

Suspending limitations on conference committee
jurisdiction, S.B. 2

By: Ogden

S.R. No. 105

SENATE RESOLUTION

BE IT RESOLVED BY THE Senate of the State of Texas, 82nd Legislature, 1st Called Session, 2011, That Senate Rules 12.03 and 12.04, be suspended in part as provided by Senate Rule 12.08 to enable consideration of, and action on, the following specific matters which may be contained in the Conference Committee Report on Senate Bill 2.

I. FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS

A. Suspend Senate Rule 12.03(4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 26. Appropriation: Jobs and Education for Texans. There is hereby appropriated all remaining unexpended and unobligated balances as of August 31, 2011 (estimated to be \$5,000,000), out of the General Revenue-Dedicated Jobs and Education for Texans Account No. 5143 to the Comptroller of Public Accounts - Fiscal Programs for the purposes of providing grants in accordance with Government Code, Chapter 403, Subchapter O, and Education Code, Chapter 134. Any unexpended and unobligated balances remaining as of August 31, 2012, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

B. Suspend Senate Rule 12.04(5), to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows:

SECTION 26. Appropriation: Jobs and Education for

Texans. There is hereby appropriated all remaining unexpended and unobligated balances as of August 31, 2011 (estimated to be \$5,000,000), out of the General Revenue-Dedicated Jobs and Education for Texans Account No. 5143 to the Comptroller of Public Accounts - Fiscal Programs for the purposes of providing grants in accordance with Government Code, Chapter 403, Subchapter O, and Education Code, Chapter 134. Any unexpended and unobligated balances remaining as of August 31, 2012, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

II. TEXAS EDUCATION AGENCY

A. Suspend Senate Rule 12.03(4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 27. Contingency for Senate Bill 1: Charter School Bonds. Contingent on enactment of Senate Bill 1, 82nd Legislature, 1st Called Session, 2011, or similar legislation relating to the guarantee of open-enrollment charter school bonds by the Permanent School Fund, by the 82nd Legislature, 1st Called Session, 2011, the Texas Education Agency is hereby appropriated from the General Revenue Fund \$550,000 in each fiscal year of the 2012-2013 biennium. These appropriations are contingent upon the Texas Education Agency assessing fees sufficient to generate, during the 2012-2013 biennium, revenue to cover the appropriations for implementation of the legislation as well as associated "other direct and indirect costs" appropriated elsewhere in this Act. In the event that actual and/or projected revenue collections are insufficient to

offset the costs identified by this provision, the Comptroller of Public Accounts may reduce the appropriation authority provided herein to be within the amount of revenue expected to be available.

B. Suspend Senate Rule 12.04(5), to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows:

SECTION 27. Contingency for Senate Bill 1: Charter School Bonds. Contingent on enactment of Senate Bill 1, 82nd Legislature, 1st Called Session, 2011, or similar legislation relating to the guarantee of open-enrollment charter school bonds by the Permanent School Fund, by the 82nd Legislature, 1st Called Session, 2011, the Texas Education Agency is hereby appropriated from the General Revenue Fund \$550,000 in each fiscal year of the 2012-2013 biennium. These appropriations are contingent upon the Texas Education Agency assessing fees sufficient to generate, during the 2012-2013 biennium, revenue to cover the appropriations for implementation of the legislation as well as associated "other direct and indirect costs" appropriated elsewhere in this Act. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Comptroller of Public Accounts may reduce the appropriation authority provided herein to be within the amount of revenue expected to be available.

III. THE UNIVERSITY OF TEXAS AT AUSTIN

A. Suspend Senate Rule 12.03(4) to allow the Conference Committee to add text on any matter which is not included in

either the House or Senate version of the bill to read as follows:

SECTION 28. University of Texas at Austin. Out of funds appropriated to The University of Texas at Austin in Strategy C.4.1, Institutional Enhancement, in House Bill 1, 82nd Legislature, Regular Session, 2011, \$500,000 in General Revenue in fiscal year 2012 and \$500,000 in general revenue in fiscal year 2013 is for a program at the College of Fine Arts developed in partnership with the Texas Cultural Trust to extend the fine arts digital literacy curriculum to 10th grade fine arts instruction and the development of teacher certification curriculum in digital literacy for the fine arts.

IV. TEXAS FOREST SERVICE

A. Suspend Senate Rule 12.03(4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 29. Texas Forest Service. In addition to amounts appropriated to the Texas Forest Service in House Bill 1, Acts of the 82nd Legislature, Regular Session, 2011, there is hereby appropriated \$40,000,000 in General Revenue in fiscal year 2012 to the agency for combating wildfire. Any unexpended balances as of August 31, 2012, are hereby appropriated to the Texas Forest Service for the fiscal year beginning September 1, 2012, for the same purpose.

B. Suspend Senate Rule 12.04(5), to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows:

SECTION 29. Texas Forest Service. In addition to amounts appropriated to the Texas Forest Service in House Bill 1, Acts of

the 82nd Legislature, Regular Session, 2011, there is hereby appropriated \$40,000,000 in General Revenue in fiscal year 2012 to the agency for combating wildfire. Any unexpended balances as of August 31, 2012, are hereby appropriated to the Texas Forest Service for the fiscal year beginning September 1, 2012, for the same purpose.

V. DEPARTMENT OF PUBLIC SAFETY

A. Suspend Senate Rule 12.03(4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 30. Department of Public Safety: Border Security. In addition to amounts appropriated in House Bill 1, Acts of the 82nd Legislature, Regular Session, 2011, and in addition to capital purchases authorized in Rider 2 of the bill pattern for the Texas Department of Public Safety: The Texas Department of Public Safety is hereby appropriated \$1,200,000 in General Revenue for the 2012-2013 biennium to be allocated as follows:

(a) \$1,066,667 shall be used to purchase the following:

(1) \$800,000 for tactical vessels; and

(2) \$266,667 for weaponry.

(b) \$133,333 shall be used by the agency for operations costs, not including training costs, associated with the equipment identified above.

The Legislative Budget Board shall make all necessary and corresponding adjustments to the bill pattern of the Texas Department of Public Safety, including adjustments to Rider 2, Capital Budget, as necessary to implement the appropriation

authority provided by this section.

B. Suspend Senate Rule 12.04(5), to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows:

SECTION 30. Department of Public Safety: Border Security. In addition to amounts appropriated in House Bill 1, Acts of the 82nd Legislature, Regular Session, 2011, and in addition to capital purchases authorized in Rider 2 of the bill pattern for the Texas Department of Public Safety: The Texas Department of Public Safety is hereby appropriated \$1,200,000 in General Revenue for the 2012-2013 biennium to be allocated as follows:

(a) \$1,066,667 shall be used to purchase the following:

- (1) \$800,000 for tactical vessels; and
- (2) \$266,667 for weaponry.

(b) \$133,333 shall be used by the agency for operations costs, not including training costs, associated with the equipment identified above.

The Legislative Budget Board shall make all necessary and corresponding adjustments to the bill pattern of the Department of Public Safety, including adjustments to Rider 2, Capital Budget, as necessary to implement the appropriation authority provided by this section.

VI. PARKS AND WILDLIFE DEPARTMENT

A. Suspend Senate Rule 12.03(4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 31. Parks and Wildlife Department: Border

Security. In addition to amounts appropriated in House Bill 1, Acts of the 82nd Legislature, Regular Session, 2011, and in addition to capital purchases authorized in Rider 2 of the bill pattern for the Parks and Wildlife Department: The Texas Parks and Wildlife Department is hereby appropriated \$909,759 in General Revenue for the 2012-2013 biennium to be allocated as follows:

(a) \$578,959 shall be used to purchase the following:

(1) \$501,359 for SAFEBOATS; and

(2) \$77,600 for weaponry and ammunition.

(b) \$330,800 shall be used by the agency for operations costs, not including training costs, associated with the equipment identified above.

The Legislative Budget Board shall make all necessary and corresponding adjustments to the bill pattern of the Parks and Wildlife Department, including adjustments to Rider 2, Capital Budget, as necessary to implement the appropriation authority provided by this section.

B. Suspend Senate Rule 12.04(5), to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows:

SECTION 31. Parks and Wildlife Department: Border Security. In addition to amounts appropriated in House Bill 1, Acts of the 82nd Legislature, Regular Session, 2011, and in addition to capital purchases authorized in Rider 2 of the bill pattern for the Parks and Wildlife Department: The Texas Parks and Wildlife Department is hereby appropriated \$909,759 in General Revenue for the 2012-2013 biennium to be allocated as

follows:

(a) \$578,959 shall be used to purchase the following:

(1) \$501,359 for SAFEBOATS; and

(2) \$77,600 for weaponry and ammunition.

(b) \$330,800 shall be used by the agency for operations costs, not including training costs, associated with the equipment identified above.

The Legislative Budget Board shall make all necessary and corresponding adjustments to the bill pattern of the Parks and Wildlife Department, including adjustments to Rider 2, Capital Budget, as necessary to implement the appropriation authority provided by this section.

VII. TEXAS DEPARTMENT OF RURAL AFFAIRS AND DEPARTMENT OF
AGRICULTURE

A. Suspend Senate Rule 12.03(4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 32. Texas Department of Rural Affairs: Transfer of Functions. Contingent on enactment of Senate Bill 1, 82nd Legislature, 1st Called Session, 2011, or similar legislation providing for the transfer of all functions of the Texas Department of Rural Affairs:

(a) All appropriations, FTEs, riders and measures for the Texas Department of Rural Affairs in House Bill 1, Acts of the 82nd Legislature, Regular Session, 2011, for all nondisaster relief funding purposes, including Community Development Block Grant planning grant funds, are hereby transferred and appropriated to the Texas Department of Agriculture.

(b) The Legislative Budget Board shall work with the affected agencies on an agreement for the proper amount and allocation of appropriations, FTEs, measures and riders. The Legislative Budget Board shall approve the allocation agreement by August 31, 2011, and will resolve any allocation issues that arise thereafter.

(c) The Legislative Budget Board shall make all necessary adjustments as a result of this section to the bill patterns of the affected agencies.

VIII. DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, TEXAS
DEPARTMENT OF RURAL AFFAIRS, GENERAL LAND OFFICE AND VETERANS'
LAND BOARD

A. Suspend Senate Rule 12.03(4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 33. Community Development Block Grant: Disaster Relief Funding. Pursuant to the Governor designating the General Land Office as the state agency responsible for administration of the Community Development Block Grant disaster recovery funding for Texas, as allowed under the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act and other related federal provisions:

(a) All appropriations, FTEs, riders, and measures for the Texas Department of Housing and Community Affairs related to Community Development Block Grant disaster recovery funding and assistance in House Bill 1, Acts of the 82nd Legislature, Regular Session, 2011, are hereby transferred and appropriated to the General Land Office.

(b) All appropriations, FTEs, riders and measures for the Texas Department of Rural Affairs, or its successor agency, related to disaster recovery funding in House Bill 1, Acts of the 82nd Legislature, Regular Session, 2011, are hereby transferred and appropriated to the General Land Office.

(c) The Legislative Budget Board shall work with the affected agencies on an agreement for the proper amount and allocation of appropriations, FTEs, measures and riders. The Legislative Budget Board shall approve the allocation agreement by August 31, 2011, and will resolve any allocation issues that arise thereafter.

(d) The Legislative Budget Board shall make all necessary adjustments as a result of this section to the bill patterns of the affected agencies.

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on June 27, 2011, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate