

Issue Docket

Conference Committee on Senate Bill 1

2008-09 General Appropriations Bill

Article IX

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ISSUE DOCKET

Conference Committee on General Appropriations Bill

Item	<u>Senate</u>		<u>House</u>		Biennial Difference	Explanation
	2010	2011	2010	2011		
Section 2.01 Position Classification Plan		Page IX-1-15, Rider Packet, page 1		Page IX-1-15, Rider Packet, page 1		Senate provides increased amounts in the Schedule C Classification Salary Schedule (see also Section 17.02 (Senate) below).
Section 3.05 Scheduled Exempt Positions (b) (2)		Page IX-17, Rider Packet, page 2		Pages IX-17, Rider Packet, page 2		Senate provides expanded salary rates for exempt positions.
Section 3.05 Scheduled Exempt Positions (b) (3) and (c) (6)		Page IX-17-18 Rider Packet, page 2-5		Page IX-17-18 Rider Packet, page 2-5		Senate and House differ on salary groups for certain exempt positions.
Section 5.08 Limitation on Travel Expenditures		Page IX-23-24 Rider Packet, page 6		Page IX-22-24 Rider Packet, page 6		Senate deletes all references (part of subsection (a) and all of subsection (k)) to the Office of State-Federal Relations.
Section 6.08 Benefits Paid Proportional by Fund		Page IX-27 Rider Packet, page 9-10		Page IX-26-27 Rider Packet, page 9-10		House includes a provision which allows an exemption for community and junior colleges from the proportionality requirements applicable to all other entities. Senate version of the bill specifically requires that community colleges comply with the rule requiring that payment for employee benefits paid from appropriated funds be proportional to the source of funds.

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	2010	2011	2010	2011		
Section 6.12 Expenditures for State-Federal Relations			Page IX-29 Rider Packet, page 10-11			Senate deletes Section 6.12, Expenditures for State-Federal Relations.
Section 6.22 Definition, Appropriation, Reporting and Audit of Earned Federal Funds	Page IX-32-33 Rider Packet, page 11-14		Page IX-32-33 Rider Packet, page 11-14			House provides a collection requirement for the Department of Assistive and Rehabilitative Services of \$591,112 less than the Senate version each year.
Section 8.02 Federal Funds/Block Grants	Page IX-37-38 Rider Packet, page 14-16		Page IX-37-38 Rider Packet, page 14-16			Senate adds a new provision to Section 8.02 allowing the LBB and Governor ten days to disapprove of an expenditure of federal funds greater than \$10 million in excess of the amount for which an agency or institution was appropriated for the same purpose. House requires LBB approval (no mention of Governor) and without time limit before an agency or institution may expend federal funds in excess of 10% greater than total amount appropriated. Additionally, the House requires an agency or institution to report - prior to expenditure -- to the LBB, Governor, and all members of legislature all ARRA or other subsequent stimulus funds.
Section 10.05 Informational Listing - Health Care Appropriations	Page IX-43-44 Rider Packet, page 17-18		Page IX-43-44 Rider Packet, page 17-18			Senate and House provisions differ based on funding decisions made in Articles I-VIII.
Section 11.09 Name of El Paso State Office Building			Page IX-50 Rider Packet, page 18			House includes a provision which provides for naming of a building in El Paso for former Rep. Moreno.

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Section 13.05 Contingency Rider (Senate)/ Funding for Acts Adopted by the Legislature (House)	Page IX-54 Rider Packet, page 18		Page IX-54 Rider Packet, page 18-19			House expresses intent that an agency or institution support legislation when possible from general appropriations authority. Senate rider specifies that agency or institution need not reallocate or redistribute appropriations to support programs not specifically addressed by the GAA.
Section 13.07 Appropriation of All Specialty License Plate Receipts and Unexpended Balances	Page IX-54-56 Rider Packet, page 19-23		Page IX-54-56 Rider Packet, page 19-23			House provision includes updated revenue estimates, Senate provision does not.
Section 15.03 Contingency Appropriation Reduction	Page IX-63 Rider Packet, page 24-25		Page IX-62-63 Rider Packet, page 24-25			Senate removes reference to the Economic Stabilization Fund from the Contingency Appropriation Reduction Rider.
Section 17.01 Information Listing: General Obligation Bond Proceeds	Page IX-67 Rider Packet, page 25-26		Page IX-67 Rider Packet, page 25-26			Senate and House differ on the allocation and amount of general obligation bond proceeds to various agencies.
Section 17.02 Appropriation for a Salary Increase for State Employees in Salary Schedule C	\$ 11,999,780	\$ 11,999,780	\$ -	\$ -	\$ 23,999,560	Senate includes a Schedule C salary increase: \$10,085,382 in general reveue; \$1,308,932 in GRD (Fund 9); and \$605,466 in federal funds each year.
	Page IX-68 Rider Packet, page 26-28					

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Section 17.02 Appropriation for a Single Bonus Payment for State Employees Classified Under Salary Schedules A, B and C of this Article	\$ -		\$ 94,881,092	\$ -	\$ 94,881,092	House includes one time bonus payment to certain classified employees : \$58,310,493 in general revenue; \$6,340,404 in GRD; \$952,311 in other funds and \$29,277,884 in federal funds each year.
			Page IX-67-69 Rider Packet, page 28-31			
Section 17.03 Teacher Retirement System Supplemental Annuity Payment			\$ 217,392,445	\$ -	\$ 217,392,445	House provides a maximum supplemental annuity payment of \$1000 (total cost of \$217 million in general revenue) to the Teacher Retirement System.
			Page IX-69 Rider Packet, page 31			
Section 17.03 Texas Workforce and Economic Development Rider: Texas Economic Stimulus	\$ 95,000,000				\$ 95,000,000	Senate includes \$95 million in general revenue in the Workforce and Economic Development Rider for the following: <ul style="list-style-type: none"> a. \$30 million to TWC for Skills Development to train 15,000 workers; b. \$15 million to TWC for public-private partnerships to move Texans off public benefits into the workplace; c. \$25 million to the HECB to expand nursing education; d. \$5 million to UT Arlington to develop the Regional Nursing Education Center; and e. \$20 million to the HECB for competitive grants for adult basic education.
			Page IX-69 Rider Packet, page 31-32			

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Section 17.04 Employees Retirement System Supplemental Annuity Payment			\$ 115,000,000	\$ -	\$ 115,000,000	House provides a maximum supplemental annuity payment of \$1000 (total cost of \$115 million in general revenue) to the Employees Retirement System.
Section 17.04 Enterprise Resource Planning Projects	\$ 9,476,000		Page IX-69 Rider Packet, page 34	\$ -	\$ 9,476,000	Senate provides for the Comptroller to enter into interagency contracts with HHSC, TxDOT, and DIR to manage the development and implementation of Enterprise Resource Planning Projects. \$7,059,289 in general revenue and \$2,416,711 in federal funds is appropriated to HHSC for that purpose.
Section 17.05 Appropriation for a Salary Increase for Certain State Employees			\$ 129,709,854	\$ -	\$ 129,709,854	House provides a 5% increase in salary for certain employees of the Texas Department of Criminal Justice and the Texas Youth Commission at a total cost of \$129.7 million in general revenue (including benefits).
Section 17.05 Purchase of Microsoft Vista Information Technology		Page IX-69-70 Rider Packet, page 32-34		Page IX-69 Rider Packet, page 34-35		Senate provides a provision prohibiting the purchase of certain information technology without the prior approval of the LBB.
		Page IX-70 Rider Packet, page 35				

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Section 17.06 Professional Development Partnerships for Early Childhood Education			Page IX-69 Rider Packet, page 35-36			House includes a provision which requires the Workforce Commission to transfer \$1 million in federal funds each year to the Texas Education Agency to fund the management of early childhood partnership projects.
Section 17.06 GO TEXAN Certified Retirement Communities	\$ 390,312	\$ 150,000			\$ 540,312	Senate provides \$540,312 in general revenue to the Department of Agriculture for certified retirement communities.
Section 17.07 Salaries of Certain Elected Officials			Page IX-70 Rider Packet, page 35			House includes a provision which requires the salary of the Commissioner of Agriculture and the Land Commissioner to be no less than that of the Comptroller or Attorney General.
Section 17.07 Border Security Operations			Page IX-70-71 Rider Packet, page 36-38			Senate includes a provision which repurposes funds appropriated in Riders 53 and 55 in DPS' bill pattern and appropriates 15 additional FTEs to TPWD, 10 additional FTEs to TDCJ, 56 additional FTEs to DPS for troopers along the border and 10 additional FTEs to DPS for Texas Rangers.

Item	<u>Senate</u>		<u>House</u>		Biennial Difference	Explanation
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Section 17.08 Fraud Reporting(House)/Section 17.11 Fraud Reporting (Senate)	Page IX-72 Rider Packet, page 43		Page IX-70 Rider Packet, page 38			Provision requires agencies appropriated ARRA funds to provide information on how to report suspected fraud on the agency's website and to report suspected fraud to the State Auditor. Senate includes institutions of higher education. House does not explicitly hold institutions to same requirements as agencies.
Section 17.08 Pass-through Tolling Agreements	Page IX-71 Rider Packet, page 39					Senate includes a provision which requires TxDOT to report to the LBB on all pass-through tolling agreements.
Section 17.09 Reports and Limits on Use of Appropriated and Transferred Funds			Page IX-70-71 Rider Packet, page 39-42			House includes a provision which requires approval by the LBB before any transfer or expenditure of funds by the Governor's Office or Texas A&M related to the National Center for Therapeutics Manufacturing. Several other reporting requirements also apply.
Section 17.09 Leave Requirement	Page IX-71-72 Rider Packet, page 39					Senate includes a provision which requires the Adjutant General's Department to report every 30 days on overtime payment and emergency leave and have certain emergency leave approved by the LBB and Governor's Office.
Section 17.10 Transfer Authority Subject to Approval			Page IX-71 Rider Packet, page 42			House includes a provision which requires approval by the LBB before the Governor's Office may expend or transfer amounts from the Emerging Technology Fund or the Texas Enterprise Fund.

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Section 17.10 Internal Audit						Senate includes a provision which requires the Adjutant General's Department to report every 30 days on all internal audit work done and hold meetings of the internal audit committee at least quarterly and report all information to the Governor's Office, SAO and LBB.
Section 17.11 Contingency for House Bill 1358	\$	-	\$	-		House includes a provision which provides a transfer of \$875,000 in FY2010 and \$1,000,000 in FY2011 in cancer bond proceeds to DSHS to enhance the infrastructure of the cancer registry.
Section 17.12 Eligibility for Teacher Retirement System Supplemental Annuity Payment						House includes a provision which provides the eligibility requirements for those receiving the Teacher Retirement System supplemental annuity payment.
Section 17.12 Contingency Appropriation for Senate Bill 16: Texas Emissions Reduction Plan (TERP) Account No. 5071- Texas Commission on Environmental Quality						Senate includes a contingency provision which decreases appropriations made from TERP to TCEQ by \$3,088,011 each fiscal year and modifies the allocation of the TERP funding at TCEQ. The \$3,088,011 is appropriated to the Comptroller for the implementation of the Energy Efficient Appliance Purchase Incentive program. Additionally, \$5 million from the Clean Air Account No. 151 is redesignated for rebate and repair assistance payments for the LIRAP Program.

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Section 17.13 Contingency Appropriation for Senate Bill 1388	\$ -	\$ -	\$ 511,766		\$ 511,766	House includes a provision which provides a contingency appropriation of \$265,466 in fiscal year 2010 and \$246,300 in fiscal year 2011 (implied appropriation from General Revenue) and 4 additional FTES to the Office of Court Administration for the establishment of a process server certification division. This appropriation is also contingent on the agency collecting sufficient fee revenue to cover the cost of the appropriation.
			Page IX-72 Rider Packet, page 47			
Section 17.13 No Destruction of Human Embryos for Research Purposes						Senate includes a provision which prohibits the destruction of human embryos for research purposes.
						Page IX-73 Rider Packet, page 47
Section 17.14 Contingency Appropriation for House Bill 3594	\$ -	\$ -	\$ 1,000,000		\$ 1,000,000	House includes a provision which provides a contingency appropriation of \$500,000 in both fiscal year 2010 and fiscal year 2011 in Private Sector Prison Industry Expansion Account No. 5060 to the Department of Public Safety for the repair, renovation, or construction of crime laboratories.

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Section 17.14 Funding Contingent on Legislation				Page IX-72 Rider Packet, page 47-48		Senate includes a provision which provides that the conference committee will consider funding bills with a fiscal note that have passed at least one chamber of the Legislature.
Section 17.15 Reservoir Site Acquisition		Page IX-73 Rider Packet, page 48		Page IX-72 Rider Packet, page 48		

Outstanding issue: SAO position classification recommendations.

See also, House's Article XI.