received the appropriation
11 any money received as reimbursements to the general revenue fund in
12 connection with the appropriation to that entity and separately
13 accounted for in accordance with this subsection.

14 (c) Out of the amounts appropriated by this section to UT
15 Medical Branch at Galveston, \$150,000,000 of that amount may be
16 spent only to provide matching funds for FEMA qualifying projects,
17 except that if that amount cannot be prudently and effectively
18 spent in that manner, the remainder of that \$150,000,000 may be
19 spent only with the prior written approval of the Legislative
20 Budget Board.

21 SECTION 56. APPROPRIATIONS FOR GENERAL COSTS CAUSED BY
22 WILDFIRES. The amount of \$9,384,231 is appropriated out of the
23 general revenue fund to the Texas Forest Service for the two-year
24 period beginning on the effective date of this Act for the purpose
25 of paying for, or reimbursing payments made for, costs incurred by
26 the Texas Forest Service associated with wildfires that occurred
27 before the effective date of this Act during the state fiscal

1 biennium that began September 1, 2007.

2 SECTION 57. APPROPRIATIONS FOR GENERAL COSTS CAUSED BY
3 FLOODING. The following amounts are appropriated out of the
4 general revenue fund to the following agencies and institutions of
5 higher education for the two-year period beginning on the effective
6 date of this Act for the purpose of paying for, or reimbursing
7 payments made for, costs incurred by the agencies or institutions
8 associated with flooding that occurred before the effective date of
9 this Act during the state fiscal biennium that began September 1,
10 2007:

11 (1) Texas Forest Service: \$69,339; and

12 (2) Texas Engineering Extension Service: \$2,106,560.

13 SECTION 58. CERTAIN APPROPRIATIONS FOR DISASTER RELIEF.

14 (a) An amount not to exceed \$100 million is appropriated out of the
15 general revenue fund for transfer to the disaster contingency fund
16 and is appropriated for expenditure out of the disaster contingency
17 fund to the Trusteed Programs within the Office of the Governor for
18 the two-year period beginning on the effective date of this Act for
19 the purpose of providing disaster relief in accordance with this
20 section. Money may not be transferred out of the general revenue
21 fund or expended from the disaster contingency fund under this
22 section without the prior written approval of the Legislative
23 Budget Board given in response to a request for that approval from
24 the Office of the Governor.

25 (b) The amounts appropriated by Subsection (a) of this
26 section may be transferred to the disaster contingency fund and
27 expended out of the disaster contingency fund only serially as

1 conditions warrant. The Legislative Budget Board may not approve
2 at any one time a transfer or expenditure under this section in an
3 amount that exceeds \$25 million, but the board may concurrently
4 approve under this section the transfer of an amount out of the
5 general revenue fund and the expenditure of all or part of that
6 amount out of the disaster contingency fund.

7 (c) The first priority for the expenditure of funds
8 appropriated by this section shall be to provide to units of local
9 government that are suffering financial hardship as a result of
10 declared disasters, including wildfires, flooding, and other
11 natural disasters, funds for the purpose of:

12 (1) providing local matching funds for FEMA qualifying
13 projects; or

14 (2) preventing default on outstanding bonds or meeting
15 other financial requirements.

16 SECTION 59. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY. In
17 addition to amounts previously appropriated for the state fiscal
18 biennium ending August 31, 2009, the amount of \$2,000,000 is
19 appropriated out of the general revenue fund to the Texas
20 Commission on Environmental Quality for the two-year period
21 beginning on the effective date of this Act for conducting
22 hazardous substance removal and disposal activities at Ballard
23 Pits, a state superfund site in Nueces County.

24 SECTION 60. CERTAIN REIMBURSEMENTS FROM FEDERAL
25 GOVERNMENT, AN INSURER, OR ANOTHER SOURCE. If any state agency or
26 institution of higher education receives reimbursement from the
27 federal government, an insurer, or another source for an

1 expenditure paid for or reimbursed with money appropriated under
2 Section 58 of this Act, the agency or institution shall reimburse
3 the disaster contingency fund in an amount equal to the amount
4 expended from the disaster contingency account that is proportional
5 to the total expenditures for damages described by Section 58 of
6 this Act, and that amount shall be deposited to the credit of the
7 disaster contingency fund within the state treasury.

8 SECTION 61. CONTINGENT APPROPRIATION: WEALTH PER STUDENT
9 LIMITATION. Contingent on the enactment of legislation relating to
10 an exception to the wealth per student limitation for school
11 districts that, as a result of natural disasters, are suffering
12 financial hardship and also contingent on a declaration of a state
13 or national emergency, an amount not to exceed \$30 million is
14 appropriated out of the general revenue fund to the Texas Education
15 Agency for the two-year period beginning on the effective date of
16 this Act for the purpose of allowing certain school districts to
17 retain recapture payments in order to respond to a disaster.

18 SECTION 62. REIMBURSEMENT TO GENERAL REVENUE FUND. If any
19 state agency or institution of higher education receives
20 reimbursement from the federal government, an insurer, or another
21 source for an expenditure paid for or reimbursed under Section 55,
22 56, 57, or 63 of this Act, the agency or institution shall reimburse
23 the state in an amount equal to the general revenue funds expended
24 for damages that is proportional to the total expenditures for
25 damages described under Section 55, 56, 57, or 63 of this Act, and
26 that amount shall be deposited to the credit of the general revenue
27 fund within the state treasury.

1 SECTION 63. TEXAS DEPARTMENT OF TRANSPORTATION: FM 170
2 REPAIRS. An amount not to exceed \$1 million is appropriated out of
3 the general revenue fund to the Texas Department of Transportation
4 for the two-year period beginning on the effective date of this Act
5 for the purpose of repairing the damage caused by flooding to
6 Farm-to-Market Road 170 in Brewster and Presidio Counties. It is
7 the intent of the legislature that this work be completed not later
8 than December 31, 2009.

9 SECTION 64. STATE AUDITOR AUTHORITY: DISASTER RELIEF
10 APPROPRIATIONS. An entity receiving funds under this Act
11 appropriated for disaster relief, including an entity receiving
12 funds appropriated in response to a natural disaster and a unit of
13 local government receiving funds appropriated for transfer to and
14 expenditure out of the disaster contingency fund, is subject to
15 audit by the state auditor based on a risk assessment made by the
16 state auditor in developing the annual audit plan under Chapter
17 321, Government Code. As part of the risk assessment of an entity,
18 including a unit of local government, the state auditor may
19 consider:

20 (1) the amount of money directly appropriated to an
21 entity by this Act or received by a unit of local government out of
22 money appropriated for transfer to and expenditure out of the
23 disaster contingency fund by this Act;

24 (2) the amount of money reimbursed under a provision
25 of this Act requiring that the general revenue fund or disaster
26 contingency fund be reimbursed under certain circumstances; and

27 (3) the methodology used by an entity, including a

1 unit of local government, to estimate a loss caused by a disaster.

2 SECTION 65. GENERAL LAND OFFICE: FEMA REIMBURSEMENTS.

3 Reimbursements received from the Federal Emergency Management
4 Agency (an estimated amount of \$39 million) for expenses incurred
5 by the General Land Office in removing debris caused by Hurricane
6 Ike and paid for with \$39 million in emergency funds transferred
7 from the Texas Public Finance Authority are appropriated to the
8 General Land Office for the two-year period beginning on the
9 effective date of this Act for the purpose of funding coastal
10 management programs of the land office, including debris and
11 structure removal, derelict structure buyouts, shoreline
12 stabilization, dune restoration, beach renourishment, coastal
13 erosion mitigation, and other coastal projects authorized by
14 statute.

15 SECTION 66. PAYMENT TO PHI, INC., FOR EMERGENCY EVACUATION

16 OPERATIONS. Out of amounts appropriated to the Health and Human
17 Services Commission by Section 55(a)(4) of this Act, the amount of
18 \$1,508,450 shall be transferred to the Department of State Health
19 Services and the department shall use that amount to pay PHI, Inc.,
20 for services rendered in connection with emergency evacuation
21 operations conducted from September 21 through September 29, 2005.
22 The Department of State Health Services shall supply all necessary
23 information required by the comptroller of public accounts to
24 approve and pay this claim by PHI, Inc., and the claim may not be
25 paid unless the comptroller gives the necessary approvals.

26 SECTION 67. Section 8.02, Chapter 1428 (H.B. 1), Acts of the

27 80th Legislature, Regular Session, 2007, is amended by amending

Subsection (a) and adding Subsection (i) to read as follows:

(a) Except as provided in Subsection (i), all ~~[All]~~ funds received from the United States government by a state agency or institution named in this Act are hereby appropriated to the agency for the purposes for which the federal grant, allocation, aid, payment, or reimbursement was made subject to the provisions of this section.

(i) Prior to obligating or expending funds received from the United States government under the American Recovery and Reinvestment Act (Pub. L. No. 111-5), an agency or institution of higher education must provide the following information to the Legislative Budget Board, the Governor's Office, and each member of the legislature:

(1) the amount of money awarded or received;
(2) the purposes for which the funds may be spent;
(3) specific performance measures tied to each expenditure;

(4) the estimated number of jobs to be created or retained;

(5) the number of any new full-time equivalent positions;

(6) a list of all capital items to be purchased with the funds; and

(7) for each contract to be funded in whole or part with the funds received:

(A) the principal place of business of the entity receiving the contract;

1 (B) the geographic location of the office or
2 offices from which the entity will administer the contract;

3 (C) a statement regarding the race, ethnicity,
4 and gender of:

5 (i) the sole proprietor, if the entity
6 receiving the contract is a sole proprietor; or

7 (ii) each partner, if the entity receiving
8 the contract is a partnership; and

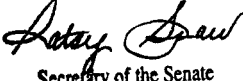
9 (D) if the entity receiving the contract is a
10 corporation, information regarding whether the corporation is
11 registered as a majority-owned corporation or a minority-owned
12 corporation under a federal program or is registered as or
13 considered to be a historically underutilized business or similar
14 entity under a state or local program.

15 SECTION 68. APPROPRIATIONS ALLOCATED TO APPROPRIATE
16 GENERAL APPROPRIATIONS ACT STRATEGIES. Except as otherwise
17 provided by this Act, the agencies and institutions receiving
18 appropriations made by this Act shall allocate the appropriations
19 to the appropriate General Appropriations Act strategies.

20 SECTION 69. EFFECTIVE DATE. This Act takes effect
21 immediately.

ADOPTED

MAY 27 2009


Secretary of the Senate

By: Pitts/Ogden

H.B. No. 4586

Substitute the following for H.B. No. 4586:

By: Ogden

C.S. H.B. No. 4586

A BILL TO BE ENTITLED

1 AN ACT

2 relating to making supplemental appropriations and reductions in
3 appropriations and giving direction and adjustment authority and
4 prescribing limitations regarding appropriations.

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

6 SECTION 1. DEPARTMENT OF STATE HEALTH SERVICES: SWINE FLU.

7 In addition to amounts previously appropriated for the state fiscal
8 biennium ending August 31, 2009, the amount of \$11,796,415 is
9 appropriated out of the general revenue fund to the Department of
10 State Health Services for the two-year period beginning on the
11 effective date of this Act for the purpose of paying for costs
12 associated with the swine flu.

13 SECTION 2. CANCER PREVENTION AND RESEARCH INSTITUTE:

14 OPERATIONS. (a) In addition to amounts previously appropriated
15 for the state fiscal biennium ending August 31, 2009, the amount of
16 \$917,389 is appropriated out of the general revenue fund to the
17 Cancer Prevention and Research Institute for the two-year period
18 beginning on the effective date of this Act for the purpose of
19 providing for salaries and wages, travel, acquisition of
20 information technology, computers, furniture, legal counseling,
21 and contracts.

22 (b) In addition to the number of full-time equivalent
23 employees (FTEs) the Cancer Prevention and Research Institute is
24 authorized by other law to employ during the state fiscal year

ending August 31, 2009, the center may employ an additional 16.0 FTEs during that state fiscal year.

SECTION 3. TEXAS FACILITIES COMMISSION: UTILITY COSTS. (a) In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the amount of \$2,396,612 is appropriated out of the general revenue fund to the Texas Facilities Commission under Strategy C.2.1, Facilities Operation, for the two-year period beginning on the effective date of this Act for the purpose of providing for payment of increased utility costs as a result of an increase in utility rates.

(b) Notwithstanding Article IX, Section 14.01, Appropriation Transfers, or similar provisions of Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the General Appropriations Act), funds appropriated by this section may not be transferred by the commission to another appropriation item or be used by the commission for a purpose other than payment of utility expenses without the prior written approval of the Legislative Budget Board.

SECTION 4. TEXAS ETHICS COMMISSION: *FREE MARKET ASSOCIATION V. TEXAS ETHICS COMMISSION*. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the amount of \$188,349 is appropriated out of the general revenue fund to the Texas Ethics Commission for the fiscal year ending August 31, 2009, for the purpose of reimbursing the commission for the payment of the judgment on October 2, 2008, in *Free Market Association of Texas v. Texas Ethics Commission* in the United States District Court for the Western District of Texas, Austin

1 Division.

2 SECTION 5. TEXAS STATE LIBRARY AND ARCHIVES COMMISSION:
3 LORENZO DE ZAVALA BUILDING. In addition to amounts previously
4 appropriated for the state fiscal biennium ending August 31, 2009,
5 the amount of \$1,894,676 is appropriated out of the general revenue
6 fund to the Texas State Library and Archives Commission for the
7 two-year period beginning on the effective date of this Act for the
8 purchase of furniture and shelving for the Lorenzo de Zavala
9 Building.

10 SECTION 6. PRESERVATION BOARD OR HISTORICAL COMMISSION:
11 RESTORATION OF THE GOVERNOR'S MANSION. Out of reimbursements
12 received from the Federal Emergency Management Agency for
13 expenditures that were paid for with funds transferred from the
14 Health and Human Services Commission to the Department of Public
15 Safety during the state fiscal year ending August 31, 2009, an
16 amount not to exceed \$11,000,000 is appropriated for the two-year
17 period beginning on the effective date of this Act, in addition to
18 other amounts appropriated for the state fiscal biennium ending
19 August 31, 2009, for costs associated with the restoration of the
20 Governor's Mansion. The appropriation is to:

21 (1) the State Preservation Board, contingent on the
22 enactment and becoming law of S.B. 2307 or similar legislation by
23 the 81st Legislature in regular session that imposes responsibility
24 on the State Preservation Board for the preservation and
25 maintenance of the Governor's Mansion; or

26 (2) the Texas Historical Commission, if the 81st
27 Legislature in regular session does not enact S.B. 2307 or similar

1 legislation that becomes law that imposes responsibility on the
2 State Preservation Board for the preservation and maintenance of
3 the Governor's Mansion.

4 SECTION 7. HEALTH AND HUMAN SERVICES COMMISSION: RED LIGHT
5 CAMERA TRAUMA FUND. In addition to amounts previously appropriated
6 for the state fiscal biennium ending August 31, 2009, all revenue
7 deposited to the Regional Trauma Account 5137 (Red Light Camera
8 Trauma Fund) (estimated to be \$6,712,284) is appropriated under
9 Strategy A.1.1, Enterprise Oversight and Policy, to the Health and
10 Human Services Commission for the state fiscal year ending August
11 31, 2009, to be used to reimburse uncompensated trauma care.

12 SECTION 8. TEXAS EDUCATION AGENCY: CRIMINAL HISTORY
13 BACKGROUND CHECKS. In addition to amounts previously appropriated
14 for the state fiscal biennium ending August 31, 2009, the amount of
15 \$2,630,206 is appropriated out of the general revenue fund to the
16 Texas Education Agency for the two-year period beginning on the
17 effective date of this Act to conduct criminal history background
18 checks pursuant to Chapter 1372 (S.B. 9), Acts of the 80th
19 Legislature, Regular Session, 2007.

20 SECTION 9. TEXAS SOUTHERN UNIVERSITY: APPROPRIATION
21 REPURPOSING. (a) The unencumbered appropriations from the general
22 revenue fund appropriated to Texas Southern University for use
23 during the state fiscal biennium ending August 31, 2009, by Article
24 III, Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
25 Session, 2007 (the General Appropriations Act), under Strategy
26 B.1.2, Tuition Revenue Bond Retirement, are reduced by the amount
27 of \$3,729,808.

(b) Notwithstanding any limitation made by Article III, Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the General Appropriations Act), under Section 6(9) of the Special Provisions Relating Only to State Agencies of Higher Education, the amount of \$3,729,808 is appropriated out of the general revenue fund to Texas Southern University for the two-year period beginning on the effective date of this Act for the purpose of paying for, or reimbursing payments made for, costs incurred by the university associated with damages caused by natural disasters that occurred before the effective date of this Act during the state fiscal biennium that began September 1, 2007.

SECTION 10. TEXAS SOUTHERN UNIVERSITY: DEBT SERVICE. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the amount of \$2,350,000 is appropriated out of the general revenue fund to Texas Southern University for the two-year period beginning on the effective date of this Act for debt service payments.

SECTION 11. HIGHER EDUCATION GROUP INSURANCE CONTRIBUTIONS. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the following amounts are appropriated out of the general revenue fund for the two-year period beginning on the effective date of this Act to the following community and junior colleges for the purpose of restoring fiscal year 2009 proportional state contributions for health benefits and providing a transitional adjustment sufficient to set the restoration total for each institution at an amount equal to the amount of the fiscal year 2009 higher education group

1 insurance contribution for each institution included in the line
2 item veto for Chapter 1428 (H.B. 1), Acts of the 80th Legislature,
3 Regular Session, 2007 (the General Appropriations Act):

4 (1) \$12,185,357 is appropriated out of the general
5 revenue fund to Alamo Community College;

6 (2) \$1,574,860 is appropriated out of the general
7 revenue fund to Alvin Community College;

8 (3) \$3,758,285 is appropriated out of the general
9 revenue fund to Amarillo College;

10 (4) \$1,367,325 is appropriated out of the general
11 revenue fund to Angelina College;

12 (5) \$7,164,544 is appropriated out of the general
13 revenue fund to Austin Community College;

14 (6) \$3,054,600 is appropriated out of the general
15 revenue fund to Blinn College;

16 (7) \$1,373,650 is appropriated out of the general
17 revenue fund to Brazosport College;

18 (8) \$2,731,087 is appropriated out of the general
19 revenue fund to Central Texas College;

20 (9) \$990,189 is appropriated out of the general
21 revenue fund to Cisco Junior College;

22 (10) \$461,040 is appropriated out of the general
23 revenue fund to Clarendon College;

24 (11) \$1,497,422 is appropriated out of the general
25 revenue fund to Coastal Bend College;

26 (12) \$2,138,088 is appropriated out of the general
27 revenue fund to the College of the Mainland;

1 (13) \$3,784,295 is appropriated out of the general
2 revenue fund to Collin County Community College;
3 (14) \$15,758,341 is appropriated out of the general
4 revenue fund to the Dallas County Community College District;
5 (15) \$4,018,340 is appropriated out of the general
6 revenue fund to Del Mar College;
7 (16) \$6,182,391 is appropriated out of the general
8 revenue fund to El Paso Community College;
9 (17) \$585,527 is appropriated out of the general
10 revenue fund to Frank Phillips College;
11 (18) \$943,016 is appropriated out of the general
12 revenue fund to Galveston College;
13 (19) \$1,468,952 is appropriated out of the general
14 revenue fund to Grayson County College;
15 (20) \$954,181 is appropriated out of the general
16 revenue fund to Hill College;
17 (21) \$10,278,053 is appropriated out of the general
18 revenue fund to Houston Community College;
19 (22) \$1,813,685 is appropriated out of the general
20 revenue fund to Howard College;
21 (23) \$2,129,068 is appropriated out of the general
22 revenue fund to Kilgore College;
23 (24) \$3,342,228 is appropriated out of the general
24 revenue fund to Laredo Community College;
25 (25) \$2,119,681 is appropriated out of the general
26 revenue fund to Lee College;
27 (26) \$8,670,589 is appropriated out of the general

1 revenue fund to the Lone Star College System;
2 (27) \$2,724,160 is appropriated out of the general
3 revenue fund to McLennan Community College;
4 (28) \$2,065,163 is appropriated out of the general
5 revenue fund to Midland College;
6 (29) \$1,470,933 is appropriated out of the general
7 revenue fund to Navarro College;
8 (30) \$1,418,908 is appropriated out of the general
9 revenue fund to North Central Texas College;
10 (31) \$874,764 is appropriated out of the general
11 revenue fund to Northeast Texas Community College;
12 (32) \$1,963,198 is appropriated out of the general
13 revenue fund to Odessa College;
14 (33) \$945,499 is appropriated out of the general
15 revenue fund to Panola College;
16 (34) \$1,278,367 is appropriated out of the general
17 revenue fund to Paris Junior College;
18 (35) \$474,991 is appropriated out of the general
19 revenue fund to Ranger College;
20 (36) \$6,628,666 is appropriated out of the general
21 revenue fund to San Jacinto College;
22 (37) \$3,338,955 is appropriated out of the general
23 revenue fund to South Plains College;
24 (38) \$3,985,978 is appropriated out of the general
25 revenue fund to South Texas College;
26 (39) \$1,666,736 is appropriated out of the general
27 revenue fund to Southwest Texas Junior College;

1 (40) \$9,207,978 is appropriated out of the general
2 revenue fund to Tarrant County College;

3 (41) \$1,330,783 is appropriated out of the general
4 revenue fund to Temple College;

5 (42) \$1,667,329 is appropriated out of the general
6 revenue fund to Texarkana College;

7 (43) \$1,706,940 is appropriated out of the general
8 revenue fund to Trinity Valley Community College;

9 (44) \$3,361,192 is appropriated out of the general
10 revenue fund to Tyler Junior College;

11 (45) \$1,120,729 is appropriated out of the general
12 revenue fund to Vernon College;

13 (46) \$1,519,013 is appropriated out of the general
14 revenue fund to Victoria College;

15 (47) \$1,397,289 is appropriated out of the general
16 revenue fund to Weatherford College;

17 (48) \$694,843 is appropriated out of the general
18 revenue fund to Western Texas College; and

19 (49) \$1,789,670 is appropriated out of the general
20 revenue fund to Wharton County Junior College.

21 SECTION 12. TEXAS FOREST SERVICE: VOLUNTEER FIRE DEPARTMENT
22 ASSISTANCE PROGRAM. In addition to amounts previously appropriated
23 for the state fiscal biennium ending August 31, 2009, the amount of
24 \$2,500,000 is appropriated out of general revenue fund dedicated
25 account number 5064 to the Texas Forest Service for the two-year
26 period beginning on the effective date of this Act for grants to
27 volunteer fire departments for training and equipment through the

1 Volunteer Fire Department Assistance Program.

2 SECTION 13. UNIVERSITY OF TEXAS MEDICAL BRANCH: HIGHER
3 EDUCATION GROUP INSURANCE CONTRIBUTIONS. In addition to amounts
4 previously appropriated for the state fiscal biennium ending August
5 31, 2009, the amount of \$500,000 is appropriated out of the general
6 revenue fund to The University of Texas Medical Branch at Galveston
7 for the two-year period beginning on the effective date of this Act
8 for additional contributions made to higher education group
9 insurance made on behalf of 47 full-time equivalent positions
10 transferred under a contract with the Texas Youth Commission from
11 the Texas Tech University Health Sciences Center to The University
12 of Texas Medical Branch.

13 SECTION 14. THE UNIVERSITY OF NORTH TEXAS SYSTEM:
14 REIMBURSEMENT FOR PLANNING AND DESIGN. In addition to amounts
15 previously appropriated for the state fiscal biennium ending August
16 31, 2009, the amount of \$2,800,000 is appropriated out of the
17 general revenue fund to the University of North Texas System for the
18 two-year period beginning on the effective date of this Act for the
19 purpose of reimbursing the cost of planning and design for
20 construction of a second academic building at the Dallas campus.
21 The legislature finds there is a demonstrated need for undertaking
22 the planning and design process for this building.

23 SECTION 15. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:
24 OPERATIONS. In addition to amounts previously appropriated for the
25 state fiscal biennium ending August 31, 2009, the amount of
26 \$164,230,000 is appropriated out of the general revenue fund to the
27 Texas Department of Criminal Justice for the two-year period

1 beginning on the effective date of this Act for the purpose of
2 providing for salaries and wages, hazardous duty and longevity pay,
3 overtime pay, food for wards of the state, costs of damages
4 resulting from natural disasters, contracted temporary capacity,
5 utilities, information technology services, and fuel.

6 SECTION 16. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:
7 CORRECTIONAL MANAGED HEALTH CARE. In addition to amounts
8 previously appropriated for the state fiscal biennium ending August
9 31, 2009, the amount of \$48,144,918 is appropriated out of the
10 general revenue fund to the Texas Department of Criminal Justice
11 for the two-year period beginning on the effective date of this Act
12 for the purpose of providing for correctional managed health and
13 psychiatric care, the use of infirmary beds at The University of
14 Texas Health Science Center at Tyler, outpatient cancer treatment,
15 and the rental of a CT scanner.

16 SECTION 17. WATER DEVELOPMENT BOARD: MEDINA LAKE DAM. In
17 addition to amounts previously appropriated for the state fiscal
18 biennium ending August 31, 2009, the amount of \$4,000,000 is
19 appropriated out of the general revenue fund to the Water
20 Development Board for the two-year period beginning on the
21 effective date of this Act to be transferred to the Water Assistance
22 Fund to provide a grant to the Bexar-Medina Atascosa Water Control
23 and Improvement District #1 for structural improvements to the
24 Medina Lake Dam.

25 SECTION 18. SOIL AND WATER CONSERVATION BOARD: MILEAGE
26 REIMBURSEMENT. In addition to amounts previously appropriated for
27 the state fiscal biennium ending August 31, 2009, the following

1 amounts are appropriated to the Soil and Water Conservation Board
2 for the two-year period beginning on the effective date of this Act
3 to provide mileage reimbursement for soil and water conservation
4 district directors:

5 (1) \$54,664 is appropriated out of the general revenue
6 fund; and

7 (2) the unexpended and unencumbered balance of the
8 amounts appropriated by Section 19.63, Article IX, Chapter 1428
9 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the
10 General Appropriations Act).

11 SECTION 19. TEXAS DEPARTMENT OF TRANSPORTATION: HIGHWAY AND
12 BRIDGE CONSTRUCTION. In addition to amounts previously
13 appropriated for the state fiscal biennium ending August 31, 2009,
14 the amount of \$662,200,000 is appropriated out of funds received
15 under the American Recovery and Reinvestment Act of 2009 (Pub. L.
16 No. 111-5) to the Texas Department of Transportation for the
17 two-year period beginning on the effective date of this Act for the
18 purpose of highway and bridge construction.

19 SECTION 20. RACING COMMISSION: REVENUE SHORTFALL. In
20 addition to amounts previously appropriated for the state fiscal
21 biennium ending August 31, 2009, the amount of \$178,525 is
22 appropriated out of the general revenue fund to the Racing
23 Commission for the two-year period beginning on the effective date
24 of this Act for the purpose of providing for current operations as a
25 result of a revenue shortfall.

26 SECTION 21. APPROPRIATION REDUCTION: THE UNIVERSITY OF
27 HOUSTON. The unencumbered appropriations from the general revenue

1 fund appropriated to the University of Houston for use during the
2 state fiscal biennium ending August 31, 2009, by Chapter 1428 (H.B.
3 1), Acts of the 80th Legislature, Regular Session, 2007 (the
4 General Appropriations Act), by the Section 55 special item
5 appropriation for the University of Houston - Wind Energy under the
6 Special Provisions of Article III of that Act are reduced by
7 \$4,245,244.

8 SECTION 22. THE UNIVERSITY OF HOUSTON: WIND ENERGY. In
9 addition to amounts previously appropriated for the state fiscal
10 biennium ending August 31, 2009, the amount of \$4,245,244 is
11 appropriated out of the general revenue fund to the University of
12 Houston for the two-year period beginning on the effective date of
13 this Act for the purpose of developing and constructing the
14 National Large Wind Turbine Research and Testing Facility. The
15 legislature finds there is a demonstrated need to develop and
16 construct this facility.

17 SECTION 23. JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT:
18 TRANSFERS. Notwithstanding the transfer limitations of Section
19 14.01, Article IX, or Rider 4 following the appropriations to the
20 Judiciary Section, Comptroller's Department, in Chapter 1428 (H.B.
21 1), Acts of the 80th Legislature, Regular Session, 2007 (the
22 General Appropriations Act), the Judiciary Section, Comptroller's
23 Department, may transfer appropriations among items of
24 appropriations appropriated by Chapter 1428 (H.B. 1), Acts of the
25 80th Legislature, Regular Session, 2007 (the General
26 Appropriations Act), in any amount during the state fiscal biennium
27 ending August 31, 2009. The Judiciary Section, Comptroller's

1 Department, may use any funds transferred under this section to pay
2 for personnel expenses of the 435th District Court in Montgomery
3 County.

4 SECTION 24. APPROPRIATION REDUCTION: OFFICE OF ATTORNEY
5 GENERAL. As a result of savings created by the American Recovery
6 and Reinvestment Act of 2009 (Pub. L. No. 111-5) in providing a
7 temporary exemption for the use of federal incentives to increase
8 federal funds, the unencumbered appropriations from the general
9 revenue fund appropriated to the Office of the Attorney General for
10 use during the state fiscal biennium ending August 31, 2009, by
11 Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
12 Session, 2007 (the General Appropriations Act), under Strategy
13 B.1.1, Child Support Enforcement, are reduced by \$27,300,000.

14 SECTION 25. APPROPRIATION REDUCTION: TEXAS TECH UNIVERSITY
15 HEALTH SCIENCES CENTER; HIGHER EDUCATION GROUP INSURANCE
16 CONTRIBUTIONS. The unencumbered appropriations from the general
17 revenue fund appropriated to the Texas Tech University Health
18 Sciences Center for use during the state fiscal biennium ending
19 August 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th
20 Legislature, Regular Session, 2007 (the General Appropriations
21 Act), under the Article III appropriations for Higher Education
22 Employees Group Insurance Contributions (Strategy C.1.22, Texas
23 Tech University Health Sciences Center), are reduced by \$500,000 to
24 reflect the transfer of 47 full-time equivalent employee positions
25 (FTEs) from the Texas Tech University Health Sciences Center to The
26 University of Texas Medical Branch at Galveston under a contract
27 with the Texas Youth Commission.

1 SECTION 26. APPROPRIATION REDUCTION: TEXAS EDUCATION
2 AGENCY. The unencumbered appropriations from the foundation school
3 fund appropriated to the Texas Education Agency for use during the
4 state fiscal biennium ending August 31, 2009, made by Chapter 1428
5 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the
6 General Appropriations Act), under Strategy A.1.1, FSP-Equalized
7 Operations, are reduced by \$500,000,000.

8 SECTION 27. HEALTH AND HUMAN SERVICES COMMISSION:
9 RESTORATION OF TRANSFER AUTHORITY. (a) Notwithstanding any
10 limitation on transfer among appropriation items prescribed by
11 Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
12 Session, 2007 (the General Appropriations Act), the Health and
13 Human Services Commission for the fiscal year ending August 31,
14 2009, but subject to the limitations prescribed by Subsections
15 (b)-(e) of this section, the Health and Human Services Commission
16 may allocate the amount appropriated by Section 52(1) of this Act
17 among the items of appropriation listed under Goal B, Medicaid.

18 (b) Any unexpended balances of general revenue funds
19 appropriated by Section 52(1) of this Act for the state fiscal year
20 ending August 31, 2009 (estimated to be \$0), are appropriated to the
21 Health and Human Services Commission for the fiscal year beginning
22 September 1, 2009, for the purposes of Goal B, Medicaid, but the
23 amounts may be spent only with the prior approval of the Legislative
24 Budget Board and the governor obtained as prescribed by this
25 section.

26 (c) The commission shall submit a written request for prior
27 approval to the Legislative Budget Board and the governor and

1 concurrently provide a copy of the request to the comptroller. The
2 request for prior approval must be organized by fiscal year as
3 provided by this subsection. The commission shall provide the
4 following information:

5 (1) for the fiscal year with an unexpended balance:

6 (A) an explanation of the causes for the
7 unexpended balance;

8 (B) the amount of the unexpended balance by
9 strategy; and

10 (C) the associated incremental change in service
11 levels compared to applicable performance targets for that fiscal
12 year; and

13 (2) for the fiscal year receiving the funds:

14 (A) an explanation of the purposes for which the
15 unexpended balances will be used and whether the expenditures will
16 be one-time or ongoing;

17 (B) the amount of the expenditures by strategy;

18 (C) the incremental change in service levels
19 compared to applicable performance targets for that fiscal year;
20 and

21 (D) the capital budget impact.

22 (d) The request made under Subsection (c) of this section is
23 considered to be approved unless the Legislative Budget Board or
24 the governor issues a written disapproval on or before the 15th
25 business day after the date on which the staff of the Legislative
26 Budget Board concludes its review of the proposal to expend the
27 funds and forwards its review to the chair of the House

1 Appropriations Committee, chair of the Senate Finance Committee,
2 speaker of the house of representatives, and lieutenant governor.

3 (e) The comptroller may not allow the use of unexpended
4 balance amounts appropriated by this section if the Legislative
5 Budget Board provides notification to the comptroller that the
6 requirements of this section have not been satisfied.

7 SECTION 28. TEXAS EDUCATION AGENCY: APPROPRIATION
8 REDUCTION. The unencumbered appropriations from the general
9 revenue fund appropriated to the Texas Education Agency for use
10 during the state fiscal biennium ending August 31, 2009, made by
11 Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
12 Session, 2007 (the General Appropriations Act), are reduced by the
13 following amounts:

- 14 (1) \$19,251,340 from Strategy A.2.1, Student Success;
15 (2) \$1,037,973 from Strategy A.2.4, School
16 Improvement and Support Programs;
17 (3) \$108,007 from Strategy B.2.1, Educational
18 Technology; and
19 (4) \$1,300,434 from Strategy B.2.2, Safe Schools.

20 SECTION 29. OFFICE OF ATTORNEY GENERAL: ADDITIONAL
21 APPROPRIATION. In addition to amounts previously appropriated for
22 the state fiscal biennium ending August 31, 2009, the amount of
23 \$27,300,000 is appropriated out of funds received under the
24 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
25 to the Office of the Attorney General for the two-year period
26 beginning on the effective date of this Act for the purpose of
27 providing child support enforcement.

1 SECTION 30. AMERICAN RECOVERY AND REINVESTMENT ACT:
2 LIMITATION ON THE USE OF FUNDS. (a) None of the federal funds made
3 available under the American Recovery and Reinvestment Act (ARRA)
4 and appropriated by this Act may be expended for any purpose other
5 than those identified by this Act without prior approval of the
6 governor and Legislative Budget Board obtained in accordance with
7 this section and Section 34 of this Act.

8 (b) A state agency or institution receiving federal ARRA
9 funds appropriated by this Act shall notify the governor,
10 comptroller, Legislative Budget Board, and state auditor's office
11 whenever the federal government, including a federal agency, does
12 not approve an application by the agency or institution to spend the
13 federal ARRA funds in a particular manner. The notice may include a
14 proposed alternative use of the funds that the agency or
15 institution considers to be consistent with the purposes, as
16 identified by this Act, for which the funds may be used. Unless the
17 governor and the Legislative Budget Board issue a written
18 disapproval of a proposed alternative use within 15 business days
19 after receiving the notification of federal disapproval that
20 contains the proposed alternative use, the agency or institution
21 may expend the funds in accordance with the proposed alternative
22 use. If the governor and the Legislative Budget Board issue a
23 written disapproval of the proposed alternative use, the governor
24 and Legislative Budget Board may approve expenditure of the funds
25 in accordance with a modified alternative use identified by the
26 governor and the Legislative Budget Board.

27 (c) Before expending any federal ARRA funds appropriated by

1 this Act, each agency or institution shall notify the Legislative
2 Budget Board, the governor, and the comptroller of any changes in
3 federal law, rules, or regulations related to programs that receive
4 appropriations under this Act that could create a future fiscal
5 obligation to the state beyond the state fiscal year beginning
6 September 1, 2010. If after the 15th business day after
7 notification from the agency or institution the Legislative Budget
8 Board and the governor have not both issued a written disapproval of
9 the expenditure, the agency or institution may expend the funds.

10 (d) Each state agency or institution that receives federal
11 ARRA funds appropriated by this Act shall certify to the
12 Legislative Budget Board, the governor, and the comptroller how the
13 use of the funds or the programs receiving the funds comply with
14 applicable state law, federal law, rules, regulations, and other
15 relevant guidance, including any changes in guidance or
16 interpretation and any changes in information reported under this
17 section. The certification must include a statement that the
18 agency's chief executive and executive staff have knowledge of the
19 American Recovery and Reinvestment Act law and of federal agency
20 actions regarding that law and that those persons in their official
21 capacity accept responsibility that the agency's or institution's
22 use of federal ARRA funds appropriated by this Act comply with
23 applicable federal law, state law, rules, regulations, and relevant
24 guidance.

25 (e) The comptroller, in cooperation with the state auditor,
26 may prescribe and implement any payment and post-payment audit
27 procedures considered necessary to ensure compliance with this

1 section. The comptroller may provide consultation and training for
2 agencies and institutions prior to obligation or expenditure of
3 funds, and the comptroller shall provide technical assistance with
4 these matters as needed during the two-year period beginning with
5 the effective date of this Act. The comptroller shall coordinate
6 with the state auditor to ensure appropriate use of the funds
7 throughout the two-year period. Each state agency receiving
8 federal ARRA funds under this Act must comply with reporting
9 requirements prescribed by the comptroller and state auditor.

10 SECTION 31. AMERICAN RECOVERY AND REINVESTMENT ACT:
11 PRIORITY OF FUNDING. (a) To the extent allowed under the American
12 Recovery and Reinvestment Act (ARRA), from funds appropriated in
13 this Act, agencies and institutions shall give priority to
14 expenditures that do not recur beyond the two-year period that
15 begins on the effective date of this Act.

16 (b) To the extent allowed under ARRA, an agency or
17 institution may not create a liability that will cause the state to
18 make:

19 (1) repayment to the United States treasury
20 ("clawback") of ARRA funds already expended in the event of a future
21 discontinuation of payments to the direct or indirect beneficiaries
22 of a program or strategy; or

23 (2) payments to direct or indirect beneficiaries of a
24 program or strategy in an amount that exceeds the amount of ARRA
25 funds actually received by the state from the United States
26 treasury.

27 SECTION 32. AMERICAN RECOVERY AND REINVESTMENT ACT:

1 INFORMATIONAL RIDER: REDUCTION IN GENERAL. The amounts of general
2 revenue reductions shown in certain agency appropriations in this
3 Act are in accordance with Title V, State Fiscal Relief, American
4 Recovery and Reinvestment Act.

5 SECTION 33. AMERICAN RECOVERY AND REINVESTMENT ACT: FMAP
6 ALLOCATIONS. Appropriations made by this Act to the Health and
7 Human Services Commission for Medicaid Enhanced FMAP shall be
8 allocated by the commission to affected agencies. The commission
9 shall submit a plan for that allocation to the Legislative Budget
10 Board and the governor not later than the 30th day after the
11 effective date of this Act.

12 SECTION 34. AMERICAN RECOVERY AND REINVESTMENT ACT:
13 REPORTING REQUIREMENTS. (a) Each state agency and institution of
14 higher education receiving appropriations under this Act or under
15 Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
16 Session, 2007 (the General Appropriations Act), shall develop and
17 submit a plan to the Legislative Budget Board and the governor
18 providing details on the entity's intended use of appropriations
19 received from money available under the American Recovery and
20 Reinvestment Act (ARRA). The plan shall include a summary of any
21 ARRA funds spent, allocated, or encumbered on or before August 31,
22 2009. The report shall be delivered not later than September 30,
23 2009. Unless the Legislative Budget Board and the governor issue a
24 written disapproval of proposed expenditures under the plan within
25 15 business days after September 30, 2009, the agency or
26 institution may expend the funds in accordance with the plan,
27 subject to Section 30 of this Act.

1 (b) Each of the agencies and institutions receiving
2 appropriations under this Act shall submit quarterly reports on the
3 expenditure of funds received from money available under the
4 American Recovery and Reinvestment Act (ARRA). The report shall be
5 in the format prescribed by the Legislative Budget Board and must
6 include the estimated number of jobs that will be created or
7 retained in this state and the number of full-time equivalent
8 positions that will be created at the agency or institution. The
9 quarterly reports must be submitted on or before December 31, March
10 31, June 30, and September 30 of each year to the governor,
11 Legislative Budget Board, state auditor's office, and comptroller.

12 (c) Each agency or institution that receives funds from
13 money available under the American Recovery and Reinvestment Act
14 and that provides reports to the Legislative Budget Board and
15 federal agencies regarding funding received from that money shall
16 post on the agency's or institution's Internet website the agency's
17 or institution's ARRA report and provide a link to the state
18 auditor's office fraud hotline.

19 SECTION 35. AMERICAN RECOVERY AND REINVESTMENT ACT:
20 LEGISLATIVE INTENT. It is the intent of the legislature that all
21 American Recovery and Reinvestment Act funding appropriated by this
22 Act or by Senate Bill 1, Acts of the 81st Legislature, Regular
23 Session, 2009 (the General Appropriations Act), be allocated as
24 prescribed in each respective Act.

25 SECTION 36. DEPARTMENT OF AGING AND DISABILITY SERVICES:
26 LIMITATION ON CASELOADS. From amounts appropriated by Chapter 1428
27 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the

1 General Appropriations Act), for the fiscal year ending August 31,
2 2009, the Department of Aging and Disability Services may not at any
3 time during the period beginning on the effective date of this Act
4 and ending August 31, 2009, exceed the following limitations on the
5 total number of clients served under the following appropriation
6 items:

7 (1) 26,087 clients under Strategy A.3.1, Community
8 Based Alternatives (CBA);

9 (2) 15,516 clients under Strategy A.3.2, Home and
10 Community-based Services (HCS);

11 (3) 4,199 clients under Strategy A.3.3, Community
12 Living Assistance and Support Services (CLASS);

13 (4) 154 clients under Strategy A.3.4, Deaf-blind
14 Multiple Disabilities (DBMD);

15 (5) 2,745 clients under Strategy A.3.5, Medically
16 Dependent Children Program (MDCP);

17 (6) 160 clients under Strategy A.3.6, Consolidated
18 Waiver Program;

19 (7) 994 clients under Strategy A.3.7, Texas Home
20 Living Waiver;

21 (8) 39,005 clients under Strategy A.4.1, Non-Medicaid
22 Services;

23 (9) 13,109 clients under Strategy A.4.2, MR Community
24 Services;

25 (10) 4,590 clients under Strategy A.4.4, In-Home and
26 Family Support;

27 (11) 3,060 clients under Strategy A.4.5, Mental

1 Retardation In-Home Services; and

2 (12) 902 clients under Strategy A.5.1, Program of
3 All-Inclusive Care for the Elderly (PACE).

4 SECTION 37. HEALTH AND HUMAN SERVICES COMMISSION: TRANSFER
5 OF FUNDS APPROPRIATED FOR CHIP SERVICES. Notwithstanding any
6 provision of another Act making appropriations to the contrary, the
7 Health and Human Services Commission, without the necessity of
8 prior approval by another office or entity, may transfer funds
9 appropriated to the commission under Goal C, CHIP Services, or Goal
10 B, Medicaid by Chapter 1428 (H.B. 1) Acts of the 80th Legislature,
11 Regular Session, 2007 (the General Appropriations Act) between Goal
12 C, CHIP Services and Goal B, Medicaid, for the fiscal year ending
13 August 31, 2009.

14 SECTION 38. DEPARTMENT OF ASSISTIVE AND REHABILITATIVE
15 SERVICES: APPROPRIATION REDUCTION. The unencumbered
16 appropriations made by Chapter 1428 (H.B. 1), Acts of the 80th
17 Legislature, Regular Session, 2007 (the General Appropriations
18 Act), from the general revenue fund for Vocational Rehabilitation
19 (Fund 8007) to the Department of Assistive and Rehabilitative
20 Services for use during the state fiscal biennium ending August 31,
21 2009, under Strategy B.3.1, Vocational Rehabilitation-General, are
22 reduced by \$2,931,371.

23 SECTION 39. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:
24 APPROPRIATION REDUCTION AND RELATED TRANSFER AUTHORITY. (a) The
25 unencumbered appropriations from the general revenue fund
26 appropriated to the Department of Family and Protective Services
27 for use during the state fiscal biennium ending August 31, 2009,

1 made by Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
2 Session, 2007 (the General Appropriations Act), are reduced by the
3 following amounts:

4 (1) \$3,961,399 under Strategy A.2.1, CPS Direct
5 Delivery Staff;

6 (2) \$1,769,065 under Strategy A.2.12, STAR Program;

7 (3) \$1,100,000 under Strategy A.2.13, CYD Program; and

8 (4) \$1,368,000 under Strategy A.2.16, Other At-Risk
9 Prevention Programs.

10 (b) Notwithstanding any limitation on transfer among
11 appropriation items prescribed by Chapter 1428 (H.B. 1), Acts of
12 the 80th Legislature, Regular Session, 2007 (the General
13 Appropriations Act), for the fiscal year ending August 31, 2009,
14 the Department of Family and Protective Services may transfer
15 federal funds from the following items of appropriation to Strategy
16 A.2.1, CPS Direct Delivery Staff:

17 (1) Strategy A.2.12, STAR Program;

18 (2) Strategy A.2.13, CYD Program;

19 (3) Strategy A.2.14, Texas Families Program; and

20 (4) Strategy A.2.16, Other At-Risk Prevention
21 Programs.

22 SECTION 40. HEALTH AND HUMAN SERVICES COMMISSION: TEMPORARY
23 ASSISTANCE TO NEEDY FAMILIES GRANTS. Notwithstanding any provision
24 of Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
25 Session, 2007 (the General Appropriations Act), the Health and
26 Human Services Commission may use current unexpended TANF balances
27 for the purpose of funding an additional \$75 one-time grant for a

1 total of \$105 in the state fiscal year ending August 31, 2009, for
2 each TANF child in an effort to maximize funds received by this
3 state under the American Recovery and Reinvestment Act of 2009.

4 SECTION 41. TEXAS YOUTH COMMISSION: RESTORATION OF TRANSFER
5 AUTHORITY. Notwithstanding any limitation on transfers among
6 appropriation items prescribed by Chapter 1428 (H.B. 1), Acts of
7 the 80th Legislature, Regular Session, 2007 (the General
8 Appropriations Act), the Texas Youth Commission may transfer an
9 amount not to exceed \$5,589,975 from Strategy A.1.3, Contracted
10 Capacity, to Strategy A.1.2, Institutional Services.

11 SECTION 42. DEPARTMENT OF AGING AND DISABILITY SERVICES:
12 APPROPRIATION REDUCTION. As a result of savings created by the
13 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
14 providing a temporary exemption for the use of federal incentives
15 to increase federal funds, the unencumbered appropriations from the
16 general revenue fund appropriated to the Department of Aging and
17 Disability Services for use during the state fiscal biennium ending
18 August 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th
19 Legislature, Regular Session, 2007 (the General Appropriations
20 Act) under Strategy A.6.1, Nursing Facility Payments, are reduced
21 by \$473,774,915.

22 SECTION 43. DEPARTMENT OF AGING AND DISABILITY SERVICES:
23 RESTORATION OF TRANSFER AUTHORITY. (a) Notwithstanding any
24 limitation on transfer among appropriation items prescribed by
25 Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
26 Session, 2007 (the General Appropriations Act), the Department of
27 Aging and Disability Services for the fiscal year ending August 31,

1 2009, may allocate the reduction in appropriations under Section 42
2 of this Act among the items of appropriation listed by Subsection
3 (c) of this section.

4 (b) Notwithstanding any limitation on transfer among
5 appropriation items prescribed by Chapter 1428 (H.B. 1), Acts of
6 the 80th Legislature, Regular Session, 2007 (the General
7 Appropriations Act), the Department of Aging and Disability
8 Services for the fiscal year ending August 31, 2009, may allocate
9 the additional amount appropriated under Section 49 of this Act
10 among the items of appropriation listed by Subsection (c) of this
11 section.

12 (c) The Department of Aging and Disability Services may
13 allocate the additional and reduced amounts appropriated as
14 described by Subsections (a) and (b) of this section among the
15 following items of appropriation:

- 16 (1) A.2.1, Primary Home Care;
- 17 (2) A.2.2, Community Attendant Services;
- 18 (3) A.2.3, Day Activity and Health Services (DAHS);
- 19 (4) A.3.1, Community-based Alternatives (CBA);
- 20 (5) A.3.2, Home and Community-based Services (HCS);
- 21 (6) A.3.3, Community Living Assistance and Support
22 Services (CLASS);
- 23 (7) A.3.4, Deaf-blind Multiple Disabilities (DBMD);
- 24 (8) A.3.5, Medically Dependent Children Program
25 (MDCP);
- 26 (9) A.3.6, Consolidated Waiver Program;
- 27 (10) A.3.7, Texas Home Living Waiver;

- 1 (11) A.5.1, Program of All-Inclusive Care for the
2 Elderly (PACE);
- 3 (12) A.6.1, Nursing Facility Payments;
- 4 (13) A.6.2, Medicare Skilled Nursing Facility;
- 5 (14) A.6.3, Hospice;
- 6 (15) A.6.4, Promoting Independence by Providing
7 Community-based Client Services;
- 8 (16) A.7.1, Intermediate Care Facilities - Mental
9 Retardation (ICF/MR); and
- 10 (17) A.8.1, MR State Schools Services.

11 SECTION 44. DEPARTMENT OF CRIMINAL JUSTICE: CORRECTIONAL
12 SECURITY EQUIPMENT. (a) In addition to amounts previously
13 appropriated for the state fiscal biennium ending August 31, 2009,
14 the amount of \$10,000,000 is appropriated out of the general
15 revenue fund to the Texas Department of Criminal Justice for the
16 two-year period beginning on the effective date of this Act for the
17 purpose of purchasing correctional security equipment.

18 (b) In addition to the capital budget authority previously
19 granted for the state fiscal biennium ending August 31, 2009, the
20 Department of Criminal Justice may use \$10,000,000 in capital
21 budget authority for an additional capital budget item for the
22 acquisition of capital equipment and items.

23 SECTION 45. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:
24 APPROPRIATION REDUCTION. As a result of savings created by the
25 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
26 providing a temporary exemption for the use of federal incentives
27 to increase federal funds, the unencumbered amounts appropriated

1 from the general revenue fund to the Department of Family and
2 Protective Services for use during the state fiscal biennium ending
3 August 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th
4 Legislature, Regular Session, 2007 (the General Appropriations
5 Act), are reduced by the following amounts:

6 (1) \$10,976,561 under Strategy A.2.10, Foster Care
7 Payments; and

8 (2) \$7,565,224 under Strategy A.2.11, Adoption
9 Subsidy Payments.

10 SECTION 46. HEALTH AND HUMAN SERVICES COMMISSION:
11 APPROPRIATION REDUCTION. As a result of savings created by the
12 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
13 providing a temporary exemption for the use of federal incentives
14 to increase federal funds, the unencumbered amounts appropriated
15 from the general revenue fund to the Health and Human Services
16 Commission for use during the state fiscal biennium ending August
17 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th Legislature,
18 Regular Session, 2007 (the General Appropriations Act), under
19 Strategy B.1.4, Children and Medically Needy, are reduced by
20 \$1,127,526,993.

21 SECTION 47. HEALTH AND HUMAN SERVICES COMMISSION:
22 RESTORATION OF TRANSFER AUTHORITY. (a) Notwithstanding any
23 limitation on transfer among appropriation items prescribed by
24 Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
25 Session, 2007 (the General Appropriations Act), the Health and
26 Human Services Commission for the fiscal year ending August 31,
27 2009, may allocate the reduction in appropriations under Section 46

1 of this Act among the items of appropriation listed under Goal B,
2 Medicaid.

3 (b) Notwithstanding any limitation on transfer among
4 appropriation items prescribed by Chapter 1428 (H.B. 1), Acts of
5 the 80th Legislature, Regular Session, 2007 (the General
6 Appropriations Act), the Health and Human Services Commission for
7 the fiscal year ending August 31, 2009, may allocate the additional
8 amount appropriated under Section 52(2) of this Act among the items
9 of appropriation listed under Goal B, Medicaid.

10 SECTION 48. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:
11 APPROPRIATION REDUCTION. The unencumbered amounts appropriated to
12 the Department of Family and Protective Services for use during the
13 state fiscal biennium ending August 31, 2009, by Chapter 1428 (H.B.
14 1), Acts of the 80th Legislature, Regular Session, 2007 (the
15 General Appropriations Act), under Strategy A.2.10, Foster Care
16 Payments, are reduced by the following amounts:

17 (1) \$30,100,979 out of the general revenue fund
18 appropriations for that strategy; and

19 (2) \$28,959,773 out of the federal funds (TANF)
20 appropriations for that strategy.

21 SECTION 49. DEPARTMENT OF AGING AND DISABILITY SERVICES:
22 ADDITIONAL APPROPRIATIONS. In addition to amounts previously
23 appropriated for the state fiscal biennium ending August 31, 2009,
24 the amount of \$62,351,306 is appropriated out of the general
25 revenue fund to the Department of Aging and Disability Services
26 under Strategy A.6.1, Nursing Facility Payments, for the fiscal
27 year ending August 31, 2009.

1 SECTION 50. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:
2 ADDITIONAL APPROPRIATIONS. In addition to amounts previously
3 appropriated for the state fiscal biennium ending August 31, 2009,
4 the Department of Family and Protective Services is appropriated
5 for the fiscal year ending August 31, 2009, the following amounts
6 for the following purposes:

7 (1) \$5,917,242 from the general revenue fund under
8 Strategy A.2.11, Adoption Subsidy Payments;

9 (2) \$6,657,839 from the general revenue fund under
10 Strategy C.1.1, CPS Reform Continued;

11 (3) \$3,732,979 in federal funds (TANF) under Strategy
12 C.1.1, CPS Reform Continued;

13 (4) \$13,126,361 from the general revenue fund under
14 Strategy A.3.1, APS Direct Delivery Staff, for the loss of Medicaid
15 federal funds;

16 (5) \$12,460,353 in federal funds (TANF) under Strategy
17 A.2.1, CPS Direct Delivery Staff, for enterprise support services;
18 and

19 (6) \$5,280,315 from the general revenue fund under
20 Strategy A.2.3, TWC Foster Day Care.

21 SECTION 51. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:
22 RESTORATION OF TRANSFER AUTHORITY. (a) Notwithstanding any
23 limitation on transfer among appropriation items prescribed by
24 Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
25 Session, 2007 (the General Appropriations Act), for the fiscal year
26 ending August 31, 2009, the Department of Family and Protective
27 Services may allocate any amounts appropriated in Sections 50(4)

1 and 50(5) of this Act among the following items of appropriation:

- 2 (1) Strategy A.1.1, Statewide Intake Services;
- 3 (2) Strategy A.2.1, CPS Direct Delivery Staff;
- 4 (3) Strategy A.2.2, CPS Program Support;
- 5 (4) Strategy A.3.1, APS Direct Delivery Staff;
- 6 (5) Strategy A.3.2, APS Program Support;
- 7 (6) Strategy A.3.3, MH and MR Investigations;
- 8 (7) Strategy A.4.1, Child Care Regulation;
- 9 (8) Strategy B.1.1, Central Administration;
- 10 (9) Strategy B.1.2, Other Support Services;
- 11 (10) Strategy B.1.3, Regional Administration; and
- 12 (11) Strategy B.1.4, IT Program Support.

13 (b) Notwithstanding any limitation on transfer among
14 appropriation items prescribed by Chapter 1428 (H.B. 1), Acts of
15 the 80th Legislature, Regular Session, 2007 (the General
16 Appropriations Act), the Department of Family and Protective
17 Services for the fiscal year ending August 31, 2009, may transfer to
18 Strategy A.2.4, TWC Protective Day Care, amounts appropriated by
19 Section 50(6) of this Act to Strategy A.2.3, TWC Foster Day Care.

20 SECTION 52. HEALTH AND HUMAN SERVICES COMMISSION:
21 ADDITIONAL APPROPRIATIONS. In addition to amounts previously
22 appropriated for the state fiscal biennium ending August 31, 2009,
23 the Health and Human Services Commission is appropriated for the
24 fiscal year ending August 31, 2009, the following amounts for the
25 following purposes:

- 26 (1) \$790,589,278 from the general revenue fund under
- 27 Goal B, Medicaid; and

1 (2) \$323,850,650 from the general revenue fund under
2 Strategy B.2.3, Medicare Federal Give Back.

3 SECTION 53. DEPARTMENT OF STATE HEALTH SERVICES: REMOVAL OF
4 CERTAIN LIMITATIONS. (a) In order to meet an expected shortfall
5 within the mental health hospital system, the limitations
6 prescribed by the following provisions of Chapter 1428 (H.B. 1),
7 Acts of the 80th Legislature, Regular Session, 2007 (the General
8 Appropriations Act), do not limit appropriations made to the
9 Department of State Health Services for the fiscal year ending
10 August 31, 2009:

11 (1) Section 8.03(e), Article IX (Reimbursements and
12 Payments);

13 (2) Section 14.01, Article IX (Appropriation
14 Transfers);

15 (3) Section 49, Article II, Special Provisions,
16 Contingent Appropriation of Medicare Part D Savings;

17 (4) Rider 46, State Owned Multicategorical Teaching
18 Hospital Account (UTMB), following the appropriations to the
19 Department of State Health Services; and

20 (5) Rider 55, County Indigent Health Care, following
21 the appropriations to the Department of State Health Services.

22 (b) The Department of State Health Services shall report to
23 the Legislative Budget Board not later than October 1, 2009,
24 regarding each instance in which the Department of State Health
25 Services transferred funds to meet the shortfall within the mental
26 health hospital system. The report shall include at a minimum the
27 items of appropriation from which the funds were transferred, the

1 items of appropriation to which the funds were transferred, the
2 amount and method of finance of funds used in each transfer, and any
3 other information requested by the Legislative Budget Board.

4 SECTION 54. HEALTH AND HUMAN SERVICES COMMISSION:
5 ADDITIONAL FEDERAL MEDICAID FUNDING. In addition to amounts
6 previously appropriated for the state fiscal biennium ending August
7 31, 2009, the amount of \$1,619,843,693 is appropriated out of funds
8 received under the American Recovery and Reinvestment Act of 2009
9 (Pub. L. No. 111-5) to the Health and Human Services Commission for
10 the two-year period beginning on the effective date of this Act for
11 the purpose of increased federal funding for Medicaid and foster
12 care/adoption subsidies.

13 SECTION 55. APPROPRIATIONS FOR GENERAL COSTS CAUSED BY
14 NATURAL DISASTERS. (a) The following amounts are appropriated out
15 of the general revenue fund to the following agencies and
16 institutions of higher education for the two-year period beginning
17 on the effective date of this Act for the purpose of paying for, or
18 reimbursing payments made for, costs incurred by the agencies or
19 institutions associated with damages or disruptions caused by
20 natural disasters that occurred before the effective date of this
21 Act during the state fiscal biennium that began September 1, 2007:

- 22 (1) UT Medical Branch at Galveston: \$150,000,000;
- 23 (2) Brazosport College: \$120,111;
- 24 (3) Parks and Wildlife Department: \$12,000,000;
- 25 (4) UT M.D. Anderson Cancer Center: \$1,725,995;
- 26 (5) Alvin College: \$2,358,771;
- 27 (6) Texas A&M Galveston: \$5,700,000;

1 (7) Texas Forest Service: \$385,091;
2 (8) Houston Community College: \$1,507,670;
3 (9) Commission on Environmental Quality: \$4,600,000;
4 (10) San Jacinto College: \$3,045,820;
5 (11) Galveston College: \$407,406;
6 (12) Texas Engineering Extension Service: \$1,200,000;
7 (13) Adjutant General's Department: \$1,244,007;
8 (14) The University of Texas at Brownsville:
9 \$1,200,000;
10 (15) Lamar University: \$2,803,561;
11 (16) Lamar Institute of Technology: \$2,007,758;
12 (17) Lamar State College: Port Arthur: \$829,530;
13 (18) Texas Southern University: \$9,720,192;
14 (19) College of the Mainland: \$176,236;
15 (20) The University of Texas Pan American: \$102,258;
16 (21) The University of Texas Health Center at Tyler:
17 \$1,461,557;
18 (22) The University of Texas Health Science Center at
19 Houston: \$1,000,000;
20 (23) University of Houston System Administration:
21 \$7,339,000;
22 (24) Texas State Technical College: Harlingen:
23 \$904,558;
24 (25) Lamar State College: Orange: \$600,000;
25 (26) Prairie View A&M University: \$488,864;
26 (27) Lee College: \$137,554; and
27 (28) Department of Agriculture: \$20,000,000.

1 (b) For each appropriation made to an entity by this section
2 in an amount that exceeds \$5,000,000, the comptroller shall
3 separately account for expenditures from that item of appropriation
4 and for reimbursements to the general revenue fund made in
5 connection with that item of appropriation in accordance with
6 Section 62 of this Act by creating, for accounting purposes, a
7 separate account within the general revenue fund. Expenditures
8 from each item of appropriation subject to this section shall be
9 made from the separate account created for that item and
10 reimbursements to the general revenue fund made in connection with
11 that item of appropriation in accordance with Section 62 of this Act
12 shall be deposited to that separate account. It is the intent of
13 the 81st Legislature that the 82nd Legislature appropriate for
14 further recovery efforts from the natural disaster that are still
15 being made or paid for by the entity that received the appropriation
16 any money received as reimbursements to the general revenue fund in
17 connection with the appropriation to that entity and separately
18 accounted for in accordance with this subsection.

19 (c) The amount appropriated by this section to UT Medical
20 Branch at Galveston may be spent only to provide matching funds for
21 FEMA qualifying projects, except that if that amount cannot be
22 prudently and effectively spent in that manner, the remainder of
23 the \$150,000,000 appropriation may be spent only with the prior
24 written approval of the Legislative Budget Board.

25 (d) The amounts appropriated by this section to the
26 Department of Agriculture shall be spent to compensate the Texas
27 Boll Weevil Eradication Foundation for a portion of the

1 foundation's increased expenses incurred because of Hurricane Ike
2 and Hurricane Dolly. The Texas Boll Weevil Eradication Foundation
3 and the Department of Agriculture must approve the allocation of
4 funds appropriated by this section to each eligible boll weevil
5 eradication zone. The Department of Agriculture shall remit the
6 amounts appropriated by this section to the Texas Boll Weevil
7 Eradication Foundation, and the foundation shall credit the funds
8 to the accounts of the following boll weevil eradication zones:

- 9 (1) Southern Blacklands;
- 10 (2) Northern Blacklands;
- 11 (3) Upper Coastal Bend;
- 12 (4) South Texas/Winter Garden; and
- 13 (5) Lower Rio Grande Valley.

14 SECTION 56. APPROPRIATIONS FOR GENERAL COSTS CAUSED BY
15 WILDFIRES. The amount of \$31,478,218 is appropriated out of the
16 general revenue fund to the Texas Forest Service for the two-year
17 period beginning on the effective date of this Act for the purpose
18 of paying for, or reimbursing payments made for, costs incurred by
19 the Texas Forest Service associated with wildfires that occurred
20 before the effective date of this Act during the state fiscal
21 biennium that began September 1, 2007.

22 SECTION 57. APPROPRIATIONS FOR GENERAL COSTS CAUSED BY
23 FLOODING. The amount of \$69,339 is appropriated out of the general
24 revenue fund to the Texas Forest Service for the two-year period
25 beginning on the effective date of this Act for the purpose of
26 paying for, or reimbursing payments made for, costs incurred by the
27 forest service associated with flooding that occurred before the

1 effective date of this Act during the state fiscal biennium that
2 began September 1, 2007.

3 SECTION 58. CERTAIN APPROPRIATIONS FOR DISASTER RELIEF.

4 (a) An amount not to exceed \$52 million is appropriated out of the
5 general revenue fund for transfer to the disaster contingency fund
6 and is appropriated for expenditure out of the disaster contingency
7 fund to the Trusteed Programs within the Office of the Governor for
8 the two-year period beginning on the effective date of this Act for
9 the purpose of providing disaster relief in accordance with this
10 section. Money may not be transferred out of the general revenue
11 fund or expended from the disaster contingency fund under this
12 section without the prior written approval of the Legislative
13 Budget Board given in response to a request for that approval from
14 the Office of the Governor.

15 (b) The amounts appropriated by Subsection (a) of this
16 section may be transferred to the disaster contingency fund and
17 expended out of the disaster contingency fund only serially as
18 conditions warrant.

19 (c) Out of amounts appropriated in Subsection (a) of this
20 section, it is the intent of the legislature that \$1,508,450 be used
21 to pay for air ambulance services in connection with emergency
22 evacuation operations during Hurricane Rita conducted from
23 September 21 through September 29, 2005.

24 SECTION 59. UNIVERSITY OF TEXAS AT AUSTIN: HOLD HARMLESS.

25 (a) In addition to amounts previously appropriated for the state
26 fiscal biennium ending August 31, 2009, the amount of \$9,902,630 is
27 appropriated out of the general revenue fund to The University of

1 Texas at Austin for the two-year period beginning on the effective
2 date of this Act for the purpose of providing The University of
3 Texas the 2008-2009 biennium formula hold harmless amount.

4 (b) From appropriations made by Subsection (a) of this
5 section, The University of Texas at Austin shall direct the amount
6 of \$700,000 to the Marine Science Institute to support the National
7 Estuarine Research Reserve.

8 SECTION 60. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE
9 GOVERNOR: DEBRIS REMOVAL. In addition to amounts previously
10 appropriated for the state fiscal biennium ending August 31, 2009,
11 the amount of \$16,565,040 is appropriated out of the general
12 revenue fund to the Trusteed Programs within the Office of the
13 Governor for the two-year period beginning on the effective date of
14 this Act for the Governor's Division of Emergency Management to
15 remove debris from Harris County, Jefferson County, Chambers
16 County, Brazoria County, Galveston County, and the City of Houston.

17 SECTION 61. TEXAS STATE UNIVERSITY SYSTEM: DISASTER
18 RECOVERY REIMBURSEMENTS. It is the intent of the legislature that
19 all funds received after the effective date of this Act by the Texas
20 State University System or its component institutions for
21 reimbursement of disaster recovery related expenditures associated
22 with Hurricane Katrina and Hurricane Rita shall be immediately
23 deposited to the credit of unappropriated general revenue. These
24 funds include, but are not limited to, an estimated \$9,100,000 in
25 Federal Emergency Management Agency (FEMA) reimbursements.

26 SECTION 62. REIMBURSEMENT TO GENERAL REVENUE FUND. If any
27 state agency or institution of higher education receives

1 reimbursement from the federal government, an insurer, or another
2 source for an expenditure paid for or reimbursed under Section 9,
3 15, 52, 55, 56, 57, 58, or 60 of this Act, the agency or institution
4 shall reimburse the state in an amount equal to the general revenue
5 funds expended for damages that is proportional to the total
6 expenditures for damages described under Section 9, 15, 52, 55, 56,
7 57, 58, or 60 of this Act, and that amount shall be deposited to the
8 credit of the general revenue fund within the state treasury.

9 SECTION 63. DEBT SERVICE PAYMENTS - NON-SELF SUPPORTING
10 GENERAL OBLIGATION WATER BONDS: APPROPRIATION REDUCTION. The
11 unencumbered appropriations from the general revenue fund
12 appropriated to the Water Development Board for Debt Service
13 Payments for Non-Self Supporting G.O. Water Bonds for use during
14 the state fiscal biennium ending August 31, 2009, made by Chapter
15 1428 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007
16 (the General Appropriations Act), are reduced by the following
17 amounts:

18 (1) \$15,820,198 from Strategy A.1.2, State
19 Participation Debt Service;

20 (2) \$15,231,801 from Strategy A.1.1, EDAP Debt
21 Service;

22 (3) \$3,354 from Strategy A.1.3, AG Water Conservation
23 Debt; and

24 (4) \$1,894,416 from Strategy A.1.4, WIF Debt Service.

25 SECTION 64. STATE AUDITOR AUTHORITY: DISASTER RELIEF
26 APPROPRIATIONS. An entity receiving funds under this Act
27 appropriated for disaster relief, including an entity receiving

1 funds appropriated in response to a natural disaster and a unit of
2 local government receiving funds appropriated for transfer to and
3 expenditure out of the disaster contingency fund, is subject to
4 audit by the state auditor based on a risk assessment made by the
5 state auditor in developing the annual audit plan under Chapter
6 321, Government Code. As part of the risk assessment of an entity,
7 including a unit of local government, the state auditor may
8 consider:

9 (1) the amount of money directly appropriated to an
10 entity by this Act or received by a unit of local government out of
11 money appropriated for transfer to and expenditure out of the
12 disaster contingency fund by this Act;

13 (2) the amount of money reimbursed under a provision
14 of this Act requiring that the general revenue fund or disaster
15 contingency fund be reimbursed under certain circumstances; and

16 (3) the methodology used by an entity, including a
17 unit of local government, to estimate a loss caused by a disaster.

18 SECTION 65. GENERAL LAND OFFICE: FEMA REIMBURSEMENTS. (a)
19 Reimbursements received from the Federal Emergency Management
20 Agency (an estimated amount of \$39 million) for expenses incurred
21 by the General Land Office in removing debris caused by Hurricane
22 Ike and paid for with \$39 million in emergency funds transferred
23 from the Texas Public Finance Authority are appropriated to the
24 General Land Office for the period ending on May 30, 2011, for the
25 purpose of funding coastal management programs of the land office,
26 including debris and structure removal, derelict structure
27 buyouts, shoreline stabilization, dune restoration, beach

1 renourishment, coastal erosion mitigation, and other coastal
2 projects authorized by statute.

3 (b) Not later than May 31, 2011, the General Land Office
4 shall deposit to the credit of undedicated general revenue an
5 amount equal to the amount of reimbursements received and
6 appropriated to the General Land Office under Subsection (a) of
7 this section.

8 SECTION 66. APPROPRIATIONS ALLOCATED TO APPROPRIATE
9 GENERAL APPROPRIATIONS ACT STRATEGIES. Except as otherwise
10 provided by this Act, the agencies and institutions receiving
11 appropriations made by this Act shall allocate the appropriations
12 to the appropriate General Appropriations Act strategies.

13 SECTION 67. DEPARTMENT OF ASSISTIVE AND REHABILITATIVE
14 SERVICES: AUTISM. In addition to amounts previously appropriated
15 for the state fiscal biennium ending August 31, 2009, the amount of
16 \$6,600,000 is appropriated out of the general revenue fund to the
17 Department of Assistive and Rehabilitative Services for the
18 two-year period beginning on the effective date of this Act to
19 provide autism services for children ages three to eight.

20 SECTION 68. CONTINGENCY FOR DEPARTMENT OF JUSTICE
21 SETTLEMENT. (a) Contingent on the State of Texas and the United
22 States Department of Justice reaching a settlement agreement, the
23 Department of Aging and Disability Services is appropriated the
24 amount of \$22,648,532 out of the general revenue fund for the fiscal
25 year ending August 31, 2010, for the purpose of providing for
26 additional staffing, monitoring activities, training, and other
27 one-time costs.

1 (b) Also contingent upon the State of Texas and the United
2 States Department of Justice reaching a settlement agreement, in
3 addition to the number of full-time equivalent employees (FTEs) the
4 Department of Aging and Disability Services is authorized by other
5 law to employ during the state fiscal year ending August 31, 2010,
6 the department may employ an additional 37.0 FTEs during that state
7 fiscal year. In addition to the number of full-time equivalent
8 employees (FTEs) the Department of Aging and Disability Services is
9 authorized by other law to employ during the state fiscal year
10 ending August 31, 2011, the department may employ an additional
11 43.0 FTEs during that state fiscal year.

12 (c) Contingent on the State of Texas and the United States
13 Department of Justice reaching a settlement agreement, the
14 Department of Family and Protective Services is appropriated the
15 amount of \$1,544,907 out of the general revenue fund for the fiscal
16 year ending August 31, 2010, and \$1,606,426 out of the general
17 revenue fund for the period beginning on September 1, 2010, and
18 ending on the last effective day of this Act for incident management
19 and to ensure the protection from harm, abuse, or neglect for
20 residents of state schools.

21 SECTION 69. TEXAS STATE TECHNICAL COLLEGE SYSTEM
22 ADMINISTRATION: RENOVATIONS AND CAPITAL EXPENDITURES. Contingent
23 on the enactment of H.B. 2654 or similar legislation relating to
24 imposition of the motor vehicle sales tax on motor vehicles
25 transferred as the result of a gift by the 81st Legislature, Regular
26 Session, 2009, and also contingent on the comptroller certifying
27 that the estimated amount of additional general revenue produced by

1 the enactment of H.B. 2654 or similar legislation relating to
2 imposition of the motor vehicle sales tax on motor vehicles
3 transferred as the result of a gift exceeds \$10,000,000, the Texas
4 State Technical College System Administration is appropriated the
5 amount of \$10,000,000 out of the general revenue fund for the fiscal
6 year ending August 31, 2010, for capital expenditures and
7 renovations for collaborative research projects. The legislature
8 finds a demonstrated need for these capital expenditures and
9 renovations.

10 SECTION 70. TEXAS SOUTHERN UNIVERSITY: MICKEY LELAND AND
11 BARBARA JORDAN PAPERS. In addition to amounts previously
12 appropriated for the state fiscal biennium ending August 31, 2009,
13 the amount of \$150,000 is appropriated out of the general revenue
14 fund to Texas Southern University for the two-year period beginning
15 on the effective date of this Act to ensure the proper preservation
16 and display of the Mickey Leland and Barbara Jordan papers
17 maintained by the university.

18 SECTION 71. TEXAS PARKS AND WILDLIFE DEPARTMENT: TEXAS
19 STATE RAILROAD. In addition to amounts previously appropriated for
20 the state fiscal biennium ending August 31, 2009, the amount of
21 \$1,000,000 is appropriated to the Texas Parks and Wildlife
22 Department out of the general revenue fund for the two-year period
23 beginning on the effective date of this Act for the purpose of
24 supporting the operations of the Texas State Railroad. The
25 comptroller shall release funds provided in this section contingent
26 on review and approval by the Legislative Budget Board of a signed
27 contract between the Texas State Railroad Authority and the

1 railroad operator describing loan terms and regular reporting to
2 the Legislative Budget Board on the revolving account.

3 SECTION 72. EFFECTIVE DATE. This Act takes effect
4 immediately.

ADOPTED

FLOOR AMENDMENT NO. 1

MAY 27 2009

BY: 


Secretary of the Senate

1 Amend C.S.H.B. No. 4586 (senate committee printing) as
2 follows:

3 (1) In the heading to SECTION 10 of the bill (page 2, line
4 62), strike "DEBT SERVICE" and substitute "ADMINISTRATIVE
5 EXPENSES".

6 (2) In SECTION 10 of the bill (page 2, line 67), strike
7 "debt service payments" and substitute "administrative operation
8 expenses".

9 (3) In SECTION 16 of the bill (page 5, line 12), between
10 the period and "In addition", insert "(a)".

11 (4) Immediately following SECTION 16 of the bill (page 5,
12 between lines 20 and 21), insert the following:

13 (b) Out of the funds appropriated in Subsection (a) of this
14 section, the Department of Criminal Justice and the Correctional
15 Managed Health Care Committee shall identify and evaluate
16 mechanisms to lower the cost of, or increase the quality of care
17 in, health or pharmacy services and submit a report to the
18 Legislative Budget Board and the Governor no later than May 1,
19 2010.

20 (5) In SECTION 17 of the bill (page 5, line 21), strike
21 "In" and substitute "Contingent on an interlocal agreement among
22 interested parties, including the Bexar-Medina-Atascosa Counties
23 Water Control and Improvement District No. 1, the Edwards
24 Aquifer Authority, the Bexar Metropolitan Water District and the
25 San Antonio River Authority, regarding repairs to the Lake
26 Medina Dam, in".

27 (6) In SECTION 20 of the bill (page 5, line 53), strike
28 "\$178,525" and substitute "\$348,525".

29 (7) In SECTION 36 of the bill (page 9, line 60), strike

1 "26,087" and substitute "26,400".

2 (8) In SECTION 36 of the bill (page 9, line 62), strike
3 "15,516" and substitute "15,629".

4 (9) In SECTION 36 of the bill (page 10, line 9), strike
5 "4,590" and substitute "5,442".

6 (10) In SECTION 42 of the bill (page 11, lines 10 and 11),
7 strike "providing a temporary exemption for the use of federal
8 incentives to increase federal funds".

9 (11) In SECTION 45 of the bill (page 12, lines 7 and 8),
10 strike "providing a temporary exemption for the use of federal
11 incentives to increase federal funds".

12 (12) In SECTION 46 of the bill (page 12, lines 21 and 22),
13 strike "providing a temporary exemption for the use of federal
14 incentives to increase federal funds".

15 (13) In SECTION 48 of the bill (page 12, line 52), strike
16 "\$30,100,979" and substitute "\$24,041,141".

17 (14) In SECTION 48 of the bill (page 12, line 54), strike
18 "\$28,959,773" and substitute "\$25,534,391".

19 (15) In SECTION 49 of the bill (page 12, line 59), strike
20 "\$62,351,306" and substitute "\$74,351,306".

21 (16) In SECTION 50 of the bill (page 12, line 69), strike
22 "\$5,917,242" and substitute "\$7,211,846".

23 (17) In SECTION 50 of the bill (page 13, line 6), strike
24 "\$13,126,361" and substitute "\$14,248,456".

25 (18) In SECTION 50 of the bill (page 13, line 9), strike
26 "\$12,460,353" and substitute "\$18,620,948".

27 (19) In SECTION 50 of the bill (page 13, line 12), strike
28 "\$5,280,315" and substitute "\$6,693,100".

29 (20) In SECTION 52 of the bill (page 13, line 46), strike
30 "\$790,589,278" and substitute "\$759,113,979".

31 (21) In SECTION 55(6) of the bill (page 14, line 32),

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1 strike "\$5,700,000" and substitute "\$6,200,000".

2 (22) Strike Subsection (a) of SECTION 58 of the bill (page
3 15, lines 48-58) and substitute the following:

4 (a) The amount of \$62 million is appropriated out of the
5 general revenue fund to the Trusteed Programs within the Office
6 of the Governor for the two-year period beginning on the
7 effective date of this Act for the purpose of providing disaster
8 relief in accordance with this section. The prior approval of
9 the Legislative Budget Board given or considered to be given as
10 provided by this subsection is required to expend funds for the
11 purpose of providing reimbursements for post disaster recovery
12 expenditures. The Governor's Division of Emergency Management
13 shall provide information regarding proposed expenditures of
14 funds for this purpose to the Legislative Budget Board in a
15 format provided by the board. If the Legislative Budget Board
16 does not disapprove a proposed reimbursement for post disaster
17 recovery expenditures within 10 days of receiving the required
18 information, the proposed expenditure is considered
19 automatically approved.

20 (23) Immediately following Subsection (c) of SECTION 58 of
21 the bill (page 15, between lines 67 and 68), insert the
22 following:

23 (d) Out of amounts appropriated by Subsection (a) of this
24 section, it is the intent of the legislature that the governor
25 coordinate with the Texas Education Agency to reimburse eligible
26 school districts in an aggregate amount not to exceed \$10
27 million for qualifying disaster remediation costs.

28 (e) Out of amounts appropriated by Subsection (a) of this
29 section, it is the intent of the legislature that the Governor's
30 Division of Emergency Management shall reimburse the Texas
31 Engineering Extension Service for costs incurred in connection

1 with the response of the Texas Task Force 1 to certain flooding.

2 (f) Out of amounts appropriated by Subsection (a) of this
3 section, it is the intent of the legislature that the Governor's
4 Division of Emergency Management may reimburse the General Land
5 Office for repairs made to the protective dune system for County
6 Road 257.

7 (24) Strike SECTION 62 (page 16, lines 28 through 37), and
8 substitute the following:

9 SECTION 62. REIMBURSEMENT TO GENERAL REVENUE FUND. (a) If
10 any state agency or institution of higher education receives
11 reimbursement from the federal government, an insurer, or
12 another source for an expenditure paid for or reimbursed under
13 Sections 9, 15, 52, 55, 56, or 57 of this Act, the agency or
14 institution shall reimburse the state in an amount equal to the
15 general revenue funds expended for damages that is proportional
16 to the total expenditures for damages described under Sections
17 9, 15, 52, 55, 56, or 57 of this Act, and that amount shall be
18 deposited to the credit of the general revenue fund.

19 (b) If any state agency or institution of higher education
20 receives reimbursement from the federal government, an insurer,
21 or another source for an expenditure paid for or reimbursed
22 under Section 58 or 60 of this Act, the agency or institution
23 shall reimburse the state by depositing the amount of the
24 reimbursement to the credit of the Trusteed Programs within the
25 Office of the Governor. Amounts deposited under this subsection
26 are reappropriated to the Trusteed Programs within the Office of
27 the Governor for disaster preparedness and recovery costs for
28 the two-year period beginning on the effective date of this Act.

29 (25) In SECTION 67 of the bill (page 17, line 28), between
30 the "." and "In" insert "(a)".

31 (26) In SECTION 67 of the bill, on page 17, between lines

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1 33 and 34, insert the following:

2 (b) Out of the funds appropriated in this section, the
3 Department of Assistive and Rehabilitative Services shall make
4 every effort to attain the following performance measure
5 targets:

6 (1) provide autism services to an average of 127
7 children per month for the fiscal year ending August 31, 2010,
8 and provide autism services to an average of 127 children per
9 month for the fiscal year ending August 31, 2011;

10 (2) provide autism services at an average monthly cost
11 per child of \$2,185 for the fiscal year ending August 31, 2010,
12 and provide autism services at an average monthly cost per child
13 of \$2,185 for the fiscal year ending August 31, 2011;

14 (3) provide autism services to 224 children by the end
15 of the fiscal year ending August 31, 2010, and provide autism
16 services to 224 children by the end of the fiscal year ending
17 August 31, 2011.

18 (27) In Subsection (a), SECTION 68 of the bill (page 17,
19 line 38), strike "\$22,648,532" and substitute "\$45,069,658".

20 (28) In Subsection (a), SECTION 68 of the bill (page 17,
21 lines 38 and 39), strike "fiscal year ending August 31, 2010"
22 and substitute "two-year period beginning on the effective date
23 of this Act".

24 (29) In SECTION 68 of the bill, strike Subsection (b) (page
25 17, lines 42 through 52), and substitute the following:

26 (b) Also contingent upon the State of Texas and the United
27 States Department of Justice reaching a settlement agreement, in
28 addition to the number of full-time equivalent employees (FTEs)
29 the Department of Aging and Disability Services is authorized by
30 other law to employ during the state fiscal year ending August
31 31, 2010, the department may employ an additional 1,160.0 FTEs

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1 during that state fiscal year. In addition to the number of
2 full-time equivalent employees (FTEs) the Department of Aging
3 and Disability Services is authorized by other law to employ
4 during the state fiscal year ending August 31, 2011, the
5 department may employ an additional 1,160.0 FTEs during that
6 state fiscal year.

7 (30) At the end of SECTION 68 of the bill (page 17, between
8 lines 61 and line 62), insert the following:

9 (d) Also contingent upon the State of Texas and the United
10 States Department of Justice reaching a settlement agreement, in
11 addition to the number of full-time equivalent employees (FTEs)
12 the Department of Family and Protective Services is authorized
13 by other law to employ during the state fiscal year ending
14 August 31, 2010, the department may employ an additional 37.0
15 FTEs during that state fiscal year. In addition to the number of
16 full-time equivalent employees (FTEs) the Department of Family
17 and Protective Services is authorized by other law to employ
18 during the state fiscal year ending August 31, 2011, the
19 department may employ an additional 43.0 FTEs during that state
20 fiscal year.

21 (31) Add the following appropriately numbered SECTIONS to
22 the bill and renumber the SECTIONS of the bill accordingly:

23 SECTION _____. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY. In
24 addition to amounts previously appropriated for the state fiscal
25 biennium ending August 31, 2009, the amount of \$2,000,000 is
26 appropriated out of the general revenue dedicated account number
27 550 to the Texas Commission on Environmental Quality for the
28 two-year period beginning on the effective date of this Act for
29 conducting hazardous substance removal and disposal activities
30 at Ballard Pits, a state superfund site in Nueces County.

31 SECTION _____. DEPARTMENT OF AGING AND DISABILITY SERVICES:

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1 CONTINGENCY FOR SENATE BILL 643. (a) Contingent on the
2 enactment by the 81st Legislature, Regular Session, 2009, and
3 becoming law of Senate Bill 643 or similar legislation relating
4 to the protection and care of persons with mental retardation,
5 the Department of Aging and Disability Services is appropriated,
6 in addition to amounts previously appropriated for the state
7 fiscal biennium ending August 31, 2009, the amount of
8 \$19,000,000 from the general revenue fund and \$19,000,000 from
9 federal funds for the two-year period beginning on the effective
10 date of this Act to fully implement the provisions of the
11 legislation; to install video surveillance equipment in areas
12 defined as nonprivate space for residents of state developmental
13 centers and the ICF/MR component of the Rio Grande State Center;
14 and to monitor video across shifts to detect and prevent abuse
15 and exploitation of residents and clients.

16 (b) In addition to the number of full-time equivalent
17 employees (FTEs) the Department of Aging and Disability Services
18 is authorized by other law to employ during the state fiscal
19 biennium ending August 31, 2011, the department may employ an
20 additional 186.0 FTEs during that state fiscal biennium.

21 (c) Also contingent on enactment by the 81st Legislature,
22 Regular Session, 2009 and becoming law of Senate Bill 643 or
23 similar legislation relating to the protection and care of
24 persons with mental retardation, the Department of Aging and
25 Disability Services shall use amounts appropriated by Senate
26 Bill 1, Acts of the 81st Legislature, Regular Session, 2009
27 (the General Appropriations Act), to implement name changes,
28 mortality reviews, on-site annual surveys of group homes, the
29 Forensic State Supported Living Center, an independent
30 ombudsman, a new assistance commissioner, behavioral support
31 specialists for alleged offenders, and employee background

1 checks, finger printing, and drug testing.

2 SECTION _____. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:
3 TEXAS EMISSIONS REDUCTION PLAN ACCOUNT. The Texas Commission on
4 Environmental Quality is appropriated the amount of \$37,000,000
5 out of the Texas Emissions Reduction Plan Account No. 5071 for
6 the two year period beginning on the effective date of this Act
7 for the implementation of activities under Subsection (a) of
8 386.252 of the Health and Safety Code.

9 SECTION _____. DEPARTMENT OF PUBLIC SAFETY: EMERGENCY
10 PREPAREDNESS. The Department of Public Safety is appropriated
11 the amount of \$4,500,000 from the general revenue fund under
12 Goal D, Emergency Management, for the two year period beginning
13 on the effective date of this Act to be transferred to the
14 Division of Emergency Management for staffing and emergency
15 systems to apply lessons learned in multiple major disasters in
16 2007 and 2008 to enhance the capability of the state to plan and
17 coordinate emergency preparedness, emergency response, and
18 disaster recovery operations with local governments and state
19 and federal agencies and to fully incorporate the support of
20 industry and volunteer groups into emergency operations. Of the
21 funds appropriated in this section, the amount of \$1,550,000
22 shall be used to enhance the capabilities of the State
23 Operations Center and the remainder shall be used to fund 29
24 full-time equivalent positions to improve preparedness and
25 response capabilities, the delivery of disaster assistance, and
26 staffing for disaster-related financial management.

27 SECTION _____. TEXAS WORKFORCE COMMISSION: FEDERALLY FUNDED
28 BENEFITS. To minimize the impact on state funds appropriated in
29 this Act or in Senate Bill 1, Acts of the 81st Legislature,
30 Regular Session, 2009, (the General Appropriations Act) for the
31 fiscal biennium ending August 31, 2011, for unemployment

1 benefits, the Texas Workforce Commission may adjust unemployment
2 eligibility periods as necessary to maximize receipt of any 100
3 percent federally funded benefit. This provision does not
4 appropriate state funds, nor may additional state funds be
5 appropriated as a result of this authorization. Additional
6 federal funds received by the State of Texas resulting from the
7 authorized adjustment are appropriated as necessary to comply
8 with Section 2005 of Public Law No. 111-5.

9 SECTION _____. EMPLOYEES RETIREMENT SYSTEM: PILOT PROGRAM TO
10 TEST ALTERNATIVE PAYMENT SYSTEMS. Out of funds appropriated to
11 the Employees Retirement System in Senate Bill 1, Acts of the
12 81st Legislature, Regular Session, 2009 (the General
13 Appropriations Act), for the fiscal biennium ending August 31,
14 2011, the Employees Retirement System is authorized to establish
15 a pilot program under which physicians and health care providers
16 who provide health care services to employees and retirees
17 participating in the group benefits program are compensated
18 under a payment system designed to test alternatives to
19 traditional fee-for-service payments. To the extent practicable,
20 the program must be based on nationally recognized quality of
21 care standards and evidence-based best practices, and must
22 include policies designed to promote provider collaboration and
23 other policies and practices as necessary to ensure high-quality
24 and effective health care services.

25 SECTION _____. TEXAS PARKS AND WILDLIFE DEPARTMENT: LOCAL
26 PARK RESTORATION. Contingent on enactment by the 81st
27 Legislature, Regular Session, 2009, and becoming law of H.B.
28 3391, S.B 1010, or similar legislation relating to the
29 continuation and functions of the Parks and Wildlife Department,
30 out of funds appropriated to the Texas Parks and Wildlife
31 Department in Strategy B.2.1, Local Parks Grants in Senate Bill

1 1, Acts of the 81st Legislature, Regular Session, 2009, (the
2 General Appropriations Act) for the fiscal biennium ending
3 August 31, 2011, it is the intent of the legislature that an
4 amount not to exceed \$1,500,000 be provided as matching grants
5 to the City of Waco as follows:

6 (1) \$373,000 shall be allocated for a one-to-one matching
7 grant for the purpose of replacing the existing Oscar Du
8 Conge Pool with safe and appropriate public recreational
9 water activities in East Waco, such as a splash pad/spray
10 park; and

11 (2) \$1,127,000 shall be allocated for a two-to-one
12 matching grant for the purpose of restoring, upgrading,
13 or replacing the existing public skate park to provide a
14 safe, family recreational skating facility.

15 SECTION _____. APPROPRIATIONS FOR ADVANCED CLEAN ENERGY
16 PROJECT. Amounts appropriated by Senate Bill 1, Acts of the 81st
17 Legislature, Regular Session, 2009 (the General Appropriations
18 Act), to the Trusteed Programs within the Office of the Governor
19 for transfer to the Texas Emerging Technology Fund may be used
20 for the two-year period beginning on the effective date of this
21 Act for expenditures related to clean energy programs or
22 projects, as authorized by general law.

23 SECTION _____. UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT
24 HOUSTON: TRAUMA CARE. The University of Texas Health Science
25 Center at Houston is appropriated \$6,000,000 from the general
26 revenue dedicated account 5111 for the two year period beginning
27 on the effective date of this Act to provide reimbursements for
28 uncompensated care.

29 SECTION _____. UNIVERSITY OF TEXAS M.D. ANDERSON CANCER
30 CENTER: UNCOMPENSATED CARE FOR HURRICANE IKE PATIENTS. The
31 University of Texas M.D. Anderson Cancer Center is appropriated

1 \$2,000,000 from the general revenue fund for the two year period
2 beginning on the effective date of this Act to provide
3 reimbursements for uncompensated care for Hurricane Ike
4 patients.

5 SECTION _____. UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE
6 CENTER AT FORT WORTH: TRAUMA CARE. The University of North Texas
7 Health Science Center at Fort Worth is appropriated \$2,000,000
8 from the general revenue fund for the two year period beginning
9 on the effective date of this Act to provide reimbursements for
10 uncompensated care.

11 SECTION _____. TEXAS PARKS AND WILDLIFE DEPARTMENT: VARIOUS
12 FUNCTIONS. The Texas Parks and Wildlife Department is
13 appropriated from the general revenue fund for the two year
14 period beginning on the effective date of this Act the following
15 amounts:

16 (1) \$2,000,000 to repair hurricane-related damages to the
17 Sea Rim State Park ;and

18 (2) \$1,000,000 for information technology services.

19 SECTION _____. NAVARRO COLLEGE: REIMBURSEMENTS. Navarro
20 College is appropriated \$1,500,000 from the general revenue fund
21 for the two year period beginning on the effective date of this
22 Act to reimburse the Higher Education Coordinating Board for new
23 campus funding.

24 SECTION _____. TEXAS DEPARTMENT OF LICENSING AND REGULATION:
25 OPERATIONS. The Texas Department of Licensing and Regulation is
26 appropriated \$956,000 from the general revenue fund for the two
27 year period beginning on the effective date of this Act for
28 operations.

29 SECTION _____. CANCER PREVENTION AND RESEARCH INSTITUTE:
30 CERTAIN SALARIES. (a) Notwithstanding any limitation on salary
31 rates prescribed by Chapter 1428 (H.B. 1), Acts of the 80th

1 Legislature, Regular Session, 2007 (the General Appropriations
2 Act), the Executive Director of the Cancer Prevention and
3 Research Institute shall be compensated at a rate not to exceed
4 \$214,000 per fiscal year for the fiscal year ending August 31,
5 2009, and the Chief Scientific Officer of the institute may be
6 compensated at a rate not to exceed \$212,000 per year for the
7 fiscal year ending August 31, 2009.

8 (b) In addition to the rates provided in Subsection (a) of
9 this section, the Executive Director may receive a salary
10 supplement not to exceed \$86,000 for a total combined salary of
11 \$300,000 out of state and foundation funds for the fiscal year
12 ending August 31, 2009. In addition to the rates provided in
13 Subsection (a) of this section, the Chief Scientific Officer may
14 receive a salary supplement not to exceed \$488,000 for a total
15 combined salary of \$700,000 out of state and foundation funds
16 for the fiscal year ending August 31, 2009. The respective
17 salaries paid out of appropriated state funds and foundation
18 funds for each fiscal year of the biennium to the Executive
19 Director and the Chief Scientific Officer of the Institute may
20 not exceed the highest salary paid to a chancellor of a public
21 university system.

22 SECTION _____. GENERAL LAND OFFICE: DISASTER MITIGATION
23 BUYOUTS. The General Land Office is appropriated \$10,000,000
24 from the general revenue fund for the two year period beginning
25 on the effective date of this Act for structure buyouts as
26 authorized by Chapter 33, Natural Resources Code.

27 SECTION _____. DEPARTMENT OF STATE HEALTH SERVICES: NORTHSTAR
28 BEHAVIORAL HEALTH WAIVER. (a) Notwithstanding any limitations
29 prescribed by Chapter 1428 (H.B. 1), Acts of the 80th
30 Legislature, Regular Session, 2007 (the General Appropriations
31 Act), for the fiscal year ending August 31, 2009, to the extent

1 that the NorthSTAR managed care organization is able to obtain
2 cost savings associated with state-approved purchasing
3 arrangements for the purchase of new generation medications
4 under Department of State Health Services Strategy B.2.4,
5 NorthSTAR Behavioral Health Waiver, NorthSTAR managed care
6 organization may expend an equivalent amount from Strategy
7 B.2.4, NorthSTAR Behavioral Health Waiver on direct services to
8 clients.

9 (b) In addition to amounts previously appropriated for the
10 state fiscal biennium ending August 31, 2009, the amount of
11 \$5,000,000 is appropriated out of the general revenue fund to
12 the Department of State Health Services under Strategy B.2.4,
13 NorthSTAR Behavioral Health Waiver to provide direct client
14 services.

15 SECTION _____. APPROPRIATION FOR A SINGLE RETENTION PAYMENT
16 FOR WORK PERFORMED BY STATE EMPLOYEES. (a) As used in this
17 section, retention payment means a single employee compensation
18 payment in the amount of eight hundred dollars (\$800) authorized
19 to be paid to employees in August, 2009, by each agency of the
20 State of Texas through the payroll system, to each employee who
21 was continuously employed by the agency from March 31, 2009
22 through August 1, 2009 for work performed by the state
23 employees, but subject to the exclusions and limitations under
24 this section.

25 (b) The Comptroller of Public Accounts is appropriated an
26 amount estimated to be \$42,183,779 out of the General Revenue
27 Fund, an amount estimated to be \$3,915,109 out of General
28 Revenue-Dedicated, an amount estimated to be \$21,904,727 out of
29 federal funds, and an amount estimated to be \$20,260,422 out of
30 other funds and accounts, to fund a retention payment for work
31 performed by the state employees as described in Subsection (a)

1 of this section for employees of state agencies including
2 employees of the Higher Education Coordinating Board and
3 employees of a Texas A&M University System service agency.

4 (c) This section shall not apply to employees of
5 institutions of higher education (except for employees of a
6 service agency of The Texas A&M University System), statewide
7 elected officials, justices and judges of the appellate and
8 district courts, district attorneys, criminal district
9 attorneys, county attorneys performing the duties of a district
10 attorney, or line item exempt (non-classified) employees.
11 Additionally, this section shall not apply to the following
12 employees:

13 (1) At the Texas Department of Criminal Justice:

14 (A) Correctional Officer series; and Ranking
15 Staff (including Sergeants, Lieutenants, Captains, Majors,
16 Assistant Wardens, and Wardens) otherwise provided a pay
17 increase under the General Appropriations Act for the 2010-11
18 Biennium;

19 (B) Laundry Managers otherwise provided a pay
20 increase under the General Appropriations Act for the 2010-11
21 Biennium;

22 (C) Food Service Managers otherwise provided a
23 pay increase under the General Appropriations Act for the 2010-
24 11 Biennium;

25 (D) Parole Officer series otherwise provided a
26 pay increase under the General Appropriations Act for the 2010-
27 11 Biennium; and

28 (E) Other unit staff otherwise provided a pay
29 increase under the General Appropriations Act for the 2010-11
30 Biennium;

31 (2) At the Texas Youth Commission:

1 (A) Juvenile Correctional Officers series
2 otherwise provided a pay increase under the General
3 Appropriations Act for the 2010-11 Biennium; and

4 (B) Other unit staff otherwise provided a pay
5 increase under the General Appropriations Act for the 2010-11
6 Biennium;

7 (3) Law Enforcement Employees classified under
8 Schedule C under Part 2, Article IX of the General
9 Appropriations Act for the 2010-11 Biennium otherwise provided a
10 pay increase under the General Appropriations Act for the 2010-
11 11 Biennium;

12 (4) At the Parks and Wildlife Department, in the event
13 the Comptroller certifies the additional revenue of \$11,328,892
14 from the Game, Fish and Water Safety Account No. 9, the
15 employees provided pay raises from these amounts during the
16 2010-11 Biennium may not participate in the \$800 retention
17 payment for classified employees provided by this Act.

18 (5) In the Judicial branch of state government:

19 (A) At the Supreme Court and the Court of
20 Criminal Appeals:

21 (1) the staff attorneys;

22 (2) law clerks; and

23 (3) court administrative staff;

24 (B) At the 14 Appellate Courts:

25 (1) staff attorneys;

26 (2) law clerks; and

27 (3) employees whom a Court of Appeals
28 designates as receiving salary increases from the block grant
29 appropriated for the 14 Courts of Appeals in the 2010-11
30 Biennium;

31 (C) At the State Law Library, all positions; and

1 (D) At the State Commission on Judicial Conduct,
2 the General Counsel and attorney staff;

3 (6) At all agencies, financial examiners otherwise
4 provided a pay increase under the General Appropriations Act for
5 the 2010-11 Biennium; and

6 (7) At all agencies, employees who earned amounts
7 greater than \$100,000.00 per year calculated as may be
8 prescribed by rules adopted by the Comptroller in order to
9 achieve the legislative objective of excluding employees who
10 earn salaries greater than either \$8,334.00 per month or
11 \$100,000.00 per year from receiving the retention payment.

12 (d) For employees paid the retention payment authorized
13 under this section, any increase in employee benefits costs
14 associated with the retention payment as described above shall
15 be paid exclusively from appropriations made above in Subsection
16 (b) of this section except for county extension agents who may
17 receive a retention payment solely from appropriations made from
18 the general revenue fund.

19 (e) Provisions requiring salaries and benefits to be
20 proportional to the source of funds shall apply to all sums
21 allocated under this section for the payment of a retention
22 payment as if the retention payment was a part of the employee's
23 regular compensation, except as may otherwise be provided. Each
24 agency shall pay the retention payment from funds held in the
25 state treasury and from local funds in the same proportion as
26 the employee's regular compensation.

27 (f) The Comptroller shall adopt rules as necessary to
28 administer this section. Funds appropriated in this section
29 shall be allocated to each agency, and to the appropriate
30 employee benefit appropriation items, in accordance with such
31 rules and may be used only for the purpose of providing a

1 retention payment and paying associated employee benefit costs.

2 (g) This section does not authorize an increase of
3 classified salary rates above the rates listed in the classified
4 salary schedules A, B, and C (as applicable) under Part 2,
5 Article IX of the General Appropriations Act for the 2010-11
6 Biennium. This section authorizes each agency to pay a retention
7 payment to each eligible employee of that agency from funds
8 appropriated by this Act.

9 (h) Agencies subject to a special provisions rider
10 "Appropriations Limited to Revenue Collections" of the General
11 Appropriations Act for the 2010-11 Biennium shall increase
12 revenues as necessary to cover the increased retention payment
13 amounts appropriated above. Revenues to general revenue and
14 general revenue dedicated funds due to the retention payment
15 increase described above are estimated to be at least
16 \$3,400,000.

17 SECTION _____. DEPARTMENT OF PUBLIC SAFETY: APPROPRIATIONS
18 FOR CERTAIN SALARIES. (a) Notwithstanding the Position
19 Classification Plan, under Section 2.01, Article IX, Senate Bill
20 1, Acts of the 81st Legislature, Regular Session, 2009 (the
21 General Appropriations Act), the Department of Public Safety is
22 appropriated for the two year period beginning on the effective
23 date of this Act the following amounts for the following
24 purposes:

25 (1) \$3,369,476 out of general revenue dedicated fund 99
26 to fund the reclassification of positions for the
27 police communications operators and supervisors at
28 the Bureau of Law Enforcement Communications and
29 Technology within the Department of Public Safety;
30 and

(2) \$350,000 out of the general revenue dedicated fund
99 to fund the reclassification of positions for the
forensic scientists in the Forensic Breath
Laboratory Services within the Department of Public
Safety.

(b) The State Classification Officer shall review and
properly classify the positions affected by Subsection (a) of
this section pursuant to authority provided under Chapter 654,
Government Code.

SECTION _____. DEPARTMENT OF PUBLIC SAFETY: CERTAIN BORDER
SECURITY FUNDS. (a) Notwithstanding amounts appropriated under
Senate Bill 1, Acts of the 81st Legislature, Regular Session,
2009, (the General Appropriations Act), in the appropriation to
the Department of Public Safety for the fiscal year ending
August 31, 2010, the amount of general revenue dedicated account
99 appropriated to the Department of Public Safety under
Strategy D.1.1., Emergency Preparedness, is reduced by
\$5,500,000.

(b) Subsection (a), Rider 54, of the bill pattern of the
Department of Public Safety, under Article V in Senate Bill 1,
Acts of the 81st Legislature, Regular Session, 2009 (the General
Appropriations Act), has no effect.

SECTION _____. TEXAS A&M INTERNATIONAL UNIVERSITY. OUTREACH
AND ENROLLMENT. Texas A&M International University is
appropriated \$1,000,000 out of the general revenue fund for the
fiscal year ending August 31, 2010, and \$1,000,000 out of the
general revenue fund for the period beginning on September 1,
2010, and ending on the second anniversary of the effective date
of this Act for outreach, access, enrollment, advising,
tutoring, and retention support.

SECTION. _____. CONTINGENT APPROPRIATION FOR S.B. 2534.

1 Contingent on the enactment of S.B. 2534 or similar legislation
2 relating to the creation of an interagency task force on
3 economic growth and endangered species by the 81st Legislature,
4 Regular Session, 2009, \$250,000 is appropriated out of the
5 general revenue fund for the fiscal year ending August 31, 2010,
6 to the Texas A&M University System for the purpose of operating
7 the Task Force on Economic Growth and Endangered Species.

8 SECTION _____. TEXAS PUBLIC FINANCE AUTHORITY: DEBT SERVICE.

9 The Texas Public Finance Authority is appropriated \$3,200,000
10 from the general revenue fund for the two year period beginning
11 on the effective date of this Act to pay debt service on general
12 obligation bonds.

13 SECTION _____. CONTINGENCY APPROPRIATION FOR H.B. 1511. (a)
14 Contingent on enactment by the 81st Legislature, Regular
15 Session, 2009 and becoming law of House Bill 1511, House Bill
16 2860, or Senate Bill 1411, or similar legislation relating to
17 financial assistance programs in connection with certain
18 children in the conservatorship of the Department of Family and
19 Protective Services, the Department of Family and Protective
20 Services is appropriated \$2,250,638 out of the general revenue
21 fund for the fiscal year ending August 31, 2010, and \$1,980,067
22 out of the general revenue fund for the period beginning on
23 September 1, 2010, and ending on the second anniversary of the
24 effective date of this Act, to implement the legislation.

25 (b) Also contingent on enactment by the 81st Legislature,
26 Regular Session, 2009 and becoming law of House Bill 1511, House
27 Bill 2860, or Senate Bill 1411, or similar legislation relating
28 to financial assistance programs in connection with certain
29 children in the conservatorship of the Department of Family and
30 Protective Services, the Department of Family and Protective
31 Services, in addition to the number of full-time equivalent

1 employees (FTEs) the Department of Family and Protective
2 Services is authorized by other law to employ during the state
3 fiscal biennium ending August 31, 2011, is authorized to employ
4 an additional 17.0 FTEs during that state fiscal biennium.

5 SECTION _____. CONTINGENCY APPROPRIATION FOR S.B. 2323.
6 Contingent on enactment by the 81st Legislature, Regular
7 Session, 2009 and becoming law of Senate Bill 2323 or similar
8 legislation relating to the functions of the Texas School Safety
9 Center, Texas State University-San Marcos is appropriated out of
10 the general revenue fund for Strategy C.1.3, School Safety
11 Center, the amounts of \$308,612 in the fiscal year ending August
12 31, 2010, and \$308,612 for the period beginning on September 1,
13 2010 and ending on the second anniversary of the effective date
14 of this Act and is authorized to employ an additional four FTEs
15 in each year of the biennium to implement provisions of the
16 legislation.

17 SECTION _____. CONTINGENCY APPROPRIATION FOR H.B. 1684.
18 Contingent upon the enactment by the 81st Legislature, Regular
19 Session, 2009, and becoming law of H.B. 1684 or similar
20 legislation relating to the creation and administration of the
21 rural veterinarian loan repayment program, the Office of Rural
22 Community Affairs is appropriated \$500,000 out of the general
23 revenue fund for the two year period beginning on the effective
24 date of this Act to implement provisions of the legislation.

25 SECTION _____. CONTINGENCY APPROPRIATION FOR S.B. 174.
26 Contingent upon the enactment by the 81st Legislature, Regular
27 Session, 2009, and becoming law of S.B. 174 or similar
28 legislation relating to educator preparation programs, the Texas
29 Education Agency is appropriated \$275,000 in State Board for
30 Educator Certification fees for the two year period beginning on
31 the effective date of this Act to implement provisions of the

1 legislation. The Texas Education Agency may employ an additional
2 two Full-Time Equivalents in each fiscal year during the fiscal
3 biennium ending August 31, 2011.

4 SECTION _____. UNIVERSITY OF TEXAS AT TYLER: PALESTINE
5 CAMPUS. The University of Texas at Tyler is appropriated
6 \$1,300,000 out of the general revenue fund for the two year
7 period beginning on the effective date of this Act for faculty
8 salaries and facility operations at the Palestine campus.

9 SECTION _____. OFFICE OF THE GOVERNOR: RIDER 4. Rider 4 of
10 the bill pattern of the Office of the Governor in Senate Bill 1,
11 Acts of the 81st Legislature, Regular Session, 2009 (the General
12 Appropriations Act), has no effect.

13 SECTION _____. CONTINGENCY APPROPRIATION FOR S.B. 1362.
14 Contingent upon the enactment by the 81st Legislature, Regular
15 Session, 2009 and becoming law of Senate Bill 1362 or similar
16 legislation relating to a Texas Youth Commission comprehensive
17 plan to improve student reading skills and behavior, the Texas
18 Education Agency is appropriated \$375,000 out of the general
19 revenue fund for each fiscal year of the biennium beginning
20 September 1, 2009. On a determination by the commissioner of
21 education that the Texas Youth Commission has developed a
22 comprehensive plan based on research that will improve the
23 reading skills and behavior of students served by the
24 commission, the commissioner of education shall transfer the
25 funds to the Texas Youth Commission for use in implementing the
26 comprehensive plan.

27 SECTION _____. CONTINGENCY APPROPRIATION FOR S.B. 1313.
28 Contingent on enactment by the 81st Legislature, Regular
29 Session, 2009, and becoming law of Senate Bill 1313 or similar
30 legislation relating to the quality and accessibility of public
31 school career and technical training programs and to assistance

1 to students concerning postsecondary education and training, the
2 Texas Education Agency is appropriated \$1,350,000 for the state
3 fiscal year ending August 31, 2011, out of the general revenue
4 fund for industry certification examinations to non-economically
5 disadvantaged students, \$540,000 in fiscal year 2011 out of the
6 general revenue fund for the State Board Education to conduct a
7 course review, and \$100,000 in fiscal year 2011 out of the
8 general revenue fund to expand the Best Practices Clearinghouse
9 to include career and technology education. The Texas Workforce
10 Commission is appropriated \$100,000 for the state fiscal year
11 ending August 31, 2011, out of the general revenue fund to
12 develop a list of high-demand, high-wage, high-skill occupations
13 that require licensure, certification, an associate degree, or a
14 bachelor's degree. The Higher Education Coordinating Board is
15 appropriated out of the general revenue fund the amount of
16 \$2,290,000 for the state fiscal year ending August 31, 2011, for
17 training and materials dealing with the "College for Texans"
18 program and the amount of \$100,000 for the state fiscal year
19 ending August 31, 2011, to conduct an economic impact study to
20 determine the economic impact to the state of secondary and
21 post-secondary training and education. The "Number of Full-Time
22 Equivalents" in the Higher Education Coordinating Board bill
23 pattern is increased by two FTEs in the state fiscal year ending
24 August 31, 2011.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB4586** by Pitts (Relating to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority and prescribing limitations regarding appropriations.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4586, As Passed 2nd House: a positive impact of \$112,811,519 through the biennium ending August 31, 2011.

Appropriations:

Fiscal Year	Appropriation out of <i>General Revenue Fund</i> 1	Appropriation out of <i>Oper & Chauffeurs Lic Ac</i> 99	Appropriation out of <i>GR Dedicated Accounts</i> 994	Appropriation out of <i>Other Funds</i> 997
2009	(\$138,290,781)	\$3,719,476	\$3,915,109	\$20,260,422
2010	\$15,729,157	(\$5,500,000)	\$0	\$0
2011	\$9,750,105	\$0	\$0	\$0

Fiscal Year	Appropriation out of <i>Regional Trauma Account</i> 5137	Appropriation out of <i>Volunteer Fire Dept Assistance</i> 5064	Appropriation out of <i>Hazardous/Waste Remed Acc</i> 550	Appropriation out of <i>Texas Emissions Reduction Plan</i> 5071
2009	\$6,712,284	\$2,500,000	\$2,000,000	\$37,000,000
2010	\$0	\$0	\$0	\$0
2011	\$0	\$0	\$0	\$0

Fiscal Year	Appropriation out of <i>Trauma Facility And Ems</i> 5111	Appropriation out of <i>Federal Funds</i> 555
2009	\$6,000,000	\$2,397,067,956
2010	\$0	\$0
2011	\$0	\$0

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2009	\$138,290,781
2010	(\$15,729,157)
2011	(\$9,750,105)
2012	\$0
2013	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/ (Cost) from <i>General Revenue Fund</i> 1	Probable Savings/ (Cost) from <i>Oper & Chauffeurs Lic</i> <i>Ac</i> 99	Probable Savings/ (Cost) from <i>GR Dedicated Accounts</i> 994	Probable Savings/ (Cost) from <i>Other Funds</i> 997
2009	\$138,290,781	(\$3,719,476)	(\$3,915,109)	(\$20,260,422)
2010	(\$15,729,157)	\$5,500,000	\$0	\$0
2011	(\$9,750,105)	\$0	\$0	\$0
2012	\$0	\$0	\$0	\$0
2013	\$0	\$0	\$0	\$0

Fiscal Year	Probable Savings/ (Cost) from <i>Regional Trauma</i> <i>Account</i> 5137	Probable Savings/ (Cost) from <i>Volunteer Fire Dept</i> <i>Assistance</i> 5064	Probable Savings/ (Cost) from <i>Hazardous/Waste</i> <i>Remed Acc</i> 550	Probable Savings/ (Cost) from <i>Texas Emissions</i> <i>Reduction Plan</i> 5071
2009	(\$6,712,284)	(\$2,500,000)	(\$2,000,000)	(\$37,000,000)
2010	\$0	\$0	\$0	\$0
2011	\$0	\$0	\$0	\$0
2012	\$0	\$0	\$0	\$0
2013	\$0	\$0	\$0	\$0

Fiscal Year	Probable Savings/ (Cost) from <i>Trauma Facility And</i> <i>Ems</i> 5111	Probable Savings/ (Cost) from <i>Federal Funds</i> 555
2009	(\$6,000,000)	(\$2,397,067,956)
2010	\$0	\$0
2011	\$0	\$0
2012	\$0	\$0
2013	\$0	\$0

Fiscal Analysis

The bill would make supplemental appropriations and reduce appropriations for various state agencies.

The bill would make the following appropriations out of the General Revenue Fund:

\$11,796,415 to the Department of State Health Services for the purpose of paying for costs associated with the swine flu.

\$917,389 to the Cancer Prevention and Research Institute: Operations to provide for salaries, wages, travel acquisition of information technology, computers, furniture, legal counseling and contracts. The bill would authorize the Cancer Prevention and Research Institute to employ an additional 16 FTE's during the state fiscal year ending August 31, 2009.

\$2,396,612 to the Texas Facilities Commission to provide for payment of increased utility costs resulting from an increase in utility rates.

\$188,349 to the Texas Ethics Commission for the fiscal year ending August 31, 2009 to reimburse the commission for the payment of the judgment in the Free Market Association of Texas v. Texas Ethics Commission.

\$1,894,676 to the Texas State Library and Archives commission for the Lorenzo de Zavala Building.

\$2,630,206 to the Texas Education Agency to conduct criminal history background checks.

\$3,729,808 to Texas Southern University for the purpose of paying for, or reimbursing payments made for costs associated with damage caused by natural disasters.

\$2,350,000 to Texas Southern University for administrative operation expenses.

\$152,976,878 to certain community and junior colleges to restore fiscal year 2009 proportional state contributions for health benefits.

\$500,000 to the University of Texas Medical Branch: Higher Education Group Insurance Contributions for additional contributions made to higher education group insurance.

\$2,800,000 to the University of North Texas to reimburse the cost of planning and design for construction of a second academic building at the Dallas campus.

\$164,230,000 to the Texas Department of Criminal Justice (TDCJ) to cover certain operational shortfalls and costs of damages resulting from natural disasters. In addition, \$48,144,918 is appropriated to TDCJ to provide correctional managed health and psychiatric care, and for the use of infirmary beds at The University of Texas Health Science Center at Tyler, for the rental of a CT scanner and to provide outpatient cancer treatment.

\$54,664 to the Soil and Water Conservation Board, plus the unexpended and unencumbered balance of the appropriations made by HB 1, Acts of the 80th Legislature, Regular Session, 2007 to provide mileage reimbursement for soil and water conservation district directors.

\$348,525 to the Racing Commission to provide for current operations as a result of a revenue shortfall.

\$4,245,244 to the University of Houston to develop and construct the National Large Wind Turbine Research and Testing Facility.

\$10,000,000 to the Texas Department of Criminal Justice for correctional security equipment.

\$74,351,306 to the Department of Aging and Disability Services under Strategy A.6.1, Nursing Facility Payments.

The bill would appropriate the following amounts to the Department of Family and Protective Services:

\$7,211,846 under Strategy A.2.11, Adoption Subsidy Payments;

\$6,657,839 under Strategy C.1.1, CPS Reform Continued;

\$14,248,456 under A.3.1, APS Direct Delivery Staff;

\$6,693,100 under Strategy A.2.3, TWC Foster Day Care; and

\$6,600,000 to the Department of Assistive and Rehabilitative Services for autism services for children.

\$759,113,979 to the Health and Human Services Commission under Goal B Medicaid; and

\$323,850,650 under Strategy B.2.3, Medicare Federal Give Back.

\$9,902,630 to the University of Texas to provide for the 2008-2009 biennium formula hold harmless. Of this amount \$700,000 is set aside for the Marine Science Institute.

\$150,000 to Texas Southern University to ensure proper preservation and display of the Mickey Leland and Barbara Jordan papers.

\$1,000,000 to the Texas parks and Wildlife Department to support operations of the Texas State Railroad.

\$4,500,000 to the Department of Public Safety: Emergency Preparedness for staffing and emergency systems.

\$2,000,000 to the University of Texas M.D. Anderson Cancer Center to provide reimbursements for uncompensated care.

\$2,000,000 to the University of North Texas Health Science Center at Fort Worth to provide reimbursements for uncompensated care.

\$3,000,000 to the Texas Parks and Wildlife Department to repair hurricane-related damages to the Sea Rim State Park and for information technology services.

\$1,500,000 to Navarro College for reimbursements to the Higher Education Coordinating Board for new campus funding.

\$956,000 to the Texas Department of Licensing and Regulation for operations.

\$10,000,000 to the General Land Office for disaster mitigation buyouts.

\$5,000,000 to the Department of State Health Services under Strategy B.2.4, NorthSTAR Behavioral Health Waiver for direct client services.

\$3,200,000 to the Texas Public Finance Authority for debt service on general obligation bonds.

\$1,300,000 to the University of Texas at Tyler – Palestine for salaries and facility operations.

The Comptroller of Public Accounts is appropriated the following amounts for retention payments for certain state employees:

\$42,183,779 out of the General Revenue Fund;

\$21,904,727 out of Federal Funds;

\$3,915,109 in certain General Revenue Dedicated Accounts; and

\$20,260,422 in other funds.

The bill would make the following Appropriations out of a General Revenue Dedicated Account:

The bill would appropriate all revenue deposited into the Regional Trauma Account – 5137, estimated to be \$6,712,284, to the Health and Human Services Commission for the fiscal year ending August 31, 2009 to reimburse uncompensated trauma care.

\$2,500,000 to the Texas Forest Service out of the General Revenue Dedicated Account – 5064 for grants to volunteer fire departments for training and equipment through the Volunteer Fire Department Assistance Program.

\$2,000,000 out of General Revenue Dedicated Account number 550 to the Texas Commission on Environmental Quality to conduct hazardous substance removal and disposal activities at Ballard Pits in Nueces County.

\$37,000,000 out of the Texas Emissions Reduction Plan Account No. 5071 to implement activities under Subsection (a) of 386.252, Health & Safety Code.

\$6,000,000 out of General Revenue Dedicated Account number 5111 to The University of Texas health Science Center at Houston to provide reimbursements for uncompensated care.

\$3,719,476 out of General Revenue Dedicated Fund 99 to the Department of Public Safety for reclassification of positions.

The bill would make the following appropriations out of Federal Funds:

The bill would appropriate, out of reimbursements received from the Federal Emergency Management Agency, \$11,000,000 to either the State Preservation Board or the Historical Commission for costs associated with the restoration of the Governor's Mansion.

\$ 3,732,979 in federal funds under Strategy C.1.1, CPS Reform and \$18,620,948 in federal funds under Strategy A.2.1, CPS Direct Delivery Staff to the Department of Family and Protective Services.

The bill would make the following appropriations out of the funds received under the American

Recovery and Reinvestment Act of 2009:

\$662,200,000 to the Texas Department of Transportation for highway and bridge construction.

\$27,300,000 to the Office of the Attorney General for the purpose of providing child support enforcement.

\$1,619,843,693 to the Health and Human Services Commission for the purpose of increased federal funding for Medicaid and foster care/adoption subsidies.

Contingent Appropriations:

\$4,000,000 to the Water Development Board for structural improvements to the Medina Lake Dam, contingent upon interlocal agreement among interested parties.

Contingent upon a settlement agreement, \$45,069,658 would be appropriated out of the General Revenue Fund to provide additional staffing, monitoring activities, training and other one-time costs to the Department of Aging and Disability Services. In addition, the department would be permitted to employ an additional 1,160.0 FTE's during the 2010 fiscal year and an additional 1,160.0 FTE's in fiscal year 2011.

Contingent upon passage of Senate Bill 643 or similar legislation, 81st Legislature, Regular Session, 2009, \$19,000,000 from the General Revenue Fund and \$19,000,000 in Federal Funds to the Department of Aging and Disability Services to install and monitor video surveillance equipment and to detect and prevent abuse and exploitation of residents and clients. In addition, the department may employ an additional 186.0 FTE's.

Contingent upon enactment of House Bill 1684, the Office of Rural Community Affairs would be appropriated \$500,000 for provisions relating to the creation and administration of the rural veterinarian loan repayment program.

Contingent upon enactment of Senate Bill 174, the Texas Education Agency would be appropriated \$275,000 for Educator Certification fees and would be permitted to employ an additional 2 FTE's in each fiscal year of the biennium ending on August 31, 2011.

The following amounts are appropriated out of the General Revenue Fund for costs associated with Natural Disasters:

\$150,000,000 to UT Medical Branch at Galveston;
\$120,111 to Brazosport College;
\$12,000,000 to the Parks and Wildlife Department;
\$1,725,995 to UT M.D. Anderson Cancer Center;
\$2,358,771 to Alvin College;
\$6,200,000 to Texas A&M Galveston;
\$385,091 to the Texas Forest Service;
\$1,507,670 to the Houston Community College;
\$4,600,000 to the Commission on Environmental Quality;
\$3,045,820 to San Jacinto College;
\$407,406 to Galveston College;
\$1,200,000 to the Texas Engineering Extension Service;
\$1,244,007 to the Adjutant General's Department;
\$1,200,000 to the University of Texas at Brownsville;
\$2,803,561 to Lamar University;
\$2,007,758 to Lamar Institute of Technology;
\$829,530 to Lamar State College: Port Arthur;
\$9,720,192 to Texas Southern University;
\$176,236 to the College of the Mainland;
\$102,258 to the University of Texas Pan American;
\$1,461,557 to The University of Texas Health Center at Tyler;
\$1,000,000 to The University of Texas Health Science Center at Houston;
\$7,339,000 to the University of Houston System Administration;

\$904,558 to Texas State Technical College: Harlingen;
\$600,000 to Lamar State College: Orange;
\$488,864 to Prairie View A&M University;
\$137,554 to Lee College; and
\$20,000,000 to the Department of Agriculture.

The bill would appropriate \$31,478,218 to the Texas Forest Service for costs associated with wildfires, and \$69,339 to pay for or reimburse payments made for costs associated with flooding.

The bill would appropriate \$16,565,040 to the Trusteed Programs within the Office of the Governor for the Governor's Division of Emergency Management to remove debris from certain counties and the City of Houston.

\$62,000,000 would be appropriated to the Trusteed Programs within the Office of the Governor to provide disaster relief.

Under the provisions of the bill, Texas State University System or the component institutions would deposit, to the credit of the General Revenue Fund, all reimbursements associated with disaster recovery related expenditures. This reimbursement amount is expected to total \$9,100,000 in Federal Emergency Management Agency (FEMA) reimbursements.

The bill would make the following appropriation reductions for fiscal year 2009:

\$27,300,000 from the Office of the Attorney General, Strategy B.1.1, Child Support Enforcement.

\$4,245,244 from the University of Houston.

\$3,729,808 from Texas Southern University, Strategy B.1.2 Tuition Revenue Bond Retirement.

\$500,000 from The Texas Tech University Health Science Center, Strategy C.1.22, Texas Tech University Health Sciences Center to reflect the transfer of 47 full-time equivalent employee positions to the University of Texas Medical Branch at Galveston.

\$500,000,000 from the Texas Education Agency, Strategy A.1.1, FSP –Equalized Operations

The following amounts would be reduced from the Texas Education Agency:

\$19,251,340 from Strategy A.2.1, Student Success;
\$1,037,973 from Strategy A.2.4, School Improvement and Support Programs;
\$108,007 from Strategy B.2.1, Educational Technology; and
\$1,300,434 from Strategy B.2.2, Safe Schools.

\$2,931,371 from the Department of Assistive and Rehabilitative Services, Strategy B.3.1, Vocational Rehabilitation – General

\$473,774,915 from the Department of Aging and Disability Services, Strategy A.6.1, Nursing Facility Payments

\$1,127,526,993 from the Health and Human Services Commission, Strategy B.1.4, Children and Medically Needy

The bill would make the following appropriation reductions from the Department of Family and Protective Services:

\$3,961,399 from Strategy A.2.1, CPS Direct Delivery Staff;
\$1,769,065 from Strategy A.2.12, STAR Program;
\$1,100,000 from Strategy A.2.13, CYD Program;
\$1,368,000 from Strategy A.2.16, Other At-Risk Prevention Programs;
\$10,976,561 from Strategy A.2.10, Foster Care Payments; and
\$7,565,224 from Strategy A.2.11, Adoption Subsidy Payments.

The bill would reduce the following appropriations made to the Water Development Board for Debt Service Payments:

\$15,820,198 from Strategy A.1.2, State Participation Debt Service;

\$15,231,801 from Strategy A.1.1, EDAP debt Service;

\$3,354 from Strategy A.1.3, AG Water Conservation Debt; and

\$1,894,416 from strategy A.1.4, WIF Debt Service.

Department of Family and Protective Services, Strategy A.2.10, Foster Care Payments is reduced by \$24,041,141 out of the General Revenue Fund and \$25,534,391 out of federal funds (TANF).

Fiscal Year 2010-2011 Appropriations:

\$1,000,000 to Texas A&M International University in fiscal year ending August 31, 2010 and

\$1,000,000 in fiscal year beginning September 1, 2010 for outreach, access, enrollment, advising, tutoring and retention support.

Contingent upon enactment of Senate Bill 2534 or similar legislation, \$250,000 would be appropriated to Texas A&M University System to operate the Task Force on Economic Growth and Endangered Species.

Contingent upon enactment of House Bill 1511, House Bill 2860 or Senate Bill 1411, or similar legislation, the Department of Family and Protective Services would be appropriated \$2,250,638 in fiscal year ending August 31, 2010 and \$1,980,067 in fiscal year beginning September 1, 2010 for implementation of the proposed legislation relating to financial assistance programs in connection with certain children in conservatorship. In addition, the department would be permitted to employ an additional 17 FTE's in fiscal year 2011.

Contingent upon enactment of Senate Bill 2323 or similar legislation, Texas State University – San Marcos would be appropriated \$308,612 in fiscal year 2010 and \$308,612 in fiscal year 2011 for functions relating to Texas School Safety Center. In addition, the University would be permitted to employ an additional 4 FTE's in each year of the biennium.

Contingent upon enactment of Senate Bill 1362 or similar legislation, The Texas Education Agency would be appropriated \$750,000 to improve student reading skills and behavior relating to the Texas Youth Commission comprehensive plan.

Contingent upon enactment of Senate Bill 1313 or similar legislation, the Texas Education Agency would be appropriated \$1,350,000 for fiscal year ending August 31, 2011 for certain industry certification examinations; \$540,000 in fiscal year 2011 for the State Board of Education to conduct a course review; and \$100,000 in fiscal year 2011 to expand the Best Practices Clearinghouse.

Contingent upon the same enactment, the Texas Workforce Commission would be appropriated \$100,000 for fiscal year 2011 for development of a high-demand, high-wage, and high-skill occupation list. The Higher Education Coordinating Board (HECB) would be appropriated \$2,290,000 for fiscal year 2011 for certain materials relating to the "College for Texans" program, and \$100,000 to conduct an economic impact study. In addition the HECB would be permitted to employ an additional 2 FTE's in fiscal year 2011.

Contingent upon a settlement agreement, \$1,544,907 would be appropriated for fiscal year ending August 31, 2010 and \$1,606,426 for fiscal year beginning September 1, 2010 to the Department of Family and Protective Services for incident management and to ensure protection from harm, abuse, or neglect for residents of state schools. In addition, the department would be permitted to employ an additional 37 FTE's in FY 2010 and an additional 43 FTE's in FY 2011.

Contingent upon enactment of HB 2654, or similar legislation by the Eighty-first legislature, Regular Session, 2009 and upon certification by the Comptroller, \$10,000,000 would be appropriated to the Texas State Technical College System Administration for fiscal year ending August 31, 2010 for capital expenditures and renovations.

Fiscal Year 2010-2011 Appropriation Reductions:

\$5,500,000 is reduced from fund 99 out of the bill pattern of the Department of Public Safety, Article V, Senate Bill 1, Acts of the 81st Legislature, Regular Session, 2009 for the fiscal year ending August 31, 2010 under Strategy D.1.1. Emergency Preparedness.

Methodology

The bill would outline provisions for the Trusteed Programs within the Office of the Governor regarding funds expended for the purpose of providing reimbursements for post disaster recovery and LBB approval of the funds.

The bill would require reimbursement to the General Revenue Fund for reimbursements received from the federal government, an insurer, or another source for certain expenditures paid for or reimbursed under various sections of the bill.

Under the provisions of the bill, the federal funds appropriated under the American Recovery and Reinvestment Act (ARRA) must be expended for the purposes stated in this bill, unless otherwise approved by the Governor and the Legislative Budget Board (LBB). The Comptroller and the State Auditor would be required to coordinate to ensure appropriate use of the funds throughout the two-year period and a state agency receiving funds would be required to comply with reporting requirements prescribed.

The bill would take effect immediately upon enactment.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, MN

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 24, 2009

TO: Honorable Steve Ogden, Chair, Senate Committee on Finance

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB4586** by Pitts (Relating to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority and prescribing limitations regarding appropriations.), **Committee Report 2nd House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4586, Committee Report 2nd House, Substituted: a positive impact of \$253,159,376 through the biennium ending August 31, 2011.

Appropriations:

Fiscal Year	Appropriation out of General Revenue Fund 1	Appropriation out of Volunteer Fire Dept Assistance 5064	Appropriation out of Regional Trauma Account 5137	Appropriation out of Federal Funds 555
2009	(\$288,959,241)	\$2,500,000	\$6,712,284	\$2,355,677,252
2010	\$34,193,439	\$0	\$0	\$0
2011	\$1,606,426	\$0	\$0	\$0

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2009	\$288,959,241
2010	(\$34,193,439)
2011	(\$1,606,426)
2012	\$0
2013	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/ (Cost) from General Revenue Fund 1	Probable Savings/ (Cost) from Federal Funds 555	Probable Savings/ (Cost) from Volunteer Fire Dept Assistance 5064	Probable Savings/ (Cost) from Regional Trauma Account 5137
2009	\$288,959,241	(\$2,355,677,252)	(\$2,500,000)	(\$6,712,284)
2010	(\$34,193,439)	\$0	\$0	\$0
2011	(\$1,606,426)	\$0	\$0	\$0
2012	\$0	\$0	\$0	\$0
2013	\$0	\$0	\$0	\$0

Fiscal Analysis

The bill would make supplemental appropriations and reduce appropriations for various state agencies.

The bill would make the following appropriations. Unless otherwise stated, all appropriations are made out of the General Revenue Fund.

\$11,796,415 to the Department of State Health Services for the purpose of paying for costs associated with the swine flu.

\$917,389 to the Cancer Prevention and Research Institute: Operations to provide for salaries, wages, travel acquisition of information technology, computers, furniture, legal counseling and contracts. The bill would authorize the Cancer Prevention and Research Institute to employ an additional 16 FTE's during the state fiscal year ending August 31, 2009.

\$2,396,612 to the Texas Facilities Commission to provide for payment of increased utility costs resulting from an increase in utility rates.

\$188,349 to the Texas Ethics Commission for the fiscal year ending August 31, 2009 to reimburse the commission for the payment of the judgment in the *Free Market Association of Texas v. Texas Ethics Commission*.

\$1,894,676 to the Texas State Library and Archives commission for the Lorenzo de Zavala Building.

The bill would appropriate, out of reimbursements received from the Federal Emergency Management Agency, \$11,000,000 to either the State Preservation Board or the Historical Commission for costs associated with the restoration of the Governor's Mansion.

The bill would appropriate all revenue deposited into the Regional Trauma Account – 5137, estimated to be \$6,712,284, to the Health and Human Services Commission for the fiscal year ending August 31, 2009 to reimburse uncompensated trauma care.

\$2,630,206 to the Texas Education Agency to conduct criminal history background checks.

\$3,729,808 to Texas Southern University for the purpose of paying for, or reimbursing payments made for costs associated with damage caused by natural disasters.

\$2,350,000 to Texas Southern University for debt service payments.

The bill would appropriate \$152,976,878 to certain community and junior colleges to restore fiscal year 2009 proportional state contributions for health benefits.

\$2,500,000 to the Texas Forest Service out of the General Revenue Dedicated Account – 5064 for grants to volunteer fire departments for training and equipment through the Volunteer Fire Department Assistance Program.

\$500,000 to the University of Texas Medical Branch: Higher Education Group Insurance Contributions for additional contributions made to higher education group insurance.

\$2,800,000 to the University of North Texas to reimburse the cost of planning and design for construction of a second academic building at the Dallas campus.

\$164,230,000 to the Texas Department of Criminal Justice (TDCJ) to cover certain operational shortfalls and costs of damages resulting from natural disasters. In addition, \$48,144,918 is appropriated to TDCJ to provide correctional managed health and psychiatric care, and for the use of infirmary beds at The University of Texas Health Science Center at Tyler, for the rental of a CT scanner and to provide outpatient cancer treatment.

\$4,000,000 to the Water Development Board for structural improvements to the Medina Lake Dam.

\$54,664 to the Soil and Water Conservation Board, plus the unexpended and unencumbered balance of the appropriations made by HB 1, Acts of the 80th Legislature, Regular Session, 2007 to provide mileage reimbursement for soil and water conservation district directors.

\$178,525 to the Racing Commission to provide for current operations as a result of a revenue shortfall.

\$4,245,244 to the University of Houston to develop and construct the National Large Wind Turbine Research and Testing Facility.

\$10,000,000 to the Texas Department of Criminal Justice for correctional security equipment.

\$62,351,306 to the Department of Aging and Disability Services under Strategy A.6.1, Nursing Facility Payments.

The bill would appropriate the following amounts to the Department of Family and Protective Services:

\$5,917,242 under Strategy A.2.11, Adoption Subsidy Payments;

\$6,657,839 under Strategy C.1.1, CPS Reform Continued;

\$13,126,361 under A.3.1, APS Direct Delivery Staff;

\$5,280,315 under Strategy A.2.3, TWC Foster Day Care; and

\$ 3,732,979 in federal funds under Strategy C.1.1, CPS Reform and \$12,460,353 in federal funds under Strategy A.2.1, CPS Direct Delivery Staff

\$6,600,000 to the Department of Assistive and Rehabilitative Services for autism services for children.

\$790,589,278 to the Health and Human Services Commission under Goal B Medicaid; and

\$323,850,650 under Strategy B.2.3, Medicare Federal Give Back.

\$9,902,630 to the University of Texas to provide for the 2008-2009 biennium formula hold harmless. Of this amount \$700,000 is set aside for the Marine Science Institute.

\$150,000 to Texas Southern University to ensure proper preservation and display of the Mickey Leland and Barbara Jordan papers.

\$1,000,000 to the Texas parks and Wildlife Department to support operations of the Texas State Railroad.

The following amounts are appropriated out of the General Revenue Fund for costs associated with Natural Disasters:

\$150,000,000 to UT Medical Branch at Galveston;

\$120,111 to Brazosport College;

\$12,000,000 to the Parks and Wildlife Department;

\$1,725,995 to UT M.D. Anderson Cancer Center;

\$2,358,771 to Alvin College;

\$5,700,000 to Texas A&M Galveston;

\$385,091 to the Texas Forest Service;

\$1,507,670 to the Houston Community College;

\$4,600,000 to the Commission on Environmental Quality;

\$3,045,820 to San Jacinto College;

\$407,406 to Galveston College;

\$1,200,000 to the Texas Engineering Extension Service;

\$1,244,007 to the Adjutant General's Department;

\$1,200,000 to the University of Texas at Brownsville;

\$2,803,561 to Lamar University;

\$2,007,758 to Lamar Institute of Technology;

\$829,530 to Lamar State College: Port Arthur;

\$9,720,192 to Texas Southern University;

\$176,236 to the College of the Mainland;

\$102,258 to the University of Texas Pan American;

\$1,461,557 to The University of Texas Health Center at Tyler;

\$1,000,000 to The University of Texas Health Science Center at Houston;

\$7,339,000 to the University of Houston System Administration;
\$904,558 to Texas State Technical College: Harlingen;
\$600,000 to Lamar State College: Orange;
\$488,864 to Prairie View A&M University;
\$137,554 to Lee College; and
\$20,000,000 to the Department of Agriculture.

The bill would appropriate \$31,478,218 to the Texas Forest Service for costs associated with wildfires, and \$69,339 to pay for or reimburse payments made for costs associated with flooding.

The bill would appropriate \$16,565,040 to the Trusteed Programs within the Office of the Governor for the Governor's Division of Emergency Management to remove debris from certain counties and the City of Houston.

\$52,000,000 would be appropriated to the Disaster Contingency Fund for expenditure by the Trusteed Programs within the Office of the Governor to provide disaster relief.

Under the provisions of the bill, Texas State University System or the component institutions would deposit, to the credit of the General Revenue Fund, all reimbursements associated with disaster recovery related expenditures. This reimbursement amount is expected to total \$9,100,000 in Federal Emergency Management Agency (FEMA) reimbursements.

The bill would make the following appropriation reductions for fiscal year 2009:

\$27,300,000 from the Office of the Attorney General, Strategy B.1.1, Child Support Enforcement.

\$4,245,244 from the University of Houston.

\$3,729,808 from Texas Southern University, Strategy B.1.2 Tuition Revenue Bond Retirement..

\$500,000 from The Texas Tech University Health Science Center, Strategy C.1.22, Texas Tech University Health Sciences Center to reflect the transfer of 47 full-time equivalent employee positions to the University of Texas Medical Branch at Galveston.

\$500,000,000 from the Texas Education Agency, Strategy A.1.1, FSP –Equalized Operations

The following amounts would be reduced from the Texas Education Agency:

\$19,251,340 from Strategy A.2.1, Student Success;
\$1,037,973 from Strategy A.2.4, School Improvement and Support Programs;
\$108,007 from Strategy B.2.1, Educational Technology; and
\$1,300,434 from Strategy B.2.2, Safe Schools.

\$2,931,371 from the Department of Assistive and Rehabilitative Services, Strategy B.3.1, Vocational Rehabilitation – General

\$473,774,915 from the Department of Aging and Disability Services, Strategy A.6.1, Nursing Facility Payments

\$1,127,526,993 from the Health and Human Services Commission, Strategy B.1.4, Children and Medically Needy

The bill would make the following appropriation reductions from the Department of Family and Protective Services:

\$3,961,399 from Strategy A.2.1, CPS Direct Delivery Staff;
\$1,769,065 from Strategy A.2.12, STAR Program;
\$1,100,000 from Strategy A.2.13, CYD Program;
\$1,368,000 from Strategy A.2.16, Other At-Risk Prevention Programs;
\$10,976,561 from Strategy A.2.10, Foster Care Payments; and

\$7,565,224 from Strategy A.2.11, Adoption Subsidy Payments.

The bill would reduce the following appropriations made to the Water Development Board for Debt Service Payments:

\$15,820,198 from Strategy A.1.2, State Participation Debt Service;

\$15,231,801 from Strategy A.1.1, EDAP debt Service;

\$3,354 from Strategy A.1.3, AG Water Conservation Debt; and

\$1,894,416 from strategy A.1.4, WIF Debt Service.

Department of Family and Protective Services, Strategy A.2.10, Foster Care Payments is reduced by \$30,100,979 out of the General Revenue Fund and \$28,959,773 out of federal funds (TANF).

The bill would make the following appropriations out of the funds received under the American Recovery and Reinvestment Act of 2009:

\$662,200,000 to the Texas Department of Transportation for highway and bridge construction.

\$27,300,000 to the Office of the Attorney General for the purpose of providing child support enforcement.

\$1,619,843,693 to the Health and Human Services Commission for the purpose of increased federal funding for Medicaid and foster care/adoption subsidies.

Fiscal Year 2010-2011 Appropriations

Contingent upon a settlement agreement, \$22,648,532 would be appropriated out of the General Revenue Fund for fiscal year ending August 31, 2010 to provide additional staffing, monitoring activities, training and other one-time costs to the Department of Aging and Disability Services. In addition, the department would be permitted to employ an additional 37 FTE's during the 2010 fiscal year and an additional 43 FTE's in fiscal year 2011.

Contingent upon a settlement agreement, \$1,544,907 would be appropriated for fiscal year ending August 31, 2010 and \$1,606,426 for fiscal year beginning September 1, 2010 to the Department of Family and Protective Services for incident management and to ensure protection from harm, abuse, or neglect for residents of state schools.

Contingent upon enactment of HB 2654, or similar legislation by the Eighty-first legislature, Regular Session, 2009 and upon certification by the Comptroller, \$10,000,000 would be appropriated to the Texas State Technical College System Administration for fiscal year ending August 31, 2010 for capital expenditures and renovations.

Methodology

Under the provisions of the bill, the federal funds appropriated under the American Recovery and Reinvestment Act (ARRA) must be expended for the purposes stated in this bill, unless otherwise approved by the Governor and the Legislative Budget Board (LBB). The Comptroller and the State Auditor would be required to coordinate to ensure appropriate use of the funds throughout the two-year period and a state agency receiving funds would be required to comply with reporting requirements prescribed.

The bill would require approval from the LBB prior to monies being expended out of the Disaster Contingency Fund for disaster relief.

The bill would take effect immediately upon enactment.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts
LBB Staff: JOB, MN, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 19, 2009

TO: Honorable Steve Ogden, Chair, Senate Committee on Finance

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB4586** by Pitts (Relating to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority and prescribing limitations regarding appropriations.), **As Engrossed**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4586, As Engrossed: a positive impact of \$290,145,044 through the biennium ending August 31, 2011.

Appropriations:

Fiscal Year	Appropriation out of General Revenue Fund 1	Appropriation out of Dept Ins Operating Acct 36	Appropriation out of Clean Air Account 151	Appropriation out of Water Resource Management 153
2009	(\$407,199,192)	\$265,313	\$12,941	\$64,706
2010	\$117,054,148	\$0	\$0	\$0

Fiscal Year	Appropriation out of Waste Management Acct 549	Appropriation out of Hazardous/Waste Remed Acc 550	Appropriation out of Volunteer Fire Dept Assistance 5064	Appropriation out of Regional Trauma Account 5137
2009	\$121,648	\$1,094,830	\$2,500,000	\$6,712,284
2010	\$0	\$0	\$0	\$0

Fiscal Year	Appropriation out of Federal Funds 555
2009	\$3,337,596,795
2010	\$0

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2009	\$407,199,192
2010	(\$117,054,148)
2011	\$0
2012	\$0
2013	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/ (Cost) from <i>General Revenue Fund</i> 1	Probable Savings/ (Cost) from <i>Dept Ins Operating</i> <i>Acct</i> 36	Probable Savings/ (Cost) from <i>Clean Air Account</i> 151	Probable Savings/ (Cost) from <i>Water Resource</i> <i>Management</i> 153
2009	\$407,199,192	(\$265,313)	(\$12,941)	(\$64,706)
2010	(\$117,054,148)	\$0	\$0	\$0
2011	\$0	\$0	\$0	\$0
2012	\$0	\$0	\$0	\$0
2013	\$0	\$0	\$0	\$0

Fiscal Year	Probable Savings/ (Cost) from <i>Waste Management</i> <i>Acct</i> 549	Probable Savings/ (Cost) from <i>Hazardous/Waste</i> <i>Remed Acc</i> 550	Probable Savings/ (Cost) from <i>Volunteer Fire Dept</i> <i>Assistance</i> 5064	Probable Savings/ (Cost) from <i>Regional Trauma</i> <i>Account</i> 5137
2009	(\$121,648)	(\$1,094,830)	(\$2,500,000)	(\$6,712,284)
2010	\$0	\$0	\$0	\$0
2011	\$0	\$0	\$0	\$0
2012	\$0	\$0	\$0	\$0
2013	\$0	\$0	\$0	\$0

Fiscal Year	Probable Savings/ (Cost) from <i>Federal Funds</i> 555
2009	(\$3,337,596,795)
2010	\$0
2011	\$0
2012	\$0
2013	\$0

Fiscal Analysis

The bill would make supplemental appropriations and reduce appropriations for fiscal year 2009.

The bill would make appropriations out of the General Revenue Fund to the following agencies to fund unanticipated increases in consumption related to data center services:

- \$128,000 to the Texas Facilities Commission
- \$278,855 to the Secretary of State
- \$6,730,000 to the Department of Criminal Justice
- \$150,991 to the Texas Youth Commission
- \$42,089 to the Department of Agriculture
- \$1,179,894 to the Parks and Wildlife Department
- \$349,929 to the Railroad Commission
- \$135,999 to the Department of Licensing and Regulation

The bill would make an appropriation to the Texas Commission on Environmental Quality out of the following funds for increases in consumption related to data centers:

- \$1,094,830 out of the General Revenue Dedicated account number 550
- \$121,648 out of the General Revenue Dedicated account number 549
- \$64,706 out of the General Revenue Dedicated account number 153
- \$12,941 out of the General Revenue Dedicated account number 151

The bill would make an appropriation to the Texas Department of Insurance out of the following funds for increases in consumption related to data centers:

- \$147,687 out of the General Revenue Fund
- \$265,313 out of the General Revenue Dedicated account number 36

The following funds would be appropriated out of the General Revenue Fund for the purpose of restoring fiscal year 2009 proportional state contributions for health benefits:

\$12,185,357 to Alamo Community College
\$1,574,860 to Alvin Community College
\$3,758,285 to Amarillo College
\$1,367,325 to Angelina College
\$7,164,544 to Austin Community College
\$3,054,600 to Blinn College
\$1,373,650 to Brazosport College
\$2,731,087 to Central Texas College
\$990,189 to Cisco Junior College
\$461,040 to Clarendon College
\$1,497,422 to Coastal Bend College
\$2,138,088 to College of the Mainland
\$3,784,295 to Collin County Community College
\$15,758,341 to Dallas County Community College District
\$4,018,340 to Del Mar College
\$6,182,391 to El Paso Community College
\$585,527 to Frank Phillips College
\$943,016 to Galveston College
\$1,468,952 to Grayson County College
\$954,181 to Hill College
\$10,278,053 to Houston Community College
\$1,813,685 to Howard College
\$2,129,068 to Kilgore College
\$3,342,228 to Laredo Community College
\$2,119,681 to Lee College
\$8,670,589 to Lone Star College System
\$2,724,160 to McLennan Community College
\$2,065,163 to Midland College
\$1,470,933 to Navarro College
\$1,418,908 to North Central Texas College
\$874,764 to Northeast Texas Community College
\$1,963,198 to Odessa College
\$945,499 to Panola College
\$1,278,367 to Paris Junior College
\$474,991 to Ranger College
\$6,628,666 to San Jacinto College
\$3,338,955 to South Plains College
\$3,985,978 to South Texas College
\$1,666,736 to Southwest Texas Junior College
\$9,207,978 to Tarrant County College
\$1,330,783 to Temple College
\$1,667,329 to Texarkana College
\$1,706,940 to Trinity Valley Community College
\$3,361,192 to Tyler Junior College
\$1,120,729 to Vernon College
\$1,519,013 to Victoria College
\$1,397,289 to Weatherford College
\$694,843 to Western Texas College
\$1,789,670 to Wharton County Junior College

The bill would make the following appropriations out of the General Revenue Fund for fiscal year 2009:

\$917,389 to the Cancer Prevention and Research Institute for salaries and wages, travel, acquisition of information technology, computers, furniture, legal counseling and contracts. The center may employ an additional 16 FTEs during the remainder of fiscal year 2009.

\$2,396,612 to the Texas Facilities Commission to provide for payment of increased utility costs resulting from an increase in utility rates.

\$188,349 to the Texas Ethics Commission to reimburse the commission for the payment of the judgment in Free Market Association of Texas v. Texas Ethics Commission.

\$1,894,676 to the Texas State Library and Archives Commission for the purchase of furniture and shelving for the Lorenzo de Zavala Building.

\$8,289,680 to the Texas Historical Commission for costs associated with restoration of the Governor's Mansion.

\$2,630,206 to the Texas Education Agency to conduct criminal history background checks.

\$8,000,000 to the Texas Education Agency for distribution to the Bridge City Independent School District to rebuild the elementary school.

\$4,245,244 to the University of Houston to develop and construct the National Large Wind Turbine Research and Testing Facility.

\$500,000 to the University of Texas Medical Branch at Galveston for additional contributions made to higher education group insurance.

\$2,800,000 to the University of North Texas System to reimburse the cost of planning and design for construction on a second academic building at the Dallas campus.

\$125,112,392 to the Texas Department of Criminal Justice to provide salaries and wages, hazardous duty and longevity pay, overtime pay, food for wards of the state, contracted temporary capacity, utilities, and fuel.

\$38,955,518 to the Texas Department of Criminal Justice for the purpose of providing for correctional managed health care.

\$4,000,000 to the Water Development Board to be transferred to the Water Assistance Fund to provide a grant to the Bexar-Medina Atascosa Water Control and Improvement District #1 for structural improvements to the Medina Lake Dam.

\$2,000,000 to the Texas Commission on Environmental Quality to conduct hazardous substance removal and disposal activities at Ballard Pits.

\$54,664 to the Soil and Water Conservation Board for mileage reimbursement for district directors.

\$178,525 to the Racing Commission to provide for current operations as a result of a revenue shortfall.

\$62,351,306 to the Department of Aging and Disability Services for nursing facility payments.

\$47,668,044 to the Department of Aging and Disability Services for the purpose of surveying, purchasing and installing back up generators and fire sprinklers in nursing facilities.

The bill would appropriate all revenue deposited to the Regional Trauma Account 5137, estimated to be \$6,712,284 to the Health and Human Services Commission to reimburse uncompensated trauma care.

The bill would appropriate the following amounts to the Department of Family and Protective Services (DFPS) from the General Revenue Fund:

\$5,174,830 for Adoption Subsidy Payments

\$6,191,042 for CPS Reform Continued

\$13,126,361 for APS Direct Delivery Staff
\$4,199,776 in Federal Funds for CPS Reform Continued and \$12,460,353 in Federal Funds (TANF) for CPS Direct Delivery Staff are also appropriated to DFPS.

The bill would appropriate \$357,839,421 for Goal B, Medicaid and, \$322,378,835 for Medicare Federal Give Back to the Health and Human Services Commission from the General Revenue Fund.

The following amounts would be appropriated to the agencies listed below for general costs associated with natural disasters from the General Revenue Fund:

\$300,000,000 to UT Medical Branch at Galveston
\$120,111 to Brazosport College
\$60,849,794 to the Parks and Wildlife Department
\$47,416,821 to the Health and Human Services Commission
\$1,725,995 to UT M.D. Anderson Cancer Center
\$12,043,688 to Alvin College
\$10,700,000 to Texas A&M Galveston
\$385,091 to the Texas Forest Service
\$6,030,680 to the Houston Community College
\$32,387,608 to the Department of Criminal Justice
\$4,598,100 to the Commission on Environmental Quality
\$3,700,000 to San Jacinto College
\$491,844 to Galveston College
\$1,190,794 to the Texas Engineering Extension Service
\$1,244,007 to the Adjutant General's Department
\$1,178,189 to the University of Texas at Brownsville
\$2,803,561 to Lamar University
\$2,007,758 to Lamar Institute of Technology
\$1,082,754 to Lamar State College: Port Arthur
\$17,844,439 to Texas Southern University
\$704,945 to the College of the Mainland
\$102,258 to the University of Texas Pan American
\$281,428 to Texas AgriLife Research
\$30,220,100 to the General Land Office and Veterans' Land Board
\$142,245 to Angelina College
\$59,145 to Texas A&M Corpus Christi
\$143,378 to Texas AgriLife Extension Service
\$2,898,557 to The University of Texas Health Center at Tyler
\$8,520,839 to The University of Texas Health Science Center at Houston
\$7,339,000 to the University of Houston System Administration
\$904,558 to Texas State Technical College: Harlingen
\$693,691 to Lamar State College: Orange
\$488,864 to Prairie View A&M University
\$434,075 to Stephen F. Austin State University
\$215,688 to Tyler Junior College
\$118,841 to Sam Houston State University
\$89,436 to The University of Texas Health Science Center at San Antonio
\$39,694 to Texas A&M University – Commerce
\$137,554 to Lee College
\$20,000,000 to the Department of Agriculture

In addition to the amount appropriated above, the bill would appropriate \$3,600,000 to Lamar State College--Orange for costs incurred in connection with Hurricane Ike.

The bill would appropriate reimbursements from the Federal Emergency Management Agency (FEMA), expected to be \$39,000,000, to the General Land Office for the purpose of funding coastal management programs.

The bill would appropriate \$9,384,231 to the Texas Forest Service from the General Revenue Fund to pay for, or reimburse payments made for, costs associated with wildfires.

The bill would appropriate \$69,339 to the Texas Forest Service and \$2,106,560 to the Texas Engineering Extension Service from the General Revenue Fund to pay for, or reimburse payments made for, costs associated with flooding.

The bill would appropriate \$2,500,000 out of the General Revenue Dedicated account number 5064 to the Texas Forest Service for grants to volunteer fire departments for training and equipment through the Volunteer Fire Department Assistance Program.

The bill would appropriate \$100,000,000 from the General Revenue Fund to be transferred into the Disaster Contingency Fund, and would be appropriated for expenditure out of the fund to the Trusteed Programs within the Office of the Governor.

\$1,000,000 would be appropriated to the Texas Department of Transportation to repair damage caused by flooding to Farm-to-Market Road 170 in Brewster and Presidio Counties.

The bill would appropriate up to \$30,000,000 to Texas Education Agency to allow certain school districts to retain recapture payments in order to respond to a disaster.

The following amounts would be appropriated out of funds received under the American Recovery and Reinvestment Act of 2009:

\$662,200,000 to the Texas Department of Transportation for highway and bridge construction.

\$758,084,423 to the Texas Education Agency for providing formula distributions to school districts and charter schools for the purchase of textbooks and continuing contracts related to instructional materials.

\$27,300,000 to the Office of the Attorney General to provide child support enforcement.

\$220,915,577 to the Texas Education Agency to provide additional technology and instructional materials through the Technology Allotment

\$1,640,156,643 to the Health and Human Services Commission for increased Medicaid funding.

Fiscal Year 2009 Appropriation Reductions

The bill would reduce appropriations to the following agencies for fiscal year 2009 out of the General Revenue Fund, unless otherwise noted:

\$4,245,244 from the special item appropriation from the University of Houston -Wind Energy

\$27,300,000 from Strategy B.1.1, Child Support Enforcement from the Office of the Attorney General.

\$500,000 from Strategy A.1.1, Medical Education from the Texas Tech University Health Sciences Center.

\$500,000,000 from Strategy A.1.1, FSP - Equalized Operations from the Texas Education Agency.

\$414,556,053 from Strategy A.6.1, Nursing Facility Payments from the Department of Aging and Disability Services.

\$11,609,096 from Strategy A.2.10, Foster Care Payments and \$7,483,772 from Strategy A.2.11 for Adoption Subsidy Payments from the Department of Family and Protective Services.

\$1,206,507,722 from the Health and Human Services Commission, Strategy B.1.4, Children and Medically Needy.

\$24,492,233 out of General Revenue for Foster Care Payments and \$26,719,977 out of Federal Funds (TANF) from the Department of Family and Protective Services.

\$117,054,148 from Goal B, Medicaid from the Health and Human Services Commission.

Fiscal year 2010 Appropriations:

\$117,054,148 from General Revenue to the Health and Human Services Commission to fund the Frew Strategic Initiative during fiscal year 2010.

Methodology

Under the provisions of the bill, a state agency or institution of higher education receiving reimbursement from the federal government, an insurer or another source for certain expenditures paid for or reimbursed for in this bill would be required to reimburse, as appropriate, either the Disaster Contingency Fund or the General Revenue Fund.

The bill would take effect immediately upon enactment.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, MN, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 7, 2009

TO: Honorable Jim Pitts, Chair, House Committee on Appropriations

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB4586** by Pitts (Relating to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority and prescribing limitations regarding appropriations.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4586, Committee Report 1st House, Substituted: a positive impact of \$290,145,044 through the biennium ending August 31, 2011.

Appropriations:

Fiscal Year	Appropriation out of General Revenue Fund 1	Appropriation out of Dept Ins Operating Acct 36	Appropriation out of Clean Air Account 151	Appropriation out of Water Resource Management 153
2009	(\$407,199,192)	\$265,313	\$12,941	\$64,706
2010	\$117,054,148	\$0	\$0	\$0

Fiscal Year	Appropriation out of Waste Management Acct 549	Appropriation out of Hazardous/Waste Remed Acc 550	Appropriation out of Volunteer Fire Dept Assistance 5064	Appropriation out of Regional Trauma Account 5137
2009	\$121,648	\$1,094,830	\$2,500,000	\$6,712,284
2010	\$0	\$0	\$0	\$0

Fiscal Year	Appropriation out of Federal Funds 555
2009	\$3,298,596,795
2010	\$0

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2009	\$407,199,192
2010	(\$117,054,148)
2011	\$0
2012	\$0
2013	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/ (Cost) from <i>General Revenue Fund</i> 1	Probable Savings/ (Cost) from <i>Dept Ins Operating</i> <i>Acct</i> 36	Probable Savings/ (Cost) from <i>Clean Air Account</i> 151	Probable Savings/ (Cost) from <i>Water Resource</i> <i>Management</i> 153
2009	\$407,199,192	(\$265,313)	(\$12,941)	(\$64,706)
2010	(\$117,054,148)	\$0	\$0	\$0
2011	\$0	\$0	\$0	\$0
2012	\$0	\$0	\$0	\$0
2013	\$0	\$0	\$0	\$0

Fiscal Year	Probable Savings/ (Cost) from <i>Waste Management</i> <i>Acct</i> 549	Probable Savings/ (Cost) from <i>Hazardous/Waste</i> <i>Remed Acc</i> 550	Probable Savings/ (Cost) from <i>Volunteer Fire Dept</i> <i>Assistance</i> 5064	Probable Savings/ (Cost) from <i>Regional Trauma</i> <i>Account</i> 5137
2009	(\$121,648)	(\$1,094,830)	(\$2,500,000)	(\$6,712,284)
2010	\$0	\$0	\$0	\$0
2011	\$0	\$0	\$0	\$0
2012	\$0	\$0	\$0	\$0
2013	\$0	\$0	\$0	\$0

Fiscal Year	Probable Savings/ (Cost) from <i>Federal Funds</i> 555
2009	(\$3,298,596,795)
2010	\$0
2011	\$0
2012	\$0
2013	\$0

Fiscal Analysis

The bill would make supplemental appropriations and reduce appropriations for fiscal year 2009.

The bill would make appropriations out of the General Revenue Fund to the following agencies to fund unanticipated increases in consumption related to data center services:

- \$128,000 to the Texas Facilities Commission
- \$278,855 to the Secretary of State
- \$6,730,000 to the Department of Criminal Justice
- \$150,991 to the Texas Youth Commission
- \$42,089 to the Department of Agriculture
- \$1,179,894 to the Parks and Wildlife Department
- \$349,929 to the Railroad Commission
- \$135,999 to the Department of Licensing and Regulation

The bill would make an appropriation to the Texas Commission on Environmental Quality out of the following funds for increases in consumption related to data centers:

- \$1,094,830 out of the General Revenue Dedicated account number 550
- \$121,648 out of the General Revenue Dedicated account number 549
- \$64,706 out of the General Revenue Dedicated account number 153
- \$12,941 out of the General Revenue Dedicated account number 151

The bill would make an appropriation to the Texas Department of Insurance out of the following funds for increases in consumption related to data centers:

- \$147,687 out of the General Revenue Fund
- \$265,313 out of the General Revenue Dedicated account number 36

The following funds would be appropriated out of the General Revenue Fund for the purpose of restoring fiscal year 2009 proportional state contributions for health benefits:

\$12,185,357 to Alamo Community College
\$1,574,860 to Alvin Community College
\$3,758,285 to Amarillo College
\$1,367,325 to Angelina College
\$7,164,544 to Austin Community College
\$3,054,600 to Blinn College
\$1,373,650 to Brazosport College
\$2,731,087 to Central Texas College
\$990,189 to Cisco Junior College
\$461,040 to Clarendon College
\$1,497,422 to Coastal Bend College
\$2,138,088 to College of the Mainland
\$3,784,295 to Collin County Community College
\$15,758,341 to Dallas County Community College District
\$4,018,340 to Del Mar College
\$6,182,391 to El Paso Community College
\$585,527 to Frank Phillips College
\$943,016 to Galveston College
\$1,468,952 to Grayson County College
\$954,181 to Hill College
\$10,278,053 to Houston Community College
\$1,813,685 to Howard College
\$2,129,068 to Kilgore College
\$3,342,228 to Laredo Community College
\$2,119,681 to Lee College
\$8,670,589 to Lone Star College System
\$2,724,160 to McLennan Community College
\$2,065,163 to Midland College
\$1,470,933 to Navarro College
\$1,418,908 to North Central Texas College
\$874,764 to Northeast Texas Community College
\$1,963,198 to Odessa College
\$945,499 to Panola College
\$1,278,367 to Paris Junior College
\$474,991 to Ranger College
\$6,628,666 to San Jacinto College
\$3,338,955 to South Plains College
\$3,985,978 to South Texas College
\$1,666,736 to Southwest Texas Junior College
\$9,207,978 to Tarrant County College
\$1,330,783 to Temple College
\$1,667,329 to Texarkana College
\$1,706,940 to Trinity Valley Community College
\$3,361,192 to Tyler Junior College
\$1,120,729 to Vernon College
\$1,519,013 to Victoria College
\$1,397,289 to Weatherford College
\$694,843 to Western Texas College
\$1,789,670 to Wharton County Junior College

The bill would make the following appropriations out of the General Revenue Fund for fiscal year 2009:

\$917,389 to the Cancer Prevention and Research Institute for salaries and wages, travel, acquisition of information technology, computers, furniture, legal counseling and contracts. The center may employ an additional 16 FTEs during the remainder of fiscal year 2009.

\$2,396,612 to the Texas Facilities Commission to provide for payment of increased utility costs resulting from an increase in utility rates.

\$188,349 to the Texas Ethics Commission to reimburse the commission for the payment of the judgment in Free Market Association of Texas v. Texas Ethics Commission.

\$68,268,044 to the Department of Information Resources for the transfer of agency mainframe and server systems to the State Data Center. As well as the transition of agency staff, initiation of common policies, procedures, processes, implementation of service management tools, metrics, and processes, deployment of system automation tools, and the initiation of infrastructure rollout upgrades.

\$1,894,676 to the Texas State Library and Archives Commission for the purchase of furniture and shelving for the Lorenzo de Zavala Building.

\$8,289,680 to the Texas Historical Commission for costs associated with restoration of the Governor's Mansion.

\$2,630,206 to the Texas Education Agency to conduct criminal history background checks.

\$4,245,244 to the University of Houston to develop and construct the National Large Wind Turbine Research and Testing Facility.

\$500,000 to the University of Texas Medical Branch at Galveston for additional contributions made to higher education group insurance.

\$2,800,000 to the University of North Texas System to reimburse the cost of planning and design for construction on a second academic building at the Dallas campus.

\$125,112,392 to the Texas Department of Criminal Justice to provide salaries and wages, hazardous duty and longevity pay, overtime pay, food for wards of the state, contracted temporary capacity, utilities, and fuel.

\$38,995,518 to the Texas Department of Criminal Justice for the purpose of providing for correctional managed health care.

\$4,000,000 to the Water Development Board to be transferred to the Water Assistance Fund to provide a grant to the Bexar-Medina Atascosa Water Control and Improvement District #1 for structural improvements to the Medina Lake Dam.

\$54,644 to the Soil and Water Conservation Board for mileage reimbursement for district directors.

\$178,525 to the Racing Commission to provide for current operations as a result of a revenue shortfall.

\$62,351,306 to the Department of Aging and Disability Services for nursing facility payments. The bill would appropriate all revenue deposited to the Regional Trauma Account 5137, estimated to be \$6,712,284 to the Health and Human Services Commission to reimburse uncompensated trauma care.

The bill would appropriate the following amounts to the Department of Family and Protective Services (DFPS) from the General Revenue Fund:

\$5,174,830 for Adoption Subsidy Payments

\$6,191,042 for CPS Reform Continued

\$13,126,361 for APS Direct Delivery Staff

\$4,199,776 in Federal Funds for CPS Reform Continued and \$12,460,353 in Federal Funds (TANF) for CPS Direct Delivery Staff are also appropriated to DFPS.

The bill would appropriate \$357,839,421 for Goal B, Medicaid and, \$322,378,835 for Medicare Federal Give Back to the Health and Human Services Commission from the General Revenue Fund.

The following amounts would be appropriated to the agencies listed below for general costs associated with natural disasters from the General Revenue Fund:

\$300,000,000 to UT Medical Branch at Galveston
\$120,111 to Brazosport College
\$60,849,794 to the Parks and Wildlife Department
\$47,416,821 to the Health and Human Services Commission
\$1,725,995 to UT M.D. Anderson Cancer Center
\$12,043,688 to Alvin College
\$10,700,000 to Texas A&M Galveston
\$385,091 to the Texas Forest Service
\$6,030,680 to the Houston Community College
\$32,387,608 to the Department of Criminal Justice
\$4,598,100 to the Commission on Environmental Quality
\$3,700,000 to San Jacinto College
\$491,844 to Galveston College
\$1,190,794 to the Texas Engineering Extension Service
\$1,244,007 to the Adjutant General's Department
\$1,178,189 to the University of Texas at Brownsville
\$2,803,561 to Lamar University
\$2,007,758 to Lamar Institute of Technology
\$1,082,754 to Lamar State College: Port Arthur
\$17,844,439 to Texas Southern University
\$704,945 to the College of the Mainland
\$102,258 to the University of Texas Pan American
\$281,428 to Texas AgriLife Research
\$35,220,100 to the General Land Office and Veterans' Land Board
\$142,245 to Angelina College
\$59,145 to Texas A&M Corpus Christi
\$143,378 to Texas AgriLife Extension Service
\$2,898,557 to The University of Texas Health Center at Tyler
\$8,520,839 to The University of Texas Health Science Center at Houston
\$7,339,000 to the University of Houston System Administration
\$904,558 to Texas State Technical College: Harlingen
\$693,691 to Lamar State College: Orange
\$488,864 to Prairie View A&M University
\$434,075 to Stephen F. Austin State University
\$215,688 to Tyler Junior College
\$118,841 to Sam Houston State University
\$89,436 to The University of Texas Health Science Center at San Antonio
\$39,694 to Texas A&M University – Commerce
\$137,554 to Lee College
\$20,000,000 to the Department of Agriculture

The bill would appropriate \$9,384,231 to the Texas Forest Service from the General Revenue Fund to pay for, or reimburse payments made for, costs associated with wildfires.

The bill would appropriate \$69,339 to the Texas Forest Service and \$2,106,560 to the Texas Engineering Extension Service from the General Revenue Fund to pay for, or reimburse payments made for, costs associated with flooding.

The bill would appropriate \$2,500,000 out of the General Revenue Dedicated account number 5064 to the Texas Forest Service for grants to volunteer fire departments for training and equipment through the Volunteer Fire Department Assistance Program.

The bill would appropriate \$100,000,000 from the General Revenue Fund to be transferred into the Disaster Contingency Fund, and would be appropriated for expenditure out of the fund to the Trusteed Programs within the Office of the Governor.

\$1,000,000 would be appropriated to the Texas Department of Transportation to repair damage caused by flooding to Farm-to-Market Road 170 in Brewster and Presidio Counties.

The bill would appropriate up to \$18,000,000 to Texas Education Agency to allow certain school districts to retain recapture payments in order to respond to a disaster.

The following amounts would be appropriated out of funds received under the American Recovery and Reinvestment Act of 2009:

\$662,200,000 to the Texas Department of Transportation for highway and bridge construction.

\$758,084,423 to the Texas Education Agency for providing formula distributions to school districts and charter schools for the purchase of textbooks and continuing contracts related to instructional materials.

\$27,300,000 to the Office of the Attorney General to provide child support enforcement.

\$220,915,577 to the Texas Education Agency to provide additional technology and instructional materials through the Technology Allotment

\$1,640,156,643 to the Health and Human Services Commission for increased Medicaid funding.

Fiscal Year 2009 Appropriation Reductions

The bill would reduce appropriations to the following agencies for fiscal year 2009 out of the General Revenue Fund, unless otherwise noted:

\$4,245,244 from the special item appropriation from the University of Houston -Wind Energy

\$27,300,000 from Strategy B.1.1, Child Support Enforcement from the Office of the Attorney General.

\$500,000 from Strategy A.1.1, Medical Education from the Texas Tech University Health Sciences Center.

\$500,000,000 from Strategy A.1.1, FSP - Equalized Operations from the Texas Education Agency.

\$414,556,053 from Strategy A.6.1, Nursing Facility Payments from the Department of Aging and Disability Services.

\$11,609,096 from Strategy A.2.10, Foster Care Payments and \$7,483,772 from Strategy A.2.11 for Adoption Subsidy Payments from the Department of Family and Protective Services.

\$1,206,507,722 from the Health and Human Services Commission, Strategy B.1.4, Children and Medically Needy.

\$24,492,233 out of general revenue for Foster Care Payments and \$26,719,977 out of Federal Funds (TANF) from the Department of Family and Protective Services.

\$117,054,148 from Goal B, Medicaid from the Health and Human Services Commission.

Fiscal year 2010 Appropriations:

\$117,054,148 from General Revenue to the Health and Human Services Commission to fund the Frew Strategic Initiative during fiscal year 2010.

Methodology

Under the provisions of the bill, an agency or institution receiving an appropriation for costs associated with disasters, flooding or wildfires would be required to reimburse the state if a federal reimbursement was received for the same expenditure. The reimbursement to the state would be deposited into the general revenue fund and would total the amount of the original appropriation plus the amount of the federal reimbursement.

If a state agency or institution of higher education receives reimbursement from the federal government for an expenditure paid for or reimbursed by money appropriated for disaster relief from the disaster contingency fund, the agency would be required to reimburse the disaster contingency fund for the amount paid for both the original appropriation amount and the federal reimbursement amount.

All appropriations are for the two-year period beginning on the effective date of the act. The bill would take effect immediately.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, MN, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 5, 2009

TO: Honorable Jim Pitts, Chair, House Committee on Appropriations

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4586 by Pitts (Relating to making supplemental appropriations and giving direction and adjustment authority regarding appropriations.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4586, As Introduced: a negative impact of (\$491,999,129) through the biennium ending August 31, 2011.
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Appropriations:

Fiscal Year	Appropriation out of <i>General Revenue Fund</i> 1
2009	\$491,999,129
2010	\$0

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2009	(\$491,999,129)
2010	\$0
2011	\$0
2012	\$0
2013	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Change in Number of State Employees from FY 2008
2009	(\$491,999,129)	33.0
2010	\$0	0.0
2011	\$0	0.0
2012	\$0	0.0
2013	\$0	0.0

Fiscal Analysis

The bill would make supplemental fiscal 2009 appropriations to the following agencies.

The bill would appropriate \$332,378,835 to the Health and Human Services Commission to provide for the Giveback Payment to the federal government related to the implementation of the Medicare Part D prescription drug benefit.

The bill would appropriate \$157,500,000 to the Department of Criminal Justice for salaries and wages, hazardous duty and longevity pay, overtime pay, food for wards of the state, contracted temporary capacity, utilities and fuel.

The bill would appropriate \$2,120,294 to the Cancer Prevention and Research Institute to provide for contracts, salaries and wages, travel, and acquisition of information technology, computers, furniture, and legal counseling. Under the bill the institute may also employ an additional 33 FTEs for the remainder of fiscal 2009.

Methodology

The amounts represented above are in addition to previously appropriated amounts for the state fiscal biennium ending August 31, 2009. The supplemental appropriations would be for the two-year period beginning with the effective date of the bill.

This act takes effect immediately upon enactment.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, MN, SD