

Rider Comparison Packet

Conference Committee on Senate Bill 1

2010-11 General Appropriations Bill

Article VI - Natural Resources

ARTICLE VI - NATURAL RESOURCES
551 Department of Agriculture
DIFFERENCES ONLY

Senate

House

- 28. Contingency Appropriation for Fuel Quality Testing.** Contingent on passage of legislation relating to conducting fuel quality testing and enforcement, by the Eighty-first Legislature, Regular Session, the Department of Agriculture is hereby appropriated \$500,000 in fiscal year 2010 and \$500,000 in fiscal year 2011 in Strategy C.1.1, Inspect Marketing Devices, out of Appropriated Receipts to conduct fuel quality testing and enforcement as provided in the legislation.

Additionally, this appropriation is contingent upon the Department of Agriculture assessing fees sufficient to generate, during the 2010-11 biennium, \$1,000,000 in additional revenue deposited to the credit of the Comptroller revenue object code 3015 generated by the testing and enforcement of fuel quality.

- 29. One-time Uncollectible Debt Payoff.** Included in the amounts appropriated above in Strategy A.1.1, Generate Marketing Opportunities, in fiscal year 2010, is \$14,700,000 in the General Revenue Fund to retire the debt of the Texas Agricultural Finance Authority.

- 30. Zebra Chip Research.** Out of funds appropriated above in Strategy A.1.1, Generate Marketing Opportunities, in fiscal year 2010, \$1,600,000 shall be used to fund research of the Zebra Chip Disease affecting potatoes in Texas. The Texas Department of Agriculture and the Texas Agricultural Experiment Station shall enter into an interagency contract for the funds appropriated above to be used for this research. Any unexpended balances remaining in the appropriation on August 31, 2010 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

- 30. Fleet Planning and Optimization Pilot Program.** Out of funds appropriated no later than December 31st, 2009, the Texas Department of Agriculture shall implement a Fleet Planning and Optimization Pilot Program designed to manage the Department's fleet operations. In

ARTICLE VI - NATURAL RESOURCES
551 Department of Agriculture
DIFFERENCES ONLY
(Continued)

Senate

House

order to implement the Pilot Program, the Department shall contract with a vendor whose qualifications include at least ten years of experience in planning, routing, scheduling, and dispatching for fleets to maximize operational performance, and the ability to enable the Department to utilize leading-edge model based artificial intelligence for fleet planning and optimization. Contract payments to the selected vendor shall be made solely out of savings to the Department that are realized out of the implementation of the Program, and such payments shall not commence until such time as the program has achieved at least a five percent reduction in the total cost of the Department's vehicle fleet management operations. The Department shall complete a report to the Office of Vehicle Fleet Management in the Office of the Comptroller of Public Accounts regarding the results of the Program.

- 31. Out-of-State Travel Reimbursement.** The agency may exceed the out-of-state travel cap for travel paid for or reimbursed by federal dollars or another third party.

ARTICLE VI - NATURAL RESOURCES
554 Animal Health Commission
DIFFERENCES ONLY

Senate

House

- 11. Contingency for First Point Testing Payments.** Included in the amounts appropriated above out of the General Revenue Fund is \$2,000,000 in Strategy A.1.1, Field Operations, in each fiscal year of the 2010-11 biennium, for the purpose of providing a \$2 per head increase in payments to livestock markets for collecting and testing blood samples from test eligible cattle for first point testing for brucellosis. This funding is contingent upon the Texas Animal Health Commission assessing fees sufficient to generate, during the 2010-11 biennium, at least \$2,000,000 per year from fees charged for first point testing by livestock markets that is collected and deposited into the General Revenue Fund. The Texas Animal Health Commission, upon completion of necessary actions to access or increase such additional fees, shall furnish information supporting the estimated revenues to be generated for the 2010-11 biennium to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriations shall be made available for the intended purposes. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

ARTICLE VI - NATURAL RESOURCES
582 Commission on Environmental Quality
DIFFERENCES ONLY

Senate

House

- 25. Appropriation: Radioactive Materials Management.** Included in amounts appropriated above in Strategy A.3.1, Radioactive Materials Management, is \$1,071,723 in each fiscal year of the 2010-11 biennium out of the Low Level Waste Account No. 88 for costs incurred in the licensing process, pre-construction oversight, construction oversight, disposal fee-setting responsibility, and the regulation of the commencement of operations of a low-level radioactive waste disposal site.

Also included in amounts appropriated above in Strategy A.1.3, Radioactive Materials Management, in fiscal year 2010 is an amount not to exceed \$952,600 in fiscal year 2010 and \$158,600 in fiscal year 2011 in new fee revenues to the Low-Level Waste Management Account No. 88. This appropriation shall be contingent upon and limited to fee revenues deposited to the credit of Object Code 3589 in the Low Level Waste Account No. 88 in excess of the Comptroller's Biennial Revenue Estimate for 2010-11. The funds shall be used to recover costs in reviewing and evaluating low-level radioactive waste disposal applications and in conducting inspections of the low-level radioactive disposal site in Andrews County pursuant to Health and Safety Code, Chapter 401, during the 2010-11 biennium.

Also included in amounts appropriated above in Strategy A.1.3, Radioactive Materials Management, in fiscal year 2010 is an amount not to exceed \$500,000 in new fee revenues to the Waste Management Account No. 549. This appropriation shall be contingent upon and limited to fee revenues deposited to the credit of Object Code 3589 in the Waste Management Account No. 549 in excess of the Comptroller's Biennial Revenue Estimate for 2010-11. These funds shall be used to review and evaluate applications for source material recovery (uranium mining) and radioactive waste management and disposal regulatory actions.

In the event that the fees deposited to the credit of Revenue Object Code 3589 in the Low-Level Waste Account No. 88 are less than \$1,111,200 during the 2010-11 biennium, or in the event that fees deposited to the credit of Revenue Object Code 3589 in the Waste Management Account No. 549 are less than \$500,000 during the 2010-11 biennium, the Comptroller shall reduce the respective appropriation authority provided to be within the amount of revenue expected to be available. The Texas Commission on Environmental Quality, upon completion

- 25. Appropriation: Radioactive Materials Management.** Included in amounts appropriated above in Strategy A.3.1, Radioactive Materials Management, is \$1,446,723 in each fiscal year of the 2010-11 biennium out of the Low Level Waste Account No. 88 for costs incurred in the licensing process, pre-construction oversight, construction oversight, disposal fee-setting responsibility, reviewing and evaluating low-level radioactive waste disposal applications and the regulation of the commencement of operations of a low-level radioactive waste disposal site. Of this amount, \$750,000 shall be derived from fee revenues deposited to Object Code 3589 in the Low-Level Waste Account No. 88 during the 2010-11 biennium.

Also included in amounts appropriated above in Strategy A.3.1, Radioactive Materials Management, in fiscal year 2010 is an amount not to exceed \$202,600 in fiscal year 2010 and \$158,600 in fiscal year 2011 in new fee revenues to the Low-Level Waste Management Account No. 88. This appropriation shall be contingent upon and limited to fee revenues deposited to the credit of Object Code 3589 in the Low Level Waste Account No. 88 in excess of the Comptroller's Biennial Revenue Estimate for 2010-11. The funds shall be used to recover costs in reviewing and evaluating low-level radioactive waste disposal applications and conducting inspections of the low-level radioactive waste disposal site in Andrews County, pursuant to Health and Safety Code, Chapter 401, during the 2010-11 biennium.

Also included in amounts appropriated above in Strategy A.1.3, Radioactive Materials Management, in fiscal year 2010 is an amount not to exceed \$500,000 in new fee revenues to the Waste Management Account No. 549. This appropriation shall be contingent upon and limited to fee revenues deposited to the credit of Object Code 3589 in the Waste Management Account No. 549 in excess of the Comptroller's Biennial Revenue Estimate for 2010-11. These funds shall be used to review and evaluate applications for source material recovery (uranium mining) and radioactive waste management and disposal regulatory actions.

In the event that the fees deposited to the credit of Revenue Object Code 3589 in the Low-Level Waste Account No. 88 are less than \$1,111,200 during the 2010-11 biennium, or in the event that fees deposited to the credit of Revenue Object Code 3589 in the Waste Management Account No. 549 are less than \$500,000 during the 2010-11 biennium, the Comptroller shall

ARTICLE VI - NATURAL RESOURCES
582 Commission on Environmental Quality
DIFFERENCES ONLY
(Continued)

Senate

of necessary actions to assess additional fees, shall furnish copies of minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium from the new fees to the Comptroller of Public Accounts.

27. **Texas Emissions Reduction Plan (TERP): Grants and Administration.** Included in amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, is \$168,982,851 in each fiscal year of the 2010-11 biennium out of the Texas Emissions Reduction Plan Account No. 5071. The funds shall be used as follows: \$144,107,200 in each fiscal year of the 2010-11 biennium shall be used as incentive payments for the Diesel Emissions Reduction Programs established in Health and Safety Code, Chapter 386, Subchapter C; \$6,004,470 in each fiscal year of the 2010-11 biennium shall be used to implement the Clean School Bus Initiative established in Health and Safety Code, Chapter 390, pursuant to Health and Safety Code § 386.252 (c); not more than \$2,573,343 in each fiscal year shall be used to administer the Diesel Emissions Reduction Program; and, \$16,297,838 in each year of the 2010-11 biennium shall be used for grant funding for the New Technology Research Development Program established in Health and Safety Code, Chapter 387 according to provisions in Health and Safety Code § 386.252, of which not more than \$250,000 each fiscal year shall be used to administer the New Technology Research Development Program.

House

reduce the respective appropriation authority provided to be within the amount of revenue expected to be available. The Texas Commission on Environmental Quality, upon completion of necessary actions to assess additional fees, shall furnish copies of minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium from the new fees to the Comptroller of Public Accounts.

27. **Texas Emissions Reduction Plan (TERP): Grants and Administration.** Included in amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, is \$168,982,851 in each fiscal year of the 2010-11 biennium out of the Texas Emissions Reduction Plan Account No. 5071. The funds shall be used as follows: \$144,107,200 in each fiscal year of the 2010-11 biennium shall be used as incentive payments for the Diesel Emissions Reduction Programs established in Health and Safety Code, Chapter 386, Subchapter C; \$6,004,470 in each fiscal year of the 2010-11 biennium shall be used to implement the Clean School Bus Initiative established in Health and Safety Code, Chapter 390, pursuant to Health and Safety Code, § 386.252 (c); not more than \$2,573,343 in each fiscal year shall be used to administer the Diesel Emissions Reduction Program; and, \$16,297,838 in each year of the 2010-11 biennium shall be used for grant funding for the New Technology Research Development Program established in Health and Safety Code, Chapter 387 according to provisions in Health and Safety Code, § 386.252, of which not more than \$250,000 each fiscal year shall be used to administer the New Technology Research Development Program, and of which \$9,788,703 in each fiscal year shall be awarded to the University of Houston for the New Technology Research Development Program and diesel testing facility. The University shall also coordinate and contract with a nonprofit organization located in the City of Houston for implementation of an air quality research program.

It is the intent of the Legislature for the Commission on Environmental Quality to work with the Texas Procurement and Support Services Division of the Office of the Comptroller of Public Accounts to negotiate state contract pricing for equipment purchased under the Texas State Clean School Bus Initiative.

ARTICLE VI - NATURAL RESOURCES
582 Commission on Environmental Quality
DIFFERENCES ONLY
(Continued)

Senate

House

- 32. Appropriation: Water Resource Management Account.** Included in the amounts appropriated above is \$53,102,869 in fiscal year 2010 and \$52,386,652 in fiscal year 2011 out of the Water Resource Management Account No. 153, of which \$15,000,000 each fiscal year is contingent upon the Texas Commission on Environmental Quality (TCEQ) assessing fees sufficient to generate, during the 2010-11 biennium, revenue deposited to the Water Resource Management Account No. 153 of at least \$15,000,000 in excess of the Comptroller's 2010-11 Biennial Revenue Estimate for each year of the 2010-11 biennium. 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 shall reduce the appropriation authority provided above to be within the amount of revenue expected to be available. The TCEQ, upon completion of necessary actions to assess or increase additional fees, shall furnish copies of minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for 2010-11, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.
- 33. Aggregate Operations along the San Jacinto River.** Out of amounts appropriated above in Strategy C.1.1, Field Inspections and Complaint Response, the Commission on Environmental Quality shall conduct aerial observations at least twice per fiscal year to ensure enforcement of existing statutes and rules relating to aggregate operations along the San Jacinto River.

- 32. Appropriation: Water Resource Management Account.** Included in the amounts appropriated above is \$51,832,265 in fiscal year 2010 and \$51,244,020 in fiscal year 2011 out of the Water Resource Management Account No. 153, of which \$15,000,000 each fiscal year is contingent upon the Texas Commission on Environmental Quality (TCEQ) assessing fees sufficient to generate, during the 2010-11 biennium, revenue deposited to the Water Resource Management Account No. 153 of at least \$15,000,000 in excess of the Comptroller's 2010-11 Biennial Revenue Estimate for each year of the 2010-11 biennium. 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 shall reduce the appropriation authority provided above to be within the amount of revenue expected to be available. The TCEQ, upon completion of necessary actions to assess or increase additional fees, shall furnish copies of minutes and other information supporting the estimated revenues to be generated for the 2010-11 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for 2010-11, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.
- 33. Air Monitoring in Navarro County.** Out of funds appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, the Commission on Environmental Quality shall establish a permanent air monitoring program in Navarro County.

ARTICLE VI - NATURAL RESOURCES
582 Commission on Environmental Quality
DIFFERENCES ONLY
(Continued)

Senate

House

- 34. Appropriation: Hawkins Waste and Scrap Tire Cleanup.** Included in the amounts appropriated above out of the Solid Waste Disposal Account No. 5000 in Strategy C.1.3, Pollution Prevention and Recycling, is \$1,200,000 in fiscal year 2010 to be used for the cleanup of waste and scrap tire sites located in the City of Hawkins in Wood County.

Any unexpended balance remaining in this appropriation on August 31, 2010, is hereby appropriated to the Commission on Environmental Quality for the same purpose for the fiscal year beginning on September 1, 2010.

- 35. Appropriation: Mickey Leland National Urban Air Toxics Research Center.** Included in the amounts appropriated above in Strategy A.1.1., Air Quality Assessment and Planning, is \$1,000,000 out of the Clean Air Account No. 151 in fiscal year 2010 to be used to contract with the Mickey Leland National Urban Air Toxics Research Center for a study on air pollution risks and the health effects of air toxins.

Any unexpended balances remaining in this appropriation on August 31, 2010, are hereby appropriated to the Commission on Environmental Quality for the fiscal year beginning on September 1, 2010.

- 36. Appropriation: Carrizo-Wilcox Aquifer.** Included in the amounts appropriated above in Strategy A.1.2, Water Quality Assessment and Planning, is \$500,000 out of the General

- 34. Stationary Sulfur Monitoring Cameras.** Out of the amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, the Commission on Environmental Quality shall purchase, operate, maintain, and deploy no less than seven stationary sulfur monitoring cameras for the purpose of monitoring and responding to methane gas odor complaints.

ARTICLE VI - NATURAL RESOURCES
582 Commission on Environmental Quality
DIFFERENCES ONLY
(Continued)

Senate

House

Revenue Fund in fiscal year 2010 to be used to conduct a study of the characteristics and impacts on groundwater planning in the Carrizo-Wilcox Aquifer.

Any unexpended balances remaining in this appropriation on August 31, 2010, are hereby appropriated to the Commission on Environmental Quality for the fiscal year beginning on September 1, 2010.

- 37. Reimbursement of Advisory Committee Members.** Contingent on passage of House Bill 3206, or similar legislation relating to the implementation of the exemption from ad valorem taxation for pollution control property by the Texas Commission for Environmental Quality by the Eighty-first Legislature, Regular Session, pursuant to Chapter 2110, Government Code, reimbursement of expenses for advisory committee members, out of the funds appropriated above, may include any advisory committee created to advise the agency about exemption from ad valorem taxation for pollution control property.
- 38. Appropriation: Low-Level Radioactive Waste Compact Commission.** Included in amounts appropriated above out of the Low-Level Waste Account No. 88 in Strategy A.3.1, Radioactive Materials Management, is \$100,000 in each fiscal year of the 2010-11 biennium to be used to reimburse members of the Texas Low-Level Radioactive Waste Compact Commission for expenses related to travel in performance of their duties as commissioners.
- 39. Appropriation: Air Permit Allowable Database.** Included in the amounts appropriated above in Strategy A.2.1, Air Quality Permits, is \$277,000 in fiscal year 2010 and \$382,800 in fiscal year 2011 out of the Clean Air Account No. 151 and \$277,000 in fiscal year 2010 and \$382,800 in fiscal year 2011 out of the Operating Permits Fee Account No. 5094. The funds shall be used to establish an air permits allowable emissions database.

ARTICLE VI - NATURAL RESOURCES
582 Commission on Environmental Quality
DIFFERENCES ONLY
(Continued)

Senate

House

Any unexpended balances remaining in this appropriation on August 31, 2010 are hereby appropriated to the Commission on Environmental Quality for the fiscal year beginning on September 1, 2010.

ARTICLE VI - NATURAL RESOURCES
305 General Land Office and Veterans' Land Board
DIFFERENCES ONLY

Senate

House

ARTICLE VI - NATURAL RESOURCES
802 Parks and Wildlife Department
DIFFERENCES ONLY

Senate

House

- 12. Appropriation: State-owned Housing Authorized.** The Texas Parks and Wildlife Department (TPWD) shall recover at least 20 percent of the established fair market rental value of housing from persons residing in state-owned housing first employed before September 1, 2005 and 100 percent of the established fair market rental value of housing from persons residing in state-owned housing employed on or after September 1, 2005. If the TPWD requires an employee to live on-site in state-owned housing as a condition of employment, then the TPWD shall recover at least 20 percent of the established market rental value of housing regardless of the date of employment. Additionally, the TPWD will report biennially to the Legislative Budget Board and the Governor, the race, gender, and ethnicity, position title and classification, and salary of employees that reside in state-owned housing.

Included in the amounts appropriated above is rental income collected from employee housing (estimated to be \$21,492 in Appropriated Receipts each fiscal year in Strategy A.1.1, Wildlife Conservation; estimated to be \$21,099 in Appropriated Receipts each fiscal year in Strategy A.2.2, Inland Hatcheries Operations; estimated to be \$6,106 in Appropriated Receipts each fiscal year in Strategy A.2.4, Coastal Hatcheries Operations; estimated to be \$1,949 in Appropriated Receipts each fiscal year in Strategy C.2.4, Outreach and Education; and, estimated to be \$261,822 in Appropriated Receipts each fiscal year in Strategy B.1.2, Parks Minor Repair Program.) The recovered funds are appropriated to the TPWD for maintenance or replacement of employee housing.

Notwithstanding any other provision in this Act, the TPWD is hereby authorized to construct four new state-owned residences to provide 24-hour on-site supervision and maintenance for the new freshwater fish hatchery in East Texas (two residences) and for the new Texas Game Warden Academy in Hamilton County (two residences) at a cost not to exceed \$150,000 per residence.

Additionally, notwithstanding the provisions in Article IX of this Act, the TPWD is authorized to expend amounts in excess of \$25,000 per residence for the biennium as necessary to repair or replace state-owned housing, provided that the agency submits advanced notification to the Legislative Budget Board and the Governor.

- 12. Appropriation: State-owned Housing Authorized.** The Texas Parks and Wildlife Department (TPWD) shall recover at least 20 percent of the established fair market rental value of housing from persons residing in state-owned housing first employed before September 1, 2005 and 100 percent of the established fair market rental value of housing from persons residing in state-owned housing employed on or after September 1, 2005. If the TPWD requires an employee to live on-site in state-owned housing as a condition of employment, then the TPWD shall recover at least 20 percent of the established market rental value of housing regardless of the date of employment. Additionally, the TPWD will report biennially to the Legislative Budget Board and the Governor, the race, gender, and ethnicity, position title and classification, and salary of employees that reside in state-owned housing.

Included in the amounts appropriated above is rental income collected from employee housing (estimated to be \$21,492 in Appropriated Receipts each fiscal year in Strategy A.1.1, Wildlife Conservation; estimated to be \$21,099 in Appropriated Receipts each fiscal year in Strategy A.2.2, Inland Hatcheries Operations; estimated to be \$6,106 in Appropriated Receipts each fiscal year in Strategy A.2.4, Coastal Hatcheries Operations; estimated to be \$1,949 in Appropriated Receipts each fiscal year in Strategy C.2.4, Outreach and Education; and, estimated to be \$261,822 in Appropriated Receipts each fiscal year in Strategy B.1.2, Parks Minor Repair Program.) The recovered funds are appropriated to the TPWD for maintenance or replacement of employee housing.

Notwithstanding any other provision in this Act, the TPWD is hereby authorized to construct two new state-owned residences to provide 24-hour on-site supervision and maintenance for the new freshwater fish hatchery in East Texas (two residences) and for the new Texas Game Warden Academy in Hamilton County (two residences) at a cost not to exceed \$150,000 per residence.

Additionally, notwithstanding the provisions in Article IX of this Act, the TPWD is authorized to expend amounts in excess of \$25,000 per residence for the biennium as necessary to repair or replace state-owned housing, provided that the agency submits advanced notification to the Legislative Budget Board and the Governor.

ARTICLE VI - NATURAL RESOURCES
802 Parks and Wildlife Department
DIFFERENCES ONLY
(Continued)

Senate

27. Appropriation of Receipts out of the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9. For the biennium beginning September 1, 2009 the Texas Parks and Wildlife Department (TPWD) is hereby appropriated any additional revenues that are certified by a Comptroller's finding of fact and are in excess of the amounts reflected in the Comptroller's Biennial Revenue Estimate for each year of the biennium (not to exceed \$4,762,374 in fiscal year 2010 and \$5,941,345 in fiscal year 2011 or \$10,703,719 for the biennium in the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 and included in amounts appropriated above) to address salary and equity compensation issues for staff in wildlife, fishery, law enforcement and support divisions by amounts that limit increased compensation to amounts not to exceed 10 percent over 2008-09 funded salary levels.

The following is a listing of these amounts by strategy.

	For the Years Ending	
	August 31, 2010	August 31, 2011
A.1.1, Wildlife Conservation	\$1,705,551	\$2,080,819
A.1.2, Technical Guidance	\$50,922	\$57,895
A.1.3, Hunting and Wildlife Recreation	\$52,430	\$60,222
A.2.1, Inland Fisheries Management	\$857,760	\$1,077,382
A.2.2, Inland Hatcheries Operations	\$175,886	\$214,765
A.2.3, Coastal Fisheries Management	\$842,828	\$1,059,378
A.2.4, Coastal Hatcheries Operations	\$108,061	\$130,736
C.1.1, Enforcement Programs	\$152,617	\$211,316
C.1.2, Game Warden Training Academy	\$45,911	\$68,866
C.1.3, Law Enforcement Support	\$44,571	\$61,446
C.2.1, Hunter and Boater Education	\$25,743	\$35,290
C.2.2, Texas Parks and Wildlife Magazine	\$14,852	\$18,353
C.2.3, Communication Products and Services	\$50,967	\$68,037
C.2.4, Outreach and Education Programs	\$37,059	\$48,560
C.3.1, Hunting and Fishing License Issuance	\$26,055	\$32,662

House

27. Appropriation of Receipts out of the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9. For the biennium beginning September 1, 2009 the Texas Parks and Wildlife Department (TPWD) is hereby appropriated any additional revenues that are certified by the Comptroller's finding of fact and are in excess of the amounts reflected in the Comptroller's Biennial Revenue Estimate for each year of the biennium (not to exceed \$4,197,023 in fiscal year 2010 and \$5,084,781 in fiscal year 2011 or \$9,281,804 for the biennium in the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 and included in amounts appropriated above) to address salary and equity compensation issues for biologists in the wildlife and fishery divisions.

The following is a listing of these amounts by strategy.

	For the Years Ending	
	<u>August 31, 2010</u>	<u>August 31, 2011</u>
A.1.1, Wildlife Conservation	\$1,896,554	\$2,271,822
A.1.2, Technical Guidance	\$58,318	\$65,290
A.1.3, Hunting and Wildlife Recreation	\$59,799	\$67,591
A.2.1, Inland Fisheries Management	\$941,463	\$1,161,084
A.2.2, Inland Fisheries Operations	\$195,511	\$234,391
A.2.3, Coastal Fisheries Management	\$924,775	\$1,141,325
A.2.4, Coastal Hatcheries Operations	\$120,603	\$143,278
Total	\$4,197,023	\$5,084,781

Each year, the TPWD shall notify the Comptroller of Public Accounts, the Legislative Budget Board, and the Governor of the amount that the department projects will be received in excess of the amount contained in the Comptroller's Biennial Revenue Estimate for the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 along with sufficient information to reflect how that estimate was determined. If the Comptroller finds the information sufficient to support the projection of additional revenues, a finding of fact to that

ARTICLE VI - NATURAL RESOURCES
802 Parks and Wildlife Department
DIFFERENCES ONLY
(Continued)

	Senate		House
C.3.2, Boat Registration and Titling	\$40,283	\$52,612	effect shall be issued to reflect the additional revenue available for the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9.
D.1.1, Improvements and Major Repairs	\$74,149	\$86,858	
D.1.2, Land Acquisition	\$3,288	\$4,933	
D.1.3, Infrastructure Administration	\$68,645	\$79,086	
E.1.1, Central Administration	\$167,258	\$219,103	
E.1.2, Information Resources	\$130,138	\$164,251	
E.1.3, Other Support Services	\$87,400	\$108,775	
 Total	 \$4,762,374	 \$5,941,345	

Each year, the TPWD shall notify the Comptroller of Public Accounts, the Legislative Budget Board, and the Governor of the amount that the department projects will be received in excess of the amount contained in the Comptroller's Biennial Revenue Estimate for the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 along with sufficient information to reflect how that estimate was determined. If the Comptroller finds the information sufficient to support the projection of additional revenues, a finding of fact to that effect shall be issued to reflect the additional revenue available for the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9.

- 29. Parks Minor Repair Program.** Notwithstanding capital budget provisions included elsewhere in this Act, appropriations for Strategy B.1.2, Parks Minor Repair Program which are included in the capital budget rider are limited to the appropriation year plus two years as provided under Government Code §403.071 and the Texas Parks and Wildlife Department is not authorized to carry forward any unexpended balances of such appropriations between biennia.

ARTICLE VI - NATURAL RESOURCES
802 Parks and Wildlife Department
DIFFERENCES ONLY
(Continued)

Senate

House

- 29. Local Park Grant for Bexar County Special Needs Park.** From funds appropriated above in Strategy B.2.1, Local Park Grants, the Texas Parks and Wildlife Department shall allocate up to \$5,500,000 of matching funds for the acquisition, development, and construction for a Bexar County Special Needs Park for disabled children. Any unexpended balances as of August 31, 2010 in funds allocated are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.
- 30. Game Warden Academy.** Cadets participating in the Texas Game Warden Academy of the Parks and Wildlife Department shall not be counted toward the limit on the number of full-time equivalent positions (FTEs) for the department until their graduation. On graduation, the additional officers shall not cause the department to exceed the department's limit on FTEs. The number of participants in the Game Warden Academy must be included in all required reports concerning FTEs and vacancies, but the cadets shall be reported as a separate total from the other FTEs of the department.
- 30. Appropriation of Receipts: Off-Highway Vehicle Trail and Recreational Area Program.** The Texas Parks and Wildlife Department is appropriated all receipts collected pursuant to the Parks and Wildlife Code, Chapter 29 for the purpose of implementing and administering the department's Off-Highway Vehicle Trail and Recreational Area Program. Amounts appropriated pursuant to this provision are included above in Strategy Item B.2.2, Boating Access and Other Grants, and are identified above in the method of finance as General Revenue in an estimated amount of \$368,000 in fiscal year 2010 (including unexpended balances of \$183,000 as of August 31, 2009 and revenues of \$185,000 in fiscal year 2010) and \$204,000 in fiscal year 2011 for a total of \$572,000 for the biennium.

ARTICLE VI - NATURAL RESOURCES
802 Parks and Wildlife Department
DIFFERENCES ONLY
(Continued)

Senate

House

- 31. Appropriation Authority for General Obligation Bond Proceeds.** Appropriated above in Strategy D.1.1, Improvements and Major Repairs, is \$18,000,000 in fiscal year 2010 and \$10,000,000 in fiscal year 2011 in general obligation bond proceeds for projects for the Texas Parks and Wildlife Department (TPWD) as described in Article IX, Sec. 17.01, Informational Listing: General Obligation Bond Proceeds. These amounts include \$10,000,000 in fiscal year 2010 for weather related repairs at Mother Neff State Park, Palo Duro Canyon State Park, and Government Canyon State Natural Area.

All projects funded herein with general obligation bond proceeds are subject to approval by the Legislative Budget Board prior to issuance of the bond proceeds by the Texas Public Finance Authority. Any unexpended and unobligated balances in general obligation bond proceeds described herein and remaining as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010 for the same purposes.

ARTICLE VI - NATURAL RESOURCES
455 Railroad Commission
DIFFERENCES ONLY

Senate

House

- 7. Unexpended Balance and Estimated Appropriation Authority: Oil Field Cleanup Account.** Included in amounts appropriated above in fiscal year 2010 is an amount not to exceed \$1,648,770 in Strategy C.2.1, Oil and Gas Remediation, and an amount not to exceed \$6,595,081 in Strategy C.2.2, Oil and Gas Well Plugging, in balances remaining in the Oil Field Cleanup Account No. 145 as of August 31, 2009. The agency shall use these funds to carry out duties authorized by Natural Resources Code, Subchapter D, Chapter 91.

In addition to amounts appropriated above, there is hereby appropriated to the Railroad Commission for the biennium beginning on September 1, 2009, an amount not to exceed \$10,000,000 in revenues received in the Oil Field Cleanup Account No. 145 in excess of the Comptroller's Biennial Revenue Estimate for 2010-11.

- 10. Appropriation Limited to Revenue Collections: Surface Mining Permits and Contingency Appropriation for Fee Increase.** Included in the amounts appropriated above is \$1,245,844 in fiscal year 2010 and \$1,245,094 in fiscal year 2011 in Strategy C.1.2, Surface Mining Monitoring and Inspections, from surface mining fee revenues deposited to the General Revenue Fund to cover the cost of permitting and inspecting coal mining facilities.

This appropriation is contingent upon the Railroad Commission assessing fees sufficient to generate, during the 2010-11 biennium, revenue to cover the General Revenue appropriations. In the event that actual and/or projected revenue collections are insufficient to offset the costs

- 7. Unexpended Balance and Estimated Appropriation Authority: Oil Field Cleanup Account.** Included in amounts appropriated above in fiscal year 2010 is an amount not to exceed \$1,648,770 in Strategy C.2.1, Oil and Gas Remediation, and an amount not to exceed \$6,595,081 in Strategy C.2.2, Oil and Gas Well Plugging, in balances remaining in the Oil Field Cleanup Account No. 145 as of August 31, 2009. The agency shall use these funds to carry out duties authorized by Natural Resources Code, Subchapter D, Chapter 91.

In addition to amounts appropriated above, there is hereby appropriated to the Railroad Commission for the biennium beginning on September 1, 2009, an amount not to exceed \$10,000,000 in revenues received in the Oil Field Cleanup Account No. 145 in excess of the Comptroller's Biennial Revenue Estimate (BRE) for 2010-11. Of the amounts received in excess of the BRE, the first \$991,762 in fiscal year 2010 and the first \$917,255 in fiscal year 2011 shall be used to increase staffing in the oil and gas field operations and technical permitting programs in an attempt to reduce permitting times and prevent permitting backlogs.

In addition, the Number of Full-Time Equivalents (FTE) for the Railroad Commission is hereby increased by 21.0 in each fiscal year of the 2010-11 biennium. These positions shall be filled only in the event that revenues exceed the BRE for 2010-11 and shall be used to reduce permitting times and to prevent permitting backlogs.

- 10. Appropriation Limited to Revenue Collections: Surface Mining Permits and Contingency Appropriation.** Included in the amounts appropriated above is \$1,359,639 in fiscal year 2010 and \$1,355,874 in fiscal year 2011 in Strategy C.1.2, Surface Mining Monitoring and Inspections, from surface mining fee revenues deposited to the General Revenue Fund to cover the cost of permitting and inspecting coal mining facilities.

This appropriation is contingent upon the Railroad Commission assessing fees sufficient to generate, during the 2010-11 biennium, revenue to cover the General Revenue appropriations. Of this appropriation, \$140,528 in fiscal year 2010 and \$137,513 in fiscal year 2011 is

ARTICLE VI - NATURAL RESOURCES
455 Railroad Commission
DIFFERENCES ONLY
(Continued)

Senate

identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

In addition to amounts appropriated above, there is hereby appropriated for the biennium beginning on September 1, 2009, any revenues received from surface mining fees deposited to the credit of Revenue Object Code No. 3329 in excess of the Comptroller's Biennial Revenue Estimate for 2010-11.

- 14. Contingency Appropriation: Pipeline Safety Fees.** Contingent upon the passage of legislation increasing the maximum pipeline safety inspection fee established in Utilities Code, Section 121.211, and in addition to the amounts appropriated above, there is hereby appropriated to the Railroad Commission revenues derived from the fee increase and deposited to Revenue Object Code 3553 in the General Revenue Fund in excess of the Comptroller's Biennial Revenue Estimate for 2010-11 and not to exceed \$653,590 in fiscal year 2010 and not to exceed \$533,825 in fiscal year 2011. In addition, Federal Funds appropriated to the agency are hereby increased by \$333,829 in fiscal year 2010 and by \$285,626 in fiscal year 2011.

House

contingent upon the Railroad Commission increasing surface mining permit fees and shall be limited to revenues deposited to the credit of Revenue Object Code 3329 in excess of the Comptroller's Biennial Revenue Estimate (BRE) for 2010-11.

In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

The Railroad Commission, upon completion of necessary actions to assess or increase the surface mining permit fee, shall furnish copies of minutes and other information supporting the estimated revenues to be generated for the 2010-11 under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the BRE for 2010-11, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.

In addition to amounts appropriated above, there is hereby appropriated for the biennium beginning on September 1, 2009, any revenues received from surface mining fees deposited to the credit of Revenue Object Code No. 3329 in excess of the Comptroller's BRE for 2010-11 plus the generated amounts above.

ARTICLE VI - NATURAL RESOURCES
455 Railroad Commission
DIFFERENCES ONLY
(Continued)

Senate

House

These funds shall be used to operate programs in Strategy B.1.1, Pipeline and LP Gas Safety, and the geographic information systems mapping program in Strategy D.1.1, Geographic Information Systems and Well Mapping. These appropriations are contingent upon the Railroad Commission assessing fees sufficient to generate, during the 2010-11 biennium, revenue to cover, at a minimum the General Revenue appropriations for the Pipeline Safety program and the underground pipeline damage prevention program as well as "Other direct and indirect costs" for the programs, 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 Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

In addition, contingent upon the passage of legislation increasing the maximum pipeline safety inspection fee, the Railroad Commission's Number of Full-Time Equivalents (FTE) is hereby increased by 13.5 in each fiscal year of the 2010-11 biennium, and the following performance measure targets are increased by the following amounts:

	<u>2010</u>	<u>2011</u>
Number of Pipeline Safety Inspections Performed	200	450
Number of LPG/LNG/CNG Safety Inspections Performed	1,250	2,150
Number of Third Party Damage Enforcement Cases	3,800	6,800

ARTICLE VI - NATURAL RESOURCES
592 Soil and Water Conservation Board
DIFFERENCES ONLY

Senate

House

5. **Appropriation: Water Quality Management Plans.** Included in amounts appropriated above in Strategy B.1.2, Pollution Abatement Plan, is \$550,000 out of the General Revenue Fund in fiscal years 2010 and 2011 for administrative costs associated with the preparation of water quality management plans for poultry operators and \$3,801,098 out of the General Revenue fund in fiscal years 2010 and 2011 for the planning and implementation of water quality management plans. Any unexpended balances from this appropriation as of August 31, 2010 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

6. **Brush Control.** Included in amounts appropriated above in Strategy C.1.1, Water Conservation and Enhancement, is \$6,543,641 in fiscal year 2010 and \$4,543,641 in fiscal year 2011 out of the General Revenue Fund for the brush control program. These funds shall be used for supporting existing and implementing new brush control projects designated by the Soil and Water Conservation Board. Any unexpended balances from this appropriation as of August 31, 2010 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

8. **Appropriation: Guadalupe River Watershed Water Enhancement Project.** Included in the amounts appropriated above in Strategy C.1.1, Water Conservation and Enhancement, is \$2,000,000 in fiscal year 2010 out of the General Revenue Fund for a brush control project in the Guadalupe River Watershed.

Any unexpended balances as of August 31, 2010 out of appropriations made herein are appropriated to the Soil and Water Conservation Board for the same purpose for the fiscal year beginning September 1, 2010.

5. **Water Quality Management Plans.** Included in amounts appropriated above in Strategy B.1.2, Pollution Abatement Plan, is \$550,000 out of the General Revenue Fund in fiscal years 2010 and 2011 for administrative costs associated with the preparation of water quality management plans for poultry operators and \$3,801,098 out of the General Revenue fund in fiscal years 2010 and 2011 for the planning and implementation of water quality management plans. Any unexpended balances from this appropriation as of August 31, 2010 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

6. **Brush Control.** Included in amounts appropriated above in Strategy C.1.1, Water Conservation and Enhancement, is \$4,543,641 in fiscal year 2010 and \$4,543,641 in fiscal year 2011 out of the General Revenue Fund for the brush control program. These funds shall be used for supporting existing and implementing new brush control projects designated by the Soil and Water Conservation Board. Any unexpended balances from this appropriation as of August 31, 2010 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

8. **Guadalupe River Watershed Water Enhancement Project.** Included in the amounts appropriated above in Strategy C.1.1, Water Conservation and Enhancement, is \$2,000,000 in fiscal year 2010 out of the General Revenue Fund for a brush control project in the Guadalupe River Watershed.

Any unexpended balances as of August 31, 2010 out of appropriations made herein are appropriated to the Soil and Water Conservation Board for the same purpose for the fiscal year beginning September 1, 2010.

ARTICLE VI - NATURAL RESOURCES
592 Soil and Water Conservation Board
DIFFERENCES ONLY
(Continued)

Senate

House

- 9. Appropriation: Flood Control Dam Operation, Maintenance, and Structural Repair.** Included in the amounts appropriated above in Strategy A.1.1, Program Management and Assistance, is \$7,500,000 in each fiscal year out of the General Revenue Fund to provide funding for operations and maintenance, structural repair, and rehabilitation needs to flood control dams.

ARTICLE VI - NATURAL RESOURCES
580 Water Development Board
DIFFERENCES ONLY

Senate

House

5. **Appropriation: Water Assistance Fund.** Included in the amounts appropriated above are balances in the Water Assistance Fund No. 480 (WAF) as of August 31, 2009 and revenues accruing to the WAF during the 2010-11 biennium, estimated to be \$3,739,827 during the 2010-11 biennium. In addition to the amounts appropriated above, there is hereby appropriated to the Water Development Board all revenues accruing to the Water Assistance Fund No. 480 during the biennium beginning on September 1, 2009, including receipts from the Water Resources Finance Authority. These funds shall be used as authorized in Chapter 15, Water Code.

6. **Appropriation: Water Resources Fund.** In addition to amounts appropriated above, any monies deposited into the Texas Water Resources Fund No. 591, including but not limited to proceeds from revenue bond sales, investment earnings, and loan repayments, are hereby appropriated to the Board for the biennium beginning with the effective date of this Act.

7. **Appropriation: Agricultural Water Conservation Fund.** Included in the amounts appropriated above out of the Agricultural Water Conservation Fund No. 358 is \$959,141 in fiscal year 2010 and \$959,140 in fiscal year 2011 for use pursuant to § 50-d of Article III of the Texas Constitution and Water Code, Chapter 17, Subchapter J. In addition to amounts appropriated above, there are hereby appropriated such amounts as may be necessary to administer and disburse funds for loans and grants through the agricultural water conservation program and to pay the principal and interest on agricultural water conservation bonds that mature or become due during the biennium beginning with the effective date of this Act, pursuant to § 50-d of Article III of the Texas Constitution and Water Code, Chapter 17, Subchapter J, to be transferred to the Agricultural Water Conservation Interest and Sinking Fund No. 359.

5. **Water Assistance Fund.** Included in the amounts appropriated above are balances in the Water Assistance Fund No. 480 (WAF) as of August 31, 2009 and revenues accruing to the WAF during the 2010-11 biennium, estimated to be \$3,739,827 during the 2010-11 biennium. In addition to the amounts appropriated above, there is hereby appropriated to the Water Development Board all revenues accruing to the Water Assistance Fund No. 480 during the biennium beginning on September 1, 2009, including receipts from the Water Resources Finance Authority. These funds shall be used as authorized in Chapter 15, Water Code.

6. **Water Resources Fund.** In addition to amounts appropriated above, any monies deposited into the Texas Water Resources Fund No. 591, including but not limited to proceeds from revenue bond sales, investment earnings, and loan repayments, are hereby appropriated to the Board for the biennium beginning with the effective date of this Act.

7. **Agricultural Water Conservation Fund.** Included in the amounts appropriated above out of the Agricultural Water Conservation Fund No. 358 is \$959,141 in fiscal year 2010 and \$959,140 in fiscal year 2011 for use pursuant to § 50-d of Article III of the Texas Constitution and Water Code, Chapter 17, Subchapter J. In addition to amounts appropriated above, there are hereby appropriated such amounts as may be necessary to administer and disburse funds for loans and grants through the agricultural water conservation program and to pay the principal and interest on agricultural water conservation bonds that mature or become due during the biennium beginning with the effective date of this Act, pursuant to § 50-d of Article III of the Texas Constitution and Water Code, Chapter 17, Subchapter J, to be transferred to the Agricultural Water Conservation Interest and Sinking Fund No. 359.

ARTICLE VI - NATURAL RESOURCES
580 Water Development Board
DIFFERENCES ONLY
(Continued)

Senate

11. Appropriation: Unexpended Balances in the Groundwater District Loan Assistance Fund. In addition to amounts appropriated above, the Texas Water Development Board is hereby appropriated any unexpended balances in the Groundwater District Loan Assistance Fund No. 363 as of August 31, 2009. Any unexpended balances as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010.

12. Appropriation: Cost Recovery for the State Participation Program. Included in the amounts appropriated above to the Texas Water Development Board in Strategy B.1.1, State and Federal Financial Assistance Programs, is \$141,047 in fiscal year 2010 and \$141,015 in fiscal year 2011 in Appropriated Receipts collected for the administration and operation of the State Participation Program to be used for those purposes.

In addition to the amounts appropriated above, there is hereby appropriated to the Texas Water Development Board any additional revenues collected for the administration and operation of the State Participation Program for the same purposes.

16. Appropriation: Desalination. Included in amounts appropriated above out of the General Revenue Fund in Strategy A.2.2, Water Resources Planning, is \$600,000 in fiscal year 2010 to be transferred to the Water Assistance Fund No. 480 to be used for grants for brackish groundwater desalination demonstration projects.

Any unexpended balances remaining in this appropriation on August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010.

18. Appropriation: Water Infrastructure Fund. In addition to the amounts appropriated above, there is hereby appropriated to the Water Development Board for the biennium beginning on

House

11. Unexpended Balances in the Groundwater District Loan Assistance Fund. In addition to amounts appropriated above, the Texas Water Development Board is hereby appropriated any unexpended balances in the Groundwater District Loan Assistance Fund No. 363 as of August 31, 2009. Any unexpended balances as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010.

12. Cost Recovery for the State Participation Program. Included in the amounts appropriated above to the Texas Water Development Board in Strategy B.1.1, State and Federal Financial Assistance Programs, is \$141,047 in fiscal year 2010 and \$141,015 in fiscal year 2011 in Appropriated Receipts collected for the administration and operation of the State Participation Program to be used for those purposes.

In addition to the amounts appropriated above, there is hereby appropriated to the Texas Water Development Board any additional revenues collected for the administration and operation of the State Participation Program for the same purposes.

16. Desalination. Included in amounts appropriated above out of the General Revenue Fund in Strategy A.2.2, Water Resources Planning, is \$600,000 in fiscal year 2010 to be transferred to the Water Assistance Fund No. 480 to be used for grants for brackish groundwater desalination demonstration projects.

Any unexpended balances remaining in this appropriation on August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010.

18. Water Infrastructure Fund. In addition to the amounts appropriated above, there is hereby appropriated to the Water Development Board for the biennium beginning on September 1,

ARTICLE VI - NATURAL RESOURCES
580 Water Development Board
DIFFERENCES ONLY
(Continued)

Senate

September 1, 2009, all available funds in the Water Infrastructure Fund (WIF) No. 302, including, but not limited to fund balances, revenues, bonds issued by the Water Development Board, and funds transferred to the WIF. Appropriations to the WIF used to fund projects that are recommended water management strategies in the State Water Plan shall be allocated with priority given to projects with the earliest recommended implementation date in the State Water Plan. During the 2010-11 biennium, the appropriation may not be used to fund the acquisition of a reservoir site that is under study by a committee established by the Eightieth Legislature and that is recommended for implementation in 2030.

- 19. Appropriation: Colonia Self-Help.** Included in amounts appropriated above out of the General Revenue Fund in Strategy B.1.2, Economically Distressed Areas, is \$300,000 in each fiscal year to be transferred to the Water Assistance Fund No. 480 to be used for grants for colonia self-help projects.

Any unexpended balances as of August 31, 2010 out of appropriations made herein are appropriated to the Water Development Board for the same purpose for the fiscal year beginning September 1, 2010.

House

2009, all available funds in the Water Infrastructure Fund (WIF) No. 302, including, but not limited to fund balances, revenues, bonds issued by the Water Development Board, and funds transferred to the WIF. Appropriations to the WIF used to fund projects that are recommended water management strategies in the State Water Plan shall be allocated with priority given to projects with the earliest recommended implementation date in the State Water Plan. During the fiscal year 2010-11 biennium, the appropriation may not be used to fund the acquisition of a reservoir site that is under study by a committee established by the Eightieth Legislature and that is recommended for implementation in 2030.

- 20. Colonia Self-Help.** Included in amounts appropriated above out of the General Revenue Fund in Strategy B.1.2, Economically Distressed Areas, is \$300,000 in each fiscal year to be transferred to the Water Assistance Fund No. 480 to be used for grants for colonia self-help projects.

Any unexpended balances as of August 31, 2010 out of appropriations made herein are appropriated to the Water Development Board for the same purpose for the fiscal year beginning September 1, 2010.

- 19. Advisory Committees.** Included in amounts appropriated above out of the General Revenue Fund in Strategy A.1.1, Environmental Impact Information, is \$525,000 in each fiscal year to be transferred to the Water Assistance Fund No. 480 to be used for reimbursement of travel and compensation for attendance and participation at meetings of each of the Basin and Bay Expert Science Teams and the Environmental Flows Science Advisory Committees.

ARTICLE VI - NATURAL RESOURCES
580 Water Development Board
DIFFERENCES ONLY
(Continued)

Senate

House

- 21. Reimbursement of Advisory Committees.** Pursuant to Government Code, § 2110.004, reimbursement of expenses for advisory committee members out of funds appropriated above is limited to the following advisory committees: the Texas Environmental Flows Science Advisory Committee and the Basin and Bay Expert Science Teams.
- 22. Appropriation: Bexar-Medina-Atascosa Water Control and Improvement District #1.** Included in amounts appropriated above out of the General Revenue Fund in Strategy B.1.1, State and Federal Financial Assistance Programs, is \$4,000,000 in fiscal year 2010 to be transferred to the Water Assistance Fund No. 480 for use pursuant to Subchapter C, Chapter 15, Water Code, to provide a grant to the Bexar-Medina-Atascosa Water Control and Improvement District #1 for structural improvements required to upgrade Lake Medina Dam to meet Texas Commission on Environmental Quality dam safety criteria. Any unexpended balances remaining in this appropriation on August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010.
- 23. Appropriation: Edwards Aquifer Recovery Implementation Program.** Out of funds appropriated above in Strategy A.2.2, Water Resources Planning, the Water Development Board shall allocate \$1,692,500 in fiscal year 2010 out of the Water Assistance Fund No. 480 to be used for grants and studies related to the Edwards Aquifer Recovery Implementation Program.
- Any unexpended balances as of August 31, 2010 out of appropriations made herein are appropriated to the Water Development Board for the same purpose for the fiscal year beginning September 1, 2010.

ARTICLE VI - NATURAL RESOURCES
580 Water Development Board
DIFFERENCES ONLY
(Continued)

Senate

House

24. **Seawater Desalination Initiative.** Included in amounts appropriated above out of the General Revenue Fund in Strategy B.1.1, State and Federal Financial Assistance Programs, is \$10,000,000 in fiscal year 2010 to provide a grant to the Brownsville Public Utilities Board to install a permanent seawater desalination production facility. Any unexpended balances remaining in this appropriation on August 31, 2010 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.
25. **Financing of Water and Wastewater Connections and Plumbing Improvements in Economically Distressed Areas.** It is the intent of the legislature that, to the extent permitted by law, a political subdivision be permitted to use money from financial assistance under Subchapter K, Chapter 17, Water Code to pay: (1) costs to connect a residence to a water distribution system constructed under the subchapter; (2) costs to provide yard service connections; (3) costs of connecting a residence to a sewer collection system constructed under that subchapter; (4) necessary connection fees and permit fees; and (5) necessary costs of design related to plumbing improvements described in subdivisions (1) through (4) of this section.

ARTICLE VI - NATURAL RESOURCES
58A Debt Service Payments - Non-Self Supporting G.O. Water Bonds
DIFFERENCES ONLY

Senate

House

4. Bond Issuance Authority by Program. Based on demand in the various programs under the Non-Self Supporting G.O. Water Bonds, the authority to issue bonds may be transferred between programs provided: 1) debt service for such bonds does not exceed the General Revenue appropriation for debt service; and 2) the issuance of the bonds is approved by the Bond Review Board and the Legislative Budget Board.

5. Bond Issuance and Payment of Debt Service. Within the amounts appropriated above, the Texas Water Development Board is authorized to issue Non-Self Supporting G.O. Water Bonds for State Participation, Economically Distressed Areas Program and Water Infrastructure Fund purposes, provided: 1) debt service for such bonds does not exceed the General Revenue appropriation for debt service; and 2) the issuance of the bonds is approved by the Bond Review Board and the Legislative Budget Board.

5. Bond Issuance Authority by Program. Based on demand in the various programs under the Non-Self Supporting G.O. Water Bonds, the authority to issue bonds may be transferred between programs provided the General Revenue appropriation for debt service for each year of the biennium is not exceeded and the Bond Review Board approves the issuance.

4. Bond Issuance and Payment of Debt Service. Within the amounts appropriated above, the Texas Water Development Board is authorized to issue Non-Self Supporting G.O. Water Bonds for State Participation, Economically Distressed Areas Program and Water Infrastructure Fund purposes, provided that debt service for such bonds does not exceed the General Revenue appropriation for debt service, and issuance of the bonds is approved by the Bond Review Board.